

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

The Legislature convened at 5:00 p.m. with a call to order by the Chair, Daniel D. Reynolds. The Clerk, Eric S. Denk, read the fire exit announcement and called the Attendance Roll, Present-19, Absent-0.

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

Ms. Buchta made a motion, seconded by Mr. Garnar, that the minutes of September 24, 2009, October 22, 2009, November 5, 2009 and November 9, 2009 be approved as prepared and presented by the Clerk. **Carried**, Ayes-10, Nays-0, Absent-0.

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

ANNOUNCEMENTS FROM THE CHAIR

Mr. Reynolds invited Mr. Nirchi to the podium who presented a proclamation to Mr. Brink from the Health Department.

Mr. Reynolds announced the County Executive's vetoes to the Legislature's 2010 budget amendments would be considered at the conclusion of the resolutions.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Barbara J. Fiala

1. Appointment to the BC Library Board of Trustees
2. Veto Message 2010 Budget

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel D. Reynolds

1. Designations for Hon. Gene LaBare, 11/12/2009
2. Designation for Hon. Wayne Howard, 11/9/2009
3. Designation for Hon. Stephen Herz, 11/12/2009
4. Legislative Clerk to the County Executive, Legislative Changes to the Proposed 2010 Budget
5. Designation for Hon. Mark Whalen, 11/12/2009
6. Designation for Hon. Don Moran, 11/13/2009

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. PETITIONS: None

B. COMMUNICATIONS:

1. Nineveh Public Library Colesville Township Goals, Profit & Loss for 2008
2. Town of Kirkwood 2010 Budget
3. Whitney Point Mary Wilcox Memorial Library Fiscal Budget Fund 2009-2010
4. Law Department, Joseph J. Sluzar - Economic Impact Study
5. BC Library Board of Trustees Letter of Approval for adopting Retirement Incentive

6. Soil & Water Conservation District's Role in Natural Gas Development in BC
7. Pope & Schrader, LLP – County of Broome 2010 Fiscal Year Sales Tax Collection
8. Law Department, Joseph J. Sluzar – Sales Tax Allocation Proposed Resolution
9. STOP-DWI 2010 BC Stop DWI Program Plan
10. BCC Budget Transfers September 2009
11. BC Soil & Water Conservation District Director's Meeting Minutes 9/15/2009
12. BC Soil & Water Conservation District Director's Meeting Minutes 10/20/2009
13. Village of Whitney Point Memo opposing change to BC Sales Tax distribution formula
14. Town of Barker 2010 Budget
15. Town of Conklin 2010 Budget
16. Town of Sanford 2010 Budget

C. NOTICES:

1. Special Meeting of the Finance Committee 10/29/2009
2. Finance Meeting 11/5/2009
3. Special Session 11/5/2009
4. Personnel, Health & Environmental Protection & Education, Culture & Recreation Meetings Rescheduled
5. Public Hearing on the County Executive's 2010 Proposed Broome County Budget
6. Meeting Time Change 10/22/2009
7. Reschedule Regular Session to Monday 11/23/2009
8. Special Meeting of Finance Committee 12/3/2009

D. REPORTS:

1. BC Department of Finance Third Quarterly Report of 2009 Sales Tax
2. BC Finance Department Comprehensive Annual Financial Report
3. BC Mental Health Department Annual Report 2008
4. Testone, Marshall, & Discenza, CPA's – Independent Auditor's Report
5. BC Department of Finance Semi-Annual Report 4/2009 - 9/2009

Mr. Moran and Mr. Howard were designated as participants with Chairman Reynolds in the "Short Roll Call".

RESOLUTION RECALLED FROM A PREVIOUS SESSION

Mr. LaBare made a motion, seconded by Mr. Nirchi to recall Resolution 467 for the purpose of amending. **Motion to recall carried.** Ayes-18, Nays-0, Absent-0, Abstain-1 (Cleary)

RESOLUTION NO. 467

By Personnel and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING REVISION OF THE RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES FOR 2009

Mr. LaBare made a motion, seconded by Mr. Nirchi to amend the 4th Whereas paragraph, the 1st Resolved paragraph and the 1st Further Resolved paragraph to add "retroactive to January 1, 2009" and delete the 2nd Further Resolved paragraph. **Amendment carried.** Ayes-18, Nays-0, Absent-0, Abstain-1 (Cleary). **Resolution as amended carried.** Ayes-18, Nays-0, Absent-0, Abstain-1 (Cleary).

RESOLUTIONS HELD OVER OR TABLED FROM PREVIOUS SESSION

RESOLUTION NO. 475

(Held over by Mr. Marinich)

exceed \$600,000 per year, total amount not to exceed \$1,200,000 for the period January 1, 2010 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Legal Aid Society of Mid New York, Inc., 255 Genesee Street, Utica, New York 13501 for legal services for the Department of Audit and Control for the period January 1, 2010 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 \$600,000 per year, total amount not to exceed \$1,200,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 360008.4738.101000 (Court Assigned Attorneys-Family Court), and be it

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

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

RESOLUTION NO. 507

By Education, Culture and Recreation and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING ACCEPTANCE OF A 2009 TOOLS OF HISTORY DIGITIZATION SOUTH CENTRAL REGIONAL LIBRARY COUNCIL PROGRAM GRANT FOR THE BROOME COUNTY PUBLIC LIBRARY AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, the Director of the Broome County Public Library requests authorization to accept a 2009 Tools of History Digitization South Central Regional Library Council Program Grant and adopt a program budget in the amount of \$5,016 for the period August 11, 2009 through February 28, 2010, and

WHEREAS, said program grant is to facilitate the conversion of unique and significant non-digital materials to digital format thereby enhancing the quality of resources available in Tools of History, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,016 from the South Central Regional Library Council, 215 North Cayuga Street, Ithaca, New York 14850 for the Broome County Public Library's 2009 Tools of History Digitization South Central Regional Library Council Program Grant for the period August 11, 2009 through February 28, 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 \$5,016, and be it

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

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

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

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

RESOLUTION NO. 508

By Transportation and Rural Development, Personnel, and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING REVISION OF THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) GRANT AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 104 of 2009, authorized and approved renewal of the Binghamton Metropolitan Transportation Study Program Grant and adopted a program budget in the total amount of \$581,725 for the period April 1, 2009 through March 31, 2010, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$20,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Binghamton Metropolitan Transportation Study (BMTS) Grant to reflect an increase of \$20,000 for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$601,725, and be it

FURTHER RESOLVED, that Resolution 104 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-19, Nays-0, Absent-0.

RESOLUTION NO. 509

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

RESOLUTION AUTHORIZING ACCEPTANCE OF A LOCAL GOVERNMENT EFFICIENCY PROGRAM GRANT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ADOPTING A PROGRAM BUDGET FOR 2008-2011

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to accept a Local Government Efficiency Program Grant and adopt a program budget in the amount of \$33,750 for the period April 1, 2008 through March 31, 2011, and

WHEREAS, said program grant provides funds to develop a County-wide Building Code Enforcement Office Feasibility Study, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$33,750 from the New York State Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231 for the Department of Planning and Economic Development's Local Government Efficiency Program Grant for the period April 1, 2008 through March 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$37,500, and be it

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

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

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

Carried. Ayes-15, Nays-4 (Keibel, Pasquale, Diffendorf, Marinich), Absent-0.

RESOLUTION NO. 510

By County Administration and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE NETSMART PUBLIC HEALTH, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2010

WHEREAS, this County Legislature, by Resolution 590 of 2008, authorized renewal of the agreement with Netsmart Public Health, Inc. for software maintenance for the Division of Information Technology at a cost not to exceed \$17,653.86 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for software maintenance, technical support and upgrades to the Patient Care Management System used by the Health Department's Clinics Division to track and manage patients and services, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$18,536.55, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Netsmart Public Health, Inc., PO Box 415488, Boston Massachusetts 02241-4888 for software maintenance for the Division of Information Technology 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 \$18,536.55 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4513.101000 (Software Maintenance), and be it

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

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

RESOLUTION NO. 511

By Finance and Personnel Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE GUARDIAN LIFE INSURANCE COMPANY OF NEW YORK FOR LIFE INSURANCE FOR ELIGIBLE BROOME COUNTY EMPLOYEES FOR THE OFFICE OF RISK AND INSURANCE FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 640 of 2008, authorized renewal of the agreement with Guardian Life Insurance Company of New York for life insurance for eligible Broome employees for the Office of Risk and Insurance at a rate of \$1.30 per enrollee per month, and \$.30 per enrollee per month for accidental death and dismemberment for the period December 1, 2008 through November 30, 2009, and

WHEREAS, said agreement is necessary to provide life insurance coverage for eligible Broome County employees, and

WHEREAS, said agreement expires by its terms on November 30, 2009 and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$1.30 per enrollee per month for life insurance, and \$.30 per enrollee per month for accidental death and dismemberment, for the period December 1, 2009 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Guardian Life insurance Company of New York, 3900 Burgess Place, Bethlehem, Pennsylvania 18017 for life insurance for eligible Broome County employees for the Office of Risk and Insurance for the period December 1, 2009 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$1.30 per enrollee per month for life insurance and \$.30 per enrollee per month for accidental death and dismemberment for the term of the agreement, and be it

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

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

RESOLUTION NO. 512

By Public Safety and Emergency Services, County Administration and Finance Committees
Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE LOCAL ENHANCED WIRELESS 911 PROGRAM GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2009-2012

WHEREAS, this County Legislature, by Resolution 661 of 2008, authorized and approved renewal of the Local Enhanced Wireless 911 Program Grant for the Office of Emergency Services and adopted a program budget in the amount of \$772,935 for the period April 1, 2008 through March 31, 2011, and

WHEREAS, said program grant provides funding to reimburse the County for costs associated with the provision of Wireless 911 services, and

WHEREAS, it is desired to renew said grant program in the amount of \$108,936 for the period April 1, 2009 through March 31, 2012, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$108,936 from the New York State Department of State, 41 State Street, Albany, New York 12231-0001 for the Office of Emergency Services Local Enhanced Wireless 911 Program Grant for the period April 1, 2009 through March 31, 2012, 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 \$881,871, and be it

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

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

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

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

RESOLUTION NO. 513

By Public Safety and Emergency Services and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH WATCH SYSTEMS FOR A CENTRAL SEX OFFENDER REGISTRY FOR THE OFFICE OF THE SHERIFF FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 387 of 2008, authorized renewal of the agreement with Watch Systems for a Central Sex Offender Registry for the Office of the Sheriff at the cost of a license fee of \$9,000 and a fee of \$8,000 for postage, total amount not to exceed \$17,000 for the period September 1, 2008 through August 31, 2009, and

WHEREAS, said agreement provides for the registration, verification and a community tool for all sex offenders in Broome County, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$805 due to an increase in the postage cost, and

WHEREAS, the Sheriff 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 Watch Systems, 516 E. Rutland Street, Covington, Louisiana 70433 for a Central Sex Offender Registry for the Office of the Sheriff for the period September 1, 2008 through August 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$17,805, for the term of the agreement, and be it

FURTHER RESOLVED, that the additional payment hereinabove authorized shall be made from budget line 450015.4411.101000 (Postage), and be it

FURTHER RESOLVED, that Resolution 387 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 514

By Public Works and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE CONTRACT UNDER THE APPROPRIATE LAWS OF NEW YORK

WHEREAS, the State of New York provides financial aid for household hazardous waste programs, and

WHEREAS, the County of Broome having offices at the Edwin L. Crawford County Office Building, PO Box 1766, Binghamton, New York 13902, hereinafter called the Municipality, has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application under these laws, and

WHEREAS, it is necessary that a contract by and between the People of the State of New York, hereinafter called the State, and the municipality be executed for such State aid, now, therefore, be it

RESOLVED, by the County Legislature of the County of Broome that the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York, including all understanding and assurance contained in said application, is hereby authorized, and be it

FURTHER RESOLVED, that the Municipality agrees it will fund the entire cost of said Household Hazardous Waste Program and will be reimbursed by the State for the State's share of such costs, and be it

FURTHER RESOLVED, that five certified copies of this resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application, 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.

