

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

The Legislature convened at 5:05 PM 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-17 Absent-2 (Howard, Merrill).

A prayer was offered by Legislator Buchta.

Ms. Messina made a motion, seconded by Mr. Moran, that the Regular Session minutes of October 21, 2010 be approved as prepared and presented by the Clerk. **Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill).

Mr. Reynolds noted that the committee minutes for the period October 21, 2010 through November 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. Mr. Moran, seconded by Mr. Garnar. **Carried.** Ayes-17 Nays-0, Absent-2 (Howard, Merrill).

**PUBLIC HEARING**-None

**ANNOUNCEMENTS FROM THE CHAIR**

Mr. Marinich presented a proclamation to Tom Mitchell of the Binghamton Senators.  
Mr. Sanfilippo and Mr. LaBare presented a proclamation to Steven Reagan, Administrator of the Willow Point Nursing Home.

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:** None

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

- A. Letters from the Chair, Daniel D. Reynolds:
1. Designation for Mark R. Whalen on 11/09/2010
  2. Designation for Joseph A. Merrill on 11/10/2010
  3. Designation for Joseph S. Sanfilippo on 11/10/2010

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

- A. PETITIONS: None
- B. COMMUNICATIONS:
1. BCC Budget Transfers for September 2010
  2. Landfill Citizen Advisory Committee Minutes 3/29/2010
  3. Soil & Water Conservation District Directors Meeting Minutes 9/21/2010
  4. BC Mental Health Children's Clinic Fact Sheet
  5. BC EMC Request for Nominations to Landfill Citizens Advisory Committee
  6. BC Attorney Memo on SEQRA Analysis for Pipelines
  7. BC EMC Memo Requesting Restoration of the Senior Env. Planner Position
  8. BC Cornell Cooperative Extension Directors Meeting Minutes 9/23/2010
- C. NOTICES:
1. BC Legislature Notice Ad Hoc Natural Gas Education Meeting on 11/18/2010
- D. REPORTS:



**RESOLUTION AUTHORIZING LEASE AGREEMENTS WITH INFLECTION ENERGY LLC FOR OIL AND NATURAL GAS RIGHTS ON COUNTY PROPERTY**

Mr. Whalen made a motion to table until December 16, 2010, seconded by Mr. LaBare. **Motion to Table Failed** Ayes-9, Ayes-8 (Keibel, Nirchi, Pasquale, Garnar, Diffendorf, Marinich, Klipsch, Reynolds), Absent-2 (Howard, Merrill). Mr. Whalen made a motion, seconded by Mr. Materese to amend the resolution as follows:

WHEREAS, the County of Broome owns substantial acreage in the County which is suitable for oil and natural gas exploration, and

WHEREAS, the County of Broome solicited oil and natural gas lease offers by request for proposal, direct mail and trade show solicitation from interested parties, and

WHEREAS, the County of Broome has received an offer from Inflection Energy, LLC to lease County property for oil and natural gas exploration, and

WHEREAS, the County Legislature finds that the offer is commercially reasonable and wishes to execute lease agreements with Inflection Energy, LLC, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with Inflection Energy, LLC, 1125 Seventeenth Street, Suite 2540, Denver, CO 80202, hereinafter referred to as lessee, for the lease to lessee of the right to develop and extract oil and natural gas in all depths and formations on County owned real property set forth in Exhibits A, B and C and attached to the resolution; the final acreage of each parcel may or may not be adjusted following title searches before any payment herein, and be it

FURTHER RESOLVED, that the term of the leases shall be five years commencing on the date that New York State Department of Environmental Conservation (DEC) has issued a final supplemental generic impact statement pursuant to the State Environmental Quality Review Act for horizontal drilling and completion of wells into shale formations using hydraulic fracturing techniques, and DEC is then able to issue permits for drilling and completion of wells in such manner, provided, however, that lessee shall have the right as set forth below to extend the leases terms for three years, and be it

FURTHER RESOLVED, that in consideration of the execution of four separate leases, lessee shall pay the County a bonus payment per mineral acre owned by the County which payment shall be due and payable within 90 days of execution of the leases; the amount of said bonus payment shall be \$2,750 for parcels designated in Exhibit A, \$2,500 for parcels designated in Exhibit B, and \$2,250 for parcels designated in Exhibit C; there shall be separate leases for the aggregate parcels set forth in each exhibit, and notwithstanding the above there shall be a separate lease for the Binghamton Regional Airport parcels; and be it

FURTHER RESOLVED, that in consideration of the execution of four separate leases, lessee shall have the right to extend the leases terms for three years upon payment to the County of an additional payment per mineral acre owned by the County in the same amount of the original bonus payment, and be it further

FURTHER RESOLVED, that in consideration of the execution of four separate leases, lessee shall pay the County a 20 per cent royalty subject to the County's share of post production costs, provided, however, that the County's share of post production costs shall never exceed \$0.30 per mcf deduct, and be it

FURTHER RESOLVED, that in consideration of the execution of four separate leases, if in the year following execution of the leases, the lessee executes any third party oil and gas leases on real property located in Broome County in which the royalty is greater than 20 per cent or the deduct is less than \$0.30, then the lessee shall grant to the County from the commencement date of the lease term the increased royalty or lessened deduct, and be it

**[FURTHER RESOLVED, that in consideration of the execution of four separate leases, the County shall grant to lessee all rights of ingress and egress to install gathering line pipelines and to conduct operations necessary to explore, drill, produce and market natural gas and oil; all such locations shall be approved in advance by the Commissioner of Public Works pursuant to department guidelines, which consent shall not be unreasonably withheld; any natural gas pipelines will be constructed of steel and/or according to the best practices of the industry; the lessee shall pay the County**

\$1.00 per foot for gathering line pipeline; \$20.00 per foot for transmission line pipeline; and \$2,000.00 per acre for other surface operations; the \$1.00 per foot, \$20.00 per foot, and \$2,000.00 per acre limits shall be subject to a Consumer Price Index adjustment after five years and every three years thereafter; the leases or any such further agreements will provide that the parties will follow as close as reasonably practical the guidelines for construction and restoration at natural gas well drilling sites and recommendations for pipeline right of way construction projects developed by the NYS Department of Agriculture and Markets, as well as the guidelines of other NYS regulatory agencies that have jurisdiction over Inflection's operations, and be it]

FURTHER RESOLVED, that in consideration of the execution of four separate leases, the County shall grant to lessee all rights of ingress and egress to install pipelines necessary to explore, drill, produce and market natural gas and oil; all such locations shall be approved in advance by the Commissioner of Public Works pursuant to New York State Highway Law and/or County department guidelines, which consent shall not be unreasonably withheld; all pipelines shall be constructed pursuant to federal, state, or county department guidelines; the lessee shall pay the County \$1.00 per foot for gathering line pipeline; \$20.00 per foot for transmission line pipeline; the payments described herein shall be subject to a Consumer Price Index adjustment after five years and every three years thereafter; and be it

FURTHER RESOLVED, that in consideration of the execution of four separate leases, the County shall grant to lessee all rights of ingress and egress to develop well pads, compressor pads and other surface areas necessary to explore, drill, produce and market natural gas and oil; lessee shall pay the County \$2,000.00 per acre for said surface operations; the payments described herein shall be subject to a Consumer Price Index adjustment after five years and every three years thereafter; and be it

FURTHER RESOLVED, that in the development and reclamation of leased properties the lessee will follow as close as reasonably practical the guidelines for construction and restoration at natural gas well drilling sites and recommendations for pipeline right of way construction projects developed by the NYS Department of Agriculture and Markets, as well as the guidelines of other NYS regulatory agencies that have jurisdiction over lessee operations, and be it

FURTHER RESOLVED, that in consideration of the execution of four separate leases, lessee agrees to drill at least two wells, vertical or horizontal, on real property subject to these leases or on lands pooled therewith targeting a depth to at least the Marcellus Shale geological formation or deeper formations; and be it

FURTHER RESOLVED, that notwithstanding the above, a) the lessee shall have no rights of egress or ingress or conduct any surface operations on any leased property used as a watershed impoundment area in connection with County flood control projects, without the express consent of the County; and b) the lessee shall have no rights of egress or ingress or conduct any surface operations on any leased property dedicated as municipal parkland, and be it

[FURTHER RESOLVED, on any vertical or horizontal wells on real property subject to these leases, the lessee will utilize a closed loop drilling system or similar technology, and be it ]

FURTHER RESOLVED, that the lessee will a) utilize a closed loop drilling system or similar technology on all vertical and horizontal wells, b) will utilize conductor, surface, intermediate and production casing on all vertical and horizontal wells, c) will conduct air monitor testing at well pads, compressor stations, and other publicly accessible locations developed by the lessee on the leased premises, c) will conduct or offer to conduct benchmark water testing prior to any drilling activities on all public and private water wells within 2,500 feet of any vertical or horizontal well on the leased premises, and be it

FURTHER RESOLVED, that on any wells on real property subject to these leases or on lands pooled therewith the lessee shall provide the funds for the County to hire an independent

consultant to function as an environmental monitor for drilling, well construction, fracturing, plugging and related activities; said environmental monitor will report directly to Broome County on NYS DEC regulatory compliance and contractual lease compliance; said lessee and the County shall use their best efforts to create an environmental monitoring pilot program that may be used by third parties, and be it

**FURTHER RESOLVED that lessee shall procure and maintain insurance during the term of the leases with initial coverages and limits established by the Finance Committee of the Broome County Legislature, and be it**

**FURTHER RESOLVED, that all leases and the terms contained therein will be binding on the successors and assigns of lessee and 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. **Bold Italic Underlined** added, **[Bold Brackets]** deleted

**Amendment carried.** Ayes-12, Nays-1 (Moran), Recuse-4 (Keibel, Messina, Diffendorf, Herz), Absent-2 (Howard, Merrill). **Resolution as amended failed.** Ayes-3, Nays-10 (Materese, Sanfilippo, Moran, Nirchi, Pasquale, Garnar, Hutchings, Marinich, Klipsch, Reynolds), Recuse-4 (Keibel, Messina, Diffendorf, Herz), Absent-2 (Howard, Merrill)

## RESOLUTIONS INTRODUCED AT THIS SESSION

### RESOLUTION NO. 470

By Finance and Personnel Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE GUARDIAN LIFE INSURANCE COMPANY OF NEW YORK FOR ADMINISTRATION OF BROOME COUNTY'S DENTAL INSURANCE PLAN FOR THE OFFICE OF RISK AND INSURANCE FOR 2011**

WHEREAS, this County Legislature, by Resolution 477 of 2009, authorized renewal of the agreement with the Guardian Life Insurance Company of New York for administration of Broome County's dental insurance plan for the Office of Risk and Insurance, at no cost to the County, for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said agreement is necessary to administer the dental insurance plan for Broome County employees, and

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at no cost to the County, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Guardian Life Insurance Company of New York, 3900 Burgess Place, Bethlehem, Pennsylvania 18017 for the administration of Broome County's dental insurance plan for the Office of Risk and Insurance, at no cost to the County, for the period January 1, 2011 through December 31, 2011, 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-17, Nays-0, Absent-2 (Howard, Merrill)

### RESOLUTION NO. 471

By Finance and Personnel Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE GUARDIAN LIFE INSURANCE COMPANY OF NEW YORK FOR LIFE INSURANCE FOR ELIGIBLE BROOME COUNTY EMPLOYEES FOR THE OFFICE OF RISK AND INSURANCE FOR 2011**

WHEREAS, this County Legislature, by Resolution 511 of 2009, authorized renewal of the agreement with Guardian Life Insurance Company of New York for life insurance for eligible Broome

County employees for the Office of Risk and Insurance at a rate of \$1.30 per enrollee per month, and \$.30 per enrollee per month for accidental death and dismemberment insurance for the period December 1, 2009 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010 and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$1.30 per enrollee per month for life insurance, and \$.30 per enrollee per month for accidental death and dismemberment insurance, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Guardian Life insurance Company of New York, 3900 Burgess Place, Bethlehem, Pennsylvania 18017 for life insurance for eligible Broome County employees for the Office of Risk and Insurance for the period January 1, 2011 through December 31, 2011, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 18020001.6004201 (Insurance Premiums), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 472**

By Finance Committee

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING A REFUND OF THE BID PRICE FOR A PARCEL SOLD THROUGH THE COUNTY'S TAX SALE AUCTION**

WHEREAS, this County Legislature, by Resolution 326 of 2010, authorized the Director of Real Property to sell certain parcels of real property at the tax sale auction to individuals listed on Exhibit "A", and

WHEREAS, 168 Conklin Avenue, Binghamton, New York, tax map number 160.59-2-4, was sold to the Palma Family LLC, for the bid price of \$39,000, and

WHEREAS, after the auction and prior to the closing, vandals damaged the property by removing copper from the heating system, and

WHEREAS, the Director of Real Property Tax Service recommends that, in the best interest of the County and the purchaser, the amount of \$1,650 be refunded to the bidder, now, therefore, be it

RESOLVED, this County Legislature authorizes a refund in the amount of \$1,650 to the Palma Family, LLC., 7-22 College Place, College Point, New York 11356, 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-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 473**

By Finance Committee

Seconded by Mr. Whalen

#### **RESOLUTION UPDATING THE POLICIES AND PROCEDURES FOR THE SALE OF COUNTY OWNED PROPERTY AS SET FORTH IN RESOLUTION 598 OF 2009, AND RESOLUTION 199 OF 2010**

WHEREAS, the County of Broome acquires certain real property through foreclosure of tax liens and sells property no longer necessary for public use or purpose, and

WHEREAS, it is desired to update these procedures, now, therefore, be it RESOLVED, that the following procedures and guidelines are hereby established for the sale of County-owned property:

1. The Real Property Tax Director shall submit a list of all parcels subject to foreclosure to the Finance Committee for its review thirty (30) days prior to the date of final redemption.
2. The Real Property Tax Director shall submit a list of all County owned real property, including unredeemable property sent to the court for an order of foreclosure, determined to be surplus, obsolete, or no longer needed for public purposes and indicate the recommended method of disposition for such property to the Finance Committee for its consideration within thirty (30) days after the final date of redemption. The Finance Committee shall notify the Real Property Tax Director of its recommendations on any property considered unique in nature within thirty (30) days of receipt of said list. The Real Property Tax Director shall prepare for and hold a public auction for all County owned property to be sold at auction based on the determination of the Finance Committee. Said properties are to be sold to the highest bidder on each such parcel. If the Real Property Tax Director determines it is in the best interest of the County he or she may request sealed bids on property, develop a request for proposals or request authorization to sell directly to an individual or entity without public auction. Where a parcel is split for sale by the County, the split must result in parcels that comply with the minimum lot size required under the applicable town, city or village zoning laws. Such sales are subject to approval pursuant to Section 3.
3. All sales shall be subject to final approval by the Broome County Legislature. Anything to the contrary herein contained notwithstanding, the County of Broome shall maintain the right to reject any and all bids made should the County become aware of any problem or reason for doing so for a particular property before, at the time of or subsequent to the given auction. The County of Broome reserves the right to withdraw any parcel at any time.
4. All bids shall be accompanied by a cash or check deposit and payment of the auctioneer's fee and are not transferable without prior approval by the County Legislature. The deposit shall be 10% of bid or \$500 whichever is greater. If the bid price is less than \$500, the full amount of the bid is due as the deposit. Successful bidders shall be required to pay the balance of the purchase price within thirty (30) business days from the date of the letter from the Real Property Tax Director notifying such bidder that the County is prepared to close on the property. Payments for the balance of the purchase price shall be by cash, certified check or equivalent. If the purchaser shall fail to pay the balance of said purchase price within thirty (30) business days after notification that the County is ready to close on the property, the deposit and auctioneer's fee shall be forfeited and retained by the County and advertisements for the auction shall so state.
5. The successful bidder shall be responsible for the cost of the property clean up done by the County. This cost shall be paid in full by the successful bidder by the close of the auction. This amount shall be paid by cash, certified or personal check. This amount shall be forfeited if the successful bidder fails to close on the property within thirty (30) business days of notification that the County is ready to close on the property.
6. In addition to the bid price, the successful bidder shall pay an administrative fee of \$150, recording fees and transfer taxes.
7. All County owned property which exceeds five acres shall be sold subject to the retention of subsurface mineral and gas rights by the County except in the case of an approved hardship sell back on foreclosed property pursuant to Section 13.
8. The Real Property Tax Director shall be responsible for advertising for the public auction, holding the public auction and collecting monies therefrom. The Real Property Tax Director shall be responsible for the establishment and conduct of the administrative guidelines and procedures for said auction.
9. Persons or entities currently in an installment payment agreement or who have defaulted on an installment agreement or owe delinquent taxes at the time of the auction or sale, including the former owners and their spouse, are not eligible to bid at the auction.

10. Notwithstanding Section 9 of this resolution, no person or entity who owned or held title to a given parcel immediately prior to the acquisition thereof by the County of Broome shall be permitted to buy back said parcel at a price less than the accumulated taxes, including taxes for the current year, interest and penalties plus an administrative fee of \$1,000.

11. Any corporation or limited liability company registering to bid must disclose the name(s) of the principal shareholder(s) in such corporation or members of such limited liability company.

