

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, JANUARY 22, 2009**

The Legislature convened at 5:05p.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.

Mr. LaBare and Mr. Marinich were designated as participants with Chairman Whalen in the 'Short Roll Call'.

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. Garnar made a motion, seconded by Mr. LaBare, that the session minutes of December 30, 2008 and January 8, 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 December 30, 2008 through January 21, 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. Herz, seconded by Mr. Cleary. **Carried,** Ayes-19 Nays-0, Absent-0.

ANNOUNCEMENTS FROM THE CHAIR-Special Recognitions

Mr. Materese introduced Mr. Kehoe, Executive Director of the New York State Sheriff's Association, who presented to Sheriff Harder and staff a plaque for "reaccreditation" to the Correction Division at the Jail.

Mr. Sanfilippo presented a proclamation to Mr. Johnson and the staff of KYDS Collation.

Mr. Nirchi presented a proclamation to Christina Muss, Traffic Safety Coordinator.

Mr. Reynolds invited Andrei Guriianu to the podium to accept a certificate of appointment to the position of Honorary Poet Laureate of Broome County, which was presented by Ms. Buchta.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS

A. PETITIONS: None

B. COMMUNICATIONS:

1. Legislature – Staff Appointments – Carol Hall, Joanna Kamin, Jennifer Royer
2. Personnel Department – M. Klein – Request for Sheriff Department Upgrades for Administrative Staff
3. County Executive – Board of Elections Budget
4. Town of Dickinson – Town Budget 2009
5. BC Environmental Management Council Meeting Minutes - 12/4/2008
6. Broome County Budget – Adopted for 2009
7. BC Agricultural & Farm Land Protection Board Meeting 1/28/09 – 12:00 pm

C. NOTICES:

1. Economic Development & Planning Committee Meeting 1/22/2009 – 4:30 pm

D. REPORTS: None

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 13

By County Administration and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENTS FOR LABOR RELATIONS PROFESSIONAL SERVICES

WHEREAS, Resolution 595 of 2007 authorized intermunicipal agreements with various Broome County municipalities for Broome County to perform labor relations professional services with revenue to the County at the rate of \$55 per hour, per person, for the period through December 31, 2008, and

WHEREAS, the County Executive requests authorization for an intermunicipal agreement with any Broome County municipality that request assistance for labor relations professional services, at the rate of \$55 per hour, per person, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement with any Broome County municipality that requests assistance in labor relations professional services, and be it

FURTHER RESOLVED, that in consideration of said services, the municipality will pay the County at the rate of \$55 per hour, per person, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 390005.0041.101000 (County Attorney Fees) and be it

FURTHER RESOLVED, that any intermunicipal agreement executed pursuant to this resolution shall continue from the date of execution of said agreement until December 31, 2010, and may terminate in whole or in part by either party upon thirty days written notice to the other party, and be it

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

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

RESOLUTION NO. 14

By Finance Committee

Seconded by Mr. Materese

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES PLUS ACCRUED INTEREST AND PENALTIES ON A PARCEL IN THE TOWN OF UNION

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

RESOLVED, that taxes will be cancelled on the following parcel of real property:

Parcel ID: 140.14-2-2
Town/Village: Union
Address: 1311 Day Hollow Road
Amount to be Cancelled: Accrued interest & penalties
Reason:

The above parcel has problems with the wells (there is a boil water order from the Town of Union), and apparently there are possible septic problems as well. A lender recently foreclosed on the parcel and has a buyer. The lender has agreed to pay the base tax out of the proceeds of the sale. It is Real Property's opinion that if the parcel were sent to auction, the County would not be able to sell it for the amount owed in base tax. Real Property Tax Department is requesting that all interest and penalties above the base tax be cancelled.

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

RESOLUTION NO. 15

By County Administration, Education, Culture and Recreation, and Finance Committees
Seconded by Mr. Materese

RESOLUTION AUTHORIZING ACCEPTANCE OF LEGISLATIVE INITIATIVE GRANT FUNDING FOR COUNTY EXECUTIVE ON BEHALF OF THE BROOME COUNTY ETHNIC FESTIVAL FOR 2008-2009

WHEREAS, the County Executive on behalf of the Broome County Ethnic Festival requests authorization to accept Legislative Initiative Grant Funding in the amount of \$5,000 for the period April 1, 2008 through June 30, 2009, and

WHEREAS, said funding will be used to help sustain the Broome County Ethnic Festival, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,000 from the New York State Office of Parks, Recreation and Historic Preservation, The Governor Nelson A. Rockefeller Empire State Plaza, Agency Building 1, Albany, New York 12238 for the County Executive on behalf of the Broome County Ethnic Festival for the period April 1, 2008 through June 30, 2009, and be it

FURTHER RESOLVED, that the funding will be deposited to the Broome County Ethnic Festival Trust Account GL -525-525067, 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. 16

By Public Works and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH DELTA ENGINEERS, P.C. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2005-2009

WHEREAS, this County Legislature, by Resolution 353 of 2005, as amended by Resolutions 526 of 2006 and 610 of 2007, authorized an agreement with Delta Engineers, P.C. for professional engineering services for the Department of Public Works at a cost not to exceed \$1,495,927 for the period July 25, 2005 through March 30, 2009, and

WHEREAS, said agreement is necessary for the design and on-site construction inspection/administration services for the Bevier Street Bridge Rehabilitation Project and Multi-Use Trail, and

WHEREAS, it is necessary to authorize the amendment of said agreement to amend the period to July 25, 2005 through July 31, 2009, at no additional cost to the County, and

WHEREAS, the Commissioner of Public Works 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 Delta Engineers, P.C., 184 Court Street, Binghamton, New York 13901-3515 to amend the period to July 25, 2005 through July 31, 2009, at no additional cost to the County for the Department of Public Works, and be it

FURTHER RESOLVED, that Resolutions 353 of 2005, 526 of 2006 and 610 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. 17

By Economic Development and Planning and Finance Committees Seconded by Mr. Materese
RESOLUTION AUTHORIZING AN AGREEMENT WITH THE GREATER BINGHAMTON CONVENTION AND VISITORS BUREAU FOR FUNDING FROM THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2009

WHEREAS, the Director of Economic Development requests authorization for an agreement with the Greater Binghamton Convention and Visitors Bureau to provide funding in the amount of \$20,000 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for the purchase and installation of a tourism kiosk at the Greater Binghamton Airport which will provide free information to travelers regarding hotel accommodations, area attractions and venues, restaurants, and transportation to out of town visitors as well as local travelers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Greater Binghamton Convention and Visitors Bureau, PO Box 995, Binghamton, New York 13902-0995 for funding from the Department of Planning and Economic Development for the period January 1, 2009 through December 31, 2009, and be it

