

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
JULY 16, 2009**

The Legislature convened at 5:03 p.m. with a call to order by the Chair, Daniel D. Reynolds. The Deputy Clerk, Carol L. Hall, read the fire exit announcement and called the Attendance Roll, Present-19, Absent-0.

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

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

Mr. Reynolds noted that the committee minutes for the period June 18, 2009 through July 15, 2009 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Moran, seconded by Mr. LaBare. **Carried**, Ayes-19, Nays-0 Absent-0 .

ANNOUNCEMENTS FROM THE CHAIR

No presentations and no proclamations.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Barbara J. Fiala

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

1. Designation for Matthew Pasquale – 7/8/2009
2. Designation for Mark Whalen – 6/11/2009
3. Designation for Barry Klipsch – 7/6/2009
4. Designation for Barry Klipsch – 7/8/2009
5. Designation for Mark Whalen – 7/9/2009

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

Petitions: None

Communications

1. Health Department - Cost of Living Adjustment (COLA) for 2008-2009 Tobacco Control Program Award
2. Health Department - Cost of Living Adjustment (COLA) for 2009-2009 Diabetes Prevention & Control Program Award
3. Health Department - Childhood Lead Prevention – Resolution 09/166
4. BCC May 2009 Budget Transfers
5. Town of Maine – Application for special Use Permit – Proposed Local Law – Public Hearing - 7/14/2009
6. New York State Assembly – American Recovery & Reinvestment Act of 2009
7. Cornell Cooperative Extension - Agricultural Profitability Team – May 2009
8. Cornell Cooperative Extension of Broome County (CCE-BC) Board of Directors 5/28/2009
9. BC Energy Action Team Minutes 5/20/2009
10. BC Soil and Water Conservation District Directors Meeting Minutes – May 19, 2009

11. BC Industrial Development Agency – Synopsis of Meeting- 5/8/2009
12. Four County Library System – Statement of Cash Receipts & Disbursement 2007-2008
13. BC Environmental Management Council Meeting Minutes 4/2/2009, May 7, 2009 & June 4, 2009

Notices:

1. Notice of Public Hearing – Broome Community College Budget 2009-2010 7/6/2009

Reports:

1. BCC Minimum Hire Report – May 2009
2. BC Office For Aging Annual Report 2008
3. BC Department of Parks & Recreation Annual Report 2008
4. BC CASA Annual Report 20085.
5. BC Sheriff's Office Annual Report 2008

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

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 294

By Finance Committee

Seconded by Hon. Joseph S. Sanfilippo

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES PLUS ACCRUED INTEREST AND PENALTIES ON PARCELS IN THE FOLLOWING TOWNS & VILLAGES

WHEREAS, it is necessary to clear the tax records of these parcels of real property as described in Exhibit A, therefore, be it

RESOLVED, that taxes will be cancelled on the following parcels of real property as described in Exhibit A:

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

RESOLUTION NO. 295

By Finance Committee

Seconded by Hon. Joseph S. Sanfilippo

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWNS OF COLESVILLE AND WINDSOR

WHEREAS, the State of New York owns certain parcels of real property and 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:	000 - -/
Town/Village:	Town of Colesville
Owner:	People of the State of NY
Amount to be Cancelled:	\$3.01
Reason:	Due to the property being wholly exempt
Parcel ID:	164.04-1-24.2
Town/Village:	Town of Windsor
Owner:	People of the State of NY
Amount to be Cancelled:	\$57.63
Reason:	Due to the property being wholly exempt

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

RESOLUTION NO. 296

By Public Safety and Emergency Services and Finance Committees
Seconded by Hon Stephen Herz

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THOMSON WEST FOR ON-LINE LEGAL RESEARCH SERVICES FOR THE OFFICE OF THE DISTRICT ATTORNEY FOR 2008

WHEREAS, this County Legislature, by Resolution 121 of 2008, authorized an agreement with Thomson West for on-line legal research services for the Office of the District Attorney at a cost not to exceed \$11,184 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement provides on-line legal research capabilities for the attorneys assigned to the Office of the District Attorney, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$500, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Thomson West, 109 Maplehurst Road, Rochester, New York 14617 to increase the not to exceed amount by \$500 for on-line legal research services for the Office of the District Attorney for the period January 1, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$11,684, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 330001.4311.101000 (Books and Subscriptions), and be it

FURTHER RESOLVED, that Resolution 121 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. 297