12. All County owned property no longer needed for a public use shall be sold in accordance with State and local laws.

13. Anything to the contrary herein contained notwithstanding, the Finance Committee of the Broome County Legislature or said Committee's designee shall have, in its sole discretion, the right and authority to countermand, modify, rescind or change the procedures and directives contained in this resolution, including but not limited to the right to remove any parcel or parcels of land from sales lists or from auction, where, in the judgment of said Committee, an unusual or unique situation or hardship case is presented which would require further consideration. In any case where the Finance Committee or its designee shall exercise the authority conferred in this paragraph, it shall forthwith bring said matter and its recommendations thereon before this County Legislature for the latter's consideration. In the event that the County Legislature shall reject the recommendations of the Finance committee the parcel or parcels of land under review and consideration shall again be processed for disposition and sale in the manner provide for herein, or in such other manner as this County Legislature may otherwise provide. In the case that a hardship sellback is approved by the Director of Real Property Tax Services and received legislative approval, the parcel shall be returned to the prior owner in its entirety to include all surface and subsurface rights regardless of size or use once the uncollected taxes and administrative fee have been collected. The County shall reserve no subsurface oil and gas rights on properties conveyed to the previous owner as a result of a hardship sellback.

A request for sellback to a prior owner shall only be considered up until 120 days after the final date of redemption. If a hardship sell back is denied by the Director of Real Property Services, the prior owner shall be given written notice of the right to appeal said denial to the Finance Committee of the Broome County Legislature and a copy of the denial letter shall be filed with the Clerk of the County Legislature. A written appeal must be made within 30 days of the date of the disapproval. The Finance committee shall consider said written appeal, and any other materials or testimony which the committee may require at its next regularly scheduled meeting. A written notice of the committee's decision shall be sent to the applicant and to the Director of Real Property Services within ten days of said meeting. The appeal to the Finance Committee is final.

and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall publish this Resolution in "Part V" of the Charter and Administrative Code, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Mr. Klipsch made a motion, seconded by Mr. Moran to delete "the appeal to the Finance Committee is final" **Amendment failed.** Ayes-8, Nays-9 (Keibel, Moran, Messina, Whalen, LaBare, Pasquale, Marinich, Herz, Buchta), Absent-2 (Howard, Merrill). **Carried.** Ayes-13, Nays-4 (Materese, Nirchi, Garnar, Klipsch), Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 474**

By County Administration and Finance Committees

Seconded by Mr. Herz

**RESOLUTION ADOPTING LOCAL LAW INTRODUCTORY NO. 13 OF 2010, ENTITLED: "A LOCAL LAW AMENDING ARTICLE XII OF CHAPTER 125 OF THE BROOME COUNTY CODE PROVIDING FOR THE ESTABLISHMENT AND COLLECTION OF FEES BY THE OFFICE OF THE BROOME COUNTY CLERK"**

RESOLVED, that Local Law Intro. No. 13 of 2010, entitled: " A Local Law Amending Article XIII of Chapter 125 of the Broome County Code Providing for the Establishment and Collection of Fees by the Office of the Broome County Clerk," be and the same hereby is adopted and approved

in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 13 OF 2010**  
**A Local Law Amending Article XIII of Chapter 125 of the Broome County**  
**Code Providing for the Establishment and Collection of Fees by the**  
**Office of the Broome County Clerk**

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

Section 1. Chapter 125, Article XIII shall be and hereby is added to read as follows:

§125-43. Schedule of Fees

The Broome County Clerk will impose and collect fees from internet users of the Clerk's web site. There shall be no fee for viewing only. For each document (deeds, mortgages, liens, etc) that is printed from the web site, saved from the web site to a computer and saved from the web site to an independent storage device, the following fees shall be imposed and collected:

- A. There shall be a fee of [~~\$1.25~~] \$1.75 plus applicable internet/bank fees for each document, or
- B. A [~~\$200~~] \$250 monthly fee for unlimited monthly access of documents per month.
- C. These fees shall not apply to the State of New York, its political subdivisions, agencies or instrumentalities.

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 475**

By County Administration and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RETENTION OF FUNDS BY THE COUNTY CLERK FOR THE**  
**COUNTY OF BROOME FROM MORTGAGE TAXES**

WHEREAS, Section 262 of the Tax Law mandates that recording officers are entitled to receive for the county all necessary expenses for the purposes of administration of mortgage taxes in their office and approved allowance by the New York State Tax Commission, and

WHEREAS, the New York State Tax Commission did, by Resolution duly adopted, determine that such mortgage tax expense be approved, at the amount certified to the State Tax Commissioner, by the County Legislature, provided it is a reasonable and necessary allowance for such expenses, and

WHEREAS, the New York State Tax Commission has previously approved an allowance for the period of April 1, 2010 through March 31, 2011 in the amount of \$326,982.48, and

WHEREAS, the Broome County Clerk has determined that \$332,504.10 fairly represents the annual amount of expenses incurred by this office in the collection of mortgage taxes due and owing pursuant to New York State Tax Laws, and

WHEREAS, this change represents a \$5,521.62 per annum increase from the previous allowance of \$326,982.48 calculated in 2009 for 2010-2011, now, therefore, be it

RESOLVED, that this County Legislature hereby determines that the sum of \$332,504.10 per annum be and hereby is a necessary, reasonable and proper allowance to be received by the County Clerk of the County of Broome for the purpose of administering mortgage taxes in said office, and be it

FURTHER RESOLVED, that the previously approved monthly retention of \$27,248.54 shall continue through March 31, 2011 and that a monthly retention of \$27,708.67 shall be for the period of April through December in the County's Fiscal Year 2011 for a 2011 County Fiscal Year total of \$331,123.65 and said monthly amount of \$27,708.67 shall continue through March 31, 2012, and be it

FURTHER RESOLVED that New York State approval is requested for the period of April 1, 2011 through March 31, 2012 in the amount of \$332,504.10, and be it

FURTHER RESOLVED, that revenue from the processing of mortgage taxes shall be credited to budget line 04010001.5000106 (Mortgage Tax), and be it

FURTHER RESOLVED, that the sum of \$332,504.10 per annum (April 1, 2011 through March 31, 2012) is hereby certified to the State Tax Commission as the reasonable and proper allowance for such expenses.

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 476**

By County Administration and Finance Committee

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE RETAIL INSTALLMENT AGREEMENT WITH KEY GOVERNMENT FINANCE, INC FOR EQUIPMENT AND HARDWARE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2009-2014**

WHEREAS, this County Legislature, by Resolution 315 of 2009, as amended by Resolution 618 of 2009, authorized a retail installment agreement with Key Government Finance, Inc., for equipment and hardware for the Division of Information Technology at a cost not to exceed \$1,483,797.21 for the period August 2009 through August 2014, and

WHEREAS, said retail installment agreement is necessary for hardware and equipment for the Network Switch and VoIP project, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$16,330 for additional hardware and equipment, and

WHEREAS, said additional amount will be a one time payment, reimbursed by a Health Department grant, and will not affect the lease payment schedule outlined in Resolution 09-315, and

WHEREAS, the Director of Information Technology 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 Key Government Finance, Inc., 1000 S. McCaslin Boulevard, Superior, Colorado 80027 to increase the not to exceed amount by \$16,330 for additional hardware and equipment for the Division of Information Technology for the period August 26, 2009 through August 25, 2014, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a one time additional payment of \$16,330, which will not affect the lease payment schedule outlined in Resolution 09-315, for the term of the agreement, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from budget line 10030001.6004195. (Hardware Rental/Leases), and be it

FURTHER RESOLVED, that Resolution 315 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-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 477**

By County Administration and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF AN INTERMUNICIPAL AGREEMENT BETWEEN THE BROOME COUNTY DIVISION OF INFORMATION TECHNOLOGY AND THE VILLAGE OF ENDICOTT POLICE DEPARTMENT FOR COMPUTER AND NETWORK MAINTENANCE SERVICES FOR 2011**

WHEREAS, this County Legislature, by Resolution 475 of 2009, authorized renewal of an intermunicipal agreement with the Village of Endicott for computer and network maintenance services with revenue to the County in the amount of \$7,315 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said agreement provides the Village of Endicott Police Department with routine maintenance of personal computers, peripherals and network equipment, and

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$6,963 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the intermunicipal agreement with the Village of Endicott Police Department, 1101 Park Street, Endicott, New York 13760 for the Broome County Division of Information Technology to provide computer and network maintenance services for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Village of Endicott Police Department shall pay the County \$6,963 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 100200001.5000426 (Miscellaneous Data Processing 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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 478**

By County Administration, Personnel and Finance Committees                      Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE COMPUTER PROGRAMMER ANALYST SUPPORT PROGRAM GRANT FOR DIVISION OF INFORMATION TECHNOLOGY AND ADOPTING A PROGRAM BUDGET FOR 2011**

WHEREAS, this County Legislature, by Resolution 442 of 2009, authorized and approved renewal of the Health Department Computer Programmer Analyst Support Program Grant for the Division of Information Technology and adopted a program budget in the amount of \$94,365 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant dedicates a person to support the Health Department and Willow Point Nursing Home for emergency preparedness, disaster planning and application support, and

WHEREAS, it is desired to renew said program grant in the amount of \$103,972 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$103,972 from the Broome County Health Department and the Willow Point Nursing Home for the Division of Information Technology's Computer Programmer Analyst Support Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$103,972, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO.479**

By Economic Development and Planning Committee

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH THE TOWNS OF CONKLIN AND KIRKWOOD FOR THE TRANSFER OF COUNTY PROPERTY**

WHEREAS, the Acting Commissioner of Planning and Economic Development requests authorization for intermunicipal agreements with the Towns of Conklin and Kirkwood for the transfer of County property for the Department of Planning and Economic Development, at no cost to either party for the period December 1, 2010 through November 30, 2011, and

WHEREAS, this County Legislature, by Resolution 209 of 2009, authorized acceptance of a Greater Catskills Flood Remediation Program Grant to purchase and demolish three flood damaged homes with the intention of transferring them back to the Towns after demolition, and

WHEREAS, said intermunicipal agreements are necessary to transfer 140 Stillwater Road, Tax Map No. 228.07-1-10 and 29 JR Boulevard, Tax Map No. 161.08-1-39 to the Town of Conklin, and 57 Geiger Lane, Tax Map No. 228.12-1-5 to the Town of Kirkwood, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes intermunicipal agreements with the Town of Conklin for the transfer of 140 Stillwater Road, Tax Map No. 228.07-1-10 and 29 JR Boulevard, Tax Map No. 161.08-1-39 and the Town of Kirkwood for the transfer 57 Geiger Lane, Tax Map No. 228.12-1-5, at no cost to either party for the Department of Planning and Economic Development and Planning for the period December 1, 2010 through November 30, 2011, 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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 480**

By Economic Development and Planning and Finance Committees      Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF THE DISABILITY PROGRAM NAVIGATOR GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2010**

WHEREAS, this County Legislature, by Resolution 293 of 2009, authorized and approved the Disability Program Navigator Grant for the Office of Employment and Training and adopted a program budget in the amount of \$74,693 for the period July 1, 2009 through June 30, 2010, and

WHEREAS, said program grant assists persons with disabilities in Broome and Tioga Counties with using the One-Stop Career Centers and the services available at the centers, and

WHEREAS, it is desired to renew said program grant in the amount of \$49,924 for the period July 1, 2010 through June 30, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$49,924 from the New York State Department of Labor, State Office Campus, Building 12, Room 450, Albany, New York 12204, for the Office of Employment and Training's Disability Program Navigator Grant for the period July 1, 2010 through June 30, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$49,924, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 481**

By Education, Culture and Recreation, and Finance Committees                      Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH RUSSELL AND MELISSA RODRIGUEZ D/B/A ORLANDO'S CATERING FOR OPERATION OF FOOD, BEVERAGE AND CATERING SERVICES AT EN-JOIE GOLF COURSE FOR THE DEPARTMENT OF PARKS AND RECREATION FOR 2010-2015**

WHEREAS, the Deputy County Executive requests authorization for an agreement with Russell and Melissa Rodriguez d/b/a Orlando's Catering for operation of food, beverage and catering services at En-Joie Golf course for the Department of Parks and Recreation with revenue to the County according to the payment schedule attached as Exhibit "A", for the period December 1, 2010 through December 31, 2015, now therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Russell and Melissa Rodriguez d/b/a Orlando's Catering, 2468 Vestal Parkway East, Vestal, New York 13850 for the operation of food, beverage and catering services at En-Joie Golf course for the Department of Parks and Recreation with revenue to the County according to the payment schedule attached as Exhibit "A", for the period December 1, 2010 through December 31, 2015, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 41010008.50004167 (Restaurant Rental), 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-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 482**

By Education, Culture and Recreation, and Finance Committees                      Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH OTSININGO FARMERS MARKET ASSOCIATION FOR THE USE OF OTSININGO PARK FOR OPERATION OF A FARMERS MARKET FOR 2011**

WHEREAS, the Deputy Commissioner of Parks and Recreation requests authorization for an agreement with Otsiningo Farmers Market Association for the use of Otsiningo Park for the operation of a Farmers Market at a cost not to exceed \$1,000, for the period May 14, 2011 through November 12, 2011, and

WHEREAS, Otsiningo Farmers Market Association will have use of Otsiningo Park on Saturdays from May 14, 2011 through November 12, 2011 from 8 AM to 2 PM, excluding Spiedie Fest weekend and such other special event dates as the Deputy Commissioner of Parks and Recreation deems necessary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Otsiningo Farmers Market Association, Ford Hill Road, Berkshire, New York 13736, for the use of Otsiningo Park for the operation of a Farmers Market, and be it

FURTHER RESOLVED, that Otsiningo Farmers Market Association will have use of Otsiningo Park on Saturdays from May 14, 2011 through November 12, 2011 from 8 AM to 2 PM, excluding Spiedie Fest weekend and such other special event dates as the Deputy Commissioner of Parks and Recreation deems necessary, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$1,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 43010008.5000165 (Miscellaneous Revenue), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 483**

By Public Safety and Emergency Services and Finance Committees   Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING ACCEPTANCE OF FY09 STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT FOR OFFICE OF THE BROOME COUNTY SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2009-2012**

WHEREAS, the Broome County Sheriff requests authorization to accept a FY09 State Law Enforcement Terrorism Prevention Program Grant and adopt a program budget in the amount of \$173,250 for the period August 1, 2009 through July 31, 2012, and

WHEREAS, said program grant provides for prevention, preparedness and response initiatives consistent with the New York State Homeland Security Strategy and with Counter Terrorism Zone efforts at the State and local level, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$173,250 from the New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, State Office Building Campus Building A, Albany, NY 12242 for the Office of the Sheriff's FY09 State Law Enforcement Terrorism Prevention Program Grant for the period August 1, 2009 through July 31, 2012, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$173,250, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 484**

By Public Safety and Emergency Services and Finance Committees   Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF THE BUCKLE UP NEW YORK PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 530 of 2009, authorized and approved the renewal of the Buckle Up New York Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$10,000 for the period October 1, 2009 through September 30, 2010, 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 \$9,150 for the period October 1, 2010 through September 30, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$9,150 from State of New York Governor's Traffic Safety Committee, Department of Motor Vehicles, 6 Empire State Plaza, Albany, NY 12228, for the Office of the Sheriff's Buckle Up New York Program Grant for the period October 1, 2010 through September 30, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$9,150, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 485**

By Public Safety and Emergency Services and Finance Committees   Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF THE CHILD PASSENGER SAFETY PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 531 of 2009, authorized and approved the renewal of the Child Passenger Safety Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$19,500 for the period October 1, 2009 through September 30, 2010, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$9,500 for the period October 1, 2010 through September 30, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$9,500 from the State of New York Governor's Traffic Safety Committee, Department of Motor Vehicles, 6 Empire State Plaza, Albany, New York 12228, for the Office of the Sheriff's Child Passenger Safety Program Grant for the period October 1, 2010 through September 30, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$9,500, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 486**

By Public Safety and Emergency Services and Finance Committees   Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE BROOME COUNTY COUNCIL OF CHURCHES FOR RELIGIOUS SERVICES FOR INMATES OF THE BROOME COUNTY SHERIFF'S CORRECTIONAL FACILITY FOR 2011**

WHEREAS, this County Legislature, by Resolution 441 of 2009, authorized renewal of the agreement with the Broome County Council of Churches for religious services for inmates of the Broome County Sheriff's Correctional Facility at an amount not to exceed \$72,099 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said services are necessary for compliance with Minimum Standards applicable to the Broome County Sheriff's Correctional Facility promulgated by the New York State Commission of Correction, and

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$72,099, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Broome County Council of Churches, Inc., 3 Otsenigo Street, Binghamton, New York 13903, for religious services for inmates of the Broome County Sheriff's Correctional Facility for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$72,099 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 23010003.6004125.1010 (Religious 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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 487**

By Public Safety and Emergency Services and Finance Committees   Seconded by Mr. Klipsch  
**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 2011-2013**

WHEREAS, this County Legislature, by Resolution 440 of 2009, 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 \$2,779,790.20 for the period January 1, 2010 through December 31, 2010, 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 expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, as follows:

Year	Base contract	Per diem/ catastrophic	Annual psychiatric fee	Total
2011	\$2,464,790.16	\$195,000	\$120,000	\$2,779,790.16
2012	\$2,563,381.77	\$195,000	\$120,000	\$2,878,381.77
2013	\$2,665,917.04	\$195,000	\$120,000	\$2,980,917.04

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, 2011 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor as follows:

Year	Base contract	Per diem/ catastrophic	Annual psychiatric fee	Total
2011	\$2,464,790.16	\$195,000	\$120,000	\$2,779,790.16
2012	\$2,563,381.77	\$195,000	\$120,000	\$2,878,381.77
2013	\$2,665,917.04	\$195,000	\$120,000	\$2,980,917.04

and be it

FURTHER RESOLVED, that the base contract cost plus catastrophic and per diem costs shall be made from budget line 23010003.6004413 (Other Health and Medical Services) and the annual psychiatric fee shall be made from budget line 23010003.6004124 (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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 488**

By Public Safety and Emergency Services and Finance Committee      Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE MONROE COUNTY SHERIFF'S OFFICE FOR SECURITY SERVICES FOR INMATES AT THE ROCHESTER PSYCHIATRIC CENTER FOR 2011-2015**