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

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

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

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

RESOLUTION NO. 18

By County Administration, Economic Development and Planning, and Finance Committees
Seconded by Mr. Materese

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF CONKLIN AND THE BROOME COUNTY DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR SERVICES FOR 2007-2012

WHEREAS, Broome County received federal funding in the amount of \$449,292 to construct a multi-use trail in Conklin, which must be matched by local funds, and

WHEREAS, the Town of Conklin has agreed to provide \$40,850 of in-kind assistance to the construction of this project, and

WHEREAS, the Commissioner of Planning and Economic Development requests authorization for an intermunicipal agreement between the Town of Conklin and the Broome County Department of Planning and Economic Development, for the period February 28, 2007 through December 31, 2012, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement between the Town of Conklin, 1271 Conklin Road, Conklin, New York 13748 and the Broome County Department of Planning and Economic Development whereby the Town of Conklin will provide \$40,850 of in-kind services for the construction of a multi-use trail in the Town of Conklin, for the period February 28, 2007 through December 31, 2012, 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. 19

By Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE PROBATION ELIGIBLE DIVERSION PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION, ADOPTING A PROGRAM BUDGET AND RENEWING AN AGREEMENT WITH BI, INC. FOR ELECTRONIC MONITORING SERVICES FOR 2009

WHEREAS, this County Legislature, by Resolution 108 of 2008, authorized and approved the continuation of the Probation Eligible Diversion Program Grant for the Department of Probation and adopted a program budget in the amount of \$130,190 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said program grant is designed to keep non-violent drug abusers out of State facilities and to ensure that probationers released from custody are actively supervised in the community through electronic monitoring, and

WHEREAS, it is desired to renew said grant program in the amount of \$133,841 and adopt a program budget program for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$92,100 from the New York State Division of Probation and Correctional Alternatives for the Department of Probation's Probation Eligible Diversion Program Grant for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$133,841, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with BI, Inc., 6400 Lookout Road, Boulder, CO 80301, for electronic monitoring services, for the Department of Probation 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 \$5,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 280107.4457.105xxx (Subcontracted Program Expense), and be it

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

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

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

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

RESOLUTION NO. 20

By Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE INTENSIVE SUPERVISION PROGRAM GRANT FOR DEPARTMENT OF PROBATION AND ADOPTING A PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 107 of 2008, authorized and approved renewal of the Intensive Supervision Program Grant for the Department of Probation and adopted a program budget in the amount of \$206,970 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said grant program is an alternative to incarceration and keeps defendants out of prison by supervision of a smaller caseload and seeing them more often, resulting in incarceration savings for both the County and State, and

WHEREAS, it is desired to renew said grant program in the amount of \$219,510 for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$85,200 from the New York State Division of Probation and Correctional Alternatives for the Department of Probation's Intensive Supervision Program for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$219,510, 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. 21

By Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE PRETRIAL RELEASE PROGRAM GRANT FOR DEPARTMENT OF PROBATION AND ADOPTING A PROGRAM BUDGET FOR 2009

WHEREAS, this County Legislature, by Resolution 109 of 2008, authorized and approved renewal of the Pretrial Release Program Grant for the Department of Probation and adopted a program budget in the amount of \$114,370 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said program grant services are designed to reduce the unsentenced inmates at the Broome County Public Safety Facility by providing the necessary information to enable the court to decide the least restrictive method necessary to secure an inmate's appearance in court without detention and/or for those inmates unable to post bail, and

WHEREAS, it is desired to renew said grant program in the amount of \$133,657 for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$44,700 from the New York State Division of Probation and Correctional Alternatives for the Department of Probation's Intensive Supervision Program for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$133,657, 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. 22

By Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 122 of 2008, authorized and approved renewal of the Selective Traffic Enforcement Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$17,700 for the period October 1, 2007 through September 30, 2008, and

WHEREAS, said program grant targets speeding, aggressive driving, distracted driving, pedestrian safety, and motorcycle enforcement projects, Operation Safe Stop and Statewide Speed Initiative Projects, and

WHEREAS, it is desired to renew said grant program in the amount of \$20,522 for the period October 1, 2008 through September 30, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,522 from the New York State Department of Motor Vehicles, Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, New York 12228, for the Office of the Sheriff's Selective Traffic Enforcement Program Grant for the period October 1, 2008 through September 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$20,522, 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. 23

By Public Safety and Emergency Services, Personnel and Finance Committees
Seconded by Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE BUCKLE UP NEW YORK PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 768 of 2007, authorized and approved the Buckle Up New York Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$10,620 for the period October 1, 2007 through September 30, 2008, 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 \$9,680 for the period October 1, 2008 through September 30, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$9,680 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, 2008 through September 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$9,680, 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. 24

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

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CORRECTIONAL MEDICAL CARE, INC., FOR MEDICAL SERVICES AT THE BROOME COUNTY JAIL FOR THE OFFICE OF THE SHERIFF FOR 2009

WHEREAS, this County Legislature, by Resolution 652 of 2008, authorized renewal of the agreement with Correctional Medical Care, Inc., for medical services at the Broome County Jail for the Office of the Sheriff at an amount not to exceed \$2,586,573 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary for medical, dental, forensic and related health care and administrative services at the Broome County Jail, and

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$2,659,990.58, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Correctional Medical Care, Inc., 653 Skippack Pike, Suite 118, Blue Bell, Pennsylvania 19422

for medical services at the Broome County Jail for the Office of the Sheriff 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 \$2,659,990.58 for the term of the agreement, and be it

FURTHER RESOLVED, that the base contract cost of \$2,369,990.58 plus catastrophic and per diem costs of \$170,000 shall be made from budget line 450023.4715.101000 (Other Health and Medical Services) and the annual psychiatric fee of \$120,000 shall be made from budget line 450023.4435.101000 (Inmate Expense-Other 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-19, Nays-0, Absent-0.