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION NO. 514

By Public Works and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE CONTRACT UNDER THE APPROPRIATE LAWS OF NEW YORK

WHEREAS, the State of New York provides financial aid for household hazardous waste programs, and

WHEREAS, the County of Broome having offices at the Edwin L. Crawford County Office Building, PO Box 1766, Binghamton, New York 13902, hereinafter called the Municipality, has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application under these laws, and

WHEREAS, it is necessary that a contract by and between the People of the State of New York, hereinafter called the State, and the municipality be executed for such State aid, now, therefore, be it

RESOLVED, by the County Legislature of the County of Broome that the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York, including all understanding and assurance contained in said application, is hereby authorized, and be it

FURTHER RESOLVED, that the Municipality agrees it will fund the entire cost of said Household Hazardous Waste Program and will be reimbursed by the State for the State's share of such costs, and be it

FURTHER RESOLVED, that five certified copies of this resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application, 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.

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION NO. 515

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE LONG TERM CARE POINT OF ENTRY PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 607 of 2008, authorized and approved renewal of the Long Term Care Point of Entry Program Grant for the Department of Social Services and adopted a program budget in the amount of \$85,000 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides professional and consumer education and will develop a resource listing of all long term care services, and

WHEREAS, it is desired to renew said program grant in the amount of \$85,000 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 \$85,000 from the New York State Office for Aging, Two Empire State Plaza, Albany, New York 12223-1251 for the Department of Social Services Long Term Care Point of Entry 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 \$85,000, and be it

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

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

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

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

RESOLUTION NO. 516

By Human Services, Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF MEDICAID MANAGED CARE PROGRAM (MAX) GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 577 of 2008, authorized and approved renewal of the Medicaid Managed Care Program (MAX) Grant for the Department of Social Services and adopted a program budget in the amount of \$135,000 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, the Medicaid Managed Care Program is a voluntary managed care program that provides access to primary care services to Medicaid recipients, and

WHEREAS, it is desired to renew said program grant in the amount of \$135,000 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 \$67,500 in State Aid and \$67,500 in Federal Aid for the Department of Social Services Medicaid Managed Care Program (MAX) 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 \$135,000, and be it

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

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

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

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

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

RESOLUTION NO. 517

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH FAMILY & CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR FOSTER FAMILY PERSONAL CARE SERVICES FOR ADULTS FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2010-2011

WHEREAS, this County Legislature, by Resolution 593 of 2007, authorized renewal of the agreement with the Family & Children's Society of Broome County, Inc. for foster family personal care services for adults at an amount not to exceed \$1,418.65 per client, per month, for the period January 1, 2008 through December 31, 2009, and

WHEREAS, said agreement is necessary for foster family care services for adults, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$1,143.38 per client, per month, for the period January 1, 2010 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Family & Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for personal care services for the Department of Social Services for the period January 1, 2010 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 \$1,143.38 per client, per month, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS, Medical Assistance), and be it

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

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

RESOLUTION NO. 518

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH VARIOUS VENDORS FOR PERSONAL CARE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES' MEDICAID PROGRAM FOR 2010-2011

WHEREAS, this County Legislature, by Resolution 594 of 2007, authorized renewal of the agreement with various vendors for personal care services for the Department of Social Services' Medicaid Programs at rates approved by New York State for the period January 1, 2008 through December 31, 2009, and

WHEREAS, said agreements are necessary for personal home care assistance to eligible Medicaid clients which allows them to remain in their community residence, and

WHEREAS, said agreements expire by their terms on December 31, 2009, and it is desired at this time to renew said agreements on substantially similar terms and conditions for the period January 1, 2010 through December 31, 2011, at rates approved by New York State attached hereto as Exhibit "A" and said rates will continue until such time when New York State approves new rates, at which time the new approved New York State rates will apply, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various vendors for personal care services, for the period January 1, 2010 through December 31, 2011, at rates approved by New York State attached hereto as Exhibit "A" and said rates will

continue until such time when New York State approves new rates, at which time the new approved New York State rates will apply, and be it

FURTHER RESOLVED, that the new rates approved by New York State will automatically be adopted without the necessity of legislative approval, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS, Medical Assistance), and be it

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

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

RESOLUTION NO. 519

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING REVISION OF INDIGENT BURIAL RATES PAID TO FUNERAL HOMES FOR SERVICES PROVIDED TO THE BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES FOR 2010

WHEREAS, in accordance with Social Services Law §141, Broome County's Department of Social Services is responsible to provide for the care, removal and burial of the bodies of indigent persons who die within Broome County,

WHEREAS, this County Legislature, by Resolution 572 of 2006 established procedures and rates for indigent burials by the Department of Social Services, and

WHEREAS, it is appropriate and necessary at this time to revise said rates, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the following rates and procedures for the period January 1, 2010 through December 31, 2010, with two one-year renewals at Broome County's option at the following rates and conditions:

1. Allowances for burial of an indigent stillborn, or child up to one year for calendar year 2010 shall be as follows (with a 0% increase in the calendar year 2011 and 2012 with an option for renewal at the end of each year):
Full Service Burial/Full Service Cremation \$545
Immediate Burial/Immediate Cremation \$364
2. Allowance for burial of all other indigent individuals for calendar year 2010 shall be as follows (with a 0% increase in calendar year 2011 and 2012 with an option for renewal at the end of each year):
Full Service Burial/Full Service Cremation \$1,985
Immediate Burial/Immediate Cremation \$ 969
3. The allowances in #1 and #2 above will also apply for body donations of indigent individuals. This allowance will be paid to the funeral directors for their services involving arrangements for the body and for all transportation costs to the medical facility. Pre-registration with the donation facility is required.

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670166.4589.103000 (Burials), and be it

FURTHER RESOLVED, that Resolution 572 of 2006, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 520

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE INTEGRATED COUNTY PLANNING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH UNITED WAY OF BROOME COUNTY, INC. TO ADMINISTER SAID PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 536 of 2008, authorized and approved renewal of the Integrated County Planning Program Grant for the Department of Social Services, adopted a program budget in the amount of \$3,500 and authorized an agreement with the United Way of Broome County, Inc. to administer said program for the period January 1, 2009 through December 31, 2009 and

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

WHEREAS, it is desired to renew said program in the amount of \$3,500, adopt a program budget and renew the agreement with United Way of Broome County, Inc. to continue to administer said program for the period January 1, 2010 through December 31, 2010 now, therefore, be it

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

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with United Way of Broome County, Inc. PO Box 550, Binghamton, New York 13902-0550, to administer said program 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 \$3,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670513.4747.105xxx (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) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 521

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CENTRAL NEW YORK AREA HEALTH EDUCATION CENTER FOR TRAINING AND EQUIPMENT FOR THE WILLOW POINT NURSING HOME FOR 2009

WHEREAS, this County Legislature, by Resolution 34 of 2009, authorized an agreement with Central New York Area Health Education Center for training and equipment for Willow Point Nursing Home at no cost to the County for the period January 1, 2009 through June 30, 2009, and

WHEREAS, said agreement provides on and off-site training and equipment, which will allow Willow Point Nursing Home to implement the Berger Commission Report mandates, now therefore be it

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the contract period through December 31, 2009, and

WHEREAS, the Administrator of the Willow Point Nursing Home has requested authorization for the said amendment as approved by the Department of Law, at no additional cost to the county, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Central New York Area Health Education Center, 10 Kennedy Parkway, Cortland, New York 13045 for training and equipment for the Willow Point Nursing Home, at no cost to the County, for the period January 1, 2009 through December 31, 2009, and be it,

FURTHER RESOLVED, that Resolution 34 of 2009, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 522

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO THE CHARGE STRUCTURE FOR SEMI-PRIVATE AND PRIVATE ROOMS FOR THE RESIDENTS OF THE WILLOW POINT NURSING HOME

WHEREAS, this County Legislature, by Resolution 395 of 1997, as amended by Resolution 620 of 1998, 662 of 1999, 558 of 2000, 603 of 2001, 146 and 659 of 2002, 301 and 652 of 2003, 450 of 2004, 596 of 2006, 625 of 2007, and Resolution 738 of 2008 authorized a charge structure for services provided to the residents of the Willow Point Nursing Home, and

WHEREAS, it is necessary to change the charge structure for semi-private rooms to \$240 per day and private rooms to \$250 per day, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the charge structure for the services provided to the residents of Willow Point Nursing Home, effective January 1, 2010 - indefinite

- | | |
|--------------------------------|---------------|
| a. Semi-Private Room and Board | \$240 per day |
| b. Private Room and Board | \$250 per day |

and be it

FURTHER RESOLVED, that said charge structure shall remain in effect until such time as changes are required, 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.

FURTHER RESOLVED, that the County Comptroller and the Commissioner of Finance are hereby authorized with the restraints of this Resolution to make any necessary adjustments to implement the intent and purpose of this Resolution.

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

RESOLUTION NO. 523

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING THE WILLOW POINT NURSING HOME TO WRITE OFF UNCOLLECTIBLE ACCOUNTS.