By Public Safety and Emergency Services and Finance Committees
Seconded by Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH UNIFICARE D/B/A JUSTICE BENEFITS, INC. FOR THE RECOVERY OF STATE AND FEDERAL FUNDS FOR THE OFFICE OF THE SHERIFF FOR 2009-2013

WHEREAS, this County Legislature, by Resolution 213 of 2004, authorized renewal of the agreement with Justice Benefits, Inc., for the recovery of state and federal funds for the Office of the Sheriff at a cost not to exceed 22% of actual monies received by Broome County that are obtained through the services of Justice Benefits, Inc. for the period July 1, 2005 through June 30, 2009, and

WHEREAS, said agreement is necessary to maximize the potential for receiving Federal and State funds in connection with the operation of the Broome County Correctional Facility and the work of the Broome County Sheriff, and

WHEREAS, said agreement expires by its terms on June 30, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at an amount not to exceed 22% of revenue received by Broome County for the period July 1, 2009 through June 30, 2013 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Unifcare, d/b/a Justice Benefits, Inc., 2010 Valley View Lane, Suite 300, Dallas, Texas 75234 for the recovery of State and Federal funds for the Office of the Broome County Sheriff for the period July 1, 2009 through June 30, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed 22% of revenue received by Broome County, for the term of the agreement, and be it

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

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

RESOLUTION NO. 298

By Public Safety and Emergency Services Committee, Personnel, and Finance

Seconded by Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING THE HIRING OF VOLUNTEER EMPLOYEES FOR THE BROOME COUNTY ANIMAL RESCUE TEAM FOR THE OFFICE OF EMERGENCY SERVICES

WHEREAS, the Office of Emergency Services has recommended along with the New York State Department of Agriculture and Markets the recruitment, hiring, and the covering of liability insurance and workers compensation insurance of volunteer employees to staff the Broome County Animal Rescue Team, and

WHEREAS, the volunteer employees of the Broome County Animal Rescue Team will provide assistance to the Office and County when needed by organizing, staffing, and providing care at animal-friendly shelters consistent with the volunteer's level of expertise, and

WHEREAS, the volunteer employees shall act in their official capacity as designated by the Office of Emergency Services during the evacuation, transportation, and sheltering of household pets and service animals during and after a disaster, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the recruitment and hiring of volunteer employees to staff the Broome County Animal Rescue Team, covering liability insurance and workers compensation insurance of the volunteer employees when acting in their official capacity as members of the Broome County Animal Rescue Team, 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. Mr. Materese made a motion seconded by Mr. Whalen to amend the Resolution to replace the word "Rescue" with the word "Response" in the title, the 1st and 2nd whereas paragraphs and the 1st resolved paragraph. Amendment carried. Ayes-19, Nays-0. Resolution as amended carried Ayes 19, Nays-0

RESOLUTION NO. 299

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

Seconded by Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF PREVENTIVE DENTISTRY/DENTAL SEALANT PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

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

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

WHEREAS, it is desired to renew said program grant in the amount of \$58,462 for the period July 1, 2009 through June 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$43,580 from the New York State Department of Health, Bureau of Dental Health, Empire

State Plaza, Corning Tower, Room 542, Albany, New York 12237, for the Department of Health's Preventive Dentistry/Dental Sealant Program Grant for the period July 1, 2009 through June 30, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$58,462, 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. 300

By Human Services and Finance Committees Seconded by Hon. Joseph S. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THERAPEEDS PHYSICAL THERAPY OF UPSTATE NEW YORK, PLLC d/b/a G & E THERAPIES FOR THERAPY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2009

WHEREAS, this County Legislature, by Resolution 528 of 2008, as amended by Resolution 716 of 2008, authorized renewal of the agreement with Therapeeds Physical Therapy of Upstate New York, PLLC d/b/a G & E Therapies for therapy services for the Willow Point Nursing Home at a cost not to exceed \$31,100 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement provides physical, speech and occupational therapy services in the absence of a staff therapist for residents of the Willow Point Nursing Home, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$53,900 to better reflect the projected need for therapy services, and

WHEREAS, the Administrator of the Willow Point Nursing Home has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Therapeeds Physical Therapy of Upstate New York, PLLC, d/b/a G & E Therapies, c/o Gerilyn Gault, PT, 1977 Marshland Road, Apalachin, New York 13732, to increase the not to exceed amount by \$53,900 for therapy services for the Willow Point Nursing Home 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 \$85,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160226/160242/160234.4706.204000 (Rehab and Therapy Services), and be it