RESOLUTION NO. 25

By Human Services and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR SERVICES FOR THE YOUTH BUREAU FOR 2009

WHEREAS, this County Legislature, by Resolution 13 of 2008, authorized an agreement with Cornell Cooperative Extension of Broome County for services for the Youth Bureau at an amount not to exceed \$422,139 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary for non-formal, community-based education on critical issues and needs through diverse, interactive presentations, workshops, seminars, consultations, media and publications, and

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$454,139, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Cornell Cooperative Extension of Broome County, 840 Front Street, Binghamton, New York 13905-1500 for services for the Youth Bureau 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 \$454,139 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 640011.5053.101000 (Broome County Cooperative Extension), 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. 26

By Human Services and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE DISCOVERY CENTER OF THE SOUTHERN TIER FOR SERVICES FOR THE YOUTH BUREAU FOR 2009

WHEREAS, this County Legislature, by Resolution 14 of 2008, authorized an agreement with The Discovery Center of the Southern Tier for services for the Youth Bureau at an amount not to exceed \$12,523 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary for public and school programs, including Museum to Go-mobile school program unit; NYS certified full time Pre-school Program; NYS certified After School Program; Home School classes; Interactive Exhibits; Performing Arts Series; BCJist Program; BU/BHS Teen Mentoring Program; Project Hope with Lourdes Hospital; Story Garden; 4 County Library Family Bookfest; BOOKS Program; and Museum Reciprocity, and

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$12,523, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with The Discovery Center of the Southern Tier, 60 Morgan Road, Binghamton, New York 13903 for services for the Youth Bureau 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 \$12,523 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 640011.5011.101000 (The Discovery Center), 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. 27

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

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF TRIANGLE AND THE BROOME COUNTY DEPARTMENT OF PARKS AND RECREATION FOR USE OF TOWN PROPERTY FOR 2009

WHEREAS, the Deputy Commissioner of Parks and Recreation requests authorization for an intermunicipal agreement between the Town of Triangle and the Broome County Department of Parks and Recreation for use of Town property, for January 31, 2009 with an alternate date of February 14, 2009, at no cost to the County, and

WHEREAS, said agreement will provide off-site parking at the Town of Triangle Highway Garage during the Crappie Derby on January 31, 2009 with an alternate date of February 14, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement between the Town of Triangle, PO Box 289, 2612 Liberty Street, Whitney Point, New York 13862 and the Broome County Department of Parks and Recreation for use of Town property on January 31, 2009 with an alternate date February 14, 2009, at no cost to the County, 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. 28

By County Administration and Finance Committees Seconded by Mr. Materese

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE STATE OF NEW YORK-DIVISION OF CRIMINAL JUSTICE SERVICES AND THE BROOME COUNTY CLERK'S DMV OFFICE FOR AN ORIGINATING AGENCY IDENTIFICATION NUMBER

WHEREAS, the County Clerk requests authorization for an intermunicipal agreement between the State of New York-Division of Criminal Justice Services and the Broome County Clerk's DMV Office for an Originating Agency Identification Number at the most recent published fee, which is currently \$60, for the period commencing January 1, 2009, and

WHEREAS, New York State and the Federal Government require background checks on Department of Motor Vehicle employees who process applications for the Enhanced Driver's License, and

WHEREAS, upon execution of said agreement, the County Clerk's Office will qualify for an Originating Agency Identification number which will allow for fingerprint processing for new DMV employees at current published fees, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement between the State of New York-Division of Criminal Justice Services, Four Tower Place, Albany, New York 12203-3764 and the Broome County Clerk's DMV Office for an Originating Agency Identification Number, at the most recent published fee, for the period commencing January 1, 2009, and be

FURTHER RESOLVED, that the fees hereinabove authorized shall be made from budget line 300020.4419.101000 (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. 29

By Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING REVISION OF THE EARLY INTERVENTION ADMINISTRATION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 479 of 2008, authorized and approved renewal of the Early Intervention Administration Program Grant for the Department of Health and adopted a program budget in the amount of \$130,967 for the period October 1, 2008 through September 30, 2009, and

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

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$8,866 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Early Intervention Administration Program Grant to reflect a decrease of \$8,866 for the period October 1, 2008 through September 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$122,101, and be it

FURTHER RESOLVED, that Resolution 479 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. 30

By Health and Environmental Protection, and Finance Committee Seconded by Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE NEW YORK MEDICAL COLLEGE SCHOOL OF PUBLIC HEALTH, DEPARTMENT OF EPIDEMIOLOGY AND BIOSTATISTICS FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PUBLIC HEALTH FOR 2009

WHEREAS, this County Legislature, by Resolution 581 of 2007, authorized an agreement with the New York Medical College School of Public Health, Department of Epidemiology and Biostatistics for professional services for the Department of Public Health at an amount not to exceed \$37,000 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary to provide technical and administrative support, coordination and assessment for the Broome County Health Department's public health surveillance activities and conduct research on vital statistics and communicable and chronic disease data, and

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$36,000, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with New York Medical College School of Public Health, Department of Epidemiology and Biostatistics, Valhalla, New York 10595 for professional services for the Department of Health for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$36,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4457.various (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. 31

By Health and Environmental Services and Finance Committees Seconded by Mr. Materese

RESOLUTION AUTHORIZING AN AGREEMENT WITH DORAL DENTAL IPA OF NEW YORK, LLC FOR PROFESSIONAL SERVICES FOR THE BROOME COUNTY HEALTH DEPARTMENT FOR 2009-2010

WHEREAS, the Public Health Director requests authorization for an agreement with Doral Dental IPA of New York, LLC for professional services for the Broome County Health Department at negotiated reimbursement rates for the period February 1, 2009 through January 31, 2010, with Broome County's option for five one-year renewals, and

WHEREAS, said agreement allows for third party reimbursement, as required by the New York State Department of Health, for services provided to elementary school children in Broome County in the school-based Preventive Dental Program and will diminish the County's support of the program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Doral Dental IPA of New York, LLC, P.O. Box 29, East Syracuse, New York 13057 for professional services for the Broome County Health Department for the period February 1, 2009 through January 31, 2010, with Broome County's option for five one-year renewals, and be it

FURTHER RESOLVED, that reimbursements collected will be credited to budget line 480376.0070.105458/105xxx (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. 32

By Health and Environmental Protection Committee Seconded by Mr. Materese
RESOLUTION AUTHORIZING AN AGREEMENT WITH BROOME COUNTY SCHOOL DISTRICTS FOR SERVICES PROVIDED BY THE BROOME COUNTY HEALTH DEPARTMENT'S CHILDHOOD HEALTHY LIFESTYLE PROJECT FOR 2008-2009

WHEREAS, the Public Health Director requests authorization for an agreement with Broome County School Districts as listed on Exhibit "A" for services provided by the Broome County Health Department's Childhood Healthy Lifestyle Project at no cost to either party for the period September 22, 2008 through December 31, 2009, and

WHEREAS, said agreements will allow the Broome County Health Department to provide resources and opportunities to the school districts to assist with evidence-based interventions and strategies for the promotion of healthy lifestyles which impact children's health, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County School Districts as listed on Exhibit "A" for services provided by the Broome County Health Department's Childhood Healthy Lifestyles Project at not cost to either party for the period September 22, 2008 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.