WHEREAS, from time to time residents at the Willow Point Nursing Home (the "Nursing Home") have outstanding balances on their accounts, and

WHEREAS, after due diligence it has been determined that the accounts listed on Exhibit "A" are uncollectible, and

WHEREAS, in 1988 the Nursing Home set up a reserve for bad debt, and

WHEREAS, the Deputy Administrator for Fiscal Services for the Willow Point Nursing Home has requested authority to write off the uncollectible accounts and adjust the reserve for bad debt accordingly, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Deputy Administrator for Fiscal Services of the Willow Point Nursing Home to write off as uncollectable the accounts listed on Exhibit "A", and be it

FURTHER RESOLVED, that the Administrator of Willow Point Nursing Home, the Commissioner of Finance and Comptroller are authorized to make all necessary accounting entries, including adjustments to the "bad debt" reserve account, to effectuate the intent and purpose of the resolution

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

RESOLUTION NO. 524

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING PAYMENT TO VARIOUS VENDORS FOR SERVICES CLASSIFIED UNDER THE CONSOLIDATED BILLINGS PROSPECTIVE PAYMENT SYSTEM FOR SKILLED NURSING FACILITIES FOR 2010

WHEREAS, this County Legislature, by Resolution 519 of 2008 authorized blanket approval to pay for services classified under the Consolidated Billings Prospective Payment System for Skilled Nursing Facilities at the Physician Fee Schedule where applicable, total amount not to exceed \$ 50,000 for the period January 1, 2009 through December 31, 2009, and

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

WHEREAS, the administrator of the Willow Point Nursing Home requests authorization for payment to various vendors for services classified under the Consolidated Billings Prospective Payments System for Skilled Nursing Facilities, at the Physician Fee Schedule where applicable, for the period January 1, 2010 through December 31, 2010, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes payment to various vendors for services classified under the Consolidated Billings Prospective Payment System for Skilled Nursing Facilities, at the Physician Fee Schedule where applicable, total amount not to exceed \$10,000 for the period January 1, 2010 through December 31, 2010, and be it

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

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

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

RESOLUTION NO. 525

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH K & A RADIOLOGICAL TECHNOLOGY, INC. FOR PROFESSIONAL SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2009

WHEREAS, this County Legislature, by Resolution 527 of 2008, authorized an agreement with K & A Radiological Technology, Inc. for professional services for the Willow Point Nursing

Home at an amount not to exceed \$20,850, for the period January 1, 2009 through December 31, 2009, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to provide an increase in the not to exceed amount of \$5,150 for the period from January 1, 2009 through December 31, 2009, and

WHEREAS, the Administrator of Willow Point Nursing Home, 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 K & A Radiological Technology, Inc. 2706 East Main Street, Endicott, NY 13760 for professional services for the Willow Point Nursing Home for the period of January 1, 2009 through December 31, 2009, and be it,

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$26,000, for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 527 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 526

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

Seconded by Ms. Messina

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF MENTAL HEALTH

RESOLVED, that in accordance with a request contained in PCR# 09-254 from the Commissioner of Mental Health, this County Legislature hereby authorizes the position of Intensive Case Manager, Grade 18, Union Code 04 CSEA, minimum salary \$38,210, at budget line 470153.1000.105528, to be abolished effective September 30, 2009, as the grant will not be renewed.

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

RESOLUTION NO. 527

By Finance Committee

Seconded by Ms. Messina

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWN OF UNION

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 will be cancelled on the following parcels of real property:

Parcel ID:	143.73-4-62
Town/Village:	Union
Owner:	Town of Union
Amount to be Cancelled:	\$227.03
Reason:	Demolition purposes

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

RESOLUTION NO. 528

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING ACCEPTANCE OF A GREEN JOB CORP PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, the Commissioner of Social Services requests authorization to accept a Green Job Corp Program Grant and adopt a program budget in the amount of \$237,548 for the period October 1, 2009 through September 30, 2010, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$237,548 from the New York State Office of Temporary and Disability Assistance, 40 N. Pearl Street, Albany, New York 12243 for the Department of Social Services' Green Job Corp 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 \$237,548, and be it

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

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

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

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

RESOLUTION NO. 529

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE BINGHAMTON CITY SCHOOL DISTRICT FOR SERVICES RELATED TO THE HEALTH DEPARTMENT'S BUILDING A HEALTHY NATION-STRATEGIC ALLIANCE PROGRAM GRANT FOR 2009-2010

WHEREAS, the Director of the Health Department requests authorization for an agreement with the Binghamton City School District for services related to the Health Department's Building a Healthy Nation-Strategic Alliance Program Grant at a cost not to exceed \$15,000, for the period November 20, 2009 through September 29, 2010, and

WHEREAS, said agreement is necessary to coordinate nutrition and physical education intervention strategies that will result in policy, systems and environmental changes to ultimately increase student health status, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Binghamton City School District, 164 Hawley Street, Binghamton, New York 13901 for services related to the Health Department's Building a Healthy Nation-Strategic Alliance Program Grant for the period November 20, 2009 through September 29, 2010, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105618 (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-19, Nays-0, Absent-0.

RESOLUTION NO. 530

By Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE BUCKLE UP NEW YORK PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 23 of 2009, authorized and approved renewal of the Buckle Up New York Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$9,680 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program's goal is to increase seat belt usage in an effort to reduce serious injury or death from traffic crashes, and

WHEREAS, it is desired to renew said program grant in the amount of \$10,000 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 \$10,000 from the New York State Governor's Traffic Safety Committee, Department of Motor Vehicles, 6 Empire State Plaza, Albany, New York 12228 for the Office of the Sheriff's Buckle Up New York 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 \$10,000, and be it

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

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

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

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

RESOLUTION NO. 531

By Public Safety and Emergency Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF CHILD PASSENGER SAFETY PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 653 of 2008, authorized and approved the Child Passenger Safety Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$18,000 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program goal is to increase the proper use and installation of child safety seats, and

WHEREAS, it is desired to renew said program grant in the amount of \$19,500 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 \$19,500 from New York State Governor's Traffic Safety Committee, Department of Motor Vehicles, 6 Empire State Plaza, Albany, New York 12228 for the Office of the Sheriff's Child Passenger Safety 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 \$19,500 and be it

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

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

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

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

RESOLUTION NO. 532

By Public Safety and Emergency Services and Finance Committees Seconded by Ms. Messina
RESOLUTION ADOPTING THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM PLAN FOR 2010

WHEREAS, this County Legislature, by Resolution 522 of 1981 established the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program pursuant to New York State Vehicle and Traffic Law, and

WHEREAS, Section 1197 of Article 31 of the Vehicle and Traffic Law of the State of New York requires the adoption of a STOP-DWI Program Plan and related contracts by the local governing body each year in order to qualify for Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program funding, and

WHEREAS, this County Legislature, by Resolution 658 of 2008, approved and adopted the 2009 Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program Plan, and

WHEREAS, the Broome County STOP-DWI Program has prepared a Plan for submission to the New York State Commissioner of Motor Vehicles for the Broome County STOP-DWI Program for 2010, a copy of said Plan having been filed with the Clerk of the Legislature, and

WHEREAS, the Broome County STOP-DWI Advisory Board has reviewed this Plan, agrees and endorses the recommendations and strategies contained therein and requests this County Legislature to approve and adopt said Plan accordingly, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the 2010 Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program Plan, a copy of which has been filed with the Clerk of the Legislature, and be it

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

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

RESOLUTION NO. 533

By Public Health and Environmental Protection, Personnel, and Finance Committees
Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE ROAD TO RECOVERY PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 490 of 2008, authorized and approved renewal of the Road to Recovery Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$86,666 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides non-violent felony offenders with a history of drug and alcohol abuse a treatment alternative to incarceration that combines both residential and outpatient treatment models, and

WHEREAS, it is desired to renew said program grant in the amount of \$89,343 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 \$78,141 from the New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203, for the Department of Mental Health's Road to Recovery 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 \$89,343, and be it

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

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

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

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

RESOLUTION NO. 534

By Public Health and Environmental Protection, Personnel and Finance Committees
Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE MENTALLY ILL CHEMICAL ABUSER (MICA) INTENSIVE CASE MANAGEMENT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 643 of 2008, authorized and approved renewal of the Mentally Ill Chemical Abuser (MICA) Intensive Case Management Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$373,362 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides intensive services for mentally ill chemically dependent individuals, and

WHEREAS, it is desired to renew said program grant in the amount of \$374,197 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 \$209,945 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New

York 12229, for the Department of Mental Health's Mentally Ill Chemical Abuser (MICA) Intensive Case Management 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 \$374,197, and be it

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

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

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

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

RESOLUTION NO. 535

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH CASEWORKER PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 573 of 2008, authorized and approved renewal of the Mental Health Caseworker Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$51,463 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides a caseworker to help clients navigate health systems and to assist with job training, and

WHEREAS, it is desired to renew said program grant in the amount of \$47,654 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 \$31,148 from New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Mental Health Caseworker 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 \$47,654, and be it

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

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

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

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

RESOLUTION NO. 536

By Public Health and Environmental Protection, Personnel and Finance Committees
Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE FORENSIC TRANSITIONAL MANAGEMENT PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 609 of 2008, authorized and approved renewal of the Forensic Transitional Management Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$74,810 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides mental health services to clients in the legal system and helps minimize the need for hospitalization by providing a more intensive program, and provides discharge coordination for seriously mentally ill inmates including treatment and medication management, and

WHEREAS, it is desired to renew said program grant in the amount of \$78,678 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 \$61,135 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Forensic Transitional Management 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 \$78,678, and be it

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

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

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

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

RESOLUTION NO. 537

By Public Health and Environmental Protection, Personnel and Finance Committees
Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE FAMILIES FIRST PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 572 of 2008, authorized and approved renewal of the Families First Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$523,176 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides intensive and specialized in-home professional therapeutic and behavioral services to families, and

WHEREAS, it is desired to renew said program grant in the amount of \$528,986 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 \$528,986 from the Broome County Department of Social Services, 36-42 Main Street, Binghamton, New York 13905 for the Department of Mental Health's Families First 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 \$528,986, 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 within this grant budget provided that employee head count is not increased,

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

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

RESOLUTION NO. 538

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE CHILD AND FAMILY CLINIC PLUS PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 574 of 2008, authorized and approved renewal of the Child and Family Clinic Plus Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$418,945 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides broad based screenings, comprehensive assessments, expanded clinic capacity, in-home services and evidence based treatment for early recognition of mental health issues and early intervention of appropriated services, and

WHEREAS, it is desired to renew said grant program in the amount of \$367,996 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 \$218,768 from the New York State Office of Mental Health, Division of Children and Family Services, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Child and Family Clinic Plus 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 \$367,996, and be it

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

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

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

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

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

RESOLUTION NO. 539

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE CHEMICAL DEPENDENCY SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 564 of 2008, authorized and approved renewal of the Chemical Dependency Services Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$293,055 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides evaluations and assessments to Department of Social Services clients and forensic services, and

WHEREAS, it is desired to renew said program grant in the amount of \$304,173 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 \$91,586 from the New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203-3528, for the Department of Mental Health's Chemical Dependency 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 \$304,173, and be it

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

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

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

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

RESOLUTION NO. 540

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE QUALITY ASSURANCE AND ACCOUNTABILITY PROJECT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH COORDINATED CARE SERVICES, INC. TO ADMINISTER SAID PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 675 of 2008, authorized and approved renewal of the Quality Assurance and Accountability Project Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$280,982 and authorized an agreement with Coordinated Care Services, Inc. to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides stronger management and quality assurance capabilities as well as monitoring performance expectations, and

