

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
MAY 18, 2010**

The Legislature convened at 5:09 P.M. with a call to order by the Chair, Daniel D. Reynolds. The Clerk, Eric S. Denk, read the fire exit announcement and called the Attendance Roll, Present-19, Absent-0.

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

Ms. Messina made a motion, seconded by Mr. Moran, that the Regular Session minutes of April 22, 2010 be approved as prepared and presented by the Clerk. **Carried**, Ayes-19, Nays-0.

Mr. Reynolds noted that the committee minutes for the period April 22, 2010 through May 17, 2010 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Ms. Messina, seconded by Mr. Pasquale. **Carried**, Ayes-19, Nays-0.

ANNOUNCEMENTS FROM THE CHAIR

Mr. Reynolds announced that there would be a 30 day review from June 1st through June 30th for Agricultural District #5.

Mr. Reynolds invited County Executive Fiala to the podium who presented the Pelletier Institute Certificate to Christopher H. Marion.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Barbara J. Fiala
 - 1. Appointment to the Broome County Youth Bureau Advisory Board

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel D. Reynolds
 - 1. Designation for Ronald J. Keibel on 5/4/2010
 - 2. Designation for Stephen D. Herz on 5/11/2010
 - 3. Designation for Suzann W. Buchta on 5/12/2010
 - 4. Designation for Barry L. Klipsch on 5/13/2010
 - 5. Designation for Jerry F. Marinich on 5/13/2010

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 - 1. Town of Dickinson, Resolution Supporting Recycling and Extended Producer Responsibility Legislation
 - 2. Greater Binghamton Association of Realtors – Letter in Support of Property Tax Exemptions
 - 3. Cornell Cooperative Extension – Minutes 3/25/2010
 - 4. BCC Budget Transfers for March 2010
 - 5. Somerset County Commissioners Letter Regarding ISTE A
 - 6. BC Clerk April 2010 Oil & Gas Revenues
 - 7. BC Clerk of the Legislature, Staff Appointment
 - 8. BC Soil & Water Conservation District – Minutes 4/20/2010
 - 9. Letter from Mark Kunzman Regarding Mineral Rights

WHEREAS, Special Hauling Permits issued by the New York State Department of Transportation pursuant to Section 385 and Title 17, Transportation, New York Code of Rules and Regulations Part 154 allow operation of vehicles on highways under its jurisdiction , and

WHEREAS, Section 385.15 provides that a County may issue a similar Special Hauling Permit for operations on highways under its jurisdiction, and

WHEREAS, this Legislature finds that it is advisable to enact a Local Law allowing the issuance of Special Hauling Permits for vehicles that exceed the gross weight or dimensional limits set forth in Section 385 operating on highways under Broome County's jurisdiction, now, therefore, be it

RESOLVED, that Local Law Intro. No. 4 of 2010, entitled: "A Local Law creating Chapter 100 of the Broome County Charter and Code Providing that a Special Hauling Permit Shall Be Required for Use of County Roads by Certain Vehicles that Exceed the Weight or Dimensional Limits in Section 385 of the Vehicle and Traffic Law of the State of New York," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all applicable statutes and laws pertaining thereto.

LOCAL LAW INTRODUCTORY NO. 4 OF 2010

A LOCAL LAW CREATING CHAPTER 100 OF THE BROOME COUNTY CHARTER AND CODE PROVIDING THAT A SPECIAL HAULING PERMIT SHALL BE REQUIRED FOR USE OF COUNTY ROADS BY CERTAIN VEHICLES THAT EXCEED THE WEIGHT OR DIMENSIONAL LIMITS IN SECTION 385 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK."

Be it enacted by the Legislature of the County of Broome as follows:

Section 1 Chapter 100 of the Broome County Charter and Code shall be and hereby is adopted to read as follows:

Chapter 100-1. Authority for this Local Law

This Local Law is enacted pursuant to the authority of Vehicle & Traffic Law Section 385(15) authorizing a County to issue a Special Hauling Permit (hereinafter "Permit") to operate or move a vehicle or a combination of vehicles, the weights or dimensions of which exceed the limitations provided in Section 385 on County roads or highways, similar to that *permit* issued by the State of New York relating to the state system of highways.

Chapter 100-2. Permit Requirement

A. A vehicle or a combination of vehicles, the weights or dimensions of which exceed the limitations provided in Section 385 shall not be operated on County roads or highways unless a Permit has been issued in accordance with the provisions of this Local Law.