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

RESOLUTION NO. 33

By Finance, and Health and Environmental Protection Services Committees
 Seconded by Mr. Materese

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 Southern Tier Cancer Services Program 08/09, as requested by BF# 7574 and 7575, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subsubject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1000	105543	Salaries-Full Time	\$ 6,619
	480376	4363	105543	Med, Lab, Clinical Supp	\$ 1,500
	480376	4411	105543	Postage & Freight	\$ 200
	480376	4448	105543	Adv & Promotion	\$ 6,700
	480376	4461	105543	Mileage & Parking	\$ 500
	480376	4627	105543	Single Audit Chrgbk	\$ 100
	480376	8010	105543	State Retirement	\$ 1,710
	480376	8030	105543	Social Security	\$ 659
	480376	8040	105543	Workers Compensation	\$ 172
	480376	8050	105543	Life Insurance	\$ 23
	480376	8060	105543	Health Insurance	\$ 1,356
	480376	8070	105543	Unemployment Insurance	\$ 1,337
TO:	480376	1500	105543	Salaries-Part Time	\$ 2,168
	480376	1600	105543	Salaries Temp	\$ 4,591
	480376	4319	105543	Office Supplies	\$ 2,209
	480376	4346	105543	Training & Education	\$ 4,100
	480376	4457	105543	Subcontracted Prog. Exp.	\$ 5,000
	480376	4609	105543	Data Processing Chrgbk.	\$ 2,800
	480376	8063	105543	Disability Insurance	\$ 8

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

RESOLUTION NO. 34

By Human Services and Finance Committees

Seconded by Mr. Materese

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

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with Central New York Area Health Education Center for training and equipment for the Willow Point Nursing Home, at no cost to the County for the period January 1, 2009 through June 30, 2009, and

WHEREAS, said agreement will provide 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

RESOLVED, that this County Legislature hereby authorizes an 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 June 30, 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.

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

RESOLUTION NO. 35

By Human Services and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH KEANE CARE, INC. FOR SOFTWARE SUPPORT AND MAINTENANCE FOR THE WILLOW POINT NURSING HOME FOR 2009

WHEREAS, this County Legislature, by Resolution 624 of 2007, authorized renewal of agreement with Keane Care, Inc. for software support and maintenance for the Willow Point Nursing Home at an amount not to exceed \$12,733.82, for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary to support and maintain the software for patient clinical and billing records, and

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$13,270.60, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Keane Care, Inc., 8383 158th Ave. NE Suite 100, Redmond, Washington 98052 for software support and maintenance 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 an amount not to exceed \$13,270.60 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010/160085.4419.204000 (General Office Expense), and be it

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

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

RESOLUTION NO. 36

By Human Services Committee

Seconded by Mr. Materese

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FAMILY VIOLENCE PREVENTION COUNCIL BOARD

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Resolution 477 of 1985, has duly designated and appointed the following named individuals to membership on the Broome County Family Violence Prevention Council, for the terms indicated, subject to confirmation by this County Legislature:

APPOINTMENTS: **3 YEAR TERM (1/1/2009-12/31/2011)**

Corinne Bertram PhD 4 Lincoln Ave Binghamton, NY 13905	Suzanne McLeod PhD 29 Pine Meadow Rd. Vestal, NY 13850	Raini Baudendistel 697 Blakesley Nurse Hlw Rd Afton, NY 13730
George "Fred" Goodall 16 Howard Ave Binghamton, NY 13904	David Levine 48 Reed Street Canajoharie, NY 13317	Claudia Edwards 60 Dean Street Deposit, NY 13754
Kate Grippen 22 Delavan Ave Binghamton, NY 13903	Virginia Schmitt BOX 2920, RR2 Brackney, PA 18812	Robert Ford 108 Highland Ave Binghamton, NY 13905
Rev. Greg Johnson 93 Riverside Drive Binghamton, NY 13905	Lori Accardi 532 Castleman Rd. Vestal, NY 13850	Catherine Harvey 10 Peninsula Dr Binghamton, NY 13901
Art Johnson 95 Phelps Street Binghamton, NY 13901	Gerald Mollen 4209 Emerson Place Vestal, NY 13850	Beth Saxton Roberts 154 North Road Windsor, NY 13865

Lorraine Wilmot
20 East Street
Binghamton, NY 13904
and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 477 of 1985, confirms the appointments of the above-named individuals to membership on the Broome County Family Violence Prevention Council Board for the terms indicated, in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 37

By Public Safety and Emergency Services Committee Seconded by Mr. Materese
RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FIRE ADVISORY BOARD

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Article XIX of the Broome County Charter and Administrative Code, has duly designated and appointed the following named individuals to membership on the Broome County Fire Advisory Board, for the term of 1 year (2009), subject to confirmation by this County Legislature:

NAMES

George Seltzer 32 North Parsons Rd. Whitney Point, NY 13862	Wesley Tyler 2127 Route 26 Endicott, NY 13760	Ellwyn Vanvorce 839 Park Ave. Binghamton, NY 13903
Elwyn Eaton 1112 Castle Creek Rd Castle Creek, NY 13744	Alice Fiacco 3605 Royal Rd. Endwell, NY 13760	Robert Locker 61 CFJ Blvd. Johnson City, NY 13790

Jerry Launt
14 Buttercup Hill Rd.
Kirkwood, NY 13795

Henry Hawver
562 Hooper Rd
Endwell, 13760

John Ruck
410 Chrysler Rd
Endwell, NY 13760

Thomas Giblin
20 Miller St.
Binghamton, NY 13901

James Cummings
2528 Farm to Market Rd.
Johnson City, NY 13790

Peter Scarantino
3370 Jackson Rd.
Binghamton, NY 13903

Christopher Lupold
115 Knight Rd
Vestal, NY 13850

David Rickard
24 Riverview Rd
Kirkwood, NY 13795

Jeffrey Buckler
2885 Route 7
Harpursville, NY 13787

Irving Soden
113 Baker Rd
Windsor, NY 13865

Lawrence Vesley
3217 Wayne St.
Endwell, NY 13760

Dean Horton
46 Dumas Hill Rd
Port Crane, NY 13833

Robert Brady
3116 Kensington Rd
Endwell, NY 13760

Thomas Sheridan
696 Route 369
Port Crane, NY 13833

Jerry F. Marinich
40 Clearview Place
Binghamton, NY 13901
and

Richard A. Materese
1425 Campville Road
Endicott, NY 13760

Matthew J. Pasquale
512 Irving Avenue
Endicott, NY 13760

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Article XIX of the
Broome County Charter and Administrative Code, confirms the appointments of the above-
named individuals to membership on the Broome County Fire Advisory Board for the terms
indicated, in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 38