WHEREAS, this County Legislature, by Resolution 66 of 2006, authorized renewal of the agreement with the Monroe County Sheriff's Office for security services for inmates housed at Rochester Psychiatric Center at an amount not to exceed \$140 per inmate per day, total amount not to exceed budgeted appropriations, for the period January 1, 2006 through December 31, 2010, and

WHEREAS, said security services are necessary when inmates are receiving psychiatric treatment, and

WHEREAS, said agreement expires by its terms on December 31, 2010 and it is desired at this time to renew said agreement for the period January 1, 2011 through December 31, 2015, on substantially similar terms and conditions, at an increased daily rate not to exceed \$140 per inmate per day, total budgeted amount not to exceed budgeted appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Monroe County Sheriff's Office, 130 South Plymouth Avenue, Rochester, New York 14614 for security services for inmates housed at the Rochester Psychiatric Center for the period January 1, 2011 through December 31, 2015, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$140 per inmate per day, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 23010003.6004124.1010 (Inmate Expense – Other Facility), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 489**

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

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF MAINE FOR USE OF SPACE AT TOWN HALL FOR THE OFFICE OF THE SHERIFF FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 325 of 2009, authorized renewal of the agreement with the Town of Maine for use of space at Town Hall for the Office of the Sheriff, at no cost to the County, for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for the Office of the Sheriff to use a portion of the Maine Town Hall as a substation, and

WHEREAS, said agreement expired by its terms on December 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at no cost to the County, for the period January 1, 2010 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Maine, P.O. Box 336, Maine, New York 13802, for the use of space at Town Hall for the Office of the Sheriff at no cost to the County, for the period January 1, 2010 through December 31, 2011, 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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 490**

By Public Safety and Emergency Services and Finance Committees   Seconded by Mr. Klipsch  
**RESOLUTION ADOPTING THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM PLAN FOR 2011**

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

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

WHEREAS, this County Legislature, by Resolution 532 of 2009, approved and adopted the 2010 Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program Plan, a

WHEREAS, the Broome County STOP-DWI Advisory Board has reviewed the 2011 Plan, agrees and endorses the recommendations and strategies contained therein and requests this County Legislature to approve and adopt said Plan accordingly, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the 2011 Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program Plan, a copy of which has been filed with the Clerk of the Legislature, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 491**

By Public Safety and Emergency Services and Finance Committees   Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF FUNDING AGREEMENTS WITH VARIOUS VENDORS, BROOME COUNTY DEPARTMENTS, OUTSIDE AGENCIES, AND MUNICIPALITIES FOR THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 543 of 2009, authorized renewal of the agreement with various Broome County departments, outside agencies, and municipalities for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant in the total amount of \$192,486, for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew agreements with various Broome County departments, outside agencies, and municipalities as shown in Exhibit "A" for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant in the total amount of \$195,500 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of funding agreements with various Broome County departments, outside agencies, and municipalities as shown in Exhibit "A" for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of funding agreements with various Broome County departments, outside agencies, and municipalities as shown in Exhibit "A" and shall not exceed the amount of \$195,500, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the following budget lines: \$5,500 from 24010003.Various, \$89,000 from 24010003.6004146 (Subcontracted Program Expenses), \$101,000 from 24010003.6004610 (Personal Services Chargeback), 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-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 492**

By Human Services, Personnel, and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING REVISION OF THE FOSTER GRANDPARENTS CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (CNCS) PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010**

WHEREAS, this County Legislature, by Resolution 627 of 2009, authorized and approved renewal of the Foster Grandparents Corporation for National and Community Service (CNCS) Program Grant for the Office for Aging and adopted a program budget in the amount of \$280,113 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$10,636 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Foster Grandparents Corporation for National and Community Service (CNCS) Program Grant to reflect an increase of \$10,636 for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$290,749, and be it

FURTHER RESOLVED, that Resolution 627 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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 493**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING REVISION OF THE TITLE III-D HEALTH PROMOTION PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010**

WHEREAS, this County Legislature, by Resolution 623 of 2009, authorized and approved renewal of the Title III-D Health Promotion Program Grant for the Office for Aging and adopted a program budget in the amount of \$31,972 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$707 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-D Health Promotion Program Grant to reflect an increase of \$707 for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$32,679, and be it

FURTHER RESOLVED, that Resolution 623 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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 494**

By Human Services, Personnel, and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING REVISION OF THE TITLE III-C-2 HOME DELIVERED MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010**

WHEREAS, this County Legislature, by Resolution 622 of 2009, authorized and approved renewal of the Title III-C-2 Home Delivered Meals Program Grant for the Office for Aging and adopted a program budget in the amount of \$694,628 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides support for the home delivered meals program, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$33,028 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-C-2 Home Delivered Meals Program Grant to reflect an increase of \$33,028 for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$727,656, and be it

FURTHER RESOLVED, that Resolution 622 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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 495**

By Human Services, Personnel, and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING REVISION OF THE TITLE III-C-1 CONGREGATE MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010**

WHEREAS, this County Legislature, by Resolution 621 of 2009, authorized and approved renewal of the Title III-C-1 Congregate Meals Program Grant for the Office for Aging and adopted a program budget in the amount of \$1,149,516 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides support for congregare meals, senior center operations, and health and wellness activities, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$4,223 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-C-1 Congregate Meals Program Grant to reflect an increase of \$4,223 for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$1,153,739, and be it

FURTHER RESOLVED, that Resolution 621 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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 496**

By Human Services, Personnel, and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING REVISION OF THE TITLE III-B SUPPORTIVE SERVICES PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010**

WHEREAS, this County Legislature, by Resolution 620 of 2009, as amended by Resolution 111 of 2010, authorized and approved renewal of the Title III-B Supportive Services Program Grant for the Office for Aging and adopted a program budget in the amount of \$761,344 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant supports a variety of services including transportation, information and assistance, mandated legal assistance, shopping services and home repair program, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$25,179 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-B Supportive Services Program Grant to reflect a decrease of \$25,179 for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$736,165, and be it

FURTHER RESOLVED, that Resolution 620 of 2009 and Resolution 111 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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 497**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING REVISION OF THE NUTRITION SERVICES INCENTIVE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009-2010**

WHEREAS, this County Legislature, by Resolution 351 of 2009, authorized and approved renewal of the Nutrition Services Incentive Program Grant for the Office for Aging and adopted a program budget in the amount of \$174,074 for the period October 1, 2009 through September 30, 2010, and

WHEREAS, said program grant provides a per meal reimbursement for all eligible meals served to seniors through congregate and home delivered meal programs, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$6,784 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Nutrition Services Incentive Program Grant to reflect an increase of \$6,784 for the period October 1, 2009 through September 30, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$180,858, and be it

FURTHER RESOLVED, that Resolution 351 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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 498**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RENEWAL OF THE ELDER ABUSE PREVENTION PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS TO ADMINISTER SAID PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 625 of 2009, authorized and approved the Elder Abuse Prevention Program Grant for the Office for Aging, adopted a program budget in the amount of \$11,490 and authorized an agreement with Action for Older Persons to administer said program for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$11,490, adopt a program budget and renew the agreement with Action for Older Persons to continue to administer said program for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,490 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New

York 11112-1251 for the Office for Aging's Elder Abuse Prevention Program for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$11,490, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 to administer said program for the Office for Aging for the period January 1, 2011 through December 31, 2011, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410431 (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-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 499**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY LIVING PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 375 of 2010, authorized and approved the Community Living Program Grant for the Office for Aging and adopted a program budget in the amount of \$3,750 for the period September 30, 2009 through September 29, 2010, and

WHEREAS, said program grant provides funds for staff time and travel expenses associated with mentoring other counties in programs that Broome County Office for Aging has been running, and

WHEREAS, it is desired to renew said program grant in the amount of \$3,750 for the period September 30, 2010 through September 29, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$3,750 from the Albany County Department for Aging, 162 Washington Avenue, Albany, New York 12110 for the Office for Aging's Community Living Program Grant for the period September 30, 2010 through September 29, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$3,750, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 500**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH VARIOUS VENDORS AND NURSING FACILITIES FOR SERVICES FOR THE OFFICE FOR AGING FOR 2011**

WHEREAS, this County Legislature, by Resolution 571 of 2009, authorized renewal of the agreement with various vendors and nursing facilities for services for the Office for Aging's Title III-E Caregiver Program at various rates of reimbursement for the Office for Aging for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreements expire by their terms on December 31, 2010, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at the rates listed on Exhibit "A", for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with the vendors listed on Exhibit "A" for in-home respite services for the Office for Aging for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates stated on Exhibit "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410430 (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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 501**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF UNION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE OFFICE FOR AGING FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 348 of 2009, authorized renewal of the agreement with the Town of Union for a Community Development Block Grant for the Office for Aging with revenue to the County in the amount of \$29,000 for the period October 1, 2009 through September 30, 2010, and

WHEREAS, said agreement is necessary to offset operating expenses associated with the Broome West Senior Center, and

WHEREAS, said agreement expires by its terms on September 30, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$29,000, for the period October 1, 2010 through September 30, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Union, 3111 East Main Street, Endwell, New York 13760 for a Community Development Block Grant for the Office For Aging for the period October 1, 2010 through September 30, 2011, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Town of Union shall pay the County \$29,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 34010006.5000946.3410393/3410427 (Other Federal Revenue), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 502**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE JOHNSON CITY SENIOR CITIZENS CENTER, INC. FOR SERVICES FOR THE OFFICE FOR AGING FOR 2011**

WHEREAS, this County Legislature, by Resolution 576 of 2009, authorized the renewal of the agreement with the Johnson City Senior Citizens Center, Inc. for services for the Office for Aging's Title III-C-1 Congregate Nutrition Program at an amount not to exceed \$30,000, for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$30,000, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Johnson City Senior Citizens Center, Inc., 30 Brocton Avenue, Johnson City, New York 13790, for services for the Office for Aging for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$30,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410427 (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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 503**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY FOR SERVICES RELATED TO THE OFFICE FOR AGING'S NURSING HOME TRANSITION AND DIVERSION MEDICAID WAIVER PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 573 of 2009, authorized renewal of the agreement with the Family and Children's Society of Broome County for services related to the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program with revenue to the County in the amount of \$40 for a full day of social day care, \$9 for Meals on Wheels, and \$3.75 for Congregate Meals, per client per day, for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Children's Society of Broome County, 257 Main Street, Binghamton, New York 13905 for meals and social day care for the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program for the period January 1, 2011 through December 31, 2011, and be it

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

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 34010006.5000215.3410428 (Long Term Home Health Care Fees), 34010006.5000161.3410428 (OFA Fees), and 34010006.5000215.3410403 (Long Term Home Health Care Fees), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.  
**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 504**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH INTERIM HEALTH CARE FOR SERVICES RELATED TO THE OFFICE FOR AGING'S NURSING HOME TRANSITION AND DIVERSION MEDICAID WAIVER PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 574 of 2009, authorized renewal of the agreement with Interim Health Care for services related to the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program with revenue to the County in the amount of \$40 for a full day of social day care, \$9 for Meals on Wheels, and \$3.75 for Congregate Meals, per client per day, for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Interim Health Care, 38 Front Street, Binghamton, New York 13905 for meals and social day care for the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program for the period January 1, 2011 through December 31, 2011, and be it

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

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 34010006.5000215.3410428 (Long Term Home Health Care Fees), 34010006.5000161.3410428 (OFA Fees), and 3410006.5000215.3410428 (Long Term Home Health Care Fees), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.  
**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 505**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH FIRST WARD ACTION COUNCIL FOR SERVICES FOR THE OFFICE FOR AGING'S TITLE III-B HOME REPAIR SERVICES PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 570 of 2009, authorized renewal of the agreement with the First Ward Action Council for services for the Office for Aging's Title III-B Home Repair Services Program at an amount not to exceed \$15,000 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$15,000, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with First Ward Action Council, 167 Clinton Street, Binghamton, New York 13905 for services for the Office for Aging's Title III-B Home Repair Services Program for the period January 1, 2011 through December 31, 2011, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410426 (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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 506**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH LEGAL AID SOCIETY OF MID NEW YORK, INC. FOR LEGAL SERVICES FOR THE OFFICE FOR AGING FOR 2011**

WHEREAS, this County Legislature, by Resolution 567 of 2009, authorized renewal of the agreement with Legal Aid Society of Mid New York, Inc. for legal services to elderly County residents for the Office for Aging at the rate of \$65 per hour, total amount not to exceed \$28,644 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$65 per hour, total amount not to exceed \$28,665, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Legal Aid Society of Mid New York, Inc., 255 Genesee Street, 2<sup>nd</sup> Floor, Utica, New York 13502 for legal services to elderly County residents for the Office for Aging for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$65 per hour, total amount not to exceed \$28,665 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3401426 (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-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 507**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE SOUTHERN TIER CHAPTER OF THE AMERICAN RED CROSS FOR SERVICES FOR THE OFFICE FOR AGING FOR 2011**

WHEREAS, this County Legislature, by Resolution 575 of 2009, authorized renewal of the agreement with the Southern Tier Chapter of the American Red Cross for services related to the Office for Aging's Title III-B Supportive Services Program at an amount not to exceed \$25,000 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$25,000, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Southern Tier Chapter of the American Red Cross, 620 East Main Street, Endicott, New York 13760 for services for the Office for Aging for the period January 1, 2011 through December 31, 2011, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410426 (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-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 508**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR SOCIAL DAY CARE SERVICES AND DELIVERY OF MEALS FOR OUR LADY OF LOURDES MEMORIAL HOSPITAL LONG TERM HOME HEALTH CARE CLIENTS FOR THE OFFICE FOR AGING FOR 2011**

WHEREAS, this County Legislature, by Resolution 572 of 2009, as amended by Resolution 64 of 2010, authorized renewal of the agreement with Our Lady of Lourdes Memorial Hospital for social day care services and delivery of meals for the Office for Aging's Long Term Home Health Care clients with revenue to Broome County in the amount of \$40 for a full day of social day care, \$10.70 for Meals on Wheels and \$5.41 for Congregate Meals, per client, per day, for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions with revenue to the County in the amount of \$40 for a full day of social day care, \$10.70 for Meals on Wheels and \$5.41 for Congregate Meals, per client per day, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905 for

social day care services and delivery of meals for Our Lady of Lourdes Memorial Hospital Long Term Home Health Care clients for the Office for Aging for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$40 for a full day of social day care, \$10.70 for Meals on Wheels, and \$5.41 for Congregate Meals, per client per day, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget lines 34010006.5000215.3410428 (Long Term Home Health Care Fees), 34010006.5000161.3410427 (Office for Aging Fees), and 34010006.5000215.3410403 (Long Term Home Health Care Fees), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 509**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY FOR SERVICES FOR THE OFFICE FOR AGING FOR 2011**

WHEREAS, this County Legislature, by Resolution 577 of 2009, authorized renewal of the agreement with Catholic Charities of Broome County for the Office for Aging's Title III-C-1 Congregate Nutrition Program at an amount not to exceed \$25,007, for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$24,257, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905 for services for the Office for Aging for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$24,257 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3410427 (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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 510**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH METRO INTERFAITH HOUSING MANAGEMENT CORPORATION FOR MEAL SERVICES THROUGH THE OFFICE FOR AGING'S TITLE III-C-1 CONGREGATE MEAL PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 568 of 2009, authorized renewal of the agreement with Metro Interfaith Housing Management Corporation for meal services through the Office for Aging's Title III-C-1 Congregate Meal Program, with revenue to Broome County in the

amount of \$3.37 per meal, total amount estimated at, but not limited to \$32,000, for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue in the amount of \$3.40 per meal, total amount estimated at, but not limited to \$32,000 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Metro Interfaith Housing Management Corporation, 21 New Street, Binghamton, New York 13903, for meal services through the Office for Aging's Title III-C-1 Congregate Meal Program for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$3.40 per meal, total amount estimated at, but not limited to \$32,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 34010006.5000228.3410427 (Contracted Meals Revenue), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 511**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH S.E.P.P., INC. FOR MEAL SERVICES THROUGH THE OFFICE FOR AGING'S TITLE III-C-1 CONGREGATE MEALS PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 569 of 2009, authorized renewal of the agreement with S.E.P.P., Inc. for meal services through the Office for Aging's Title III-C-1 Congregate Meals Program with revenue to the County in the amount of \$3.37 per meal, total amount estimated at, but not limited to \$17,000, for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County in the amount of \$3.40 per meal, total amount estimated at, but not limited to \$17,000, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with S.E.P.P., Inc., 53 Front Street, Binghamton, New York 13905 for meal services through the Office for Aging's Title III-C-1 Congregate Meals Program for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$3.40 per meal, total amount estimated at, but not limited to \$17,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 34010006.5000228.3410427 (Contracted Meals Revenue), and be it

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 512**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS VENDORS FOR LEASE OF SPACE FOR THE OFFICE FOR AGING'S NUTRITION PROGRAMS AND SENIOR CENTERS FOR 2011**

WHEREAS, this County Legislature, by Resolution 583 of 2009, authorized renewal of the agreements with various vendors for lease of space for Senior Community Centers and Meals on Wheels sites for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, said agreements expire by their terms on December 31, 2010, and it is desired at this time to renew said agreements on substantially similar terms and conditions, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various vendors as listed in Exhibits "A" through "F" for lease of space for Senior Community Centers and Meals on Wheels sites for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors the amounts listed in Exhibits "A" through "F", for the terms of the agreements, and be it

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 513**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING REVISION OF THE MEDICAID TECHNOLOGIES ENHANCEMENT PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010**

WHEREAS, this County Legislature, by Resolution 565 of 2009, as amended by Resolutions 15 and 425 of 2010, authorized and approved renewal of the Medicaid Technologies Enhancement Program Grant for the Department of Social Services and adopted a program budget in the amount of \$8,799,482 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides timely and appropriate Medicaid eligibility determinations to conduct managed care activities, disability determination, provide medical transportation, dental case management, monitor family type homes and image medical documents, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$90,758 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Medicaid Technologies Enhancement Program Grant to reflect an increase of \$90,758 for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$8,890,240, and be it

FURTHER RESOLVED, that Resolution 425 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-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 514**

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

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF MENTAL HEALTH**

RESOLVED, that in accordance with a request contained in PCR# 10-234 from the Director of the Broome County Mental Health, this County Legislature hereby authorizes the position of Mental Health Program Coordinator, Grade 23, Union Code 07 BAPA, minimum salary \$52,562 at budget line 26000004.6001000.2610276, to be abolished effective October 1, 2010, due to grant elimination and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 10-233 from the Director of the Broome County Mental Health, this County Legislature hereby authorizes the position of Human Services Program Coordinator II, Grade 20, Union Code 04 CSEA, minimum salary \$42,705 at budget line 26000004.6001000.2610290, to be abolished effective October 1, 2010, due to grant elimination.