B. The Commissioner of Public Works (hereinafter the "Commissioner") of the County of Broome (hereinafter the "County") is hereby designated as the authority to receive applications for permits to operate or move a vehicle or a combination of vehicles, the weights or dimensions of which exceed the limitations provided in Section 385 on County roads or highways. Such permit can only be issued to applicants who are eligible for or are holders of valid New York State Hauling Permits issued by the New York Department of Transportation (hereinafter NYSDOT) pursuant to Title 17 Transportation, New York Code of Rules and Regulations Part 154.

Chapter 100-3. Application Form

The Commissioner is hereby authorized to promulgate an application form requesting a Permit. The application form shall include

A. A list of Broome County highway(s) to be used as hauling routes, if any, by the permit holder.

B. Copies of valid New York State Vehicle Registrations for each vehicle.

C. Copies of valid New York State Special Hauling Permits, if any, for each vehicle.

D. Proof of Insurance as required by Chapter 100-6 of this Local Law.

E. The Commissioner is authorized to issue regulations that require additional reasonable information on application forms. Any such regulations must be filed by the Commissioner with the Clerk of the Broome County Legislature.

F. Designation of a Permit Fee as allowed by the State of New York Vehicle and Traffic Law.

Chapter 100-4 Permit Form

The Commissioner is hereby authorized to promulgate the Permit form to be issued upon review and approval of an application for a Permit. In the event that the holder of a NYSDOT Special Hauling Permit(s) presents proof (satisfactory to the Commissioner of Public Works) that such holder, for itself, its agents and sub contractors plans to use more than one vehicle the weights or dimensions of which exceed the limitations provided in Section 385 on County roads or highways vehicle, the holder of the NYSDOT Special Hauling permit(s) may elect to execute a County wide road maintenance agreement in lieu of separate permits for each vehicle(s). Said road maintenance agreement shall conform to the minimum requirements of this local law, shall be executed by the County and the Permit holder and shall include such additional terms as are reasonably required by the Commissioner, including but not limited to insurance, maintenance bond, hauling route designations, traffic schedules, inspections and road surveys. All of the vehicles specifically listed in such agreement, including those owned by the holder, its agents and sub contractors, shall be deemed to be covered by such agreement, and upon execution of the agreement the Commissioner shall issue a blanket permit.

Chapter 100-5. Damage to County Roads

With the exception of normal wear and tear, the permit holder is responsible for all damages done to the roadways, ditches, curbs, sidewalks or other improvements and to public utilities in the roadway. Upon due notice being given to the permit holder and at the County option, the County may request the permit holder to repair all damages, or the County may arrange for the necessary repairs and charge the permit holder for all labor and materials at the prevailing rates.

Chapter 100-6. Insurance

The permit holder must present proof satisfactory to the Commissioner that it has satisfied the insurance requirements of the State of New York Department of Transportation for a single vehicle special hauling permit.

Chapter 100-7. Indemnity and Save Harmless

The Permit holder will be required to agree to fully indemnify, defend, save and hold harmless the County of Broome and all of its departments, bureaus, divisions, boards, officers and employees from and against any and all claims, costs, damages, expenses, charges, risks, losses, lawsuits, judgments, executions, penalties, fines, assessments or any other liability of any type arising out of, occurring in connection with, or resulting from any and all activity to be performed by permit holder pursuant to this permit.

Chapter 100-8. Stop Work Orders

The Commissioner shall have the right and authority to issue stop work orders to those operating in violation of the terms of this local law, or contrary to the permit holder's application or conditions upon which its permit was issued.

Chapter 100-9. Revocation of Permit

Upon the violation of any provisions of this permit, the Commissioner may suspend any permit issued hereunder for no more than thirty (30) days, and following a public hearing at which the permit holder shall have the right to appear and be heard, may revoke any permit on notice to the permit holder.

Chapter 100-10. Special Conditions and Exclusions

A. The permit shall not be assigned or transferred without the written consent of the Commissioner

B. The Commissioner shall be given one day's notice by said permit holder of the date when it intends to begin the activity authorized by the permit, and prompt notice of its completion.

C. The permit shall remain valid only for so long as the permit holder continues to hold a valid New York State Hauling Permit.

D. The permit shall not authorize the holder to exceed the maximum gross weight limit authorized for crossing any weight posted bridge.