WHEREAS, it is desired to renew said program grant in the amount of \$290,970, adopt a program budget and renew the agreement with Coordinated Care 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 \$223,753 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Quality Assurance and Accountability Project 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 \$290,970, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Coordinated Care Services, Inc., 1099 Jay Street, Rochester, New York 14611 to administer said program grant 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 and amount not to exceed \$278,373 for the term of the agreement, and be it

FURTHER RESOLVED, that the payment 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, and be it

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

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

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

RESOLUTION NO. 541

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE NYS ASSOCIATION FOR RETARDED CITIZENS PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH THE BROOME TIOGA ASSOCIATION FOR RETARDED CITIZENS, D/B/A ACHIEVE, TO ADMINISTER SAID PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 566 of 2008, authorized and approved renewal of the NYS Association for Retarded Citizens Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$835,634 and authorized an agreement with Broome Tioga Association for Retarded Citizens, d/b/a ACHIEVE to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides a comprehensive continuum of services, offering a full range of day, residential, family support and summer camp programs to nearly 500 individuals and their families as well as provides a supported work program for job placement, and

WHEREAS, it is desired to renew said grant program in the amount of \$849,210, adopt a program budget and renew the agreement with Broome Tioga Association for Retarded Citizens, d/b/a ACHIEVE, 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 \$630,667 from the New York State Office of Mental Retardation and Developmental Disabilities, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's NYS Association for Retarded Citizens 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 \$849,210, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome Tioga Association for Retarded Citizens, d/b/a ACHIEVE, 125 Cutler Pond Road, Binghamton, New York 13905 to continue to administer said program for the Department of Mental Health's NYS Association for Retarded Citizens Program 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 \$849,210 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5023.105xxx (Contracted Services-ARC), and be it

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

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

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

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

RESOLUTION NO. 542

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY FOR COUNSELING SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2010

WHEREAS, this County Legislature, by Resolution 565 of 2008, authorized renewal of the agreement with the Addiction Center of Broome County for counseling services for the Department of Mental Health at an amount not to exceed \$68,719 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for outpatient counseling services to individuals 18 and older, including specialty services for felony DWI offenders, relapse-prone individuals, co-dependent individuals and mentally ill substance abusers, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$68,719 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with The Addiction Center of Broome County, 30 W. State Street, Binghamton, New York 13901 for counseling services 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 \$68,719 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5021.105xxx (Contracted Services), and be it

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

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

RESOLUTION NO. 543

By Public Safety and Emergency Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF FUNDING AGREEMENTS WITH VARIOUS VENDORS, BROOME COUNTY DEPARTMENTS, OUTSIDE AGENCIES, AND MUNICIPALITIES FOR THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 659 of 2008, authorized the renewal of funding agreements with various Broome County departments, outside agencies, and municipalities for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant in the total amount of \$170,600 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreements are necessary to provide funding to continue local law STOP-DWI enforcement efforts, and

WHEREAS, it is desired to renew agreements with various Broome County departments, outside agencies, and municipalities as shown on Exhibit "A" for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant in the total amount of \$192,486 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of funding agreements with various Broome County departments, outside agencies, and municipalities as shown on Exhibit "A" for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of funding agreements with various Broome County departments, outside agencies, and municipalities as shown on Exhibit "A" and shall not exceed the amount of \$192,486 and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the following budget lines: \$5,500 from 820001.4342/4249/4442/4447.101051, (Various Lines), \$101,874 from 820001.4457.101051 (Subcontracted Program Expenses), \$85,112 from 820001.4610.101051 (Personal Services Chargeback)

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

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

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

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

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

RESOLUTION NO. 544

By Finance and Public Health and Environmental Protection Committees

Seconded by Ms. Messina

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 Building a Healthy Nation – Strategic Alliance for Health Federal Program Grant 09/10, as requested by BF# 8143 AND 8147, 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:	480376	1500	105618	Salaries-Part Time	\$ 17,319
	480376	4319	105618	Office Supplies	\$ 1,000
	480376	4606	105618	Telephone	\$ 200
	480376	8010	105618	State Retirement	\$ 2,425
	480376	8030	105618	Social Security	\$ 1,766
	480376	8040	105618	Workers Compensation	\$ 231
	480376	8050	105618	Life Insurance	\$ 12
	480376	8060	105618	Health Insurance	\$ 2,062
TO:	480376	4448	105618	Advertising & Promo Exp	\$ 13,015
	480376	4457	105618	Subcontracted Program Exp	\$ 7,000
	480376	4458	105618	Other Program Expenses	\$ 5,000

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

RESOLUTION NO. 545

By Finance, Public Works and Transportation and Rural Development Committees

Seconded by Mr. Pasquale

RESOLUTION AMENDING THE 2009 CAPITAL IMPROVEMENT PROGRAM FOR THE NORTH APRON REHABILITATION, PHASE 1

RESOLVED, that the 2009 Capital Improvement Program is hereby amended to create a new project for the Department of Aviation as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			
			<u>State</u>	<u>Federal/Other</u>	<u>County*</u>	
501605	North Apron Rehabilitation, Phase 1	\$500,000	\$12,500	\$475,000	\$12,500	
		<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
		2009	10	14	\$500,000	0

*County's portion funded by Passenger Facility Charge funds and be it

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

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

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

RESOLUTION NO. 546

By Finance, Public Works and Transportation and Rural Development Committees

Seconded by Mr. Howard

RESOLUTION AMENDING THE 2005 CAPITAL IMPROVEMENT PROGRAM FOR THE INTERMODAL CENTER PROJECT

RESOLVED, that the 2005 Capital Improvement Program is hereby revised as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal</u>	<u>County</u>
501468	Intermodal Center Project	\$11,406,000	\$1,141,000	\$9,125,000	\$1,140,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2005	30	11	\$11,406,000	0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal</u>	<u>County</u>
501468	Intermodal Center Project	\$12,406,000	\$1,233,434	\$9,867,469	\$1,305,097

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2005	30	11	\$12,406,000	0

and be it

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

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

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

RESOLUTION NO. 547

By Finance Committee

Seconded by Ms. Messina

RESOLUTION AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE TAX LAW OF THE STATE OF NEW YORK

WHEREAS, the County Clerk and the Commissioner of Finance have presented their report concerning mortgage tax receipts for the period April 2009 through September 2009, pursuant to Section 261 of the Tax Law of the State of New York, and the same has been apportioned to the various municipalities thereto, now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay the Treasurer of the City of Binghamton and to respective Supervisors or Mayors of the 23 Towns and Villages of Broome County, those amounts listed:

SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION
April 2009 through September 2009

Dickinson	Village of Port Dickinson	3,750.52
	Outside	23,245.00
Lisle	Village of Lisle	603.88
	Outside	12,642.36
Sanford	Village of Deposit	727.08
	Outside	9,605.78
Triangle	Village of Whitney Point	3,370.54
	Outside	16,501.18
Union	Village of Johnson City	48,753.32
	Village of Endicott	42,995.97
	Outside	308,273.20
Windsor	Village of Windsor	1,646.66
	Outside	29,427.98
Barker		17,416.97
Binghamton (Town)		61,619.31
Chenango		108,530.46
Colesville		33,462.39
Conklin		41,540.70
Fenton		37,586.28
Kirkwood		38,189.83
Maine		32,724.08
Nanticoke		6,517.32
Vestal		253,112.41
City of Binghamton		223,087.97
Total		1,355,331.19

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

RESOLUTION NO. 548

By Public Works and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SHUMAKER CONSULTING ENGINEERS AND LAND SURVEYING P. C. FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE MANAGEMENT FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 233 of 2008, authorized an agreement with Shumaker Consulting Engineers and Land Surveying P.C. for professional services for the Department of Public Works Division of Solid Waste Management at a cost not to exceed \$709,800 for the period June 1, 2008 through December 31, 2009, and

WHEREAS, said agreement is necessary for consultant design and construction review of the new entrance and related roadway improvements for Section IV of the Broome County Landfill, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$27,330 and extend the period through December 31, 2010, and

WHEREAS, the Deputy Commissioner of Solid Waste Management 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 Shumaker Consulting Engineers and Land Surveying, P. C., 143 Court Street, Binghamton, New York 13901-3528 to increase the not to exceed amount by \$27,330 and amend the period to June 1, 2008 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$27,330, total amount not to exceed \$737,130, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4746.501556 (Scale House Road and Facility), and be it

FURTHER RESOLVED, that Resolution 233 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 549

By Public Works and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH STEARNS AND WHEELER LLC FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE MANAGEMENT FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 234 of 2008, authorized an agreement with Stearns and Wheeler for professional services for the Department of Public Works Division of Solid Waste Management at a cost not to exceed \$241,359 for the period April 18, 2008 through December 31, 2009, and

WHEREAS, said agreement is necessary for a 20-year Local Solid Waste Management Plan as required by the New York State Department of Environmental Conservation 6 NYCRR part 360 regulations, and

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

WHEREAS, the Deputy Commissioner of Solid Waste Management 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 Stearns and Wheeler, LLC, 1 Remington Park Drive, Cazenovia, New York 13035 to extend the period through June 30, 2010, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 234 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 550

By Public Safety and Emergency Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH GENERAL SERVICES ADMINISTRATION (GSA) FOR SECURITY SERVICES AT THE GSA HILLCREST DEPOT FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SECURITY FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 733 of 2008, authorized renewal of the agreement with General Services Administration (GSA) for security services at the GSA Hillcrest Depot with revenue to the County at the rate of \$30.88 per hour, for nine hours per week, total amount not to exceed \$14,451.84 for the period December 1, 2008 through November 30, 2009, and

WHEREAS, said agreement is necessary for Broome County Division of Security to provide road patrol inspections and security services at the Hillcrest Depot, and

WHEREAS, said agreement expires by its terms on November 30, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County at the rate of \$31.80 per hour, for nine hours per week, total amount not to exceed \$14,882.40, for the period December 1, 2009 through November 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with U. S. General Services Administration, Binghamton U. S. Courthouse & Federal Building, 15 Henry Street, Binghamton, New York 13901, for security services provided by the Broome County Division of Security for the period December 1, 2009 through November 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$31.80 per hour for nine hours per week, total amount not to exceed \$14,882.40 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 030080.0639.101000 (Security Services-Outside Users), and be it

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

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

RESOLUTION NO. 551

By Personnel, Education, Culture and Recreation and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 112 OF 2006 AUTHORIZING THE CREATION OF A DIRECTOR OF GOLF AND A SUPERINTENDENT OF GOLF AS SEASONAL POSITIONS FOR THE DEPARTMENT OF PARKS AND RECREATION FOR THE ENJOIE GOLF COURSE

WHEREAS, this County Legislature, by Resolution 112 of 2006, authorized the creation of a Director of Golf and a Superintendent of Golf as seasonal positions for the Department of Parks and Recreation for the Enjoie Golf Course, and

WHEREAS, Resolution 112 of 2006 authorized the person filling said positions to be employed for a 10-month period with limited benefits that included only participation in the County's self-insured single-person health plan paid for on the basis of the Administrative rate of 15 percent, and

WHEREAS, it is necessary to authorize the amendment of Resolution 112 of 2006 to change the period of employment to 12 months, with the number of work days remaining the same at the ten-month equivalent of 221 days, and allow participation in the County's self-insurance health plan, not limited to the single-person health plan, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 112 of 2006 to change the period of employment to 12 months, with the number of work days remaining the same at the ten-month equivalent of 221 days, and allow participation in the County's self-insurance health plan, not limited to the single-person health plan, and be it

FURTHER RESOLVED, that Resolution 112 of 2006, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 552

By Economic Development and Planning Committee

Seconded by Ms. Messina

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO STATE ENVIRONMENTAL QUALITY REVIEW ACT PROCEDURES REGARDING THE DEVELOPMENT OF THE SUSQUEHANNA HERITAGE AREA MANAGEMENT PLAN

WHEREAS, the Department of Planning and Economic Development has notified this County Legislature of an amendment to the Susquehanna Heritage Area Management Plan, and

WHEREAS, it has been determined that such proposed amendment 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, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to State Environmental Quality Review Act Procedures regarding the Development of the Susquehanna Heritage Area Management Plan and directs the Department of Planning and Economic Development to coordinate review of the proposed action with the other involved or interested parties.