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 515**

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH DR. FLORANTE TINIO FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2011**

WHEREAS, this County Legislature, by Resolution 245 of 2010, authorized an agreement with Dr. Florante Tinio for psychiatric services for the Department of Mental Health at the rate of \$94.30 per hour, total amount not to exceed \$56,580 for the period June 1, 2010 through December 31, 2010, and

WHEREAS, said agreement is necessary for required psychiatric services for clients with serious emotional problems, and

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$94.30 per hour, total amount not to exceed \$90,528, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Dr. Florante Tinio, 164 Sheedy Road, Vestal, NY 13850, for psychiatric services for the Department of Mental Health for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$90,528 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 26000004.6004573 (Other Fees for Service), 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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 516**

By Public Health and Environmental Protection and Finance Committee

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RENEWAL OF NYS ASSOCIATION FOR RETARDED CITIZENS PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH THE BROOME TIOGA ASSOCIATION FOR RETARDED CITIZENS, D/B/A ACHIEVE, TO ADMINISTER SAID PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 341 of 2009, authorized and approved the renewal of the NYS Association for Retarded Citizens Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$849,210 and authorized an agreement with Broome Tioga Association for Retarded Citizens, d/b/a ACHIEVE to administer said program for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$718,122, adopt a program budget and renew the agreement with Broome Tioga Association for Retarded Citizens, d/b/a ACHIEVE to continue to administer said program for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$521,424 from the New York State Office of Mental Retardation and Developmental Disabilities, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's NYS Association for Retarded Citizens Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$718,122, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Broome Tioga Association for Retarded Citizens, d/b/a ACHIEVE, 125 Cutler Pond Road, Binghamton, New York 13905, to continue to administer said program for the Department of Mental Health's NYS Association for Retarded Citizens Program for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$718,122 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 26000004.6005006.2610300 (Contracted Srvs-ARC), and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 517**

By Public Health and Environmental Protection and Finance Committees                      Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF LOCAL REENTRY TASK FORCE INITIATIVE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH THE SOUTHERN TIER AIDS PROGRAM TO ADMINISTER SAID PROGRAM FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 498 of 2009 as amended by Resolution 242 of 2010, authorized and approved the Local Reentry Task Force Initiative Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$100,000 and authorized an agreement with the Southern Tier AIDS Program to administer said program for the period July 1, 2009 through September 30, 2010, and

WHEREAS, said program grant is to reduce recidivism in local jurisdictions and increase public safety, and

WHEREAS, it is desired to renew said grant program in the amount of \$100,000, adopt a program budget and renew the agreement with the Southern Tier AIDS Program to continue to administer said program for the period October 1, 2010 through September 30, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$100,000 from the New York State Division of Criminal Justice Services, Four Tower Place, Albany, New York 12203, for the Department of Mental Health's Local Reentry Task Force Initiative Program Grant for the period October 1, 2010 through September 30, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$100,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Southern Tier AIDS Program, 122 Baldwin Street, Johnson City, NY 13790, who will provide a Reentry Coordinator to provide services to inmates after release, for the period October 1, 2010 through September 30, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$100,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 26000004.6005036.2610312 (Southern Tier AIDS Program), and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not

increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 518**

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE LOURDES HOSPITAL PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 465 of 2009 as amended by 392 of 2010, authorized and approved the renewal of the Lourdes Hospital Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$402,759 and authorized an agreement with Our Lady of Lourdes Hospital to administer said program for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides school-based counseling and prevention services to students who are at risk of drug and alcohol use due to personal, school, peer or family problems, who are exhibiting risk-taking behaviors, and

WHEREAS, it is desired to renew said grant program in the amount of \$501,079, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$501,079 from New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12223-3526, for the Department of Mental Health's Lourdes Hospital Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$501,079, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905, to administer said program for the Department of Mental Health for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$501,079 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 26000004.6004416.2610308 (Contracted Srvs-Lourdes Hospital), and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 519**

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RENEWAL OF THE CHEMICAL DEPENDENCY SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2011**

WHEREAS, this County Legislature, by Resolution 539 of 2009, authorized and approved the renewal of the Chemical Dependency Services Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$304,173 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$211,811 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$211,811 from the New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203-3528, for the Department of Mental Health's Chemical Dependency Services Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$211,811, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 520**

By Public Health & Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RENEWAL OF THE FAMILIES FIRST PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2011**

WHEREAS, this County Legislature, by Resolution 537 of 2009, authorized and approved the renewal of the Families First Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$528,986 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$563,923 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$563,923 from the Broome County Department of Social Services, 36-42 Main Street,

Binghamton, New York 13905, for the Department of Mental Health's Families First Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$563,923, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 521**

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE FORENSIC TRANSITIONAL MANAGEMENT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2011**

WHEREAS, this County Legislature, by Resolution 536 of 2009, authorized and approved the renewal of the Forensic Transitional Management Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$78,678 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$51,021 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$33,478 from New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Forensic Transitional Management Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$51,021, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that

employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 522**

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH CASEWORKER PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2011**

WHEREAS, this County Legislature, by Resolution 535 of 2009, authorized and approved the renewal of the Mental Health Caseworker Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$47,654 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$62,915 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$31,054 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Mental Health Caseworker Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$62,915, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 523**

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE MENTALLY ILL CHEMICAL ABUSER (MICA) INTENSIVE CASE MANAGEMENT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2011**

WHEREAS, this County Legislature, by Resolution 534 of 2009, authorized and approved the renewal of the Mentally Ill Chemical Abuser (MICA) Intensive Case Management Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$374,197 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$398,589 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$209,399 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Mentally Ill Chemical Abuser (MICA) Intensive Case Management Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$398,589, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 524**

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Klipsch

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

WHEREAS, this County Legislature, by Resolution 538 of 2009, authorized and approved the renewal of the Child and Family Clinic Plus Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$367,996 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$95,919 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$95,919 from the New York State Office of Mental Health, Division of Children and Family Services, 44 Holland Avenue, Albany, New York, 12229, for the Department of Mental Health's Child and Family Clinic Plus Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$95,919, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 525**

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING REVISION OF THE TRAFFIC SAFETY PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 412 of 2010, authorized and approved renewal of the Traffic Safety Program Grant for the Department of Health and adopted a program budget in the amount of \$71,480 for the period October 1, 2010 through September 30, 2011, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$2,853 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Traffic Safety Program Grant to reflect an increase of \$2,853 for the period October 1, 2010 through September 30, 2011, 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 \$74,333, and be it

FURTHER RESOLVED, that Resolution 412 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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 526**

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

Seconded by Mr. Klipsch

**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 2010-2011 Child Fatality Review Team Grant, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Department</u>	<u>Account</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	25010004	6001001	2510354	Salaries Part Time	\$ 2,889
	25010004	6004012	2510354	Office Supplies	\$ 3,132

2010 Journal of Proceedings

	25010004	6004100	2510354	Postage & Freight	\$ 350
	25010004	6004137	2510354	Advertising & Promo	\$ 8,000
	25010004	6004160	2510354	Mileage and Parking	\$ 500
	25010004	6004162	2510354	Education & Training	\$ 1,250
	25010004	6004615	2510354	Gasoline Chargeback	\$ 150
	25010004	6004616	2510354	Fleet Svc Chargeback	\$ 150
	25010004	6004617	2510354	Duplicating/Printing	\$ 1,942
				Chgbk	
	25010004	6004618	2510354	Office Supplies Chgbk	\$ 450
	25010004	6004626	2510354	Transportation Svcs.	\$ 150
				Chgbk	
	25010004	6008001	2510354	State Retirement	\$ 174
	25010004	6008002	2510354	Social Security	\$ 221
	25010004	6008004	2510354	Workers Comp	\$ 61
	25010004	6008006	2510354	Life Insurance	\$ 3
	25010004	6008007	2510354	Health Insurance	\$ 4,543
	25010004	6008010	2510354	Disability Insurance	\$ 37
	25010004	6008011	2510354	Unemployment	\$ 198
				Insurance	
				Total	\$24,200
TO:	25010004	6004138	2510354	Other Operational Exp	\$ 2,050
	25010004	6004146	2510354	Subcontracted Prog	\$ 1,059
				Exp	
	25010004	6004147	2510354	Other Program Exp	\$ 4,300
	25010004	6004161	2510354	Travel Hotel & Meals	\$ 812
	25010004	6004610	2510354	Personal Svc. Chgbk	\$15,979
				Total	\$24,200

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 527**

By Human Services and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RENEWAL OF THE INTEGRATED COUNTY PLANNING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH UNITED WAY OF BROOME COUNTY, INC. TO ADMINISTER SAID PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 520 of 2009, authorized and approved renewal of the Integrated County Planning Program Grant for the Department of Social Services, adopted a program budget in the amount of \$3,500 and authorized an agreement with the United Way of Broome County, Inc. to administer said program for the period January 1, 2010 through December 31, 2010 and

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

WHEREAS, it is desired to renew said program in the amount of \$3,500, adopt a program budget and renew the agreement with United Way of Broome County, Inc. to continue to administer said program for the period January 1, 2011 through December 31, 2011 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$3,500 from various County Departments for the Department of Social Services Integrated County Planning Program Grant, for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$3,500, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with United Way of Broome County, Inc. PO Box 550, Binghamton, New York 13902-0550, to administer said program for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 35010006.6004573.3510272 (Other Fees for Services), and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 528**

By Human Services, Personnel, and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID TECHNOLOGIES ENHANCEMENT PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH COORDINATED CARE SERVICES TO ADMINISTER SAID PROGRAM FOR 2011**

WHEREAS, this County Legislature, by Resolution 565 of 2009, as amended by Resolutions 15 and 425 of 2010 and companion resolution, authorized and approved renewal of the Medicaid Technologies Enhancement Grant for the Department of Social Services, adopted a program budget in the amount of \$8,799,482, and authorized an agreement with Coordinated Care Services, Inc. to administer said program for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said grant program provides timely and appropriate Medicaid eligibility determinations, to conduct managed care activities, disability determinations, provide Medical transportation, dental case management, monitor family type homes and image medical records, and

WHEREAS, it is desired to renew said grant program in the amount of \$7,897,232, adopt a program budget and renew the agreement with Coordinated Care Services to provide behavioral Medicaid analysis for said program for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$7,897,232 from New York State Department of Health, Corning Tower Empire State Plaza, Albany, New York 12227 for the Department of Social Services Medicaid Technologies Enhancement Program for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$7,897,232 and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Coordinated Care Services, Inc., 1099 Jay Street, Rochester, New York 14611, for behavioral Medicaid analysis for the Department of Social Services Medicaid Technologies Enhancement Grant for the period January 1, 2011 through December 31, 2011, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 35010006.6004573.3510269 (Other Fees for Service), and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 529**

By Human Services, Personnel and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF MEDICAID MANAGED CARE PROGRAM (MAX) GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2011**

WHEREAS, this County Legislature, by Resolution 516 of 2009, authorized and approved renewal of the Medicaid Managed Care Program (MAX) Grant for the Department of Social Services and adopted a program budget in the amount of \$135,000 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$55,000 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$27,500 in State Aid and \$27,500 in Federal Aid for the Department of Social Services Medicaid Managed Care Program (MAX) for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$55,000, 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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 530**

By Human Services, Personnel and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING ACCEPTANCE OF A CPS ENHANCED FUNDS PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2010-2011**

WHEREAS, the Commissioner of Social Services requests authorization to accept a CPS Enhanced Funds Program Grant and adopt a program budget in the amount of \$50,000 for the period April 1, 2010 through March 31, 2011, and

WHEREAS, said program grant is intended to improve staff/case ratios in Child Protective Services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from the New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144 for the Department of Social Services CPS Enhanced Funds Program for the period April 1, 2010 through March 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$50,000, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 531**

By County Administration and Finance Committees

Seconded by Ms. Messina

**RESOLUTION AUTHORIZING A FINANCE AGREEMENT WITH IBM GLOBAL FINANCING FOR HARDWARE, SOFTWARE AND INSTALLATION SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2011-2015**

WHEREAS, the Director of Information Technology requests authorization for a lease agreement with IBM Global Financing for hardware, software and installation services for the Division of Information Technology at a cost not to exceed \$650,000 for the period 2011 through 2015, and

WHEREAS, said agreement is necessary to replace three (3) existing systems with the purchase of two (2) i-Series/AS400 systems critical to the Public Safety Facility, the Clerk's Office, the Health Department and the Department of Social Services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with IBM Global Financing, 10 North Martingale Road, Schaumburg, Illinois, 60173 for hardware, software and installation services for the Division of Information Technology for the period 2011-2015, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$650,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 10020001.6004195 (Hardware Rental/Lease), and be it

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

Heldover by Mr. Materese

**RESOLUTION NO. 532**

By Finance and Personnel Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING AN AGREEMENT WITH ENI FOR THE COUNTY'S EMPLOYEE ASSISTANCE PROGRAM FOR THE OFFICE OF RISK AND INSURANCE FOR 2011-2013**

WHEREAS, the Risk Manager requests authorization for an agreement with ENI for the County's Employee Assistance Program for the Office of Risk and Insurance at the rate of \$1.90 per employee per month, total amount not to exceed \$54,720 for the period January 1, 2011 through December 31, 2013, and

WHEREAS, said agreement is necessary to provide counseling services to County employees and their families, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with ENI, 1040 Vestal Parkway East, Vestal, New York 13850 for counseling services for the County's Employee Assistance Program for the Office of Risk and Insurance for the period January 1, 2011 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$1.90 per employee per month, total amount not to exceed \$54,720 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 18010001.6004573.2090 (Other Fees for Services), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 533**

By Finance and Personnel Committee

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH TRAVELERS, C/O MARSH USA, INC. FOR A CRIME INSURANCE POLICY (EMPLOYEE BOND INSURANCE) FOR THE OFFICE OF RISK AND INSURANCE FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 478 of 2009 authorized an agreement with Travelers, c/o Marsh USA, Inc. for a crime insurance policy (employee bond insurance) for the Office of Risk and Insurance at a cost not to exceed \$6,500 for the period November 1, 2009 through October 31, 2010, and

WHEREAS, said agreement is necessary to provide required bonds for Broome County employees, and

WHEREAS, said agreement expired by its terms on October 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$6,500, for the period November 1, 2010 through October 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Travelers, c/o Marsh USA, Inc., 500 W. Monroe, Chicago, Illinois 60661 for crime insurance policy (employee bond insurance) for the Office of Risk and Insurance for the period November 1, 2009 through October 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$6,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 18020001.6004201.2090 (Insurance Premiums), and be it

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 534**

By Finance Committee

Seconded by Mr. Klipsch

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

WHEREAS, the County Clerk and the Commissioner of Finance have presented their report concerning mortgage tax receipts for the period April 2010 through September 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  
April 2010 through September 2010**

Dickinson	Village of Port Dickinson	3,473.13
	Outside	21,657.80
Lisle	Village of Lisle	304.74
	Outside	6,384.54
Sanford	Village of Deposit	786.27
	Outside	10,437.87
Triangle	Village of Whitney Point	2,203.96
	Outside	10,724.21
Union	Village of Johnson City	31,889.49
	Village of Endicott	28,273.66
	Outside	203,093.51
Windsor	Village of Windsor	1,332.58
	Outside	23,835.74
Barker		7,269.87
Binghamton (Town)		53,925.82
Chenango		88,454.06
Colesville		19,694.85
Conklin		43,455.29
Fenton		29,306.50
Kirkwood		33,498.57
Maine		20,353.37
Nanticoke		4,947.61
Vestal		199,178.01
City of Binghamton		217,224.69
<b>Total</b>		<b>1,061,706.14</b>

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 535**

By Finance Committee

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING AN AGREEMENT WITH J.P. MORGAN CHASE BANK N.A. FOR CREDIT CARD PAYMENT ACCEPTANCE SERVICES FOR THE OFFICE OF REAL PROPERTY TAX SERVICES FOR 2011-2015**

WHEREAS, the Director of Real Property Tax Services requests authorization for an agreement with J.P. Morgan Chase Bank N.A for credit card payment acceptance services for

the Office of Real Property Tax Services at no cost to the County for the period January 1, 2011 through December 31, 2015, and

WHEREAS, J.P. Morgan Chase Bank N.A offers Pay Connection, a credit card payment acceptance service for public sector entities, and

WHEREAS, said agreement will allow the Office of Real Property Tax Services to accept credit card payments for current year tax payments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with J.P. Morgan Chase Bank N.A., 4104 Vestal Road, Suite 202, Vestal, New York 13850 for credit card payment acceptance services for the Office of Real Property Tax Services at no cost to the County for the period January 1, 2011 through December 31, 2015, 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-17, Nays-0, Absent-2 (Howard, Merrill)