E. Due to the vital nature of the following vehicles in providing public services deemed necessary in preventing emergencies or in safeguarding the public health, safety and welfare, and since overweight vehicles may be required to perform these services, the following vehicles are granted exemptions from the permitting process of this local law:

- (1) Maintenance, repair and service vehicles owned and operated by the County of Broome or municipal corporations located in the County of Broome and on official County or municipal business.
- (2) Maintenance, repair and service vehicles owned and operated by a utility company or authority and on official utility business.
- (3) Emergency vehicles and vehicles owned by New York or municipal corporations of New York.

F. Nothing contained in this Chapter shall be deemed to limit the right to farm as set forth in Article 25-AA of the New York State Agricultural and Markets Law.

Chapter 100-11 Violation of Local Law; Penalties

A. Any person who shall operate or move a vehicle or a combination of vehicles, the weights or dimensions of which exceed the limitations provided in Section 385 on County roads or highways without obtaining the permit required hereunder shall be guilty of a Class A misdemeanor, which shall be punishable by a fine not exceeding One Thousand (\$1,000.00) Dollars.

B. In addition to the above prescribed penalties, the County Board may in its discretion maintain an action or proceeding in the name of the County in a court of competent jurisdiction to compel compliance with this Local Law by injunction, abatement or otherwise compel cessation of each violation, and obtain restitution to the County for costs incurred by the County in remedying each violation, including but not limited to reasonable attorney's fees.

Chapter 100-12. Severability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the County Board of the County of Broome hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Chapter 100-13. Repealer

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 2.

This Local Law shall take effect January 1, 2011 after filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

The Resolution was amended in committee and is an automatic **holdover**.

RESOLUTION NO. 201

By Personnel, Human Services, and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that in accordance with a request contained in PCR# 10-107 from the Commissioner of Social Services, this County Legislature hereby authorizes the position of Community Service Worker, Grade 8, Union Code 04 CSEA, minimum salary \$11.85 per hour at budget line 35010006.6001000.3510197, to be abolished effective April 1, 2010, as the grant is no longer funded, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 10-108 from the Commissioner of Social Services, this County Legislature hereby authorizes the position of Social Services Examiner, Grade 11, Union Code 04 CSEA, minimum salary \$13.73 per hour at

budget line 35010006.6001000.3510217, to be abolished effective April 1, 2010, as the grant is no longer funded.

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 202

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

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 allocate funds to cover the cost of materials and labor incurred for moving into the Kelly Building, as requested in Journal ID#5280, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Fund</u>	<u>Title</u>	<u>Amount</u>
FROM:	26000004	6001000	1010	Salaries Full-Time	\$ 47,651
	26000004	6008001	1010	State Retirement	\$ 1,129
	26000004	6008002	1010	Social Security	\$ 631
	26000004	6008003	1010	Mandatory Medicare	\$ 147
	26000004	6008006	1010	Life Insurance	\$ 4
	26000004	6008007	1010	Health Insurance	\$ 3,173
	26000004	6008010	1010	Disability Insurance	\$ 26
Total					\$ 52,761
TO:	26000004	6004021	1010	Bldg Maintenance Supplies	\$ 39,085
	26000004	6004023	1010	Bldg Maintenance Supplies	\$ 3,500
	26000004	6004619	1010	Bldg & Gr. Supp. Svc. Chgbk	\$ 10,176
Total					\$ 52,761

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 203

By Finance Committee
 Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE ENVIRONMENTAL PROTECTION AGENCY FOR RELEASE OF EPA'S CERCLA LIEN AND WAIVER OF RIGHT OF REDEMPTION FOR THE OFFICE OF REAL PROPERTY TAX SERVICES

WHEREAS, the United States Environmental Protection Agency performed cleanup response actions pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund), as amended, and

WHEREAS, Broome County has liens against real property within the "Superfund" site (2 Titchener Place, 121 Walnut Street and 2 Erie Street in the City of Binghamton, State of New York), and

WHEREAS, Broome County plans to seek the private redevelopment of the property through solicitation of proposals for such redevelopment, and in that connection, may seek grant funding through New York State in order to enhance the prospects of such redevelopment, and

WHEREAS, in connection with the potential redevelopment of the property, Broome County plans to foreclose its liens and acquire the property and may, thereafter, transfer the property to another local government entity within the County so that the such local governmental entity or quasi-governmental agency might apply for New York State grants, participate in the selection of the developer, and transfer the property to the developer or other end user, and

WHEREAS, Broome County desires that EPA remove its CERCLA lien and waive its right of redemption in order to facilitate the potential redevelopment of the property, and

WHEREAS, the EPA supports the redevelopment of former Superfund sites and is willing to remove its lien and waive its right of redemption in consideration of compensation on account of EPA's CERCLA lien, now therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Environmental Protection Agency for release of the EPA's CERCLA lien and waiver of right of redemption for property within the "Superfund" site, 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.