FURTHER RESOLVED, that Resolutions 528 and 716 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. 301

By Transportation and Rural Development and Finance Committees
Seconded by Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH HIGH STREET CONSULTING GROUP FOR CONSULTANT SERVICES FOR THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 218 of 2008, authorized an agreement with High Street Consulting Services for consultant services for Binghamton Metropolitan Transportation Study (BMTS) at a cost not to exceed \$100,000 for the period May 1, 2008 through March 31, 2009, and

WHEREAS, said agreement is necessary to provide for an association of the 13 metropolitan planning organizations in New York State to assess the effectiveness of the Federally mandated metropolitan transportation planning process since the passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991 and subsequent Federal authorizations, and to prepare a series of case studies and report to assist these organizations in improving their effectiveness, and

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

WHEREAS, the Director of Binghamton Metropolitan Transportation Study 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 High Street Consulting Group, 2306 Washington Avenue, Chevy Chase, Maryland 20815 to extend the term through July 31, 3009, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 218 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. 302

By Personnel, Human Services, and Finance Committees
Seconded by Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY (CASA)

RESOLVED, that in accordance with a request contained in PCR # 09-174 from the Director of CASA, this County Legislature hereby authorizes the position of Public Health Nurse, Grade 17, Union Code 04 CSEA, at budget line 680033.1000.101000 at a salary of \$18.55 per hour, to be changed to Sr. Registered Professional Nurse, Grade 16, Union Code 04 CSEA, at budget line 680033.1000.101000 at a salary of \$17.63 per hour effective August 1, 2009.

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

RESOLUTION NO. 303

By Finance and Education, Culture and Recreation Committees
Seconded by Hon. Joseph Sanfilippo

RESOLUTION ADOPTING THE BUDGET FOR BROOME COMMUNITY COLLEGE FOR 2009-2010

WHEREAS, the Broome County Legislature is required to approve the College's annual unrestricted operating budget, and

WHEREAS, such approval must state the total unrestricted appropriations, sponsor contribution and fiscal year for which the operating budget is approved, and

WHEREAS, the Finance Committee of the County Legislature recommends approval of the total budget and sponsor contribution as presented, now therefore, be it

RESOLVED, that the unrestricted operating budget for Broome Community College for the college fiscal year September 1, 2009 through August 31, 2010, in the sum of \$48,707,587 be approved, and be it

FURTHER RESOLVED, that the Sponsor Contribution for Broome Community College for the college fiscal year September 1, 2009 through August 31, 2010, in the sum of \$6,791,938 be approved, and be it

FURTHER RESOLVED, that the Broome Community College's operating budget be submitted to the State University Board of Trustees for approval.

Mr. Nirchi made the motion seconded by Mr. Whalen to reduce the County contribution by \$1.00. Amended carried Ayes-14, Nays-4 (Materese, Garnar, Herz, Buchta), Abstain-1 (LaBare). Resolution as amended.

Carried Ayes-16, Nays-2 (Sanfilippo, Moran), Abstain-1 (LaBare)

RESOLUTION NO. 304

By Human Services, and Finance Committees Seconded by Hon. Joseph S. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH KRONOS INCORPORATED FOR A PAYROLL SOFTWARE/HARDWARE UPGRADE FOR THE WILLOW POINT NURSING HOME FOR 2009-2010

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with Kronos Incorporated for a payroll software/hardware upgrade for the time keeping system at Willow Point Nursing Home at a cost not to exceed \$40,796.50, for the period August 1, 2009 through July 31, 2010, and

WHEREAS, said services are necessary to have reliable payroll software/hardware that can be maintained and/or repaired for 400 county employees at Willow Point Nursing Home that complies with the requirements of the county union contracts, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Kronos Incorporated, 297 Billerica Road, Chelmsford, MA 01824, for a payroll software/hardware upgrade for the Willow Point Nursing Home for the period August 1, 2009 through July 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$40,796.50 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010.2850/2851/4419.204000 (Computer Equipment/Computer Software/General Office Expenses), and be it

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

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

RESOLUTION NO. 305

By Public Safety and Emergency Services, and Finance Committees

Seconded by Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH WATCH SYSTEMS FOR A CENTRAL SEX OFFENDERS REGISTRY FOR THE OFFICE OF THE SHERIFF FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 387 of 2008, authorized a renewal of the agreement with Watch Systems for a Central Sex Offender Registry for the Office of the Sheriff at a 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 services are necessary to provide for the registration, verification and community tool for sex offenders in Broome County, and