### RESOLUTION NO. 536

By Finance Committee

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES PLUS ACCRUED INTEREST AND PENALTIES ON PARCELS IN VARIOUS TOWNS AND THE CITY OF BINGHAMTON**

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

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

Parcel ID:	176.14-3-30
Town/Village:	Binghamton
Owner:	Broome County
Amount to be Cancelled:	\$622.98
Reason:	County owned
Parcel ID:	176.14-3-32
Town/Village:	Binghamton
Owner:	Broome County
Amount to be Cancelled:	\$6,554.66
Reason:	County owned
Parcel ID:	130.01-1-5
Town/Village:	Kirkwood
Owner:	Broome County
Amount to be Cancelled:	\$8.51
Reason:	County owned
Parcel ID:	131.01-1-11
Town/Village:	Kirkwood
Owner:	Broome County
Amount to be Cancelled:	\$1.15
Reason:	County owned
Parcel ID:	107.20-1-11
Town/Village:	Union
Owner:	Broome County
Amount to be Cancelled:	\$203.43
Reason:	County owned
Parcel ID:	160.67-4-8
Town/Village:	City of Binghamton
Owner:	City of Binghamton

Amount to be Cancelled: \$582.12  
 Reason: Roll Section 8  
 Parcel ID: 160.65-3-10  
 Town/Village: City of Binghamton  
 Owner: City of Binghamton  
 Amount to be Cancelled: \$2,564.57  
 Reason: Roll Section 8

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 537**

By Finance, Personnel, and Economic Development and Planning Committees  
 Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR BROOME COUNTY PLANNING AND ECONOMIC DEVELOPMENT**

RESOLVED, that in accordance with a request from the Interim Commissioner of Planning and Economic Development, in order to maximize funds for the Greater Binghamton Innovation Center, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Department</u>	<u>Account</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	37000007	6004137	3710033	Advertising	\$ 29,065
TO:	37000007	6001000	3710033	Salaries Full Time	\$ 12,000
	37000007	6008001	3710033	Retirement	\$ 2,000
	37000007	6008002	3710033	Social Security	\$ 1,000
	37000007	6008006	3710033	Life Insurance	\$ 15
	37000007	6008007	3710033	Health Insurance	\$ 14,000
	37000007	6008010	3710033	Disability Insurance	\$ 50
Total					\$ 29,065

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 538**

By Finance, Public Works, and Transportation and Rural Development Committees  
 Seconded by Mr. Materese

**RESOLUTION AMENDING THE 2010 CAPITAL IMPROVEMENT PROGRAM FOR THE AIRPORT SECURITY UPGRADE PROJECT**

RESOLVED, that the 2010 Capital Improvement Program is hereby amended for the Department of Aviation as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County*</u>
2830034	Airport Security Upgrades	\$303,777	\$	\$	\$303,777

  

				Local Finance Law Section 11		How Financed:
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
		2010	10	14	\$0	0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	Estimated Construction Cost:		<u>County*</u>
				<u>Fe der al/ Ot her</u>	<u>County*</u>	
2830034	Airport Security Upgrades	\$308,777	\$	\$	\$	\$308,777

	Local Finance Law Section 11			How Financed:	
	<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
	2010	10	14	\$0	0

Description: Modification of terminal for installation of new explosives detection equipment  
 \*County's portion funded by PFC funds  
 and be it

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 539**

By Transportation and Rural Development and Finance Committees      Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION FUNDING FOR THE DEPARTMENT OF AVIATION CAPITAL PROJECTS**

WHEREAS, the Commissioner of Aviation requests authorization to accept New York State Department of Transportation funding in the amount of \$120,430 for the Department of Aviation Capital Projects, and

WHEREAS, said funding is the State share for the Rehabilitate Terminal Apron Construction Project and the Runway 34, Runway Safety Area Improvements-Design Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$120,430 from the New York State Department of Transportation Aviation Bureau, 50 Wolf Road, Albany, New York 12232 for the Department of Aviation Capital Projects, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue lines 28010005.5000851.2820033 and 28010005.5000851.2820037 (Airport State Aid), 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, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 540**

By Public Safety and Emergency Services, Personnel and Finance Committees  
 Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 79 of 2010, 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 \$22,128 for the period October 1, 2009 through September 30, 2010, 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 \$24,479 for the period October 1, 2010 through September 30, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$24,479 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, 2010 through September 30, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$24,479, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 541**

By Public Safety and Emergency Services, County Administration and Finance Committees  
Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE LOCAL ENHANCED WIRELESS 911 PROGRAM GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2010-2013**

WHEREAS, this County Legislature, by Resolution 512 of 2009, authorized and approved renewal of the Local Enhanced Wireless 911 Program Grant for the Office of Emergency Services and adopted a program budget in the amount of \$881,871 for the period April 1, 2009 through March 31, 2012, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$103,557 for the period April 1, 2010 through March 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$103,557 from the New York State Department of State, 41 State Street, Albany, New York 12231-0001 for the Office of Emergency Services Local Enhanced Wireless 911 Program Grant for the period April 1, 2010 through March 31, 2013, 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 \$985,428, and be it

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

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 542**

By Public Safety and Emergency Services and Finance Committees   Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE SOS SHELTER, INC. FOR DOG BOARDING AT THE BROOME COUNTY DOG SHELTER FOR 2011**

WHEREAS, this County Legislature, by Resolution 634 of 2009, authorized renewal of an agreement with the SOS Shelter, Inc. for dog boarding at the Front Street Dog Shelter, for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said agreement is necessary to provide dog boarding for families of the SOS Shelter who are attempting to leave an abusive situation and in need of a safe place for their pets, and

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with SOS Shelter, Inc., P.O. Box 393, Endicott, NY 13760 for up to 150 days of dog boarding at the Broome County Dog Shelter for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that the County shall pay the cost of medical care needed by dogs when entering the program, at a total cost not to exceed \$250 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 220001003.6004568 (Veterinary 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-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 543**

By Public Safety and Emergency Services and Finance Committees   Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE UNIFIED COURT SYSTEM SIXTH JUDICIAL DISTRICT FOR COURT SECURITY SERVICES PROVIDED BY BROOME COUNTY DPW SECURITY DIVISION FOR 2009-2014**

WHEREAS, this County Legislature, by Resolution 125 of 2010, as amended by Resolution 197 of 2010 authorized an agreement with the Unified Court System-Sixth Judicial District for court security services provided by Broome County DPW Security Division for the period April 1, 2009 through March 31, 2014 with revenue to the County in the amount of \$164,400 for the period April 1, 2009 through March 31, 2010, and

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

WHEREAS, it is desired to amend said agreement to establish the amount payable to Broome County for court security services provided by the Broome County DPW Security Division at \$175,000 for the period April 1, 2010 through March 31, 2011, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Unified Court System, Sixth Judicial District, 31 Lewis Street, 5<sup>th</sup> Floor, Binghamton, New York 13901 for court security services provided by the Broome County DPW Security Division for the period April 1, 2009 through March 31, 2014, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount of \$175,000, for the period April 1, 2010 through March 31, 2011, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 22000303.5000800 (Temporary Court Officers), and be it

FURTHER RESOLVED, that Resolutions 125 and 197 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 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-17, Nays-0, Absent-2 (Howard, Merrill)

#### **RESOLUTION NO. 544**

By Public Safety and Emergency Services and Finance Committees      Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH GENERAL SERVICES ADMINISTRATION (GSA) FOR SECURITY SERVICES AT THE GSA HILLCREST DEPOT FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SECURITY FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 550 of 2009, authorized renewal of the agreement with General Services Administration (GSA) for security services at the GSA Hillcrest Depot with revenue to the County at the rate of \$31.80 per hour, for nine hours per week, total amount not to exceed \$14,882.40 for the period December 1, 2009 through November 30, 2010, and

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

WHEREAS, said agreement expires by its terms on November 30, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County at the rate of \$32.75 per hour, for nine hours per week, total amount not to exceed \$15,327, for the period December 1, 2010 through November 30, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with U. S. General Services Administration, Binghamton U. S. Courthouse & Federal Building, 15 Henry Street, Binghamton, New York 13901, for security services provided by the Broome County Division of Security for the period December 1, 2010 through November 30, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$32.75 per hour for nine hours per week, total amount not to exceed \$15,327 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 22000203.5000230 (Security Services-Outside Users), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 545**

By Public Safety and Emergency Services and Finance Committees   Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CHENANGO ANIMAL HOSPITAL FOR VETERINARIAN SERVICES AND MEDICAL SUPPLIES FOR THE DEPARTMENT OF PUBLIC WORKS-DIVISION OF SECURITY FOR 2011**

WHEREAS, this County Legislature, by Resolution 637 of 2009, authorized renewal of an agreement with Chenango Animal Hospital for veterinary services and medical supplies for the Broome County Dog Shelter at an amount not to exceed \$21,000, for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said agreement is necessary to comply with State law that requires animals to be vaccinated against rabies prior to release from an animal shelter and to provide the animal shelter with the necessary medical supplies for sick and injured animals under the care of the shelter throughout the year, to provide veterinarian services and medical supplies to the Office of the Sheriff's canines and provide reimbursement to the Broome County Health Department for rabies vaccines, and

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$19,205, for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Chenango Animal Hospital, 1445 Front St., Binghamton, NY 13901 for veterinarian services and medical supplies for the Department of Public Works-Division of Security for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor according to the rate sheet attached as Exhibit "A", total amount not to exceed \$19,205 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 22000103/23020303/25050004.6004568 (Veterinary 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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 546**

By County Administration, Public Safety and Emergency Services and Finance Committees  
Seconded by Mr. Moran

**RESOLUTION ADOPTING LOCAL LAW INTRODUCTORY NO. 14 OF 2010, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 115 OF THE BROOME COUNTY CHARTER AND CODE REGARDING THE CHARGES AND FEES AT THE BROOME COUNTY DOG SHELTER"**

RESOLVED, that Local Law Introductory No. 14 of 2010, entitled: "A Local Law Amending

Chapter 115 of the Broome County Charter and Code Regarding the Charges and Fees at the Broome County Dog Shelter" be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRODUCTORY NO. 14 OF 2010**

**A LOCAL LAW AMENDING CHAPTER 115 OF THE BROOME COUNTY CHARTER AND CODE REGARDING THE CHARGES AND FEES AT THE BROOME COUNTY DOG SHELTER**

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

[§ 115-1. Boarding and disposition.](#)

The County of Broome does hereby establish the following charges and fees in connection with the boarding and disposition of seized dogs at the Broome County Dog Shelter:

- A. Adoption of dog from shelter: [~~\$195.00~~] **\$215.00**, effective January 1, [~~2009~~] **2011**. Said adoption fee shall include [~~the license fee,~~] all necessary vaccinations, microchipping and registration with the Shelter's local database, and spaying or neutering as required.

B. Redemption of seized dog by owner.

(1) Forty ~~four~~ dollars (~~\$44~~) for the first 24 hours or part thereof and ~~[\$5] 6~~ for each additional 24 hours or part thereof and ~~[\$10] 11~~ for each additional 24 hours or part thereof beginning the fourth consecutive day.

(2) Fifty ~~six~~ dollars (~~\$56~~) for the first 24 hours or part thereof and ~~[\$5] 6~~ for each additional 24 hours or part thereof for the second impoundment and ~~[\$10] 11~~ for each additional 24 hours or part thereof beginning the fourth consecutive day, within one year of the first impoundment, of any dog owned by that person.

(3) Sixty ~~six~~ dollars (~~\$66~~) for the first 24 hours or part thereof and ~~[\$5] 6~~ for each additional 24 hours or part thereof for the third and subsequent impoundment, within one year of the first impoundment, and ~~[\$10] 11~~ for each additional 24 hours or part thereof beginning the fourth consecutive day, of any dog owned by that person.

C. The owner or harbinger of an impounded animal must pay impoundment, boarding, ~~[\$40] 44~~ vaccination fee and other costs due, even if he or she does not redeem the animal.

D. Emergency boarding of dogs brought to the shelter because the owner(s) is unable to care for the dog as the result of an emergency such as an accident involving the owner, owner's illness or hospitalization, arrest of the owner, or disaster: ~~[\$20] 22~~ per day per dog, and ~~[\$17] 19~~ per day per dog for multiple dogs for a maximum of 30 days, provided that neither the owner nor the dog are in violation of any state or local law or regulation pertaining to pets and animals.

E. The owner of a dog boarding under the emergency boarding provisions of Subsection D above shall be responsible for all other costs or charges incurred while boarding the dog, including veterinary care to protect or maintain the health of the animal or to treat any illness or injury of the animal.

F. The fee for prearranged boarding will be ~~[\$20] 22~~ per day per dog, and ~~[\$17] 19~~ per day per dog for multiple dogs and an additional \$2 per day per dog for food if not provided by the owner(s). If requested by the owner for prearranged private boarding, there will be a charge of ~~[\$15] 17~~ for a bath.

G. Failure to pay any shelter fee is a violation of this article.

H. Any collection made by the Broome County Security Division for past-due balances shall incur a finance charge of \$20 in addition to the outstanding balance.

I. All fees and costs will escalate at 5% per year rounded to the nearest dollar.

Material **[Bold Brackets]** Deleted

Material **Bold Underlined** Added

**Carried.** Ayes-13, Nays-3 (Hutchings, Diffendorf, Reynolds), Absent-3 (Howard, Merrill, Klipsch)

### RESOLUTION NO. 547

By County Administration, and Public Safety and Emergency Services Committees

Seconded by Mr. Moran

**RESOLUTION ADOPTING LOCAL LAW INTRODUCTORY NO. 15 OF 2010, ENTITLED:  
"LOCAL LAW AMENDING CHAPTER 85 OF THE ADMINISTRATIVE LOCAL LAWS, AS  
AMENDED, REGARDING TAXICAB REGULATIONS"**

WHEREAS, in the first half of 2010 the Broome County Legislature adopted Local Law consolidating the fractured regulation of the taxi industry in Broome County to a single agency for the entire county, and

WHEREAS, as the program as been implemented, the Division of Security has had to modify its procedures and this experience has lead the Director of Security to recommend a number of changes, and

WHEREAS, through this Local Law, the Legislature is streamlining the licensing process, clarifying certain language, and removing redundant language, now therefore

RESOLVED, that Local Law Intro. No. 15 of 2010, entitled: "Local Law Amending Chapter 85 of the Administrative Local Laws, As Amended, Regarding Taxicab Regulations," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable

**Local Law Introductory No. 15 Of 2010**

Local Law Amending Chapter 85 of the Administrative Local Laws, As Amended, Regarding Taxicab Regulations

Section 1. Chapter 85 of the Administrative Local Laws entitled, "Airport: Ground Transportation Services" is hereby repealed effective June 30, 2010

Section 2. **CHAPTER 85 TAXICABS**

GENERAL REFERENCES

Pursuant to General Municipal Law § 181, constituent municipalities of the County of Broome now having the authority to enact ordinances, may adopt ordinances regulating the registration and licensing of taxicabs.

Article I

**General Provisions**

**§ 85-1. Applicability**

This chapter shall apply to all taxicabs, limousines (**except where exempted**), vans and/or other vehicles, utilized in the business of transporting passengers for compensation, as defined herein, which nonexclusively load or discharge passengers in the County of Broome and the taxicab drivers and operators of those vehicles. For purposes of this chapter, the actions of taxicab drivers shall be treated as actions of the owner of said vehicles.

**§ 85-2 Definitions**

Unless otherwise expressly stated, whenever used in this chapter, the following words shall have the meanings given to them by this section. Whenever used in this chapter pronouns and other references to persons and entities shall be considered to include the masculine and the feminine, and the singular and the plural, as the sense and neutral application thereof shall require.

COUNTY- The County of Broome, New York, ~~unless otherwise specified~~.

COUNTY TRANSPORTATION FACILITY- Any County owned or operated property used for the purpose of transportation to include the Greater Binghamton Airport and Greater Binghamton Transportation Center.

DIRECTOR OF SECURITY- (**Hereinafter Director**) The Director of Security of the County of Broome, or the officer designated by him to perform the duties and carry out the responsibilities assigned to the Director of Security hereunder, unless otherwise specified.

EXEMPT VEHICLE - Any motor vehicle which is used for commercial transportation purposes for charge or hire by paying passengers or persons for whom a fare has been paid but which is, or is being used as an ambulance, a truck carrying freight or otherwise engaged in interstate commerce; a van or other like vehicle used for transportation of disabled, frail or elderly persons; a bus or van used for school or educational purposes; a bus or other vehicle used for mass transit; or a vehicle being used in a funeral or for such other purpose as the

law or the Director of Security may determine to be exempt from the provisions of this chapter.

FARE - Either a customer or passenger paying or for whom a charge has been paid to hire a lawfully licensed taxicab for transportation services under this chapter; or the charge so levied and lawfully incurred by such passenger, according to the sense thereof as used herein.

**LIMOUSINES- A luxury passenger sedan usually with an extended wheelbase driven by a chauffeur.**

OWNER - Any person owning or having control of the use of one or more taxicabs used for hire upon the streets of the County or engaged in the business of operating a taxicab or a taxicab company in the County of Broome.

RATE CARD - A card on which is printed the tariff rates or fares charged for taxi service in the County.

STREET - Includes any street, alley, avenue, thoroughfare, court, bridge, lane or other public place in the County.

TAXICAB - ~~Includes any~~ **Any** motor vehicle **including limousines** engaged in the business of carrying persons for hire, whether the same is operated from a street stand or subject to calls from a garage or otherwise operated for hire, except vehicles subject to the provisions of the Transportation Law and exempted thereby from the provisions of this chapter, or used by funeral homes or undertakers in carrying on their business.