By Public Health and Environmental Protection and Human Services Committees

Seconded by Mr. Materese

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY COMMUNITY SERVICES BOARD

WHEREAS, Barbara J. Fiala, County Executive, pursuant to the authority vested in her by
Article VIII of the Broome County Charter and Administrative Code has duly designated and
appointed the following named individuals to membership on the Broome County Community
Services Board, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Gerald Johansen 788 Bowbell Road Greene, NY 13778	Term Expires 1/21/2013

Wells Silvermail 150 Moeller St. Apt. 1503 Binghamton, NY 13904	Term Expires 1/21/2013
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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 Article VIII of the
Broome County Charter and Administrative Code, hereby confirms the appointment of the
above-named individuals to membership on the Broome County Community Services Board for
the terms indicated, in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 39

By Public Safety and Emergency Services, Personnel and Finance Committees
Seconded by Mr. Materese

RESOLUTION AUTHORIZING ACCEPTANCE OF A RECRUITMENT/RETENTION PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET FOR 2009

WHEREAS, the District Attorney requests authorization to accept a Recruitment/Retention Program Grant and adopt a program budget in the amount of \$27,322 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides funds for salary bonuses to certain critical employees to encourage recruitment and retention of District Attorneys, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$27,322 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203-3764 for the Office of the District Attorney's Recruitment/Retention Program Grant for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$27,322, 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. 40

By Health and Environmental Protection, and Finance Committees Seconded by Mr. Materese
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH UNITED STATES GENERAL SERVICES ADMINISTRATION FOR LEASE OF SPACE AT THE BROOME COUNTY HEALTH DEPARTMENT FOR 2009

WHEREAS, this County Legislature, by Resolution 104 of 2008 authorized an agreement with United States General Services Administration for lease of space at the Broome County Health Department with revenue to the County in the amount of \$300 per month for the period January 14, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary for FEMA to lease space for two individuals at the Broome County Health Department on a month to month basis, with the option to terminate the lease upon thirty days notice, and

WHEREAS, said agreement expired by its terms on December 31, 2008 and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County in the amount of \$300 per month, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the United States General Services Administration, GSA Public Building Service, Account Management Division, 100 South Clinton Street, Box 7005, Syracuse, New York 13361 for the lease

of space at the Broome County Health Department for the period January 1, 2009 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$300 per month for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 480046.0189.101000 (Rental of Real Property), 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. 41

By Health and Environmental Protection and Finance Committees Seconded by Mr. Materese
RESOLUTION AUTHORIZING AN AGREEMENT WITH KAREL KURST-SWANGER, Ph.D., FOR COORDINATOR SERVICES FOR THE DEPARTMENT OF HEALTH'S CHILD FATALITY TEAM PROGRAM GRANT FOR THE PERIOD FOR 2009-2010

WHEREAS, the Director of Public Health requests authorization for an agreement with Karel Kurst-Swanger, Ph.D., for Coordinator of Service, for the Department of Health's Child Fatality Review Team at an amount not to exceed \$86,242, for the period January 1, 2009 through March 31, 2010, and

WHEREAS, said agreement is necessary to coordinate the child death review process, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Dr. Karel Kurst-Swanger, 7 Devon Drive, Endicott, NY 13760 for coordinator services for the Department of Health's Child Fatality Review Team for the period January 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$86,242 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105474(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. 42

By Human Services, Finance and Public Health and Environmental Protection Committees
Seconded by Mr. Materese

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER FOR SIGNING SERVICES FOR THE DEPARTMENT OF HEALTH, THE COUNTY CLERK, THE OFFICE FOR AGING AND THE WILLOW POINT NURSING HOME FOR 2008

WHEREAS, this County Legislature, by Resolution 650 of 2008, authorized renewal of the agreement with Southern Tier Independence Center for signing services for the Department of Health, the County Clerk, the Office for Aging and the Willow Point Nursing Home at a rate of \$60 per hour for certified interpreters (portal to portal), \$50 per hour for pre-certified interpreters (portal to portal), \$75 per hour for court assignment plus \$60 per hour for travel, and \$90 per hour weekends and evenings between the hours of 11:00 p.m. and 6:00 a.m., with all assignments requiring a 1.5 hour minimum, total amount not to exceed \$52,000, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to comply with applicable New York State regulations, and

WHEREAS, it is necessary to authorize an amendment to said agreement to include the Department of Social Services and increase the not to exceed amount by \$6,000, 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 Southern Tier Independence Center, 24 Prospect Avenue, Binghamton, New York 13901 for signing services for the Department of Social Services, to include the Department of Social Services and increase the not to exceed amount by \$6,000 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 additional \$6,000, total amount not to exceed \$58,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the additional payment of \$6,000 hereinabove authorized shall be made from budget lines 670067.4561.103000 (Purchase of Services) and 670067.4573.103000 (EAF/TANF), for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 650 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. 43

By Human Services and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY, INC. FOR DRUG TESTING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2009

WHEREAS, this County Legislature, by Resolution 32 of 2008, as amended by Resolution 409 of 2008, authorized renewal of an agreement with the Addiction Center of Broome County, Inc. for drug testing services for the Department of Social Services, at a cost not to exceed \$26,800, for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said services are necessary to perform specific drug testing that includes monitored urine screen testing performed at the request of the Department of Social Services Child Protective Services, and

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$13,400, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Addiction Center of Broome County, Inc., 30 West State Street, Binghamton, New York 13901 for drug testing services for the Department of Social Services 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 \$13,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670059.4701.103000 (Medical and Physical Exams), 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. 44

By Public Works and Finance Committees Seconded by Mr. Materese
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH DELTA ENGINEERS, P.C. FOR PROFESSIONAL CONSULTING ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2006-2009

WHEREAS, this County Legislature, by Resolution 636 of 2006, authorized an agreement with Delta Engineers, P.C. for professional consulting engineering services for the Department of Public Works at a cost not to exceed \$194,999 for the period December 1, 2006 through March 31, 2009, and

WHEREAS, said agreement is necessary for the design, incidental right-of-way and construction support services for a locally administered Federal aid bridge replacement project (PIN 9753.07) on Colesville Road over Ouaquaga Creek, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$147,601 to include construction inspection services and extend the period through January 31, 2010, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Delta Engineers, P.C., 184 Court Street, Binghamton, New York 13901 to increase the not to exceed amount by \$147,601 and extend the period to December 1, 2006 through January 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$147,601, total amount not to exceed \$342,600 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035030.2017.501530 (Bridges), and be it

FURTHER RESOLVED, that Resolution 636 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. 45

By Finance and Personnel Committees Seconded by Mr. Materese
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH RMSCO, INC. FOR CLAIMS ADMINISTRATION OF THE CSEA EMPLOYEES' SHORT-TERM DISABILITY INSURANCE PROGRAM FOR THE OFFICE OF RISK AND INSURANCE MANAGEMENT FOR 2004-2008