WHEREAS, said agreement expires by its terms on August 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 \$18,000, for the period September 1, 2009 through August 31, 2010 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Watch Systems, 516 E. Rutland St., Covington, LA 70433, for a Central Sex Offender Registry for the Office of the Sheriff for the period September 1, 2009 through August 31, 2010 and be it,

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor the cost of a license fee of \$9,000, and a fee of \$9,000 for postage, total amount not to exceed \$18,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 450015.4515.101000 (Software Rental) and 450015.4411.101000 (Postage), 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. 306

By Finance, and Public Safety and Emergency Services Committees

Seconded by Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT, JUSTICE ASSISTANCE (US DEPT OF JUSTICE) PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF, AND THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SECURITY AND ADOPTING A PROGRAM BUDGET FOR 2009-2013

WHEREAS, this County Legislature, by Resolution 218 of 2009, authorized and approved acceptance of the American Recovery and Reinvestment Act Justice Assistance Grant from the U.S. Department of Justice for the Office of the Sheriff, and the Department of Public Works Division of Security in the amount of \$30,142 for the period July 1, 2009 through July 1, 2013, and authorized the Inter-municipal agreement with the City of Binghamton, which provides for the allocation and distribution of grant proceeds to Broome County and the other municipalities, and

WHEREAS, the Sheriff and the Commissioner of Public Works request authorization to adopt a program budget in the amount of \$30,142 for the period July 1, 2009 through July 1, 2013 to expend said funds, and

WHEREAS, said authorization is necessary to purchase operational supplies, now, therefore, be it

RESOLVED, that the Broome County Legislature hereby approves and adopts the program budget for the Office of the Sheriff, 450122.0584.105xxx (Public Safety Grant-Federal) annexed hereto as Exhibit "A" in the total amount of \$15,071.00, for the period July 1, 2009 through July 1, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget for the Department of Public Works-Security Division, 031518.0584.105xxx (Public Safety Grant-Federal), annexed hereto as Exhibit "B" in the total amount of \$15,071.00, for the period July 1, 2009 through July 1, 2013, 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. 307

By Public Safety and Emergency Services, and Finance Committees

Seconded by Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH TIOGA COUNTY FOR HOUSING OF BROOME COUNTY PRISONERS FOR THE OFFICE OF THE SHERIFF FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 388 of 2008, authorized renewal of the agreement with Tioga County for housing Broome County prisoners at an amount not to exceed \$80.00 per day, per prisoner for the period August 14, 2007 through August 13, 2009, and

WHEREAS, said services are necessary to relieve overcrowding at the Broome County Public Safety Facility, and

WHEREAS, said agreement expires by its terms on August 13, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$80 per day, per prisoner, for the period August 14, 2009 through August 13, 2010 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Tioga County Sheriff's Office, 103 Corporate Drive, Owego, New York 13827 for housing Broome County prisoners for the Office of the Sheriff for the period August 14, 2009 through August 13, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$80 per day, per prisoner for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4435.101000 (Inmate Expense – Other Facility), 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. 308

By Public Safety and Emergency Services and Finance Committees

Seconded by Hon. Barry Klipsch

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH UNIFIED COURT SYSTEM NYS SIXTH JUDICIAL DISTRICT FOR COURT SECURITY SERVICES PROVIDED BY BROOME COUNTY SECURITY FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 390 of 2008, authorized renewal of the agreement with Unified Court System NYS Sixth Judicial District for court security services provided by Broome County Security with revenue to the County in the amount of \$145,000 for the period April 1, 2008 through March 31, 2009, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the contract by \$6,000, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Unified Court System, NYS Sixth Judicial District, State Office Building, 44 Hawley Street, Suite 1501, Binghamton, New York 13901-4466, to increase the contract by \$6,000 for court security services provided by Broome County Security for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$151,000, for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 390 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried, Ayes-18, Nays-0, Absent-0, Abstain-1 (Garnar)

RESOLUTION NO. 309

By Economic Development and Planning and Finance Committees

Seconded by Hon. Stephen Herz

RESOLUTION AUTHORIZING ACCEPTANCE OF A SUSQUEHANNA HERITAGE AREA WEBSITE DEVELOPMENT PROGRAM GRANT FOR DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to accept a Susquehanna Heritage Area Website Development Program Grant and adopt a program budget in the amount of \$15,050 for the period May 15, 2009 through September 2010, and