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

RESOLUTION NO. 553

By Economic Development and Planning and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY (BCIDA) TO LEASE SPACE AT THE EDWIN L. CRAWFORD COUNTY OFFICE BUILDING FOR 2010

WHEREAS, this County Legislature, by Resolution 522 of 2008, authorized renewal of the agreement with the Broome County Industrial Agency to lease 1,920 square feet of space at the Edwin L. Crawford County Office Building, \$1,300.80 per month including utilities, total amount not to exceed \$15,610 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Broome County Industrial Agency to lease 1,920 square feet of office space on the fifth floor of the Edwin L. Crawford County Office Building for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Broome County Industrial Agency shall pay the County \$1,320 per month, total amount of \$15,840 for the term of the agreement, and be it

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

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

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

RESOLUTION NO. 554

By Transportation and Rural Development and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON, INC FOR DESIGN SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2009-2010

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland Johnson, Inc., for design services for the Department of Aviation at a cost not to exceed \$50,000 for the period December 1, 2009 through May 1, 2010, and

WHEREAS, said agreement is necessary for design services and bid specifications for the Airport North Apron Improvements Project Phase I, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland Johnson, Inc., 49 Court Street, PO Box 1980, Binghamton, New York 13902-9421 for design services for the Department of Aviation for the period December 1, 2009 through May 1, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$50,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211037.2016.501605 (Other Improvements), and be it

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

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

RESOLUTION NO. 555

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

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

WHEREAS, the Commissioner of Transportation requests authorization to accept a United States Department of Transportation Federal Transit Administration Grant Award for operating assistance for Broome County's Mass Transportation Program in the amount of \$4,016,576 for the period January 1, 2009 through December 31, 2009, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance and expenditure of \$4,016,576 from the United States Department of Transportation Federal Transit Administration, for operating assistance of Broome County's Mass Transportation Program for the period January 1, 2009 through December 31, 2009, and be it

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States

Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

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

RESOLUTION NO. 556

By Transportation and Rural Development and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING A MASS TRANSPORTATION CAPITAL PROJECT MASTER AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SEVERAL PROJECTS FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION

WHEREAS, the Commissioner of Public Transportation requests authorization to enter into a Mass Transportation Capital Project Master Agreement with the New York State Department of Transportation for several projects for the Department of Public Transportation as listed on Exhibit "A", and

WHEREAS, these projects are eligible for funding under Title 23, United States Code, as amended, that calls for the apportionment of the costs thereof to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, State mass Transportation Capital Aid is available to fund the non-federal aid-eligible portion of projects approved by the Commissioner of Transportation, provided such state funds shall not be used in substitution for the non-federal share of the federally funded portion thereof, and

WHEREAS, this County Legislature desires to advance said projects, now, therefore, be it

RESOLVED, that the County Executive of the County of Broome be and is hereby authorized to execute all necessary agreements, certifications, or reimbursement request for Federal Aid and/or State Mass Transit Capital Aid on behalf of Broome County with the New York State Department of Transportation in connection with the advancement or approval of the Projects and providing for the administration of the Projects and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it

FURTHER RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION NO. 557

By Public Health and Environmental Services and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING RENEWAL OF AN INTERMUNICIPAL AGREEMENT WITH THE CITY OF BINGHAMTON FOR SERVICES IN CONNECTION WITH THE DEPARTMENT OF HEALTH'S BUILDING A HEALTHY NATION: STRATEGIC ALLIANCE FOR HEALTH CDC GRANT FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 183 of 2009, as amended by Resolution 337 of 2009, authorized an intermunicipal agreement with the City of Binghamton for services in connection with the Department of Health's Building a Healthy Nation: Strategic Alliance for Health CDC Grant at an amount not to exceed \$1,500 for the period February 1, 2009 through September 29, 2009, and

WHEREAS, said agreement is necessary to perform built environment activities associated with increasing physical activity levels in the community and function as a designated worksite to implement policies, systems and environmental changes that will increase employee health and wellness and decrease costs associated with health care, and

WHEREAS, said agreement expired by its terms on September 29, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$10,000, for the period November 20, 2009 through September 29, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the City of Binghamton, 38 Hawley Street, 4th Floor, Binghamton, New York 13901 for services in connection with the Department of Health's Building a Healthy Nation: Strategic Alliance for Health, CDC Grant for the period November 20, 2009 through September 29, 2010, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105618 (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-19, Nays-0, Absent-0.

RESOLUTION NO. 558

By Public Health and Environmental Protection, and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN AGREEMENT WITH BARBARA SLOCUM FOR SPEECH PATHOLOGY SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2010-2012 AND PRESCHOOL EDUCATION PROGRAM FOR 2010

WHEREAS, the Director of Public Health requests authorization for an agreement with Barbara Slocum for speech pathology services for the Department of Health's Early Intervention Program, for the period January 1, 2010 through December 31, 2012, and the Preschool Education Program for the period January 1, 2010 through June 30, 2010, at the rates set by the New York State Department of Health and the Broome County Health Department, and

WHEREAS, said agreement is necessary to provide speech therapy services to children with disabilities in the Early Intervention and Preschool Program, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes an agreement with Barbara A. Slocum, 1254 N.Y. Route 369, Chenango Forks, NY 13746 for speech pathology services for the Department of Health Early Intervention Program for the period January 1, 2010 through December 31, 2012, and the Preschool Education Program for the period January 1, 2010 through June 30, 2010, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.various.101081 (Various), and 480293.various.101082 (Various), and be it

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

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

RESOLUTION NO. 559

By Public Health and Environmental Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF CHILD PASSENGER SAFETY PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 588 of 2006, authorized and approved the Child Passenger Safety Program Grant for the Department of Health and adopted a program budget in the amount of \$14,000 and authorized an agreement with the Office of the Sheriff to administer said program for the period October 1, 2006 through September 30, 2007, and

WHEREAS, said grant program grant's goal is to increase the proper use and installation of child safety seats and allow low income families access to child safety seats with proper installation, and

WHEREAS, it is desired to renew said grant program in the amount of \$3,424, adopt a program budget 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 \$3,424 from New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Room 414, Albany, New York 12228, for the Department of Health's Child Passenger Safety 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 \$3,424 and be it

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

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

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

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

RESOLUTION NO. 560

By Public Health and Environmental Protection, and Finance Committees
Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS TO PROVIDE VARIOUS SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2010-2011

WHEREAS, this County Legislature, by Resolution 562 of 2007, authorized renewal of agreements with various vendors to provide various services for the Department of Health's Early Intervention Program, at an amount not to exceed budget appropriations for the period January 1, 2008 through December 31, 2009, and

WHEREAS, said agreements are necessary to provide various services, including itinerant speech, occupational and physical therapies, special education, medical services (including psychological evaluation, social histories, physical examinations and non-physical evaluations), classroom and personal care aides, services coordination, interpreters, nursing services, counseling and transportation, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed budget appropriations for the period January 1, 2010 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of agreements with various vendors to provide various services as listed on Exhibit "A" for Department of Health's Early Intervention Program for the period January 1, 2010 through December 31, 2011 and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at rates set by the New York State Department of Health, which are modified from time to time, the current rate sheet is attached hereto as Exhibit "B", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.XXXX.101082, (Various), and be it

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

RESOLUTION NO. 561

By County Administration, Public Health and Environmental Protection and Finance Committees
Seconded by Ms. Sanfilippo

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 8 OF 2009, ENTITLED: "LOCAL LAW AMENDING CHAPTER 168 OF THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, REGARDING THE SANITARY CODE."

RESOLVED, that Local Law Intro. No. 8 of 2009, entitled: "Local Law amending the Chapter 168 of the Broome County Charter and Code, as amended, regarding the Sanitary Code" be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 8 Of 2009

Local Law Amending Chapter 168 Of The Broome County Charter And Code, As Amended, Regarding the Sanitary Code

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

SECTION 1 §168-5 Fees and Charges of the Broome County Charter and Code, as amended, be and hereby is amended to read as follows:

B. [Amended 12-12-1991 by L.L. No. 16-1991; 11-12-1993 by L.L. No. 15-1993; 11-8-1999 by L.L. No. 10-1999] The following fees are established for the services of the Department of Health in reviewing plans. Final approval of such plans shall not be given unless such fees have been paid. Payment of such fees shall also cover any inspection of the sites during construction, regardless of the number of site visits necessary.

- (1) For a food service establishment, the fee for plan review shall be \$30.
- (2) For a pool and/or bathing beach, the fee for plan review shall be \$250.
- (3) For a hotel/motel, the fee for plan review shall be \$15 per room.
- (4) For a seasonal travel-trailer camp, the fee for plan review shall be \$10 per site.
- (5) For a mobile home park, the fee for plan review shall be \$25 per site.
- (6) For a children's camp, the fee for plan review shall be \$400.
- (7) Sewage disposal systems
 - (a) For replacement of on-site residential sewage disposal systems and regardless of other provisions of this Code, the fee for design and construction approval shall be ~~[\$75]~~ **\$190**. For new construction of on-site residential sewage disposal systems and regardless of other provisions of this Code, the fee for review of designs prepared by and construction approval performed by a New York State licensed engineer/architect shall be \$50.
 - (b) For commercial on-site sewage disposal systems, the fee for review of designs prepared by and construction approval performed by a New York State licensed engineer/architect shall be \$75.

SECTION 2 This Local Law shall become effective upon filing with the State.

Material in **[brackets]** deleted

Material **underlined** added

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

RESOLUTION NO. 562

By Public Health and Environmental Protection, Personnel, and Finance Committees
Seconded by Ms. Messina

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

WHEREAS, this County Legislature, by Resolution 408 of 2009, authorized and approved the acceptance of the Youth Tobacco Enforcement and Prevention Program Grant for the Department of Health and adopted a program budget in the amount \$55,025, for the period October 1, 2009 through September 30, 2010, 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 for services , and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$ 781 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Youth Tobacco Enforcement and Prevention Grant to reflect an increase of \$781 for the period October 1, 2009 through September 30, 2010, 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 \$55,806 and be it

FURTHER RESOLVED, that Resolution 408 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-19, Nays-0, Absent-0.