TAXICAB DRIVER - Any person who drives a taxicab available for hire or under hire, whether such person is the owner or lessee of such taxicab or employed by or in contract with a taxicab owner, operator or lessor.

TAXICAB DRIVER'S LICENSE - A license granted by the County to any otherwise qualified person to drive any licensed taxicab for hire or under hire upon the streets of the County.

TAXICAB VEHICLE LICENSE- A license granted by the County to any business or person to keep for hire any vehicle to be used as a taxicab in such County, each such license being specifically issued to one specified vehicle only.

TAXICAB NUMBER - A number included on each taxicab vehicle license and sticker issued by Director of Security; each vehicle so licensed shall be assigned one unique number as described in this chapter.

TAXICAB STAND- Includes any place alongside the curb of a street or elsewhere which is exclusively reserved by the Director of Security and/or by the codes and rules of the constituent municipalities of the County for the use of taxicabs and specifically designated therefore.

TRIP SHEET - One or more sheets of paper upon which the driver and/or operator records information pertaining to each trip carrying one or more paying passengers, as described in this chapter.

Article II  
**Taxicab Requirements**

**§ 85-3 Business license required; application**

- A. It shall be unlawful for any person, corporation or entity to operate a taxicab business that has fares originating within the County, or further, has fares which bring the taxicab business into the County more than five (5) times a year, without first having obtained and paid for a license to operate such business and causing the same to be and remain in force and effect at all times under the provisions of this chapter. Application for such license shall be made available by the Director ~~[of Security]~~ and shall be accompanied by an annual fee as determined by resolution of the Broome County Legislature. Upon the issuance of a taxicab business license, each such company shall be assigned a unique identification number pursuant to §85-13C of this chapter.

B. One application for each taxicab business license shall be made by the owner or other person with legal authority over same upon blank forms furnished by the Director ~~[of Security]~~. Such application, which shall be signed and sworn to by the applicant and filed with the Director ~~[of Security]~~ as a permanent record, shall contain at a minimum:

- (1) His full name, current residence, phone number (home, work, cellular), age, date of birth, and whether he is a citizen of the United States.
- (2) Whether he has been previously licensed to operate a taxi service and in what municipality, and if so, whether his license has ever been suspended or revoked and for what cause. Any previous experience he has had in the business of owning, furnishing, leasing, operating, driving, repairing or other enterprises in connection with providing transportation or related services for hire or charge.
- (3) The company name, business address and the telephone number from which the applicant will operate the taxicab business, the address, phone number and date of birth of the business contact person if other than the owner, the address of the vehicle maintenance facility, and the address of the dispatching facility.
- (4) Proof of New York State Workers' Compensation Insurance, if the taxicab company is required to carry such insurance, in a form and amount as required by New York State law.
- (5) A copy of the established rates for fare for transport within, throughout and outside County limits along with all established additional fees for any service provided by the taxicab company to a passenger pursuant to §85-19A(4)(a) of this chapter.
- (6) Such other information as the Director ~~[of Security]~~ may deem necessary.

**C. All outstanding fees payable to any county department or agency in connection with ground transportation must be paid prior to the issuance of a taxicab vehicle and/or taxicab driver's license.**

**§ 85-4 Licenses required**

It shall be unlawful for any person to drive, operate, offer or keep for hire or charge within the limits of the County any taxicab or other motor vehicle providing transportation service for charge or fee without first having obtained and paid for a taxicab driver's license and a taxicab vehicle license, and all other licenses and permits required by law, and causing the same to be and remain in force and effect at all times under the provisions of this chapter.

**§ 85-5 Driver's license required**

No person shall drive a taxicab or other motor vehicle providing transportation service for charge or fee and no person shall permit anyone to drive a taxicab within the limits of the County without such driver having first obtained and paid for, and having in force and effect at all times, both a valid New York State driver's license of the appropriate class and certification, including but not limited to a chauffeur's license, and a taxicab driver's license issued under the provisions of this chapter.

**§ 85-6 Taxicab driver's license application**

A. Each applicant for a taxicab driver's license must comply with the following requirements and provide the required information to the satisfaction of the Director ~~[of Security]~~:

- (1) He must first have obtained all required state licenses, including a state chauffeur's license. The full residence address of the applicant must be entered on the Department of Motor Vehicles Driver's License. P.O. Box numbers are not acceptable.
- (2) Must be of good eye sight and not subject to any medical condition of body or mind which might render him unfit for the safe operation of a public vehicle, and the applicant shall affirm to such physical status in writing.
- (3) Must produce, on forms provided by the Director ~~[of Security]~~, affidavits of good character from two (2) reputable citizens of the County who have known the applicant personally and have observed their conduct for at least one (1) year preceding the date of the application, unless at the option of the Director ~~[of Security]~~, sufficient reason is given for its omission.
- (4) He shall fill out, upon forms provided by the Director ~~[of Security]~~, a statement which shall be signed and sworn to by the applicant and filed with the Director ~~[of Security]~~ as a permanent record which shall contain the following:
  - (a) His full name, current residence, places of residence for the five (5) years immediately preceding his moving to his present address, age, date of birth, height, color of eyes and hair, place of birth, whether a citizen of the United States, places of previous employment for the immediate past five (5) years, and whether married or single;
  - (b) Whether he has ever been convicted of a felony or misdemeanor or any offenses involving illegal drugs, or alcohol, or domestic violence, or a sexually related offense or has any pending charges for any offense;
  - (c) Whether he has been previously licensed as a driver or chauffeur and, if so, whether his license has ever been revoked and for what cause, the number of the chauffeur's license issued by the state, and the company name, business address and telephone number from which the applicant will operate and/or drive any taxicab.
- (5) He shall additionally submit to the following requirements:
  - (a) A drug screening test, performed on the date of the applicant's submission, from a laboratory as directed to by the Director ~~[of Security]~~ which performs approved drug abuse testing indicating the applicant does not use controlled substances unless prescribed by a licensed health-care provider, the results of which test shall be submitted directly to the Director ~~[of Security]~~. All costs associated with the testing required for application and renewal as may be required by the Director ~~[of Security]~~ shall be included in the non-refundable application or renewal fee;
  - (b) Review of his ~~[New York]~~ State Department of Motor Vehicles driver's license abstract which shall be requested by the Director ~~[of Security]~~ and true and accurate copies of certificates of disposition for any and all arrests of such applicant. All costs associated with the driver's license abstract required for application and renewal as may be required by the Director ~~[of Security]~~ shall be included in the non-refundable application or renewal fee;
  - (c) A photograph taken at the time of the filing of the application by the Director ~~[of Security]~~. All costs associated with the photograph required for application and renewal as may be required by the Director ~~[of Security]~~ shall be included in the non-refundable application or renewal fee;

(d) Submission of his fingerprints taken by such vendor as may be designated by the Director ~~[of Security]~~. The Director ~~[of Security]~~ is hereby authorized to submit such fingerprints to the New York State Division of Criminal Justice Services for a non-criminal applicant fingerprint inquiry for the purpose of conducting a criminal history and background check for such applicant. The Director ~~[of Security]~~ shall be responsible for reviewing the criminal history record information disseminated by the Division of Criminal Justice Services which shall be used by the Director ~~[of Security]~~ to evaluate and determine the qualifications and fitness of such applicant to be issued a license hereunder. All costs associated with the non-criminal applicant inquiry required for application are the responsibility of the applicant and shall be paid directly to the designated vendor.

B. Each application for a driver's license shall contain the following statement:

"PURSUANT TO THE NEW YORK STATE PENAL LAW § 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN."
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C. Any false statement knowingly made by the applicant in an application for a taxicab driver's license shall be promptly investigated by the Director ~~[of Security]~~ and reported to the District Attorney of Broome County if appropriate and shall result in the denial of such application or revoking of an issued license.

D. The Director ~~[of Security]~~ is hereby authorized and empowered to require such additional information as same shall be reasonably related to the applicant's fitness and/or eligibility as he may deem necessary from any applicant for any license required by this chapter. The Director ~~[of Security]~~ is hereby authorized to waive the production of any information from any applicant as may otherwise be required under this chapter if in his opinion such requirement is unreasonable, unnecessary, inappropriate or unjust under the circumstances.

**§ 85-7 Application fee; approval of Director ~~of Security~~**

- A. The filing required by this chapter for a taxicab driver's license shall be accompanied by a nonrefundable application fee as determined by resolution of the Broome County Legislature.
- B. Applications with photograph, criminal history report information, drug test results, and driver's license abstract attached shall forthwith be sent to the Director ~~of Security~~, and no license shall be issued under the provisions of this chapter until the approval of the issuance of such license(s), in writing, from the Director ~~[of Security]~~. The Director ~~[of Security]~~ shall conduct an investigation of each applicant for a taxicab driver's license, and the report of this investigation and a copy of the traffic and police record, if any, shall be attached to the application and filed. The Director ~~[of Security]~~ shall refuse to issue or renew a driver's license if the driver:
- (1) Does not meet a qualification for a license; or
  - (2) Has made a material false statement on the application; or
  - (3) Has submitted a drug screening test with a positive result or has refused to submit to a test or has failed to provide a test result or information regarding same; or
  - (4) Has been convicted of, pleaded guilty to or forfeited bond or collateral upon any of the following charges, whether the conviction, plea or forfeiture occurred in the State of New York or elsewhere:
    - (a) Any offense which constitutes a "serious offense," as the term is defined by § 265.00 of the Penal Law of the State of New York or any act supplementary thereof or amendment thereto; or

(b) Has accumulated, within the past 18 months, eleven (11) or more points on his driver's license, as such points are determined by the Department of Motor Vehicles of the State of New York; or

(5) Has had any taxicab driver's license or a similar license or permit revoked; **or**

**(6) [(7)] For any other reason reasonable related to the applicant's fitness and/or eligibility for a taxicab driver's license.**

C. The Director ~~[of Security]~~ shall notify the applicant, in writing, of any refusal to approve any application and the reason therefore.

D. If a prospective applicant has been convicted of a specified criminal activity, any decision regarding such prospective applicant's fitness for a license shall be made upon consideration of New York State Correction Law §§701-703-b and §§751-753. The Director ~~[of Security]~~ shall be authorized to approve a taxicab driver's license if an applicant is otherwise ineligible based on the contents of this section if at the request of said applicant the Director ~~[of Security]~~ reviews any extenuating circumstances for a prior conviction for any offenses pursuant to §85-7B of this chapter and finds that the applicant is suitable for a taxicab driver's license.

**E. If a prospective applicant fails the required drug screening test, the applicant shall be ineligible to reapply for a taxicab driver's license for a period of ninety (90) days from the date of the Director's denial notice.**

#### **§ 85-8 Form and terms of taxicab driver's license fee**

A. Issuance and form. Upon satisfactory fulfillment of the foregoing requirements and upon the payment of a nonrefundable driver's license fee, the Director ~~[of Security]~~ shall issue to the applicant a license which shall be in such form as to contain a photograph and signature of the licensee ~~[and blank spaces upon which a record may be made of any arrest of or such complaint(s) against him as may be required by the Director of Security]~~. Each license shall be stamped by the seal of the County ~~[upon at least a portion of the photograph]~~. All licenses shall be numbered in the order in which they are issued and shall contain the driver's name and expiration date of the license.

B. Tampering. Any licensee who alters, defaces, mutilates, changes, removes or obliterates any official entry made upon his license, or of any other form, format, color, content or component thereof, shall be punished by the revocation of his license.

C. Duration. Taxicab driver's licenses shall be valid for one calendar year from the date of issue and shall remain valid unless otherwise revoked or suspended for the next succeeding calendar year up to the anniversary of the date of issue.

D. Display. Each such license shall be placed in a transparent plaque or frame of a size which shall be determined by the Director ~~[of Security]~~ at all times when the driver is operating the cab for hire, in a position readily visible to the passengers of said taxi. ~~[and to persons looking in or through the window of the front door on the right or passenger side thereof].~~

E. Replacement. In the event a driver's appearance changes substantially or a driver's license must be replaced, the driver shall have a new photograph taken by the Director ~~[of Security]~~ and shall accompany such photograph with an application fee as determined by resolution of the Broome County Legislature.

#### **§ 85-9 Renewal of taxicab driver's license; fee.**

A. When applying for a renewal of a taxicab driver's license, every applicant shall make such application at least thirty (30) days prior to its expiration upon a form to be furnished by the Director ~~[of Security]~~, which shall be filled out with the full name and address of the

applicant, together with a statement of the date upon which the original license was granted and the number thereof and such other information as the Director ~~[of Security]~~ may deem necessary. The Driver shall submit to a drug screening test performed in accordance with the requirements of §85-6A(5)(a) above. The Driver shall also be subject to review of his New York State Department of Motor Vehicles driver's license abstract in accordance with the requirements of §85-6A(5)(b) above. Such application for renewal shall be accompanied by a nonrefundable fee as determined by resolution of the Broome County Legislature.

B. Each application for renewal of license shall contain the following statement:

<p><b>"PURSUANT TO THE PENAL LAW § 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN."</b></p>
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C. Applications for a renewal of a taxi driver's license submitted less than thirty (30) days prior to the expiration date of same shall be treated as a new application and shall be subject to the requirements and fees of this chapter.

**§ 85-10 Taxicab driver's licenses not transferable; fees not prorated**

Such licenses shall not be transferable. No license fee shall be prorated or refunded. Each fee in its entirety shall accompany each application therefore.

**§ 85-11 Suspension or revocation of taxicab ~~[companies' right to operate; suspension or revocation of driver's]~~ licenses ~~[or permit];~~ relicensing**

A. The Director ~~[of Security]~~ shall monitor and record the number of convictions of violations of County Code and of the laws, codes and rules of the State of New York pertaining to and arising out of the operation of every driver, vehicle and company of one (1) or more taxicabs in the County. License holders shall disclose any violations of convictions of the above to the Director ~~[of Security]~~ within thirty (30) days. Unreported convictions may result in suspension or revocation of the license holder's license ~~[driver's license, vehicle license and/or right of the owner and/or operator of the company employing such driver(s) and/or owning such vehicle(s) for such period as shown].~~

~~[B. When the number of separate convictions, including guilty pleas accumulated over the indicated period of time as shown in the following charts, equals or exceeds the number shown, the Director of Security shall notify the driver and the operator and/or owner of the vehicle and company of such number. The Director of Security shall suspend the driver's license, vehicle license and/or right of the owner and/or operator of the company employing such driver(s) and/or owning such vehicle(s) for such period as shown, or revoke same.~~

<b>Taxicab Driver's License</b>				
<b>Period of Time (most recent)</b>	<b>6 Months</b>		<b>12 Months</b>	
<b>Number of Violations</b>	5	7	7	9
<b>Penalty</b>	Suspend 6 months	Revocation (12+ months)	Suspend 6 months	Revocation (12+ months)
<b>Taxicab Vehicle License</b>				
<b>Period of Time (most recent)</b>	6 Months			
<b>Number of Violations</b>	5	7		
<b>Penalty</b>	Suspend 6 months	Revocation (12+ months)		
<b>Taxicab Business License</b>				
<b>Period of Time (most recent)</b>		6 Months		
<b>Number of Violations</b>	10 times number of vehicles	15 times number of vehicles	20 times number of vehicles	
<b>Penalty</b>	Suspend 3 months	Suspend 6 months	Revocation (12+ months)]	

**B. The Director shall suspend and/or revoke any license issued under this chapter to any license holder who accumulates the following number of convictions of violations of this chapter, to include guilty pleas as follows:**

- (1) Three (3) or more separate convictions over any eighteen (18) month period shall result in the suspension of the license for a period of three (3) months;**
- (2) Three (3) or more suspensions in any thirty six (36) month period shall result in the license being revoked;**

**(3) Three (3) or more convictions of operating an unlicensed vehicle and/or employing an unlicensed driver in any eighteen (18) month period shall result in the business license of the owner being revoked.**

**(4) Any license issued by the County may at any time be temporarily suspended or revoked for cause by the Director after the license holder has been afforded an opportunity to be heard. Cause includes but is not limited to: violation of any sections of this chapter; conviction of a violation, misdemeanor or felony pursuant to the laws of the State of New York; transporting, soliciting or procuring any person to ride in a taxicab for the purpose of commission of a crime; use of the vehicle for immoral or illegal purposes; failing to be and remain in compliance with all applicable laws, rules and regulations.**

- C. The penalties provided for herein shall be in addition to and not instead of any and all other penalties provided under this chapter or County Code provisions or any law, rule or regulation of the state or federal government or other regulatory authority.
- D. ~~[Suspension or revocation of a taxicab driver's license. A taxicab driver's Any license or permit issued by the County may at any time be temporarily suspended or revoked for cause after a hearing by the Director of Security].~~ Upon making a determination to revoke or suspend a ~~[taxicab driver's]~~ license, the Director ~~[of Security]~~ shall notify the holder of the license and any owner or operator by which he is employed of such decision, in writing, by certified mail to the last address set forth in the County's records and shall state the reasons for his decision in such notice **and afford the license holder an opportunity to be heard.** Any such suspension shall be noted **on the license,** together with a statement of the reason therefore, ~~[and the driver shall be deprived of his license by the official suspending or revoking such license].~~ The ~~[driver]~~ license shall be returned ~~the license~~ to the Director ~~[of Security]~~ as the license is property of the County. The license shall be returned **to the license holder** at the expiration of the period for which it was suspended. ~~[A second suspension for the same reason or, in any case, a third suspension of a taxicab driver's license shall revoke the license].~~ A ~~[driver]~~ **license holder** having his license reissued to him after a suspension shall be subject to a reissuing fee as determined by resolution of the Broome County Legislature.
- E. Relicensing ~~[of drivers]~~. No ~~[driver]~~ **license holder** whose ~~[taxicab driver's]~~ license has been revoked shall be again licensed ~~[as a taxicab driver]~~ in the County, unless upon the presentation of reasons satisfactory to the Director ~~[of Security]~~. If a ~~[taxicab driver's]~~ license is issued to a ~~[driver]~~ **license holder** who has had their license revoked after presenting satisfactory reasons to the Director ~~[of Security]~~, the application shall be treated as a new application and not as a renewal application.
- F. Appeal of suspension or revocation. Any suspension of a ~~[taxicab driver's]~~ license may be appealed by submitting a written appeal to the Broome County Commissioner of Public Works with ten (10) days of the suspension or revocation by the Director ~~[of Security]~~. The Commissioner of Public Works may uphold or ~~[appeal]~~ **overturn** the decision of the Director ~~of Security~~ based on the documentation provided. ~~[by the Director of Security and the written letter of appeal].~~

**§ 85-12 Recordkeeping**

There shall be kept in the office of the Director ~~[of Security]~~ a complete record of each license ~~or permit~~ issued to a driver and of all renewals, suspensions and revocations thereof, which record shall be kept on file with the original application ~~[of the driver]~~ for a ~~[taxicab driver's]~~ license.