WHEREAS, this County Legislature, by Resolution 616 of 2003, as amended by Resolution 107 of 2004 authorized an agreement with RMSCO, Inc. for claims administration of the CSEA Employees' short-term disability insurance program for the Office of Risk and Insurance at a cost not to exceed \$173,365 for the period January 1, 2004 through December 31, 2008, and

WHEREAS, said agreement is necessary for claims administration of the CSEA employees short-term disability insurance, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$18,000 and extend the period to June 30, 2009, and

WHEREAS, the Risk Manager 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 RMSCO, Inc., 115 Continuum Drive, Liverpool, New York 13088 to increase the

not to exceed amount by \$18,000 and extend the period to January 1, 2004 through June 30, 2009 for claims administration of CSEA Employees' short-term disability insurance program for the Office of Risk and Insurance, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$191,365, for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolutions 616 of 2003 and 107 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. 46

By Personnel, Health and Environmental Protection, and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request contained in PCR# 08-284 from the Director of Public Health, this County Legislature hereby authorizes the position of Supervising Public Health Educator, Grade 21, Union Code 07 BAPA, minimum salary \$47,219, at budget line 480376.1000.105340, to be abolished effective December 31, 2008, as the grant which funded this position will not be renewed.

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

RESOLUTION NO. 47

By Finance and Health and Environmental Protection Committees Seconded by Mr. Materese

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR DEPARTMENT OF MENTAL HEALTH

RESOLVED, that in accordance with a request from the Commissioner of Mental Health, in order to pay the Commissioner directly out of Mental Health in the new Peoplesoft payroll system, as requested by BF# 7827, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	470013	4610	101000	Personal Service Chgbk	\$27,234
TO:	470013	1000	101000	Salaries – Full-Time	\$20,224
	470013	8010	101000	State Retirement	\$ 2,124
	470013	8030	101000	Social Security	\$ 1,496
	470013	8040	101000	Workers Comp	\$ 404
	470013	8050	101000	Life Insurance	\$ 5
	470013	8060	101000	Health Insurance	\$ 2,981

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

RESOLUTION NO. 48

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

RESOLUTION AUTHORIZING AGREEMENTS WITH LOCAL LIBRARIES FOR THE DISTRIBUTION OF COUNTY LIBRARY AID FOR 2009

WHEREAS, the County has contributed financial support to various Public Libraries in Broome County to assist them with their annual operating costs, and

WHEREAS, it is the desire of this Legislature to distribute the 2009 budgeted library aid to said Public Libraries, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or her duly authorized representative to execute such agreements, approved as to form by the Department of Law, for the distribution of 2009 budgeted library aid, for the purpose described above, to local libraries as follows:

<u>Library</u>	<u>Amount</u>
Deposit Free Library	\$ 4,967
G.F. Johnson Memorial	\$100,717
Lisle Free Library	\$ 12,866
Mary Wilcox Memorial	\$ 26,413
Moody Memorial (Fenton)	\$ 35,734
Nineveh Public Library	\$ 4,013
Vestal Public Library	\$244,530
Your Home Public Library	\$130,620
Total	\$559,860

and be it

FURTHER RESOLVED, said library aid shall be distributed in the following manner:

- Aid up to and including \$10,000 shall be distributed in one lump sum payment
- Aid between \$10,001 and up to and including \$50,000 shall be distributed in semi-annual payments
- Aid in excess of \$50,000 shall be distributed on a quarterly basis

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

RESOLUTION NO. 49

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION WITH RESPECT TO THE AMENDMENT OF THE SALES AND COMPENSATING USE TAX IN BROOME COUNTY

WHEREAS, Section 1210 of the Tax Law currently permits Broome County to impose an additional one percent Sales and Compensating Use Tax, and

WHEREAS, said authorization expires on November 30, 2009, and

WHEREAS, Broome County wishes to have said authorization extended by the New York State Legislature for an additional two years to November 30, 2011, now, therefore, be it

RESOLVED, that this County Legislature requests the New York State Legislature introduce an amendment to the Tax Law authorizing and empowering the County of Broome to impose an additional one percent Sales and Compensating Use Tax through November 30, 2011, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a copy of this Resolution to the New York State Legislature.

Mr. Cleary made a motion, seconded by Mr. Materese to amend the first Whereas paragraph and the first Resolved paragraph to read "... to continue to impose...". **Amendment carried.** Ayes-19, Nays-0, Absent-0. **Resolution as amended carried.** Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 50

By County Administration Committee

Seconded by Mr. Marinich

RESOLUTION ADOPTING LOCAL LAW NO. 1 of 2009 ENTITLED: "LOCAL LAW AMENDING CHAPTER 203 OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE REGARDING THE AWARDED OF PROFESSIONAL SERVICE CONTRACTS INVOLVING EXPENDITURES IN EXCESS OF \$15,000"

WHEREAS, this County Legislature, by Resolution 12 of 2008, authorized and approved the Purchase Procurement Process Manual authorizing the Board of Acquisition and Contract to award contracts for professional services involving expenditures of \$15,000 or less, and

WHEREAS, this County Legislature, by Resolution 244 of 2008, authorized and approved Local Law Number 4 of 2008 which amended the Broome County Charter and Administrative Code to authorize the Board of Acquisition and Contract to award such professional service contracts; and

WHEREAS, subdivision (N) of Chapter 203 of the Broome County Charter regarding the Powers and Duties of the County Legislature must also be amended to reflect the power of the Legislature to award all professional service contracts involving expenditures in excess of \$15,000, now, therefore be it

RESOLVED, that Local Law No. 1 of 2009, entitled: "Local Law Amending Chapter 203 of the Broome County Charter and Administrative Code Regarding the Awarding of Professional Service Contracts involving expenditures in excess of \$15,000" be and the same hereby is adopted and approved in accordance with the Broome County Charter and Administrative Code, General Municipal Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW NO. 1 of 2009

LOCAL LAW AMENDING CHAPTER 203 OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE REGARDING THE AWARDING OF PROFESSIONAL SERVICE CONTRACTS INVOLVING EXPENDITURES IN EXCESS OF \$15,000

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

Section 1. Article II, §203(N) regarding the Powers and Duties of the Legislative Branch shall be and hereby is amended to read as follows:

(N) To award all contracts for professional services where the amount involved exceeds [two thousand five hundred dollars (\$2,500.)] fifteen thousand dollars (\$15,000.), except that the award of contracts for expert witness services for litigation shall be in accordance with the provisions of the Broome County Purchase Procurement Process Manual.