RESOLUTION NO. 204

By Finance Committee

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF LEASE OF 312 MAPLE STREET TO JOSEPH AND CAROLE BELARDINELLI FOR 2010-2013

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

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

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

WHEREAS, pursuant to Resolution 378 of 2009 the lease and option to purchase was renewed for an additional term of two years commencing April 8, 2008, and

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

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

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

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the April 1, 1996 agreement with Joseph Belardinelli and Carole Belardinelli of 307 Chaumont Drive, Endwell, N.Y. 13760 as subsequently renewed for the lease by Broome County to the Belardinelli's of real property known as 312 Maple Street, Endicott, N.Y. for an additional term of three years commencing April 1, 2010 and be it

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

FURTHER RESOLVED, that the County Executive or his 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.

RESOLUTION AUTHORIZING A HOME RULE REQUEST REGARDING AN AMENDMENT TO THE COUNTY LAW TO INCREASE THE SURCHARGE FOR ACCESS LINES FOR THE ENHANCED 911 EMERGENCY LAND-LINE TELEPHONE SYSTEM

WHEREAS, this County Legislature previously adopted Resolution 612 of 2009 requesting the New York State Legislature adopt an amendment to County Law to increase the surcharge for access lines for the enhanced 911 emergency land line telephone system, and

WHEREAS, Assembly Bill A10221 and Senate Bill S7628 have been introduced into the New York State Assembly and Senate, respectively, to amend the County Law to provide that the Broome County Legislature increase the surcharge for access lines for the enhanced 911 emergency land line telephone system as set forth in County Law Section 303, and

WHEREAS, pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for the purpose of said legislation, now, therefore, be it

RESOLVED, that this County Legislature hereby urges and approves the adoption and passage of said Assembly Bill A10221 and Senate Bill S7628 entitled "AN ACT to amend the county law, in relation to authorizing the county of Broome to impose an additional surcharge of not more than sixty-five cents on each telephone access line for enhanced 911 emergency service costs; and providing for the repeal of such provisions upon expiration thereof" and hereby declares that a necessity exists for the passage of such bill and that the local Legislative Body of the County of Broome does not have the power to enact such legislation by local law, and be it

FURTHER RESOLVED, that a Home Rule Request be submitted to the Senate and Assembly of the New York State Legislature indicating the necessity exists for the enactment of said legislation.

Held over by Mr. Marinich.

RESOLUTION NO. 208

By Human Services and Finance Committees

Seconded by Mr. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH FONTANESE, FOLTZ, AUBRECHT, ERNST, BAMMEL ARCHITECTS, PC FOR ENGINEERING/ARCHITECTURAL SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2001-2009

WHEREAS, this County Legislature, by Resolution 167 of 2001, as amended by Resolutions 153 of 2002, 56 and 450 of 2003, 455 of 2004, 597 of 2005, 594 of 2006, 747 of 2007 and 587 of 2008, authorized an agreement with Fontanese, Foltz, Aubrecht, Ernst, Bammel Architects, PC for engineering/architectural services for the Willow Point Nursing Home at a cost not to exceed \$109,510 for the period March 1, 2001 through December 31, 2009, and

WHEREAS, said services are necessary to assist in determining the engineering/architectural feasibility study of retaining the present Willow Point Nursing Home or to build a new nursing home, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term of the agreement through December 31, 2010 to cover any post submission follow up activity that may be requested by the State regarding the nursing home feasibility study and certificate of need, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Fontanese, Foltz, Aubrecht, Ernst, Bammel Architects, PC, 666 Main St., East Aurora, NY 14052-2492, to extend the term of the agreement to March 1, 2001 through December 31, 2010, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 167 of 2001, as amended by Resolutions 153 of 2002, 56 and 450 of 2003, 455 of 2004, 597 of 2005, 594 of 2006, 747 of 2007 and 587 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE BROOME COUNTY DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request contained in PCR# 10-113 from the Director of the Broome County Department of Health, this County Legislature hereby authorizes the position of Public Health Educator, Grade 18, Union Code 70 (Not Represented), minimum salary \$19.52 per hour at budget line 25010004.6001001.2510339, to be changed to Public Health Educator, Grade 18, Union Code 08 CSEA, minimum salary \$19.52 per hour at budget line 25010004.6001001.2510339, to increase FTE on grant to meet staffing needs for remainder of grant year.