RESOLUTION NO. 563

By Public Health and Environmental Protection, and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH DR. IVAN FRAS, M.D., FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2010

WHEREAS, this County Legislature, by Resolution 569 of 2008, authorized renewal of the agreement with Dr. Ivan Fras, M.D., for psychiatric services for the Department of Mental Health at a rate of \$94.30 per hour, total amount not to exceed \$52,228 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said services are necessary to provide required psychiatric services to children with serous emotional problems, and

WHEREAS, said agreement expires by its terms on December 31, 2009 and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$94.30 per hour, total amount not to exceed \$107,879 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Dr. Ivan Fras, M.D., 33 Avon Road, Binghamton, New York 13905 for psychiatric services 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 at the rate of \$94.30 per hour, total amount not to exceed \$107,879 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 470013.4747.101000 (Other Fees for Services) and 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-19, Nays-0, Absent-0.

RESOLUTION NO. 564

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH LOURDES HOSPITAL FOR LAB TESTING SERVICES FOR RESIDENTS AT THE WILLOW POINT NURSING HOME FOR 2010

WHEREAS, this County Legislature, by Resolution 524 of 2008, authorized a renewal of the agreement with Lourdes Hospital for lab testing services for the Willow Point Nursing Home at an amount not to exceed \$51,150 for the period January 1, 2009 through December 31, 2009, and

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

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$48,000, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905, for lab testing for residents of Willow Point Nursing Home, for the period January 1, 2010 through December 31, 2010, with the option for four (4) 1-year renewals, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$48,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4703.204000 (Lab Services), and be it

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

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

RESOLUTION NO. 565

By Human Services, Personnel, and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID TECHNOLOGIES ENHANCEMENT PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH COORDINATED CARE SERVICES TO ADMINISTER SAID PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 422 of 2009, authorized and approved the Medicaid Technologies Enhancement Grant for the Department of Social Services, adopted a program budget in the amount of \$8,383,141, and authorized an agreement with Coordinated Care Services, Inc. to administer said program for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said grant program provides timely and appropriate Medicaid eligibility determinations, to conduct managed care activities, disability determinations, provide Medical

transportation, dental case management, monitor family type homes and image medical records, and

WHEREAS, it is desired to renew said grant program in the amount of \$8,708,791, adopt a program budget and establish an agreement with Coordinated Care Services to provide Behavioral Medicaid Analysis for 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 \$8,708,791 from New York State Department of Health, Corning Tower Empire State Plaza, Albany, New York 12227 for the Department of Social Services Medicaid Technologies Enhancement Program 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 \$8,708,791 and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Coordinated Care Services, Inc., 1099 Jay Street, Rochester, NY 14611, for the Department of Social Services, for Behavioral Health Medicaid analysis for the, 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 \$10,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line, \$3,168,697 from 670513.0308.xxx105 (State Revenue), \$3,168,697 from 670513.0392.xxx105 (Federal Revenue), and \$2,371,397 from 670513.0129.xxx105 9Repayment of Medical Assistance), and be it

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

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

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

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

RESOLUTION NO. 566

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH VARIOUS VENDORS FOR TRANSPORTATION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES MEDICAID RECIPIENTS FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 608 of 2008, authorized renewal of the agreement with various vendors for transportation services for Medicaid recipients of Broome County at the State mandated rates for the Department of Social Services, for the period January 1, 2009 through December 31, 2010, and

WHEREAS, said agreements are necessary for providing transportation to Medicaid recipients to various covered Medicaid services, and

WHEREAS, it is necessary to authorize the amendment of said agreements to adopt the new Medicaid taxi/ambulance rates, as in Exhibit "A", and reinstate electronic claims payment through New York State Department of Health for transportation to Medicaid recipients as approved by Broome County Department of Social Services for the period January 1, 2009 through December 31, 2010, and

WHEREAS, the Commissioner of Social Services 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 Various Vendors as in Exhibit "B" for transportation to Medicaid recipients as approved by Broome County Department of Social Services for the period January 1, 2009 through December 31, 2010, and be it,

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractors at the new State mandated rates for Medicaid taxi/Ambulance transportation as listed on Exhibit "A" and reinstate electronic claims payment through New York State Department of Health and the Department of Social Services, for the period January 1, 2009 through December 31, 2010, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS Medical Assistance), and be it

FURTHER RESOLVED, that Resolution 608 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 567

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH LEGAL AID SOCIETY OF MID NEW YORK, INC. FOR LEGAL SERVICES FOR THE OFFICE FOR AGING FOR 2010

WHEREAS, this County Legislature, by Resolution 705 of 2008, authorized renewal of the agreement with Legal Aid Society of Mid New York, Inc. for legal services to elderly County residents for the Office for Aging at the rate of \$65 per hour, total amount not to exceed \$28,644 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, the Broome County Office for Aging is required by federal regulations to commit funds for legal services for the elderly (Title III-B, Older Americans Act), and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$65 per hour, total amount not to exceed \$28,644, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Legal Aid Society of Mid New York, Inc., 30 Fayette Street, PO Box 2011, Binghamton, New York 13902-2011 for legal services to elderly County residents for the Office for Aging 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 at the rate of \$65 per hour, total amount not to exceed \$28,644 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761155.4457.105648 (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-19, Nays-0, Absent-0.

RESOLUTION NO. 568

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH METRO INTERFAITH HOUSING MANAGEMENT CORPORATION FOR MEAL SERVICES THROUGH THE OFFICE FOR AGING'S TITLE III-C-1 CONGREGATE MEAL PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 709 of 2008, authorized renewal of the agreement with Metro Interfaith Housing Management Corporation for meal services through the Office for Aging's Title III-C-1 Congregate Meal Program, with revenue to Broome County in the amount of \$3.30 per meal, total amount estimated at, but not limited to \$30,598, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for the Office for Aging to supply hot congregate meals to enriched housing residents at 110 Chenango Street, Binghamton and Lincoln Court Senior Housing Center, Binghamton, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue in the amount of \$3.37 per meal, total amount estimated at, but not limited to \$32,000 for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Metro Interfaith Housing Management Corporation, 21 New Street, Binghamton, New York 13903, for meal services through the Office for Aging's Title III-C-1 Congregate Meal Program for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$3.37 per meal, total amount estimated at, but not limited to \$32,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 761130.0628.105649 (Contracted Meals 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-19, Nays-0, Absent-0.

RESOLUTION NO. 569

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH S.E.P.P., INC. FOR MEAL SERVICES THROUGH THE OFFICE FOR AGING'S TITLE III-C-1 CONGREGATE MEALS PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 710 of 2008, authorized renewal of the agreement with S.E.P.P., Inc. for meal services through the Office for Aging's Title III-C-1 Congregate Meals Program with revenue to the County in the amount of \$3.30 per meal, total amount estimated at, but not limited to \$12,078, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for the Office for Aging to provide hot congregate meals to S.E.P.P. housing residents and guests at the Marian Apartments in Endwell, and the Harry L. Apartments in Johnson City, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County in the amount of \$3.37 per meal, total amount estimated at, but not limited to \$17,000, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with S.E.P.P., Inc., 53 Front Street, Binghamton, New York 13905 for meal services through the Office for Aging's Title III-C-1 Congregate Meals Program for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$3.37 per meal, total amount estimated at, but not limited to \$17,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 761130.0628.105649 (Contracted Meals 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-19, Nays-0, Absent-0.

RESOLUTION NO. 570

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH FIRST WARD ACTION COUNCIL FOR SERVICES FOR THE OFFICE FOR AGING'S TITLE III-B HOME REPAIR SERVICES PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 618 of 2008, authorized renewal of the agreement with the First Ward Action Council for services for the Office for Aging's Title III-B Home Repair Services Program at an amount not to exceed \$11,000 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to provide home repairs for low income senior citizens in Broome County to enable these individuals to remain in their homes, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$15,000, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with First Ward Action Council, 165-169 Clinton Street, Binghamton, New York 13905 for services for the Office for Aging's Title III-B Home Repair Services Program 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 \$15,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761155.4457.105648 (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-19, Nays-0, Absent-0.

RESOLUTION NO. 571

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH VARIOUS VENDORS AND NURSING FACILITIES FOR SERVICES FOR THE OFFICE FOR AGING'S TITLE III-E CAREGIVER PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 619 of 2008, authorized renewal of the agreement with various vendors and nursing facilities for services for the Office for Aging's Title III-E Caregiver Program at various rates of reimbursement for the Office for Aging for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreements are necessary for in-home respite services to caregivers in Broome County and for institutional respite services for the Title III-E Caregiver Program, and

WHEREAS, said agreements expire by their terms on December 31, 2009, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at

the rates listed on Exhibit "A", for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with the vendors listed on Exhibit "A" for in-home respite services for the Office for Aging 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 at the rates stated on Exhibit "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761247.4457.105652 (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-19, Nays-0, Absent-0.

RESOLUTION NO. 572

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR SOCIAL DAY CARE SERVICES AND DELIVERY OF MEALS FOR OUR LADY OF LOURDES MEMORIAL HOSPITAL LONG TERM HOME HEALTH CARE CLIENTS FOR THE OFFICE FOR AGING FOR 2010

WHEREAS, this County Legislature, by Resolution 707 of 2008, authorized renewal of the agreement with Our Lady of Lourdes Memorial Hospital for social day care services and delivery of meals for the Office for Aging's Long Term Home Health Care clients with revenue to Broome County in the amount of \$40 for a full day of social day care, \$9 for Meals on Wheels and \$3.75 for Congregate Meals, per client, per day, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to provide social day care and home-delivered meals to Our Lady of Lourdes Memorial Hospital Long Term Home Health Care clients, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions with revenue to the County in the amount of \$40 for a full day of social day care, \$9 for Meals on Wheels and \$3.75 for Congregate Meals, per client per day, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905 for social day care services and delivery of meals for Our Lady of Lourdes Memorial Hospital Long Term Home Health Care clients for the Office for Aging for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$40 for a full day of social day care, \$9 for Meals on Wheels, and \$3.75 for Congregate Meals, per client per day, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget lines 761148.0538.105650 (Long Term Home Health Care Fees), 761130.0142.105649 (Office for Aging Fees), and 761254.0538.105558 (Long Term Home Health Care Fees), and be it

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

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

RESOLUTION NO. 573

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY FOR SERVICES RELATED TO THE OFFICE FOR AGING'S NURSING HOME TRANSITION AND DIVERSION MEDICAID WAIVER PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 411 of 2008, authorized an agreement with the Family and Children's Society of Broome County for services related to the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program with revenue to the County in the amount of \$40 for a full day of social day care, \$9 for Meals on Wheels, and \$3.75 for Congregate Meals per client per day, for the period September 1, 2008 through December 31, 2009, and