WHEREAS, said program grant will be used to develop a centralized website dedicated to the Susquehanna Heritage Area for dissemination of tourism information and outreach and education, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,050 from the New York State Office of Parks, Recreation and Historic Preservation, Empire State Plaza, Agency Building 1, Albany, New York 12238 for the Department of Planning and Economic Development's Susquehanna Heritage Area Website Development Program Grant for the period May 15, 2009 through September 30, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$15,050, 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. 310

By Public Safety & Emergency Services and Finance Committee

Seconded by: Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH PAMELA AINI FOR CIVIL FORFEITURE PROCESS MANAGEMENT SERVICES FOR THE OFFICE OF THE DISTRICT ATTORNEY FOR 2009-2011

WHEREAS, this County Legislature, by Resolution 320 of 2007, authorized an agreement with Pamela Aini for civil forfeiture process management services at an amount not to exceed 10% of total forfeiture funds distributed, with the District Attorney authorized to convert to an hourly compensation rate of \$63 per hour if the fees during a one-year period reach \$20,000 at the discretion of the District Attorney for the period June 21, 2007 through June 20, 2009, and

WHEREAS, said agreement is necessary for the District Attorney's Office to initiate state forfeiture proceedings in cases where the staff could not otherwise divert the necessary time from the criminal caseload to initiate forfeiture action, and

WHEREAS, said agreement expires by its terms on June 20, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period June 21, 2009 through June 20, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Pamela Aini, 414 Fairview Avenue, Hornell, New York 14843 for civil forfeiture process management services for the Office of the District Attorney for the period June 21, 2009 through June 20, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed 10% of total forfeiture funds distributed, with the District Attorney authorized to convert to an hourly compensation rate of \$63 per hour if the fees during a one-year period reach \$20,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Trust Account for Civil Forfeiture Proceeds Index 996025, Project 603000, GL 525, Subsidiary 525068, 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. 311

By: Finance Committee

Seconded by Hon. Joseph S. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO EXHIBIT "A" OF RESOLUTION 220 OF 2009 AUTHORIZING THE SALE OF COUNTY PROPERTIES FROM THE 2009 TAX SALE AUCTION

WHEREAS, this County Legislature, by Resolution 220 of 2009 authorized the sale of real property at the 2009 Broome County tax sale auction to successful bidders as indicated in Exhibit "A", and

WHEREAS it is necessary to refund the deposit in the amount of \$1,475 for tax map 145.61-3-12, 90 Broad Avenue Binghamton, to the successful bidder Zamir Shaikh, 90 Oak Street, Binghamton, New York 13905, and

WHEREAS, it is necessary to amend Exhibit "A" to sell back to the former owner Franklin and Harriet Lee, 277 Brook Street, Westbury, New York 11590-3537 for the base tax of \$7,116.13 plus interest, penalties and sell back fee for tax map 145.61-3-12, 90 Broad Avenue Binghamton, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the amendment of Resolution 220 of 2009 Exhibit "A" to refund the deposit in the amount of \$1,475 for tax map 145.61-3-12, 90 Broad Avenue, Binghamton, to the successful bidder Zamir Shaikh, 90 Oak Street, Binghamton, New York 13905, and be it

FURTHER RESOLVED that this County Legislature hereby authorizes the amendment of Resolution 220 of 2009 Exhibit "A" to sell back to the former owner Franklin and Harriet Lee, 277 Brook Street, Westbury, New York 11590-3537 for the base tax of \$7,116.13 plus interest, penalties and sell back fee for tax map 145.61-3-12, 90 Broad Avenue, Binghamton, New York, and be it

FURTHER RESOLVED, that Resolution 220 of 2009, to the extent consistent herewith, shall remain in full force and effect.

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

RESOLUTION NO. 312

By: Transportation and Rural Development and Finance Committees

Seconded by: Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO AN AGREEMENT WITH THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FOR THE DEPARTMENT OF AVIATION FOR 2004-2009

WHEREAS, the Board of Acquisition and Contract, on July 14, 2004, 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 May 31, 2009, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term through October 31, 2009 under the same terms and conditions, to allow for additional time to negotiate the terms of a renewal, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the National Oceanic and Atmospheric Administration, US Department of Commerce, 200 Granby Street, Room 815, Norfolk, Virginia 23510 to extend the term through October 31, 2009 under the same terms and conditions, and be it

FURTHER RESOLVED, that CA No. 1-160 of 2004, 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. 313