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 212

By Human Services and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THERAPEEDS PHYSICAL THERAPY OF UPSTATE NEW YORK PLLC (D/B/A G & E THERAPIES) FOR THERAPY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2010

WHEREAS, this County Legislature, by Resolution 641 of 2009, authorized renewal of the agreement with Therapeeds Physical Therapy of Upstate New York PLLC (d/b/a G & E Therapies) for therapy services for the Willow Point Nursing Home at an amount not to exceed \$18,500 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$15,000, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Therapeeds Physical Therapy of Upstate New York PLLC (d/b/a G & E Therapies), 1977 Marshland Road, Apalachin, New York 13732 to increase the not to exceed amount by \$15,000 for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$33,500, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 27020504/27020304/27020604.6004405 (Rehab & Therapy Services), and be it

FURTHER RESOLVED, that Resolution 641 of 2009, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 213

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING REVISION OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE TO BIOTERRORISM PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 339 of 2009, as amended by Resolution 614 of 2009, authorized and approved renewal of the Public Health Emergency Preparedness and Response to Bioterrorism Program Grant for the Department of Health and

adopted a program budget in the amount of \$652,569 for the period August 10, 2009 through August 9, 2010, and

WHEREAS, said program grant is designed to develop and assist in the implementation of response plans that address all forms of communicable disease outbreaks and terrorist threats including geological, chemical, and radiological, to include training, functional drills/exercises, refinement of redundant communication/technology infrastructure, community training, and continuity of operations among other required deliverables, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$250,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Public Health Emergency Preparedness and Response to Bioterrorism Program Grant to reflect an increase of \$250,000 for the period August 10, 2009 through August 9, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$902,569, and be it

FURTHER RESOLVED, that Resolutions 339 and 614 of 2009, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 214

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING REVISION OF THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010-2011

WHEREAS, this County Legislature, by Resolution 68 of 2010, authorized and approved renewal of the Childhood Lead Poisoning Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$69,702 for the period April 1, 2010 through March 31, 2011, and

WHEREAS, said program grant oversees screening and follow up required of Primary Care Providers, coordinates remediation activities with property owners and is responsible for community awareness and promotion, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$34,851 in grant appropriations and amend the period to April 1, 2010 through September 30, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Childhood Lead Poisoning Prevention Program Grant to reflect a decrease of \$34,851 and amend the period to April 1, 2010 through September 30, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$34,851, and be it

FURTHER RESOLVED, that Resolution 68 of 2010, 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.

RESOLUTION NO. 215

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING REVISION OF THE CANCER SERVICES PARTNERSHIP OF CHEMUNG AND SCHUYLER COUNTIES HRI PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 342 of 2009, authorized and approved renewal of the Cancer Services Partnership of Chemung and Schuyler Counties HRI Program Grant for the Department of Health and adopted a program budget in the amount of \$36,512 for the period June 30, 2009 through June 29, 2010, and

WHEREAS, said program grant provides early screening and detection of breast and cervical cancer to uninsured and under-served individuals in Chemung and Schuyler Counties, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$5,477 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Cancer Services Partnership of Chemung and Schuyler Counties HRI Program Grant to reflect an increase of \$5,477 for the period June 30, 2009 through June 29, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$41,989, and be it

FURTHER RESOLVED, that Resolution 342 of 2009, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 216

By Public Works and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AGENCY (NYSERDA) GRANT FUNDING FOR ENERGY MANAGEMENT PERSONNEL FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2010-2011

WHEREAS, the Commissioner of Public Works requests authorization to accept New York State Energy Research Development Agency (NYSERDA) Grant Funding for Energy Management Personnel for the Department of Public Works in the amount of \$150,000 for the period June 1, 2010 through December 31, 2011, and