**§ 85-13 Taxicab vehicle license required; fee**

- A. It shall be unlawful for any person to drive, operate or permit to be operated a taxicab upon the streets of the County or to solicit or pick up taxicab passengers within the County without first having paid a nonrefundable fee as provided for herein for each such vehicle so licensed and without first having obtained for each such vehicle a taxicab vehicle license under the provisions of this chapter from the Director ~~[of Security]~~. Such license shall be valid for one (1) calendar year from the date of issue and shall expire on the anniversary of the date of issue of the next succeeding calendar year unless sooner suspended or revoked. It shall be unlawful for any person to drive, operate or keep for hire or pay within the limits of the County any taxicabs not equipped as required by §85-19 or which has not been inspected as required by §85-18 or which does not display the inspection sticker as required by §85-18J.
- B. The annual fee for each vehicle so licensed shall be determined by resolution of the Broome County Legislature.
- C. For each vehicle licensed as a taxicab hereunder, the Director ~~[of Security]~~ shall issue a sticker of uniform design. Each sticker shall display a unique number as provided in this ~~[section] chapter~~ and shall show the expiration date of said taxicab vehicle license. Each sticker shall also display the vehicle identification number for the vehicle being licensed as a taxicab. Such sticker shall be **affixed to a location at the discretion of the Director, [to the inside of the left rear window of the vehicle for which same shall have been issued, so as to be clearly visible]**. Each taxi company shall be assigned a unique number and each vehicle operated by each such company shall be assigned a unique number with said company; thus, each vehicle shall have a unique number in the form AB-CD where AB is the number assigned to the company and CD is the number assigned to each vehicle operated by each such company.
- D. The acceptance by an owner or operator of a license issued under this chapter is conditioned upon and shall be sufficient evidence of the continuing consent of such owner or operator and of the driver of each and every taxicab vehicle to display the public notice as required by and described in §85-17 of this chapter and to consent to any such stop and visual inspection by any law enforcement agency within the County.
- E. The County shall issue new stickers as described in this section annually or at such other times as the County shall determine to be appropriate and necessary.

**§ 85-14 Taxicab vehicle license application**

- A. One application for each taxicab vehicle license shall be made by the owner or other person with legal authority over same upon blank forms furnished by the Director ~~[of Security]~~. Such application shall contain at a minimum:
  - (1) The name, age and residence of the person applying for the license, proof of his ownership and/or legal authority over each such vehicle and if other than the owner, the name, age and residence of the person or persons to be in immediate charge of the driving of each such taxicab;
  - (2) For each such vehicle, the type of motor vehicle to be used, the horsepower, the vehicle identification number, the state license and registration numbers and the seating capacity according to its trade rating;
  - (3) Whether and when the vehicle has ever been previously licensed to operate as a taxicab or vehicle for hire and, if so, where;
  - (4) Whether such vehicle's license to operate as a taxicab or vehicle for hire has ever been revoked or suspended, when, and for what cause;
  - (5) Copy of New York State vehicle registration and expiration date of current New York State motor vehicle inspection and sticker number. The full address of the registered owner must be on the Department of Motor Vehicles registration. P.O. Box numbers are not acceptable;

- (6) Proof that the vehicle is covered by a current for-hire insurance policy shall be attached to the application in the form of a certificate of insurance. Broome County shall be a certificate holder on the policy;
- (7) Such other information as the Director [of Security] may deem necessary;

B. Miscellaneous.

- (1) Each taxicab vehicle license application shall contain the following statement:

"PURSUANT TO THE PENAL LAW § 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN."
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- (2) Any false statement knowingly made by the applicant in an application for a taxicab driver's permit shall be promptly investigated by the Director [of Security] and reported to the District Attorney of Broome County if appropriate and shall result in the denial of such application or revoking of an issued license.
- (3) The application must include the approved assigned unique official taxicab vehicle number assigned by the Director [of Security], which shall be added to such application by the applicant or Director [of Security] when such application is approved.

**§ 85-15 Insurance required**

- A. No taxicab company shall be licensed as a taxicab company hereunder unless it carries a New York State Workers' Compensation Insurance Policy as required by New York State law. In lieu of a worker's compensation policy, a waiver issued by the New York State Workers' Compensation Board may be submitted.
- B. No vehicle shall be licensed as a taxicab hereunder unless it has a for-hire insurance policy in effect to include a public policy for damages for death or injuries to persons in the amount provided in the laws, rules and regulations established by the State of New York as the minimum required of any vehicle operated as a taxicab.

C. The certificate face shall:

- (1) Indicate coverage and minimum amounts as prescribed by the laws of New York State;
- (2) Provide that the coverage shall not be cancelled, terminated or materially changed until at least thirty (30) days prior written notice has been given to the Broome County Office of Risk and Insurance.

D. The certificate holder should read:

Broome County Office of Risk and Insurance, P.O. Box 1766Binghamton, NY 13902

- E. If the applicant fails to procure or maintain the required coverage and minimum limits, such failure shall constitute a material breach of this chapter and shall result in denial or revocation of the license.

**§ 85-16 Refusal/revoking of license**

The Director [of Security] shall refuse a taxicab vehicle license or, if already issued, shall revoke or suspend a license if the vehicle is unsuitable for public patronage by virtue of being unclean, unsafe or out of compliance with any applicable law, rule or regulation, or if, in the discretion of the Director [of Security], the design, capacity or other specifications of such vehicle render it unsuitable for use as a taxicab.

**§ 85-17 Taxicab vehicle license card**

If upon inspection a vehicle is found to be in proper condition and in compliance in accordance with the provisions of all applicable laws, rules and regulations and, upon the approval of the application for a taxicab vehicle license and the payment of the license fee hereinafter set forth, such vehicle shall be licensed by delivering to the owner a card of such size and form as may be prescribed by the Director ~~[of Security]~~. The card shall contain the official license number of the taxicab vehicle, vehicle identification number, the name, address and phone number of the owner of the vehicle and a statement to the effect that, in case of any complaints, the Director ~~[of Security]~~ shall be notified, giving the license number of the taxicab and the telephone number and address via which such complaints may be made. Such card shall be signed by the Director ~~[of Security]~~. The taxicab vehicle license number assigned hereunder shall, in each case, be the same as that assigned to the vehicle for that year pursuant to law. Taxicab vehicle license cards must be displayed in a prominent place visible to all passengers in the taxicab vehicle for which the license card is issued as determined by the Director ~~[of Security]~~. For each such vehicle, the license number shall correspond to the number appearing on the inspection sticker required ~~[to be affixed to the left rear bumper of each such vehicle as required]~~ by this chapter.

Article III  
Inspection Criteria

**§ 85-18 Vehicle inspections required; reports of inspection; expiration of inspection**

- A. Taxicabs are to be inspected annually at a private New York State licensed inspection station. Such inspection shall occur once per year as required by the New York State Vehicle and Traffic Law and regulations.
- B. No vehicle shall be licensed as a taxicab pursuant to this chapter until it has been inspected and examined and found to be in a thoroughly suitable condition for the transportation of passengers, clean, fit, of good appearance, well painted in accordance with this chapter and in complete compliance with all requirements of the County Code and with all other applicable laws, codes and regulations, including that each such vehicle shall bear taxi or livery license plates issued by the New York State Department of Motor Vehicles. ~~[The Director of Security or someone designated by him or her shall make such inspection and examination before a taxicab vehicle license is issued. The Director of Security shall refuse to license, or if already issued revoke or suspend a license of any vehicle found by him or any law enforcement officer to be unsuitable for public patronage].~~
- C. In addition to the pre-licensing inspection, it shall be the responsibility of each operator, owner and driver of a taxi applying for or licensed in the County as a taxicab vehicle to cause such vehicle to be inspected by the Director ~~[of Security]~~ or his designee all licensed taxicabs at intervals of not more than 180 days, or upon receipt of notification from the Director ~~[of Security]~~ that a complaint has been submitted, or as often as may be necessary. Reports of all inspections shall be filed with the Director ~~[of Security]~~. Failure to comply with inspection requirements or notifications shall result in a suspension or revoking of the taxicab vehicle license.
- D. A copy of the inspection report shall be given to the vehicle owner and/or operator and/or driver and the Director ~~of Security~~ at the completion of the inspection.
- E. For each inspection performed by the Director ~~[of Security or his designee]~~ pursuant to this chapter, the applicant shall pay a fee as determined by resolution of the Broome County Legislature.
- F. The inspection of the taxi shall include, but not be limited to, a review of the following and shall also include an inspection of those items listed in §85-19 of this chapter:
- (1) Tires. (Suitability for weather and hubcaps)

- (2) Exterior lights (including reverse, license plate, parking lights, directional lights, and roof light).
  - (3) Interior lights.
  - (4) Windshield/all glass.
  - (5) Windshield wipers, washers.
  - (6) Front and rear window defrosters.
  - (7) Horn.
  - (8) Upholstery.
  - (9) Floorboards/floor mats.
  - (10) Door handles, inside and out.
  - (11) Doors and windows.
  - (12) Body damage and rust (including bumpers).
  - (13) Paint.
  - (14) Heater and air conditioner.
  - (15) Mirrors (inside and out).
  - (16) Seat belts.
  - (17) Muffler and exhaust system (noise, fumes, smoke, visible and otherwise).
  - (18) Fluid leaks.
  - (19) Wheel covers or hubcaps.
  - (20) Smoking prohibited sign.
  - (21) Any other items as relates to the cleanliness and operability of the vehicle as a taxicab suitable for public use that the Director ~~[of Security]~~ may deem appropriate.
- G. Upon receipt of a report which finds a taxi to be unfit or unsuited for public patronage or which shall fail to comply with the requirements of this chapter, the licensing official shall refuse a license or shall revoke or suspend the license previously issued. Repair work which is required after inspection of a taxi must be completed within five (5) business days of the inspection, and satisfactory proof of repair shall be presented to the Director ~~[of Security]~~. The taxicab vehicle license shall be temporarily suspended until which time the vehicle has the completed work done to the satisfaction of the Director ~~[of Security]~~. Failure to make necessary repairs and to present satisfactory proof within ten (10) business days shall result in the taxicabs vehicle license being revoked. Taxicabs that do not have the required repair work completed within five (5) business days of the initial inspection shall be subject to a re-inspection fee as determined by resolution of the Broome County Legislature. Taxicabs that schedule an inspection appointment and are not present at the time of the appointment shall be charged the inspection fee.
- H. Upon receipt of a report which finds a taxi to be fit for public patronage, the Director ~~[of Security or his designee]~~ will issue a suitable inspection sticker with the month and year of inspection expiration marked ~~[out] on it~~. Inspection sticker shall also include the unique vehicle number assigned by the Director ~~[of Security]~~.
- J. Upon being issued a County taxi inspection sticker, the inspector will affix the sticker to a location determined by the Director ~~[by placing it on the rear bumper left side of the vehicle]~~ where it shall be clearly visible and available for inspection at all times while said vehicle is licensed within the County.
- K. It shall be unlawful to possess or display a forged, altered or unauthorized County inspection sticker.
- L. The Director ~~[of Security]~~ may additionally inspect or cause to be inspected all taxicabs from time to time, as often as he may deem necessary for the public health, safety and welfare and temporarily suspend the vehicle taxicab license for any violation of this chapter until such time as the deficiency is corrected. Said inspections shall not be evidence to be used against the County with respect to any claim of liability, and the County assumes no special duty or obligation to any person with respect to same, but shall be evidence merely that the licensee has had inspections made as required by this chapter.

- M. No vehicle shall operate within the County with an expired taxicab's vehicle inspection sticker and shall not be operated within the County until it is inspected and has received an approved, valid inspection sticker from the Director ~~[of Security or his designee]~~.

Article IV  
General Operations

**§ 85-19 Taxicab vehicle markings, safety and equipment; owner, operator and/or driver responsibilities**

- A. Taxi vehicle identification:
- (1) Taxicab markings must be permanently displayed on both front doors of each vehicle. Markings must include taxi owner or company name, ~~[taxicab number]~~, the words "taxi" or "taxicab" or "cab," and Broome County, New York.
  - (2) The taxicab number must also be permanently and visibly displayed on the rear of such vehicle **in a location determined by the Director** ~~[(left and right rear fenders and left side of trunk lid or tailgate)]~~.
  - (3) Taxis shall each be numbered, with a unique four-digit number. ~~[Each company duly licensed will be assigned a two digit number (for example, Company A = 20, Company B = 30, etc.) Each taxicab vehicle will be assigned a two digit number within each company. Thus each vehicle shall have a unique four digit number, the first two indicating the company and the second two indicating the vehicle within the company fleet].~~ Numerical assignments are to be approved by the Director ~~[of Security]~~.
  - (4) Each taxicab vehicle shall prominently display on the outside of the driver's side door and on the outside of the front passenger's side door the ~~[schedule of fares]~~ **minimum fare charged**. In addition, each taxicab ~~[vehicle shall prominently display such information on a fare card in the interior of the vehicle such that it is clearly visible and readable by all potential passengers and the Director of Security. Such fare card shall be]~~ **driver shall make a fare card** available for inspection immediately upon the request of any passenger or potential passenger.
    - (a) Such schedule of fares shall list, at a minimum, the following information:
      - [1] Fees charged to passengers for the hire of such taxicab for trips originating and ending within the City of Binghamton, Towns of Dickinson, Maine, Union and Vestal and the Villages of Endicott and Johnson City;
      - [2] The operator's policy as regards to the number of occupants who constitute a regular fare and any additional charges for additional passengers beyond such number;
      - [3] Any fees not included in the posted fare, which may include, but are not limited to services such as the use of the trunk space and the loading by the driver of passenger personal effects;
      - [4] The phone number and website of the County where a consumer may report or submit comments on service quality.
  - (5) The signs and numbers described herein as required must contain lettering **in a form acceptable to the Director**, ~~[not less than three inches in height and three inches in width with a paint stroke of 1/4 inch between each figure. Letter color must contrast with the door color and be readable from a minimum distance of 150 feet. The background of the sign must be of white reflective material]~~.
  - (6) The exterior roof light must contain the name of the company or words "taxi" or "taxicab" or "cab." The exterior roof light must be permanently mounted and lit at night.
- B. In addition to any requirements otherwise imposed by the Vehicle and Traffic Law of the State of New York or by this chapter, each licensed taxicab operating within the County shall at all times remain in compliance with each of the following vehicle requirements:

- (1) No vehicle shall be licensed as a taxicab if it was manufactured twelve (12) years or more prior to the application date.
- (2) ~~Every vehicle shall be kept in a suitable condition to include, interior and exterior kept in a clean and sanitary condition and shall at all times bear a current New York State inspection sticker and a County inspection sticker properly affixed.~~ **Every vehicle shall display an approved version of the Broome County Taxi Drivers and Passengers Rights and Responsibilities decal in a location as determined by the Director.**
- (3) ~~Every vehicle~~ **Sedans** shall have no fewer than four (4) doors, not including a hatchback or other rear entry, two (2) of which lead into the driver's compartment, and all doors shall be so constructed that they may be opened from the inside and the outside. Under no circumstances shall any two-door vehicle be licensed as a taxicab. Vans may be licensed and approved for use as taxicab vehicles only if each such van provides a seat and a seat belt for each passenger and carries no more than seven (7) passengers at any given time.
- (4) Every vehicle shall be equipped with an adequate heater of a type which will not permit exhaust gasses to enter the interior of the vehicle.
- (5) Every vehicle shall be equipped with at least three (3) adjustable rear-view mirrors, one (1) in the driver's compartment and two (2) exterior mirrors installed on the exterior of the vehicle, one (1) on the driver's side door and one (1) on the passenger-side door.
- (6) Every vehicle shall be equipped with a standard speedometer properly installed and maintained in good working order. ~~[No licensed vehicle shall be operated in public while such speedometer is inoperative or disconnected].~~
- (7) Every vehicle shall have either acceptable snow tires, all-weather radial tires or tire chains on the drive wheels of such vehicle when pavement conditions are such as to require said use for the safety of the driver, passenger and the general public.
- (8) Every vehicle shall be equipped with dual windshield wipers properly installed and maintained in good working order, which shall be operated whenever weather conditions require. This shall include windshield washers in proper working condition. ~~In addition, each licensed vehicle shall at all times remain in compliance with New York State regulations requiring that headlights be turned on at any time windshield wipers are in operation.~~
- (9) Every vehicle shall contain original or replacement upholstery and floor mats in good and suitable condition for satisfactory use by the public. ~~In the event that original upholstery or floor mats are found to be worn or otherwise deteriorated, such upholstery or floor mats must be replaced prior to the use of the licensed vehicle for conveyance of the public.~~
- (10) Every vehicle shall be equipped with an interior light capable of illuminating the entire interior of the taxicab after sundown. The light shall be so arranged as to be automatically turned on by the opening of any door to the vehicle.
- (11) ~~Wherever glass is used in the construction of any licensed vehicle, such glass shall be safety glass, clearly and permanently marked as such and of a type approved by the Commissioner of Motor Vehicles of the State of New York.~~ All glass in said licensed vehicle shall be in good condition and shall not contain air bubbles, cracks or fractures. Window tint shall remain in compliance with all applicable New York State laws and regulations.
- (12) The fenders, bumpers and body of each licensed vehicle must be rigidly and tightly fastened to said vehicle, free from significant or extensive dents or mutilation, shall be of a uniform color, and shall be so constructed as to allow the full opening of all doors of the vehicle. The exterior of the vehicle shall be properly maintained, painted and the finish in good condition. This includes all exterior light lenses to be free from cracks and to be the proper color.
- (13) The vehicle must be equipped with both front and rear window defrosters/defoggers. ~~They are to be~~ in proper working condition.