Section 2. This Local Law shall become effective upon filing with the Secretary of State

Material in [brackets] deleted

Material underlined added

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

RESOLUTION NO. 51

By County Administration, and Health and Environmental Protection Committees

Seconded by Mr. Materese

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL BOARD OF DIRECTORS

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

<u>NAME-</u>	<u>TERM</u>
Andre LaClair 131 Ballyhack Road Port Crane, NY 13833	Member-at-Large Reappointment 12/31/2010
Karen Ciatyk 147 Glenwood Avenue Binghamton, NY 13905	Member-at-Large Reappointment 12/31/2010
Chris Burger 110 Walters Road Whitney Point, NY 13862	Member-at-Large Reappointment 12/31/2010
Erin Heard 8 Edgewood Rd. Binghamton, NY 13903	Member-at-Large Reappointment 12/31/2010

Rick A. Mancini
601 Milan Avenue
Endicott, NY 13760

Michael S. Pandich
31 Highland Road
Binghamton, NY 13901

John E. Smigelski
214 North Road
Windsor, NY 13865

Les Platt
17 Pine Street
Port Crane, NY 13833

Amelia LaDolce
5 Jay St, Apt #1
Binghamton, NY 13901
and

Robert Pass
3117 Belmont Ave.
Vestal, NY 13850

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 597 of
2007 confirms the appointments of the above-named individuals to membership on the Broome
County Energy Advisory Board for the term expiring December 31, 2009, in accordance with
their appointment by the Chairman of the Economic Development and Planning Committee.
Carried. Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 53

By Education, Culture, and Recreation Committee

Seconded by Mr. Herz

RESOLUTION NAMING THE HONORARY POET LAUREATE OF BROOME COUNTY FOR 2009-2010

WHEREAS, the Broome County Legislature, created the position of Honorary Poet
Laureate by Resolution 451 of 2008, adopted August 20, 2008, and,

WHEREAS, in accordance with Resolution 451 of 2008, the Honorary Broome County
Poet Laureate is an honorary position which receives no direct compensation from Broome
County for services rendered, and

WHEREAS, in accordance with Resolution 451 of 2008, The Broome County Arts Council
has submitted the following named individual to the position of Honorary Poet Laureate of
Broome County for the term indicated:

<u>Name</u>	<u>Term Expiring</u>
Andrei Guruianu	12/31/2010

and

WHEREAS, it is desired at this point in time, to appoint and confirm said nomination, now,
therefore, be it

RESOLVED, that this County Legislature, does hereby appoint and confirm the above-
mentioned individual to the position of Honorary Poet Laureate of Broome County for the term
indicated in accordance with his or her nomination by the Broome County Arts Council, and be it

FURTHER RESOLVED, that this person shall serve in this honorary position at no
compensation from and at no expense to the County of Broome.

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

RESOLUTION NO. 54

By Transportation and Rural Development, Education, Culture, and Recreation, Economic
Development and Planning, Public Safety and Emergency Services, and Public Works
Committees

Seconded by Mr. Materese

A RESOLUTION IN SUPPORT OF THE SUPERINTENDENT OF HARPURSVILLE CENTRAL SCHOOL DISTRICT SEEKING FUNDING FROM THE SHARED MUNICIPAL SERVICES INCENTIVE GRANT PROGRAM.

WHEREAS, the Superintendent of Harpursville Central School District has applied for the Shared Municipal Services Incentive Grant Program in order to fund a feasibility study to explore the efficiencies and economies of a joint facility that would include a transportation garage for the Harpursville Central School District, the Town of Colesville Highway Department, and the Harpursville Fire Department, and

WHEREAS, the Shared Municipal Services Incentive Grant Program cover costs associated with shared services, cooperative agreements, mergers, consolidations, and dissolutions, and may be used for legal and consultant services, capital improvements, and feasibility studies and implementation plans, and

WHEREAS, it is the desire of Harpursville Central School District, Town of Colesville Highway Department, and the Harpursville Fire Department to eliminate three aging buildings for the creation of an efficient, multi-jurisdictional, green building, to use as a shared transportation garage, now, therefore, be it

RESOLVED, that this Legislature applauds municipalities which look for creative and cost effective ways to share services, make government more efficient, and serve the best interest of our community, and be it

FURTHER RESOLVED, that this Legislature supports the Superintendent of Harpursville Central School District for applying for the Shared Municipal Services Incentive Grant Program in order to fund a feasibility study to explore the efficiencies and economies of a joint facility that would include a transportation garage for the Harpursville Central School District, the Town of Colesville Highway Department, and the Harpursville Fire Department.

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

RESOLUTION NO. 55

By Economic Development and Planning, and Transportation and Rural Development Committees

Seconded by Mr. Cleary

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY AGRICULTURAL AND FARM LAND PROTECTION BOARD

WHEREAS, Daniel D. Reynolds, Chairman of the Broome County Legislature, pursuant to the authority vested in him by Article 25AA of the Agriculture and Markets Law, has duly designated and appointed the following named individuals to membership on the Broome County Agricultural and Farm Land Protection Board, subject to confirmation by this County Legislature:

NAME	TERM EXPIRING
Stephen D. Herz 787 State Route 79 Windsor, New York 13865	Reappointment Member, Broome County Legislature December 31, 2010
Glen Winsor 2649 NYS Route 79 Harpursville, New York 13787	Reappointment Active Farmer December 31, 2012
Donna Rutkowski Tiona Road Newark Valley, New York 13811	Reappointment Active Farmer December 31, 2012
Jerry Michael 15 VanKuren Drive Binghamton, New York 13901	Reappointment Active Farmer December 31, 2012
Dave Johnson 131 Brooks Road Binghamton, New York 13905	New Appointment Active Farmer December 31, 2010

Tonya Northrup
McDowell-Walker
PO Box 338, 1 Mill Street
Afton, New York 13730-0388

Reappointment
Agribusiness
December 31, 2012

Erin Heard
8 Edgewood Rd.
Binghamton, New York 13903

New Appointment
Agricultural Land Preservation
December 31, 2010

Laura Biasillo
Cornell Cooperative Extension
840 Upper Front Street
Binghamton, New York 13905

Reappointment
Cornell Cooperative Extension Agent
Coterminous Appointment

Rita M. Petkash
Broome County Office Building
PO Box 1766
Binghamton, New York 13902

Reappointment
Commissioner of Planning & Eco. Dev.
Coterminous Appointment

Kevin Keough
Broome County Office Building
PO Box 1766
Binghamton, New York 13902