WHEREAS, said funding will be used for an Energy Manager to help reduce energy expenses, survey and analyze key County assets for a prioritized list of energy and environmental savings opportunities; develop a County-wide greenhouse gas inventory, goals, and plan; and provide outreach to residents, businesses, municipalities, school districts, and hospitals in the community to help them reduce their energy costs and emissions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$150,000 from New York State Energy Research and Development Authority, 17 Columbia Circle, Albany, New York 12203-6399 for Energy Management Personnel for the Department of Public Works for the period June 1, 2010 through December 31, 2011, and be it

FURTHER RESOLVED, that the funding hereinabove authorized will be credited to budget line 15020101.5000808.1510001 (Other State Aid), 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 \$150,000, and be it

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

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

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

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 217

By Public Works and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AGENCY (NYSERDA) GRANT FUNDING FOR WILLOW POINT NURSING HOME LIGHTING RETROFIT FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2010-2011

WHEREAS, the Commissioner of Public Works requests authorization to accept New York State Energy Research Development Agency (NYSERDA) Grant Funding for the Willow Point Nursing Home Lighting Retrofit for the Department of Public Works in the amount of \$87,045 for the period June 1, 2010 through December 31, 2011, and

WHEREAS, said funding will be used to retrofit 1,200 fluorescent fixtures at the Willow Point Nursing Home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$87,045 from New York State Energy Research and Development Authority, 17 Columbia Circle,

Albany, New York 12203-6399 for Willow Point Nursing Home Lighting Retrofit for the Department of Public Works for the period June 1, 2010 through December 31, 2011, and be it

FURTHER RESOLVED, that the funding hereinabove authorized will be credited to budget line 15020101.5000808.1510002 (Other State Aid), 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 \$87,045, 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.

RESOLUTION NO. 218

By Finance Committee

Seconded by Mr. LaBare

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

WHEREAS, the County Clerk and the Commissioner of Finance have presented their report concerning mortgage tax receipts for the period October 2009 through March 2010, pursuant to Section 261 of the Tax Law of the State of New York, and the same has been apportioned to the various municipalities thereto, now, therefore, be it

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

**SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION
October 2009 through March 2009**

Dickinson	Village of Port Dickinson	2,740.91
	Outside	16,987.63
Lisle	Village of Lisle	287.34
	Outside	6,015.56
Sanford	Village of Deposit	715.99
	Outside	9,459.33
Triangle	Village of Whitney Point	2,727.90
	Outside	13,354.98
Union	Village of Johnson City	29,738.75
	Village of Endicott	26,226.86
	Outside	188,041.72
Windsor	Village of Windsor	1,431.78
	Outside	26,587.84
Barker		9,941.19
Binghamton (Town)		41,498.45
Chenango		107,207.72
Colesville		18,490.80
Conklin		36,007.51
Fenton		28,290.99

FURTHER RESOLVED, that in accordance with a request from the Director of Health , in order to support an outreach plan designed to meet the WIC Outreach Plan-FFY2010, as requested in Journal ID#5887, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Dept ID</u>	<u>Acct Code</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	25010004	6004148	2510346	Reserve for Program	\$ 56,150
Total					\$ 56,150
TO:	25010004	6001002	2510346	Salaries Temporary	\$ 32,650
	25010004	6004160	2510346	Mileage and Parking	\$ 500
	25010004	6004161	2510346	Travel Hotel & Meals	\$ 1,400
	25010004	6008001	2510346	State Retirement	\$ 3,428
	25010004	6008002	2510346	Social Security	\$ 2,496
	25010004	6008004	2510346	Workers Compensation	\$ 326
	25010004	6008007	2510346	Health Insurance	\$ 14,904
	25010004	6008010	2510346	Disability Insurance	\$ 120
	25010004	6008011	2510346	Unemployment Insurance	\$ 326
Total					\$ 56,150

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 221

By County Administration Committee

Seconded by Mr. LaBare

RESOLUTION OF THE BROOME COUNTY LEGISLATURE IN SUPPORT OF ASSEMBLY BILL A-9919 AND SENATE BILL S-7338

WHEREAS, the Vehicle and Traffic Law of the State of New York places the responsibility of operating Department of Motor Vehicle offices to 51 Counties across New York State through their respective County Clerk, and

WHEREAS, our county taxpayers bear the cost of running local Department of Motor Vehicle operations, and

WHEREAS, our current share of certain transaction fees is 12.7%, available only if a customer appears in person or 'mails in' their request, and

WHEREAS, numerous transactions that we are required to perform are time consuming, labor intensive and often times New York State does not allow the County any fee, and