By: Public Health and Environmental Protection and Finance Committees

Seconded by: Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH ROCHESTER GENERAL HOSPITAL FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S CANCER SERVICES PROGRAM OF CHEMUNG AND SCHUYLER COUNTIES FOR 2009-2010

WHEREAS, the Director of Public Health requests authorization for an agreement with Rochester General Hospital for services for the Department of Health's Cancer Services Program of Chemung and Schuyler Counties at rates according to the New York State Department of Health Upstate NY Fee Schedule for the period April 1, 2009 through March 31, 2010, and

WHEREAS, said agreement is necessary to provide various breast, cervical and colorectal cancer screening services, diagnostic and follow-up services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Rochester General Hospital, 333 Humboldt Street, Rochester, New York 14640 for services for the Department of Health's Cancer Services Program of Chemung and Schuyler Counties for the period April 1, 2009 through March 31, 2010, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480376.4715.105502 for the period April 1, 2009 through June 29, 2009, 480376.4715.105xxx for the period June 30, 2009 through March 31, 2010 (Other Health & Medical Services) and 480376.4707.105483 (Medical & Hospital 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.314

By: Human Services, County Administration, and Finance Committees

Seconded by: Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH HARMONY INFORMATION SYSTEMS, INC. (F.K.A. SYNERGY SOFTWARE TECHNOLOGIES, INC.) FOR THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY AND THE OFFICE FOR AGING FOR 2009

WHEREAS, the Director of the Community Alternative Systems Agency and the Office For Aging requests authorization for an agreement with Harmony Information Systems, Inc. (F.K.A. Synergy Software Technologies, Inc.) for software license, maintenance, and technical support for the Community Alternative Systems Agency and the Office For Aging at a cost not to exceed, \$33,725 for the period September 1, 2009 through December 31, 2009, and

WHEREAS, said services are necessary to provide license renewal, maintenance and technical support for the Office For Aging and the Community Alternative Systems Agency with AgingNetwork.com hosting service, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Harmony Information Systems Inc. 25 New England Dr. Essex Junction VT 05452 for set-up fees & user subscription, software license, maintenance and technical support for the Office For Aging and the Community Alternative Systems Agency for the period September 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 \$33,725 for the term of the agreement, and be it

FURTHER RESOLVED, that \$29,781 shall be made from Community Alternative Systems Agency budget line 680033.9726.101000 (Contracted Data Processing) and \$3,944 shall be made from the Office for Aging's budget line 761155.4726.105488 (Contracted Data Processing), 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.

Mr. Sanfilippo made a motion, seconded by Mr. Materese to amend the further resolved paragraph to "\$29,781 shall be made from Community Alternative Systems Agency budget and \$3,944 shall be made from the Office for Aging's budget...". Amendment carried Ayes-19, Nays-0, Absent-0 Resolution as amended carried, Ayes 19, Nays-0, Absent-0

RESOLUTION NO. 315

By: County Administration and Finance Committees Seconded by Hon. Joseph S. Sanfilippo

RESOLUTION AUTHORIZING AN EQUIPMENT AND HARDWARE LEASE AGREEMENT WITH KEY GOVERNMENT FINANCING INC. FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2009-2014

WHEREAS, the Director of Information Technology requests authorization for an equipment and hardware lease agreement with Key Government Financing Inc. for the Division of Information Technology at a cost not to exceed \$840,797.21, in six annual payments commencing upon completion of the contract, with payments beginning in August 2009, and

WHEREAS, said equipment and hardware lease is necessary for the purchase of Cisco network switches and support to replace the County's outdated and unsupported network infrastructure, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an equipment and hardware lease agreement with Key Government Financing Inc., 1000 S. McCaslin Boulevard, Superior, Colorado, 80027 for Cisco network switches for the Division of Information Technology for 60 months commencing upon completion of the contract, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$840,797.21 in six annual payments, with payments beginning in August 2009as follows:

August 2009	\$150,000
February 2010	\$138,159.40
February 2011	\$138,159.40
February 2012	\$138,159.40
February 2013	\$138,159.40
February 2014	\$138,159.40

FURTHER RESOLVED, that \$150,000 shall be made from budget line 370031.2850.501533 (2008 Capital Network Switches & PC Replacement-Equipment) and \$690,797.21 shall be made from budget line 370007.4516.101000 (Hardware Lease), 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. 316