WHEREAS, said agreement provides adult social day care, home delivered meals and congregate meals to the Family and Children's Society of Broome County's case-managed clients, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Children's Society of Broome County, 257 Main Street, Binghamton, New York 13905 for meals and social day care for the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$40 for a full day of social day care, \$9 for Meals on Wheels, and \$3.75 for Congregate Meals per client per day for the term of the agreement, and be it

OTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 761148.0538.105650 (Long Term Home Health Care Fees), 761130.0142.105649 (OFA Fees), and 761254.0538.105558 (Long Term Home Health Care Fees), and be it

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

RESOLUTION NO. 574

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH INTERIM HEALTH CARE FOR SERVICES RELATED TO THE OFFICE FOR AGING'S NURSING HOME TRANSITION AND DIVERSION MEDICAID WAIVER PROGRAM FOR 2010

WHEREAS, this County Legislature, by Resolution 412 of 2008, authorized an agreement with Interim Health Care for services related to the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program with revenue to the County in the amount of \$40 for a full day of social day care, \$9 for Meals on Wheels, and \$3.75 for Congregate Meals per client per day, for the period September 1, 2008 through December 31, 2009, and

WHEREAS, said agreement provides adult social day care, home delivered meals and congregate meals to Interim Health Care's case-managed clients, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Interim Health Care, 38 Front Street, Binghamton, New York 13905 for meals and social day care for the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$40 for a full day of social day care, \$9 for Meals on Wheels, and \$3.75 for Congregate Meals per client per day for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 761148.0538.105650 (Long Term Home Health Care Fees), 761130.0142.105649 (OFA Fees), and 761254.0538.105558 (Long Term Home Health Care Fees), and be it

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

RESOLUTION NO. 575

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE SOUTHERN TIER CHAPTER OF THE AMERICAN RED CROSS FOR SERVICES FOR THE OFFICE FOR AGING FOR 2010

WHEREAS, this County Legislature, by Resolution 617 of 2008, authorized renewal of the agreement with the Southern Tier Chapter of the American Red Cross for services related to the Office for Aging's Title III-B Supportive Services Program at an amount not to exceed \$25,000 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to operate a volunteer shopper program providing service to homebound, low income elderly persons in Broome County, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$25,000, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Southern Tier Chapter of the American Red Cross, 620 East Main Street, Endicott, New York 13760 for services for the Office for Aging 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 \$25,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761155.4457.105649 (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-19, Nays-0, Absent-0.

RESOLUTION NO. 576

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE JOHNSON CITY SENIOR CITIZENS CENTER, INC. FOR SERVICES FOR THE OFFICE FOR AGING FOR 2010

WHEREAS, this County Legislature, by Resolution 616 of 2008, authorized the renewal of the agreement with the Johnson City Senior Citizens Center, Inc. for services for the Office for Aging's Title III-C-1 Congregate Nutrition Program at an amount not to exceed \$30,000, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to manage the Senior Citizen Nutrition Program, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$30,000, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Johnson City Senior Citizens Center, Inc., 30 Brocton Avenue, Johnson City, New York

13790, for services for the Office for Aging 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 \$30,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761130.4457.105649 (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-19, Nays-0, Absent-0.

RESOLUTION NO. 577

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY FOR SERVICES FOR THE OFFICE FOR AGING FOR 2010

WHEREAS, this County Legislature, by Resolution 615 of 2008, authorized renewal of the agreement with Catholic Charities of Broome County for the Office for Aging's Title III-C-1 Congregate Nutrition Program at an amount not to exceed \$25,238, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to manage the Senior Citizens Nutrition Program for the Office for Aging's Congregate Nutrition Program at the Oak Street Senior Community Center, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$25,007, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905 for services for the Office for Aging 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 \$25,007 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761130.4457.105649 (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-19, Nays-0, Absent-0.

RESOLUTION NO. 578

By Human Services, Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING REVISION OF THE FOSTER GRANDPARENTS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 702 of 2008, authorized and approved renewal of the Foster Grandparents Program Grant for the Office for Aging and adopted a program budget in the amount of \$281,849 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant is an intergenerational program that matches low-income elderly with special needs children to share their life experiences and offer support to them, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$355 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Foster Grandparents Program Grant to reflect an increase of \$355 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 \$282,204, and be it

FURTHER RESOLVED, that Resolution 702 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 579

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING REVISION OF THE HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 417 of 2008 as amended by Resolution 87 of 2009, authorized and approved renewal of the Home Energy Assistance Program Grant for the Office for Aging and adopted a program budget in the amount of \$80,000 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides for administrative expenses associated with operating the HEAP program for over age 60 residents of Broome County, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$12,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Home Energy Assistance Program Grant to reflect an increase of \$12,000 for the period October 1, 2008 through September 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 \$92,000, and be it

FURTHER RESOLVED, that Resolution 417 of 2008 and Resolution 87 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

WHEREAS, said grant program provides for recruitment and training of ombudsman volunteers for the Elder Abuse Prevention Program, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$624 in grant appropriations and amend the agreement with Action for Older Persons, Inc. to reflect an increase of \$624, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title VII Elder Abuse Prevention Program Grant to reflect an increase of \$624 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 \$11,490, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 to reflect an increase of \$624 for the Office for Aging's Title VII Elder Abuse Prevention Program Grant for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$11,490 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 700 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 582

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING REVISION OF THE TITLE III-D HEALTH PROMOTION PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 698 of 2008, authorized and approved the acceptance of the Title III-D Health Promotion Program Grant for the Office for Aging and adopted a program budget in the amount \$31,207, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant supports health promotion activities, including mental health counseling, medication management for seniors and budget support for the Broome County Senior Games, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$3,693 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-D Health Promotion Program Grant to reflect an increase of \$3,693 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 \$34,900, and be it

FURTHER RESOLVED, that Resolution 698 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 583

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS VENDORS FOR LEASE OF SPACE FOR THE OFFICE FOR AGING'S NUTRITION PROGRAMS AND SENIOR CENTERS FOR 2010

WHEREAS, this County Legislature, by Resolution 711 of 2008, as amended by Resolution 347 of 2009, authorized renewal of the agreements with various vendors for lease of space for Senior Community Centers and Meals on Wheels sites for the period January 1, 2009 through December 31, 2009, and

WHEREAS, lease space is required for the activities of the senior community and for the Meals on Wheels Program so that meals can be delivered to central points where volunteers will pick up and deliver meals to residents of Broome County, and

WHEREAS, said agreements expire by their terms on December 31, 2009, and it is desired at this time to renew said agreements on substantially similar terms and conditions, for the period January 1, 2010 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various vendors as listed in Exhibits "A" through "F" for lease of space for Senior Community Centers and Meals on Wheels sites 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 Contractors the amounts listed in Exhibits "A" through "F", for the terms of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines listed for each organization in Exhibits "A" through "F", and be it

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

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

RESOLUTION NO. 584

By Transportation and Rural Development, Personnel and Finance Committees

Seconded by Mr. Diffendorf

RESOLUTION AUTHORIZING RENEWAL OF THE JOB ACCESS REVERSE COMMUTE/TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM GRANT FOR

THE DEPARTMENT OF PUBLIC TRANSPORTATION AND ADOPTING A PROGRAM BUDGET FOR 2010

WHEREAS, this County Legislature, by Resolution 746 of 2008, authorized and approved renewal of the Job Access Reverse Commute/Temporary Assistance for Needy Families Program Grant for the Department of Public Transportation and adopted a program budget in the amount of \$601,778 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides for Sunday transit services as well as service on weeknights and Saturdays, and

WHEREAS, it is desired to renew said grant program in the amount of \$615,466 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 \$307,733 from the Federal Transit Administration, One Bowling Green, New York, New York 10004 for the Department of Public Transportation's Job Access Reverse Commute/Temporary Assistance for Needy Families 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 \$615,466, 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.

Heldover by Mr. Whalen.

RESOLUTION NO. 585

By Economic Development and Planning and Finance Committees Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH WENDEL DUCHSCHERER ARCHITECTS AND ENGINEERS FOR DESIGN SERVICES FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2006-2010

WHEREAS, this County Legislature, by Resolution 198 of 2006, as amended by Resolutions 394 of 2007 and 159 of 2009, authorized an agreement with Wendel Duchscherer Architects and Engineers for design services for the Department of Planning and Economic Development at a cost not to exceed \$1,143,721 for the period June 1, 2006 through September 1, 2010, and

WHEREAS, said agreement is necessary for preparation for the construction of a new Intermodal Transit Terminal and the needed planning information to assist decision makers, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$84,874 for Phase 2 and 3 archaeological investigation, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Wendel Duchscherer Architects and Engineers, Suite 201, Amherst, New York 14228 to increase the not to exceed amount by \$84,874 for phase 2 and 3 Archaeological investigation for the Department of Planning and Economic Development for the period June 1, 2006 through September 1, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$1,228,595, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 225011.4443.501468 (Engineering Expenses), and be it

FURTHER RESOLVED, that Resolutions 198 of 2006, 394 of 2007 and 159 of 2009, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 586

By Economic Development and Planning, Transportation and Rural Development and Finance Committees
Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH C & S ENGINEERS, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT'S INTERMODAL TRANSIT TERMINAL PROJECT FOR 2007-2009

WHEREAS, this County Legislature, by Resolution 395 of 2007, authorized an agreement with C & S Engineers, Inc., for construction management services for the Department of Planning and Economic Development's Intermodal Transit Terminal Project at a cost not to exceed \$352,328 for the period June 1, 2007 through December 31, 2009, and

WHEREAS, said agreement is necessary to oversee the construction of the Intermodal Transit Terminal Project, and

WHEREAS, it is necessary to authorize the amendment of said agreement to amend the period to June 1, 2007 through September 30, 2010, at no additional cost to the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with C & S Engineers, Inc., 449 Col. Eileen Collins Boulevard, Syracuse, New York 13212 to amend the period to June 1, 2007 through September 30, 2010, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 395 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 587

By Transportation and Rural Development and Finance Committees
Seconded by Ms. Messina

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FOR THE DEPARTMENT OF AVIATION FOR 2009-2014

WHEREAS, the Board of Acquisition and Contract on July 14, 2004, as amended by Resolution 312 of 2009, authorized an agreement with the National Oceanic and Atmospheric Administration for lease of airport terminal space from the Department of Aviation for the period June 1, 2004 through October 31, 2009, and

WHEREAS, said agreement expired by its terms on October 31, 2009 and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the

County in the amount of \$4,299 per year, for the period November 1, 2009 through October 31, 2014, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with National Oceanic and Atmospheric Administration, 200 Granby Street, Room 815, Norfolk Virginia 23510 for lease of airport terminal space from the Department of Aviation for the period November 1, 2009 through October 31, 2014, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Contractor shall pay the County an amount of \$4,299 per year, total amount of \$21,495, for the term of the agreement, and be it

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

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

RESOLUTION NO. 588

By Finance, and Public Works Committees Seconded by Mr. Pasquale
RESOLUTION AMENDING THE 2006 CAPITAL IMPROVEMENT PROGRAM REGARDING THE RECONSTRUCTION OF GEORGE HARVEY JUSTICE BUILDING

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

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Federal/Other</u>		
501432	Reconstruction of George Harvey Justice Bldg	17,154,818	\$0	17,154,818		0

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>		
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2006	30	11	0	0	

Description: Reconstruct George Harvey Justice Building

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Federal/Other</u>		
501432	Reconstruction of George Harvey Justice Bldg	17,554,818	0	17,554,818		0

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>		
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2006	30	11	0	0	

Description: Reconstruct George Harvey Justice Building

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-17, Nays-2 (Keibel, Diffendorf), Absent-0.