WHEREAS, we are often competing with the New York State Department of Motor Vehicles for limited business in order to sustain our operations, and

WHEREAS, the Commissioner of Motor Vehicles has advised the New York State Association of County Clerks that 35 online transactions are currently available for customers via the NYS DMV website and more online transactions can be expected in the near future leaving the County with even fewer revenue sharing opportunities to maintain offices open to the public, now, therefore be it

RESOLVED, the Broome County Legislature supports Assembly Bill A-9919 and companion Senate Bill S-7338, allowing County Clerks who operate DMV offices to retain a share of fees collected from County residents for motor vehicle transactions completed through the New York State DMV website, and be it further

RESOLVED, the clerk of this legislative body is hereby authorized and directed to transmit copies of this resolution to Governor David A. Paterson, state Senator Thomas W. Libous, Assemblywoman Donna A. Lupardo, Assemblyman Clifford W. Crouch and Assemblyman Gary D. Finch.

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 222

By County Administration Committee

Seconded by Mr. Moran

RESOLUTION APPROVING THE NAME OF THE NEW INTERMODAL CENTER "THE GREATER BINGHAMTON TRANSPORTATION CENTER" AND NAMING THE BUILDING "CONGRESSMAN HINCHEY'S HUB"

WHEREAS, the County Executive requests authorization to approve the name of the new intermodal center "The Greater Binghamton Transportation Center" and naming the building "Congressman Hinchey's Hub" and

WHEREAS, Congressman Hinchey secured funding in 1996 for the intermodal center and kept the funding secure until the project began in 2005, and

WHEREAS, Congressman Maurice D. Hinchey also secured federal transportation funding for hybrid buses for BC Transit which will have its junction at the Greater Binghamton Transportation Center, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approved naming the new intermodal center "The Greater Binghamton Transportation Center" and naming the building "Congressman Hinchey's Hub", 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-16, Nays-3 (Keibel, Pasquale, Diffendorf).

RESOLUTION NO. 223

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

RESOLUTION AUTHORIZING ACCEPTANCE OF A BOOKS AND BABIES PROGRAM GRANT FOR THE BROOME COUNTY PUBLIC LIBRARY FOR 2010-2012

WHEREAS, the Director of the Broome County Public Library requests authorization to accept a Books and Babies Program Grant in the amount of \$1,000 and adopt a program budget in the amount of \$4,000 for the period April 20, 2010 through March 31, 2012, and

WHEREAS, said program grant will provide coupons for a free board book to all parents of newborns at UHS Wilson Regional Medical Center and encourage registration for library cards, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,000 from the Community Foundation for South Central New York, 70 Front Street, Binghamton, New York 13905 for the Broome County Public Library's Books and Babies Program for the period April 20, 2010 through March 31, 2012, with the remaining program funds being contributed by the Friends of the Broome County Public Library, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$4,000, and be it

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

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

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

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 224

By County Administration

Seconded by Mr. LaBare

RESOLUTION SUPPORTING THE PROPOSED RENAMING OF A PORTION OF THE BRANDYWINE HIGHWAY TO THE OFFICER ALDO ROSSI JR. HIGHWAY

WHEREAS, Officer Aldo Rossi had served as a part-time officer with the Port Dickinson Police Department for 15 months and also served as a part-time police officer with the Deposit Police Department, and

WHEREAS, Officer Rossi succumbed to injuries sustained on Sunday, July 27, 2008 when he was struck by a drunk driver on Route 7 while waiting for a Department of Transportation truck to remove a tree that had fallen across the roadway, and

WHEREAS, family and friends of Officer Rossi believe he deserves a lasting memorial and would like to see a portion of the Brandywine Highway named after the Village of Port Dickinson Officer to honor Officer Rossi and to remind motorists of the consequences of drunk driving, and

WHEREAS, it is anticipated that bills will be introduced in the New York State Senate and Assembly authorizing the renaming of the Brandywine Highway to the Officer Aldo Rossi Jr. Highway, and

WHEREAS, Broome County supports this effort to create a memorial for Officer Rossi, now, therefore, be it

RESOLVED, that Broome County Government encourages the New York State Legislature and Governor to adopt legislation authorizing the renaming of a portion of the Brandywine Highway to the Officer Aldo Rossi Jr. Highway, and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature shall be directed to forward this resolution to the appropriate State officials.