By: Finance Committee Seconded by Hon. Donald T. Moran
RESOLUTION AMENDING A BOND RESOLUTION DATED DECEMBER 20, 2007 HERETOFORE ADOPTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF BROOME, NEW YORK ON SAID DATE WITH RESPECT TO THE MAXIMUM ESTIMATED COST AND PLAN OF FINANCING THEREFORE

WHEREAS, the Bond Resolution adopted by this County Legislature on December 20, 2007 (Resolution 07-816) set forth a Highway Construction/Rehabilitation project at \$1,750,000 and an Unanticipated Bridge Repairs project of \$250,000 and

WHEREAS, the costs are now estimated to be \$1,557,000 for the Highway Construction/Rehabilitation project, and \$60,000 for the Unanticipated Bridge Repairs project and

WHEREAS, it is necessary to add a Highway Building Renovation project at \$40,000 and add a Highway Vehicle Replacements project at \$153,000 and

WHEREAS, it is the intent of this County Legislature to revise the maximum estimated cost for this resolution, as well as the plan of financing therefore, in light thereof, now, therefore be it

RESOLVED, by the County Legislature of the County of Broome, as follows

Section 1. Section 1 of the Bond Resolution referenced in the preamble hereto is hereby amended to read:

	PPU/LFL	
<u>Project Name</u>	<u>Section 11:00</u>	<u>Maximum Estimated Cost</u>
Highway Reconstruction/Rehabilitation	15/20(c)	\$1,557,000

Unanticipated Bridge Repairs	20/10	\$60,000
Highway Building Renovations	15/12(2)	\$40,000
Highway Vehicle Replacements	5/28	\$153,000

Section 2. Section 3 of said Bond Resolution is also amended so that the aggregate maximum cost so set forth therein is decreased by \$193,000 to \$1,557,000 for the Highway Construction/Rehabilitation project, and decreased by \$190,000 to \$60,000 for the Unanticipated Bridge Repairs and increased by \$40,000 for the Highway Building Renovation project and increased by \$153,000 for the Highway Vehicle Replacements project and with amount of serial bonds to be issued decreased by \$190,000 to \$23,402,195.

Section 3. This Resolution to the extent inconsistent with Resolution 816 of 2007, 445 of 2008 and 742 of 2008 supersedes and amends said prior bond resolutions.

Section 4. The validity of such bond and bond anticipation notes may be contested only if:

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

Section 5. This Resolution, which takes effect upon its approval by the County Executive, shall be published in full in the Press and Sun Bulletin, which is the only newspaper having a general circulation in the County, together with the notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

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

RESOLUTION NO. 317

By: Finance Committee

Seconded by Hon. Suzanne Messina

RESOLUTION AMENDING A BOND RESOLUTION DATED DECEMBER 18, 2008 HERETOFORE ADOPTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF BROOME, NEW YORK ON SAID DATE WITH RESPECT TO THE MAXIMUM ESTIMATED COST AND PLAN OF FINANCING THEREFORE

WHEREAS, the Bond Resolution adopted by this County Legislature on December 18, 2008 (Resolution 08-744) set forth a Purchase Snow Removal Equipment project at \$500,000, a Highway Reconstruction/Rehabilitation project at \$2,000,000 and a Purchase four Hybrid-Electric Buses project at \$2,200,000 and

WHEREAS, the costs are now estimated to be \$640,189 for the Purchase Snow Removal Equipment project, \$2,350,000 for the Highway Reconstruction/Rehab project and to be \$4,051,619 for the Purchase of up to ten (10) transit buses plus four (4) small cutaway buses project and

WHEREAS, it is necessary to add the Vestal-Endicott Bridge Painting project at \$1,982,000, the Security at George Harvey building project at \$60,800 and the Alms Building Demolition and Site Restoration project at \$350,000, and

WHEREAS, it is the intent of this County Legislature to revise the maximum estimated cost for this resolution, as well as the plan of financing therefore, in light thereof, now, therefore be it

RESOLVED, by the County Legislature of the County of Broome, as follows

Section 1. Section 1 of the Bond Resolution referenced in the preamble hereto is hereby amended to read:

<u>Project Name</u>	<u>Section 11:00</u>	<u>Maximum Estimated Cost</u>
Purchase Snow Removal Equipment	15/28	\$ 640,189
Highway Reconstruction Rehab	10/20(b)	\$2,350,000
Purchase up to ten (10) transit buses Plus four (4) small cutaway buses	5/29	\$4,051,619
Vestal-Endicott Bridge Painting	10/10	\$1,982,000
Security at George Harvey Building	5/32	\$60,800
Alms Building Demo and Restoration	10/12(a)	\$350,000