RESOLUTION NO. 589

By Personnel and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF PERSONNEL

RESOLVED, that in accordance with a request contained in PCR# 09-269 from the Personnel Officer, this County Legislature hereby authorizes the position of Personnel Assistant Grade 11, Union Code 09 Admin, minimum salary \$27,626, at budget line 400002.1000.101000, to be changed to Benefits Assistant, Grade 11, Union Code 09 Admin, at budget line 400002.1000.101000 at a salary of \$27,626 effective November 17, 2009.

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

RESOLUTION NO. 590

By Human Services and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE COLLEGE OF COMMUNITY AND PUBLIC AFFAIRS, STATE UNIVERSITY OF NEW YORK TO DEVELOP AN INTEGRATED INTERAGENCY PLANNING PROCESS FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2009

WHEREAS, this County Legislature, by Resolution 343 of 2009, authorized an agreement with the College of Community and Public Affairs, State University of New York to develop an integrated interagency planning process for the Department of Social Services at a cost not to exceed \$20,200 for the period September 1, 2009 through May 31, 2010, and

WHEREAS, said agreement is necessary to develop a Virtual Binghamton Website, a neighborhood index and identify community intervention, and

WHEREAS, it is necessary to authorize the amendment of said agreement to amend the period to September 1, 2009 through August 31, 2010, at no additional cost to the County, and

WHEREAS, the Commissioner of Social Services 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 College of Community and Public Affairs, State University of New York, PO Box 6000, Binghamton, New York 13902 to amend the period to September 1, 2009 through August 31, 2010, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 343 of 2009, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 591

By Finance Committee

Seconded by Ms. Messina

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE OFFICE OF RISK AND INSURANCE

RESOLVED, that in accordance with a request from the Risk Manager, in order to transfer funds from reserve to pay expenses related to BCOB dust storm evacuation, as requested by BF# 8241, 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>
050088	0229	254000	Insurance Reserve	\$1,200,000
050088	4520	254000	Property Loss	\$1,200,000

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

RESOLUTION NO. 592

By Education, Culture and Recreation Committee Seconded by Ms. Messina
RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY LIBRARY BOARD OF TRUSTEES

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Connie Barnes 65 Murray Street Binghamton, New York 13905	Reappointment 12/31/2014

and

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

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

RESOLUTION NO. 593

By County Administration and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH PITNEY BOWES FOR THE LEASE OF MAIL PROCESSING EQUIPMENT FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2010-2013

WHEREAS, this County Legislature, by Resolution 2 of 2006, authorized an agreement with Pitney Bowes for lease and maintenance of a new digital mail machine and 70 pound postage scale, for the Division of Information Technology, at a cost \$862.79 per month, annual amount not to exceed \$10,353.48 per year, total amount not to exceed \$41,413.92 for the period January 1, 2006 through December 31, 2009, and

WHEREAS, said services are necessary to enter into a rental agreement with Pitney Bowes for the County's mail processing equipment, and

WHEREAS, said agreement expires by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount of \$854.98 per month, total amount not to exceed \$41,039.04, for the period January 1, 2010 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Pitney Bowes Inc. PO Box 856390, Louisville, KY 40285-6390 for the County's mail processing equipment for the Division of Information Technology for the period January 1, 2010 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor a four year rate of \$854.98 per month, total amount not to exceed \$41,039.04 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370049.4411.101000 (Postage & Freight), and be it

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

RESOLUTION NO. 594

By Public Transportation and Rural Development and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH NEW ORLEANS REGIONAL TRANSIT AUTHORITY FOR THE PURCHASE OF BUSES FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION

WHEREAS, the Commissioner of Transportation requests authorization for an intermunicipal agreement with New Orleans Regional Transit Authority for the assignment of an option for the purchase of buses for the Department of Public Transportation, and

WHEREAS, said agreement will grant Broome County the option to purchase seven Orion VII Next Generation buses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement with New Orleans Regional Transit Authority 2817 Canal Street, New Orleans, LA 70119 for the assignment of options for the purchase of buses for the Department of Public Transportation, and be it

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

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

RESOLUTION NO. 595

By Finance Committee

Seconded by Mr. Klipsch

TAX ANTICIPATION NOTE RESOLUTION DATED NOVEMBER 23, 2009

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

Section 1. The power to authorize, from time to time during fiscal year 2010, the issuance and sale of tax anticipation notes of the County of Broome, New York, including renewals thereof, in anticipation of the collection of real property taxes levied, or to be levied, for such fiscal year of said County during which such issuance and sale shall be authorized for the fiscal year during which such notes shall be issued and sold, in an amount not to exceed \$20,000,000, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said Commissioner of Finance, pursuant to the Local Finance Law of the State of New York. This power shall apply to tax anticipation notes to be issued by said County within 30 days prior to the commencement of the 2010 fiscal year in anticipation of the collection of real estate taxes levied or to be levied for such fiscal year.

Section 2. It is the intent of the County Legislature that this resolution shall remain in full force and effect until December 31, 2010, at which time the powers granted to the Commissioner of Finance shall automatically terminate without further action of this Legislature.

Section 3. This resolution shall take effect immediately.

Carried. Ayes-14, Nays-5 (Keibel, Pasquale, Howard, Diffendorf, Marinich), Absent-0.

RESOLUTION NO. 596

By Economic Development and Planning and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF UNION FOR FUNDING FROM THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2009-2010

WHEREAS, the Deputy County Executive requests authorization for an intermunicipal agreement with the Town of Union for funding from the Department of Planning and Economic Development in the amount of \$25,000 for the period December 1, 2009 through November 30, 2010, and

WHEREAS, said agreement is necessary for the assistance in the demolition and cleanup of 46 Corliss Avenue in Johnson City, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement with the Town of Union, 3111 East Main Street, Endwell, New York 13760 for funding from the Department of Planning and Economic Development for the period December 1, 2009 through November 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 910182.5084.101000 (Brownfield Operating), and be it

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

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

RESOLUTION NO. 597

By County Administration and Finance Committees

Seconded by Ms. Messina

RESOLUTION AUTHORIZING AN AMENDMENT OF THE AGREEMENT WITH ACS-EXIGENT STATE AND LOCAL SOLUTIONS, INC., FOR SOFTWARE MAINTENANCE AND SUPPORT FOR THE OFFICE OF THE COUNTY CLERK FOR 2009

WHEREAS, this County Legislature, by Resolution 593 of 2008, authorized an agreement with ACS-Exigent State and Local Solutions, Inc., for software maintenance and support for the Office of the County Clerk at an amount not to exceed \$40,921.50, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for maintenance and support for indexing and cashiering software, internet sales software, and other software aspects of the Clerk's software system, and

WHEREAS, it is desired at this time to amend said agreement to reflect a required software configuration related to internet sales via credit card at a cost of \$2,400, and

WHEREAS, it is desired at this time to amend said agreement to reflect a software upgrade to capture additional information related to County retained income from the processing of Oil & Gas Leases; Oil & Gas Assignment of Leases; Oil & Gas Memorandum of Leases, etc, at a cost not to exceed \$3,600, and

WHEREAS, the County Clerk 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 ACS-Exigent State and Local Solutions, Inc., 400 Executive Parkway, Suite 275, San Ramon, California 94583 to increase the amount not to exceed by \$6,000 for a required software configuration related to internet sales via credit card and a software upgrade to capture additional information related to County retained income from the processing of Oil & Gas Leases; Oil & Gas Assignment of Leases; Oil & Gas Memorandum of Leases, etc for the Office of the County Clerk for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$46,921.50, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4513.101000 (Software Maintenance), and be it

FURTHER RESOLVED, that Resolution 593 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

COUNTY EXECUTIVE'S VETOES

OBJECTION NO. 1 Moved by Mr. Marinich, seconded by Mr. Pasquale
Budget Amendment No. 1: Increase Revenue Passport Photo Fee \$7.00-\$10.00
Increase Revenues Association with Oil and Gas Leases Expected in 2010

Veto override failed. Ayes-7, Nays-12 (Materese, Sanfilippo, Moran, Messina, Whalen, Nirchi, LaBare, Cleary, Hutchings, Herz, Buchta, Reynolds), Absent-0.

OBJECTION NO. 2 Moved by Mr. Marinich, seconded by Mr. Howard
Budget Amendment No 5: Restore Deputy County Clerk Position. Increase State Retirement (11.1%). Increase FICA (7.65%). Increase Health Insurance. Reduce Building And Land Rental For A Records Center. Reduce DMV Part-Timers. Reduce DMV Over-Time Supervisors. Reduce DMV State Retirement. Reduce DMV FICA

Veto override carried. Ayes-15, Nays-4 (Messina, Whalen, Cleary, Reynolds), Absent-0.

OBJECTION NO. 3 Moved by Mr. Herz, seconded by Mr. Materese
Budget Amendment No. 11: Increase BC Cooperative Extension Association

Veto override carried. Ayes-13, Nays-6 (Whalen, Nirchi, LaBare, Cleary, Hutchings, Reynolds), Absent-0.

OBJECTION NO. 4 Moved by Mr. Materese, seconded by Mr. Moran
Budget Amendment No. 13: Restore Youth Services Specialist (18 CSEA). Increase State Retirement. Increase FICA. Increase Life Insurance. Increase Disability

Veto override failed. Ayes-8, Nays-11 (Sanfilippo, Messina, Whalen, Nirchi, LaBare, Pasquale, Howard, Cleary, Hutchings, Klipsch, Reynolds), Absent-0.

OBJECTION NO. 5 Moved by Mr. Nirchi, seconded by Mr. Klipsch
Budget Amendment No. 15: Increase Soil Conservation Service

Veto override carried. Ayes-14, Nays-5 (Whalen, LaBare, Cleary, Hutchings, Reynolds), Absent-0.

LEGISLATOR'S COMMENTS

Mr. Sanfilippo stated that many Broome County residents are finding the Pro-Act prescription card beneficial and thanked Chris Marion for his time and effort on the project.

Ms. Messina thanked everyone for their hard work during the budget process.

Mr. Materese wished everyone a "Happy Thanksgiving".

Mr. Howard made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn Carried,** Ayes-19, Nays-0, Absent-0. The meeting was adjourned at 6:33 p.m.