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 225

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. LaBare

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CENTER FOR APPLIED COMMUNITY RESEARCH AND DEVELOPMENT AT BINGHAMTON UNIVERSITY FOR COMPLETION OF THE DEPARTMENT OF HEALTH'S H1N1 RESPONSE AFTER ACTION REVIEW AND REPORT FOR 2010

WHEREAS, the Director of Public Health requests authorization for an agreement with the Center for Applied Community Research and Development at Binghamton University for completion of the Department of Health's H1N1 Response After Action Review and Report, at a cost not to exceed \$50,000 for the period May 19, 2010 through August 9, 2010, and

WHEREAS, said agreement is necessary to determine why residents of Broome County did or did not receive the H1N1 vaccine by conducting an online survey through the Health Department with analysis by the CACRD, interviewing various cohorts for more in-depth information concerning their choices to receive or not to receive the H1N1 vaccine and providing a flow analysis of vaccine and information through the medical system in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Center for Applied community Research and Development at Binghamton University, PO Box 6000, Binghamton, New York 13902 for completion of the Department of Health's H1N1 Response After Action Review and Report for the period May 19, 2010 through August 9, 2010, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004255.2510343 (Contracted Services), and be it

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

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

Carried. Ayes-19, Nays-0.

RESOLUTION NO. 226

By County Administration, Human Services and Finance Committees Seconded by Mr. LaBare
RESOLUTION SUPPORTING A TEMPORARY EXTENSION OF ENHANCED FEDERAL MEDICAID MATCHING FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)

WHEREAS, Medicaid is a federal, state, and local health care program whose costs and administration represents the largest component of the state and local fiscal relationship in New York, currently totaling over \$51 billion annually, and

WHEREAS, since the program's inception, counties across the state have struggled to fund the growth of the Medicaid local share and even with local budget austerity measures the programs cost has resulted in higher property taxes, higher sales taxes, and a decline in county services, and

WHEREAS, while a local government Medicaid "cap" has been implemented in New York in an effort to provide some budget stability and help shield local taxpayers from the impact of excessive Medicaid growth, counties remain concerned with the future sustainability of the Medicaid program, the effect on other state and local budget priorities, and the overall outlook for New York's economic competitiveness, and

WHEREAS, Congress has provided an increase in Federal Medicaid matching funds, set to expire on December 31, 2010, to all states under the American Recovery and Reinvestment Act in recognition of the recent fiscal crisis, and

WHEREAS, in addition to providing fiscal relief to the State of New York, this increase also provides direct fiscal relief to local governments in New York State which helps ease the local property and sales tax burden for all New Yorkers, and

WHEREAS, the U.S. Senate, House and the President all support a six month extension of this critical temporary enhanced Medicaid assistance through June 30, 2011 because of the continued fiscal pressures experienced by state and local governments due to further declines in tax revenues and increased demand for public services stemming from the recession, and

WHEREAS, New York and twenty-three other states, have included a six month extension of this enhanced funding in their budgets for the coming year, it is imperative that Congress enact a six month extension of enhanced Medicaid assistance payments as soon as possible, to allow states to finalize their budgets without having to fill even larger budget holes with tax increases or service cuts that would be necessary in the absence of this federal funding, now, therefore, be it

RESOLVED, that Broome County supports a six month extension of the enhanced Federal Medical Assistance Percentage (FMAP) as established under the American Recovery and Reinvestment Act, and be it

FURTHER RESOLVED, that Broome County, together with the New York State Association of Counties (NYSAC) calls upon the Governor and the State Legislature to encourage the New York Congressional Delegation to support this six month extension, and be it

FURTHER RESOLVED, that Broome County will forward copies of this Resolution to Governor David A. Paterson, the New York State Legislature, the New York Congressional Delegation, NYSAC and all others deemed necessary and proper.

Carried. Ayes-19, Nays-0.

Mr. Whalen reminded everyone of the financial presentation on Wednesday, May 19th.

Mr. Materese commented that he would like to have a public hearing before voting on the Local Law for Exemptions for Home Improvements. Mr. LaBare believes there needs to be more education on exactly what would be covered.

Mr. Klipsch congratulated Jennifer Royer on her appointment as Second Deputy Clerk.

Ms. Messina read excerpts from a letter for support of exemptions for Veterans of the Cold War.

Mr. Howard made a motion to adjourn, seconded by Mr. Whalen . **Motion to adjourn Carried**, Ayes-19, Nays-0, Absent-0. The meeting was adjourned at 5:45 P.M.

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