Section 2. Section 3 of said Bond Resolution is also amended so that the aggregate maximum cost so set forth therein is increased by \$140,189 to \$640,189 for the Purchase Snow Removal Equipment project, increased by \$350,000 to \$2,350,000 for the Highway Reconstruction/Rehabilitation project, increased by \$1,851,619 to \$4,051,619 for the Purchase of up to ten (10) transit buses and four (4) small cutaway buses and the addition of \$1,982,000 for the Vestal-Endicott Bridge Painting project, and addition of \$60,800 for the Security at George Harvey Building project and the addition of \$350,000 for the Alms Building Demolition and Site Restoration project with amount of serial bonds to be issued increased by \$4,734,608 to \$43,212,868 and the amount of Federal monies received increased by \$4,126,798 in the following monies and allocated in their entirety to the following projects: \$133,179 for the Purchase Snow Removal Equipment project, \$350,000 for the Highway Reconstruction/Rehabilitation project, \$1,851,619 for the Purchase of up to ten (10) Transit Buses plus Four (4) Small Cutaway Buses, \$1,792,000 for the Vestal-Endicott Bridge Painting project, there being anticipated \$178,505 received from the State government in the following amounts and allocated entirely to the following programs: \$3,505 for the Purchase of Snow Removal Equipment and \$175,000 for the Alms Building Demolition and Site Restoration project.

Section 3. This Resolution to the extent inconsistent with Resolution 744 of 2008 supersedes and amends said prior bond resolution.

Section 4. The validity of such bond and bond anticipation notes may be contested only if:

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

Section 5. This Resolution, which takes effect upon its approval by the County Executive, shall be published in full in the Press and Sun Bulletin, which is the only newspaper having a general circulation in the County, together with the notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

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

RESOLUTION NO. 318

By: Economic Development and Planning and Finance Committees

Seconded by: Hon. Joseph Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF THE BROOME COUNTY EMPIRE ZONE PROGRAM GRANT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 109 of 2001, as amended by Resolutions 397 of 2007 and 343 of 2008, authorized an intergovernmental agreement with the City of Binghamton, the Villages of Endicott and Johnson City and the Towns of Kirkwood and Union (Member Communities) for establishing the Broome County Empire Zone Administrative Board, and

WHEREAS, said agreement set forth the formula for in-kind contributions, and

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to accept the Broome County Empire Zone Program Grant and adopt a program budget in the amount of \$85,659 for the period July 1, 2009 through June 30, 2010, and

WHEREAS, said program grant provides for the administration of the Broome County Empire Zone, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$73,199.36 from the Member Communities for the Department of Planning and Economic Development's Empire Zone Program Grant for the period July 1, 2009 through June 30, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$85,659, 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. 319

By: Public Works, and Finance Committees

Seconded by Hon. Donald T. Moran

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR REIMBURSEMENT TO THE COUNTY FOR COURT MAINTENANCE SERVICES FOR 2008-2013

WHEREAS, the Broome County Legislature, by Resolution 346 of 2003, authorized renewal of the agreement with New York State Unified Court System for court maintenance services for the department of Public Works, for the period April 1, 2003 through March 31, 2008 and,

WHEREAS, said services include the provisioning of maintenance and minor repairs of court facilities by the Department of Public Works, and

WHEREAS, said agreement is necessary to allow the County to receive reimbursement for services provided to court facilities as requested by the Unified Court System, and

WHEREAS, said agreement expired by its terms on March 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount to be negotiated annually between the County and the Court System for work provided during the April 1, 2008 through March 31, 2013 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New York State Unified Court System, Sixth Judicial District, 31 Lewis Street, 5th Floor, Binghamton, New York 13901 for reimbursement to the County for court maintenance services during the period April 1, 2008 through March 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County and the Court System shall negotiate annually for a fee for maintenance services requested by the Court System and performed by the Department of Public Works, and be it

FURTHER RESOLVED, that the fees hereinabove referenced shall be credited to budget line 030031.0589.101000 (State Aid-Court Facilities), and be it

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

Carried, Ayes-18, Nays-0, Absent-0, Abstain-1 (Garnar)

Mr. Howard made a motion to adjourn, seconded by Mr. Marinich. **Motion to adjourn Carried**, Ayes-19, Nays-0, Absent-0. The meeting was adjourned at 5:32 p.m.

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