Reappointment
Director of Real Property Tax Service
Coterminous Appointment

New Appointment
Soil & Water Conservation District
Coterminous Appointment

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Article 25AA of the
Agriculture and Markets Law, does hereby confirm the appointments of the above-named
individuals to membership on the Broome County Agricultural and Farm Land Protection Board
for the terms indicated, in accordance with their appointment by the Legislative Chair.
Mr. Herz made a motion, seconded by Mr. Cleary to amend the resolution to add Michael
Donahue, 3100 Maxian Road, Binghamton New York 13903 for the Soil and Water Conservation
District appointment. **Amendment carried.** Ayes-19, Nays-0, Absent-0. **Resolution as
amended carried.** Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 56

By Transportation & Rural Development and Finance Committees Seconded by Mr. Herz
**RESOLUTION AUTHORIZING ACCEPTANCE OF A FEDERAL AVIATION ADMINISTRATION
GRANT FOR THE AIRPORT CAPITAL IMPROVEMENT PROGRAM**

WHEREAS, the Commissioner of Aviation requests authorization to accept a Federal
Aviation Administration Grant in the amount of \$475,000 for the Airport Capital Improvement
Program now, and

WHEREAS, said, services are necessary to purchase new airport snow removal
equipment, which will be used to clear snow and winter contaminants from runways, taxiways
and parking aprons to maintain a safe environment for aeronautical activities at the Greater
Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of
\$475,000 from the Federal Aviation Administration for the Airport Capital Improvement Program,
and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 211012.0384.501576(Federal Aid), and be it

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

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

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

Mr. Herz made a motion, seconded by Mr. Cleary to amend the first Whereas paragraph and the first Resolved paragraph to "...in the amount of \$456,533...". **Amendment carried.** Ayes-19, Nays-0, Absent-0. **Resolution as amended carried.** Ayes-19, Nays-0, Absent-0.

RESOLUTION NO. 57

By Human Services, Personnel and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING REVISION OF THE CHILD CARE AND DEVELOPMENT BLOCK GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET FOR 2007-2008.

WHEREAS, this County Legislature, by Resolution 645 of 2008, authorized and approved renewal of the Child Care Program Grant for the Department of Social Services and adopted a program budget in the amount of \$4,426,761 for the period October 1, 2007 through September 30, 2008, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$95,663 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Child Care and Development Block Grant to reflect an increase of \$95,663 for the period October 1, 2007 through September 30, 2008, 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 \$4,522,424, and be it

FURTHER RESOLVED, that Resolution 645 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. 58

By County Administration Committee

Seconded by Mr. Marinich

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 2 of 2009, ENTITLED "A LOCAL LAW REVISING THE BOUNDARIES OF THE TRIPLE CITIES EMPIRE ZONE"

WHEREAS, Impress USA, Inc. is proposing the construction of a new manufacturing facility situate at 379 Broome Corporate Parkway in the Town of Conklin; and

WHEREAS, this project is projecting to create 145 net new jobs that support on-site manufacturing; and

WHEREAS, the project is not within the Triple Cities of Broome County Empire Zone boundaries; and

WHEREAS, The New York State Department of Economic Development has determined that the proposed expansion is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the Zone Administrative Board of the Triple Cities of Broome County Empire Zone has determined that the proposed expansion is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law, and

WHEREAS, the boundaries of the Regionally Significant Project area to be included in the Triple Cities of Broome County Empire Zone shall be set forth in the attached Legal Description, now, therefore be it

RESOLVED, that Local Law Intro. 2 of 2009, entitled "A Local Law Revising the Boundaries of the Triple Cities Empire Zone" be and the same hereby is adopted and approved in accordance with the Broome County Charter, Municipal Home Rule Law and all applicable statutes and laws pertaining hereto.

LOCAL LAW INTRO. NO. 2 OF 2009

"A Local Law Revising the Boundaries of the Triple Cities Empire Zone"

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

Section 1: The County Legislature approves the allocation of zone lands for the proposed Impress USA, Inc. manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law, said zone lands to constitute the property known as 379 Broome Corporate Parkway, Conklin, New York, or a portion thereof, section 194.07, block 1, and lot 4.1, or a portion thereof, and as described in Appendix A hereto.

Section 2: The County Legislature hereby requests approval from the New York State Commissioner of Economic Development to amend the boundaries of the Triple Cities Empire Zone as attached hereto as Exhibit "A" and made a part hereof.

Section 3: That copies of this Local Law shall be forwarded to the Village of Johnson City, the Village of Endicott, the Town of Union, the City of Binghamton, and Empire State Development in Albany.

Section 4: That this local law shall take effect upon filing with the Secretary of State.

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

RESOLUTION NO. 59

By Economic Development and Planning Committee

Seconded by Mr. Cleary

RESOLUTION CONFIRMING THE APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

WHEREAS, Daniel D. Reynolds, Chair of the Broome County Legislature, pursuant to the powers vested in him by Resolution No. 78, adopted March 4, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, has duly designated and appointed, pending confirmation by this

2009 JOURNAL OF PROCEEDINGS OF THE BROOME COUNTY LEGISLATURE

Legislature, the following named individuals to membership on the Broome County Industrial Development Agency Board of Directors for the term indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Stephen D. Herz 787 State Route 79 Windsor, New York 13865	Reappointment 12/31/2010
Wayne L. Howard PO Box 9 Port Crane, New York 13833	Reappointment 12/31/2010
George Akel, Jr. 2165 E. Hampton Road Binghamton, New York 13903	Reappointment 12/31/2010
Vincent A. Pasquale 6 Westland Court Binghamton, New York 13905	Reappointment 12/31/2010
James Rounds 576 Bunn Hill Road Vestal, New York 13850	Reappointment 12/31/2010
Peter N. Hankin 41 Eagle Drive Endicott, New York 13760	Reappointment 12/31/2010
Barbara J. Fiala 27 Colfax Avenue Binghamton, New York 13905	Reappointment 12/31/2010
Eugene Burns 2440 Rhonda Drive Vestal, New York 13850	Reappointment 12/31/2010
Timothy M. Grippen 32 Brookfield Road Binghamton, New York 13903	New Appointment 12/31/2010

and

WHEREAS, it is desired at this time, in accordance with the provisions of Resolution No. 78, adopted March 24, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 78, adopted March 24, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, does hereby confirm the appointment of the above-mentioned individuals to membership on the Broome County Industrial Development Agency Board of Directors in accordance with their appointment by the Legislative Chair.

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

LEGISLATORS COMMENTS

Mr. Klipsch stated that Chris Marion, Legislative Assistant, was recognized by the Southern Tier Opportunities Coalition 20 in their twenties.

Mr. Reynolds acknowledged Mr. Hanbury, Legislative Aide for his hard work and dedication.

Mr. Howard made a motion to adjourn, seconded by Mr. Sanfilippo. **Motion to adjourn Carried,** Ayes-19, Nays-0, Absent-0. The meeting was adjourned at 6:00 p.m.

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