- (14) Every vehicle shall be equipped with hubcaps on all four (4) wheels **in compliance with the manufacturer's specifications** or shall have uniformly painted wheels in lieu thereof.
  - (15) Shades or curtains are prohibited on the inside of any taxicab.
  - (16) Every company operating any taxicab shall designate an employee ~~[such as a dispatcher or other such person]~~ who shall be responsible to keep and maintain a trip sheet at all times during the operation of such taxicab.
    - (a) Such trip sheet shall record, at a minimum, the following information:
      - [1] The name and driver's license number of each and every driver operating such vehicle for the trips recorded on the trip sheet;
      - [2] Date, commencement time by hour and minute and origin point of each trip for each passenger;
      - [3] Date, drop-off or termination time by hour and minute and destination or termination location of each trip for each passenger;
      - [4] Fare charged and collected for each trip for each passenger;
      - [5] Date, time by hour and minute and location of any accident or breakdown causing an interruption or discontinuance of the operation of such taxicab and a description thereof;
      - [6] The issuance of any citation or violation of any law, rule or code involving the operation of such taxicab and/or the conduct of the driver of same.
    - (b) The owner of any taxicab business shall produce any and all such trip sheets for any and all taxicabs operated, owned or controlled by such persons upon demand therefore by any law enforcement officer.
    - (c) All such trip sheets shall be retained and kept on file and made available for audit, examination and inspection by the Director ~~[of Security]~~ at all reasonable times for a minimum period of two (2) years by every owner, operator and/or proprietor of every taxicab and company operating and/or owning same.
  - (17) Each vehicle used as a taxicab shall comply with all applicable federal, state and other laws, rules and regulations pertaining to its use by and accessibility to persons with disabilities.
  - (18) Each taxicab shall prominently display in the interior thereof visible to all passengers a sign or sticker written in no less than eighteen-point type advising that seat belts are available and should be used by all passengers.
  - (19) Each taxicab shall prominently display in the interior thereof visible to all passengers a sign or sticker written in no less than eighteen-point type stating that smoking is prohibited within the vehicle by all passengers and drivers.
- C. Taxicabs licensed in accordance with this chapter may be equipped with partitions or shields made of translucent plexiglass or other shatterproof material located between and effectively separating the front and rear seats.
- D. In addition to any requirements otherwise imposed by the Vehicle and Traffic Law of the State of New York or by this chapter, each licensed taxicab **company** operating within the County shall at all times remain in compliance with each of the following requirements applicable to all owners and operators thereof:
- (1) Shall maintain and furnish a current list of drivers and employees available upon request of the Director ~~[of Security]~~.
  - (2) Shall provide a letter to the Director ~~[of Security]~~ upon the discharge or termination for any reason of a driver and/or employee, giving the reason for such discharge or termination.
  - (3) Shall promptly report to the Director ~~[of Security]~~ the transfer of ownership of any vehicle licensed by the County and concurrently turn in to the Director ~~of Security~~ the taxicab vehicle license of such vehicle.

- (4) Shall report, in writing, changes of address of the owner, operator or driver of a taxicab to the Director ~~[of Security]~~ within three (3) business days of said change.
  - (5) Shall ~~[maintain proper vehicle insurance for all owned or operated taxis in accordance with New York State Vehicle and Traffic Law or other laws, rules or regulations and]~~ report a revocation or cancellation of insurance immediately to the Director ~~[of Security]~~.
  - (6) Shall submit any changes to the established rates for fare or additional services to the Director ~~[of Security]~~ in writing five (5) business days prior to the effective date of the change.
  - (7) Shall report any vehicle accident which renders a taxicab vehicle inoperable or causes personal injuries to anyone involved in the accident in writing to the Director ~~[of Security]~~ within five (5) business days of the accident.
  - (8) Shall report convictions of violations of County Code and of the laws, codes and rules of the State of New York pertaining to and arising out of the operation of every driver, vehicle and company of one (1) or more taxicabs in the County to the Director ~~[of Security]~~ within thirty (30) days.
- E. In addition to any requirements otherwise imposed by the Vehicle and Traffic Law of the State of New York or by this chapter, each licensed taxicab driver operating within the County shall at all times remain in compliance with each of the following driver requirements:
- (1) Shall keep the interior and exterior of the taxicab in a clean and sanitary condition and shall at all times maintain the vehicle in compliance with County Code.
  - (2) Shall not smoke, or allow any passenger to smoke, at any time within the vehicle.
  - (3) ~~[Shall, at all times, while on duty, have displayed in the interior of the vehicle which he is operating his taxicab driver's license. The license shall be displayed in a place visible to any passenger in such taxicab as determined by the Director of Security.]~~  
At no time shall a driver allow the engine of the taxicab to idle in a fixed location for more than fifteen (15) minutes.
  - (4) Shall immediately report any unlawful act committed in, with or in connection with his vehicle or any attempt to use his vehicle to commit a crime or escape from the scene of a crime to the police agency of jurisdiction and shall also submit a written report to the Director ~~[of Security]~~ within five (5) business days.
  - (5) Shall not permit any passenger in the taxicab except a paying fare during such time as the taxi is being used for business purposes.
  - (6) Shall not operate a taxicab when there is snow or ice on the pavement unless there are chains, all-weather radial tires or snow tires on the drive wheels.
  - (7) While on duty, the driver shall state his/her name and employer's name to any passenger or law enforcement officer on request. Also, it shall be unlawful for any driver of any taxicab to misrepresent or withhold the name of his employer or the business address and business telephone of the same.
  - (8) Carriage of infected persons. Should it be found by the owner, operator or driver that a taxicab has been used to convey any person infected with a contagious disease, or if any blood or bodily fluids or discharges have contaminated the passenger area of the taxi, such vehicle shall not be used until it has been thoroughly cleaned and disinfected in accordance with applicable laws, rules and regulations related to public health.
  - (9) Any owner or operator shall not permit any one driver to operate a taxicab more than twelve (12) hours in any continuous twenty-four-hour period, except the driver of a taxicab exclusively hired or engaged for special trips or excursions.
  - (10) Shall not be permitted to carry more than five (5) passengers, including children, in a four-door sedan vehicle and shall not be permitted to carry more than seven (7) passengers, including children, in a station wagon or van.

- (11) Shall not operate a taxicab if the vehicle has any equipment violations as defined in this chapter or in the Vehicle and Traffic Law § 375, or other laws, rules and regulations.
- (12) Must not consume alcohol or intoxicating drugs prior to or during the driving or other operation of a taxicab. This excludes prescriptions prescribed by a licensed physician and over-the-counter medications which do not cause drowsiness, fatigue, blurred speech or vision or other conditions which may impair the ability to drive safely.
- (13) Except when authorized in the Vehicle and Traffic Law, the driver shall not use the horn or otherwise make or create loud or unnecessary noise, such as for announcing arrival or alerting potential patrons.
- (14) The driver shall pull to the curb to pick up and discharge passengers. The driver shall not intrude upon or obstruct pedestrian crossings, bus stops, loading zones, driveways, intersections or other areas requiring the free and unobstructed flow of traffic when stopped to pick up or discharge passengers.
- (15) The driver shall provide a written receipt accurately stating the exact fare paid by any passenger requesting a receipt. Such receipt shall show the name of the driver, the name of the owner of the taxicab, the number of the taxicab, the time when the trip began and ended, the origin, any stops, the final destination of the trip and the amount of fare collected.
- (16) No driver of a licensed taxicab shall carry any person other than the passenger first employing a taxicab without the consent of said first passenger.
- (17) Each and every operator and driver of a taxicab vehicle operating as such in the County is required to accept as a paying fare every orderly adult person and shall not refuse to accept as a paying fare any adult person on the basis of any disability or on the basis of his race, ethnicity, religion, sex, age, sexual preference or other discriminatory basis or criteria prohibited by law.
- (18) Shall not illegally use, consume, possess or distribute intoxicating liquors or drugs.
- (19) The driver shall be neat and clean in both person and in clothing and shall wear at a minimum a shirt or blouse with collar, and slacks or skirts and closed-toed shoes. No ripped or torn clothing shall be worn.
- (20) No driver shall engage in fighting or in violent, tumultuous or threatening behavior; use abusive, offensive or obscene language or make obscene gestures or acts; or make unreasonable noise.
- ~~[(21) At no time shall a driver allow the engine of the taxicab to idle in a fixed location for more than fifteen (15) minutes.]~~

~~[§ 85-20 Suspension or revocation of taxicab vehicle license and/or driver's license~~

~~Taxicab vehicle and/or driver's licenses may be revoked or suspended at any time for cause after a hearing by the Director of Security. Cause includes but is not limited to; violation of any sections of this chapter; conviction of a violation, misdemeanor or felony pursuant to the laws of the State of New York; transporting, soliciting or procuring any person to ride in a licensed taxicab for the purpose of commission of a crime. Licenses shall be revoked if the vehicle shall be used for immoral or illegal purposes. Licenses and permits may be suspended or revoked for failing to be and remain in compliance with all applicable laws, rules and regulations. When the license is suspended or revoked, the taxicab driver's and/or vehicle license card hereinbefore provided for shall be retained by the Director of Security and shall be returned only after the expiration of the suspension period with suitable entry being made thereon by the Director of Security or his authorized designee as to the reason for and duration of the suspension. The Director of Security, upon determination to revoke or suspend a license, shall notify the holder of his decision, in writing, by certified mail and state the reasons for his action.]~~

**§ 85-[24] 20 Register of licensed taxicabs**

The Director ~~[of Security]~~ shall keep a register of the name of each person owning or operating or otherwise legally responsible for a taxicab vehicle licensed under this chapter, together with the license numbers of vehicles and drivers. Such record shall be open to the inspection of the public at all reasonable times.

**§ 85-[22] 21 Return of licenses, cards and permits; transfer of vehicle license; exception; fee**

- A. Every licensee who has been issued a license under the provisions of this chapter shall, upon discontinuing or abandoning the ownership, operation or driving of a taxicab, return such license card, license or permit to the Director ~~[of Security]~~ unless such card, license or permit has been lost or for other reason cannot be restored as these are the property of Broome County.
- B. Such card, license or permit shall not be assigned or transferred to any other person or be applicable to any motor vehicle other than the one specified therein. Any licensee who permits his license to be used by any other person or for any vehicle other than the one for which same was issued and any person who uses such license granted or given to any other person or who uses such license for a vehicle other than the one for which it was issued shall each be guilty of a violation of this chapter.
- C. Notwithstanding the foregoing, the owner or operator of a vehicle licensed as a taxicab under this chapter may take such vehicle out of service as a taxicab for any reasonable cause, such as damage, wear and tear, sale of the vehicle, age of the vehicle or other. In such case, such owner or operator may apply to the Director ~~[of Security]~~ for permission to transfer the license issued to such vehicle to another vehicle to be put in service as a taxicab to replace the vehicle originally licensed.
- D. Such application shall include all the information pertaining to the replacement vehicle required for a taxicab vehicle license, and such replacement vehicle shall meet all the requirements applicable to taxicabs as required by this chapter to include the pre-licensing inspection. Such application to transfer such taxicab vehicle license shall be accompanied by a nonrefundable transfer application fee as determined by resolution of the Broome County Legislature.

**§ 85-[23] 22 Duplicate license, permit or card**

Whenever a license shall be lost, stolen or destroyed, without fault on the part of the holder, his agent or employee, a duplicate in lieu thereof, under the original application, may be issued by the Director ~~[of Security]~~ upon the filing of a sworn affidavit containing the facts of such loss or theft and upon the payment of the cost of such duplicate license, permit, card, badge or tag. The replacement fee for a lost, stolen or destroyed license shall be as determined by resolution of the Broome County Legislature.

**§ 85-[24] 23 Taxicab stands**

Taxicab stands may be established by law enforcement regulation or by ordinance of any constituent municipality of the County or by the County itself subject to such approval as the governing body may require. Taxicab stands operated by the County may only be used by licensed taxicabs when available for hire and being driven by licensed taxicab drivers.

**§ 85-[25] 24 Soliciting; cruising prohibited[; interference with other operators prohibited].**

No person shall solicit passengers from any point other than immediately adjacent to his taxicab. Taxicabs shall not cruise or operate on the streets of the County without a fare under hire for the purpose of soliciting business. ~~No taxicab owner, operator or driver shall employ radios, telephones or other methods or means of remote communication in order or so as to preempt, intercept, precede or otherwise interfere with any other driver or operator of a taxicab which has lawfully been called, appointed or retained to serve a fare.~~

**§ 85-[26] 25 Schedule of charges**

~~[A. Owners, operators and drivers must make display fare rates visibly available to all passengers.~~

~~B. Owners must submit to the Director of Security, along with the taxi vehicle license application, their established fare rate for transports within, through and outside the County limits.]~~

~~[C] A.~~ The soliciting of tips, gratuities or any charges in addition to those authorized herein is prohibited. This clause shall not prohibit the voluntary offer or acceptance of a tip or gratuity.

~~[D] B.~~ No person shall charge or attempt to charge any passenger a greater fare than that to which the taxicab driver is entitled to collect under the rate sheet posted in the vehicle and on file with the Director ~~[of Security].~~

~~[E] C.~~ Transport of animals.

(1) There shall be no additional charge for carrying a service animal trained to provide assistance to an individual with a disability and no driver shall refuse or decline to carry a passenger or fare for the reason that such person is accompanied by such an animal.

(2) Drivers may refuse to transport any other animal unless the animal is securely enclosed in a kennel case which can be reasonably accommodated by such vehicle or is otherwise reasonably secured in accordance with the size, kind and nature of such animal.

**§ 85-[27] 26 Payment of fares**

A. Prepayment. Every driver of a taxicab shall have the right to demand payments of the legal fare in advance and may refuse employment unless so prepaid, but no driver of a taxicab shall otherwise refuse or neglect to convey any orderly person or persons upon request to any lawful destination anywhere in the County, unless previously engaged, off duty or otherwise lawfully unable to do so.

B. Disputed fares. All disputes as to fares shall be determined by the law enforcement agency of jurisdiction at the time of the dispute. Copies of same shall be requested by the Director ~~[of Security]~~ for review of the incident for compliance with this chapter.

~~[§ 85-28 Receipts for fares~~

~~Whenever a passenger in a taxicab asks for a receipt for the fare paid by him, it shall be given to them by the driver. Such receipt shall show the name of the driver, the name of the owner of the taxicab, the number of the taxicab, the time when the trip began and ended, the origin, any stops, the final destination of the trip and the amount of fare collected.]~~

**§ 85-[29] 27 Overcharging prohibited**

It shall be unlawful for any taxicab owner or operator or any taxicab driver within the limits of the County to charge fares for taxicab service of more than the rate of fare for carrying a passenger to his destination on file for the taxicab owner with the Director ~~[of Security]~~.

**§ 85-~~30~~ 28 Riders prohibited**

No person shall be allowed to ride in the front seat of any taxicab next to the driver except paying passengers, and any driver who shall permit this may be deprived of his license via suspension or revocation of same by the Director ~~[of Security]~~.

**§ 85-~~34~~ 29 Carrying additional passengers**

No driver of a licensed taxicab shall carry any person(s) other than the passenger first employing a taxicab without the consent of such first passenger. No person shall be required to ride in or to pay for a called taxicab if the same is already occupied by another passenger without their consent. No person shall be required to ride in or to pay for a taxicab if the driver of same takes on additional passengers without his consent.

**§ 85-~~32~~ 30 Compliance with noise ordinance required; sounding of horn prohibited**

Every driver of a taxicab shall at all times comply with the ordinances of the County and its constituent municipalities and all other applicable laws, rules and regulations, prohibiting loud or unnecessary noise in disturbance of peace and quiet.

**§ 85-~~33~~ 31 Articles found in taxicabs**

Every driver of a taxicab, immediately after the termination of any hiring or employment, must carefully search such taxicab for any property lost or left therein, and any such property, unless sooner claimed or delivered to the owner, shall be maintained at the business address of the owner of the vehicle for a period of not less than thirty (30) days. All articles must be logged in at the business address. Items of significant value, to include but not limited to wallets, purses, handheld communication devices, electronics and jewelry are to be deposited with the Director ~~[of Security]~~, along with the trip sheet for the period in which the item was found, by the end of the next business day.

**§ 85-~~34~~ 32 Use of vehicle for unlawful purposes and deceiving or misinforming passengers prohibited**

- A. It shall be unlawful for any licensed driver of any taxicab to misrepresent his own name, and/or the name of his employer, or knowingly receive or transport any person or persons who intend any unlawful act in such vehicle during the voyage or at the termination thereof, whether within such vehicle or not. It shall be unlawful for any such driver to solicit or procure or to aid or assist in soliciting or procuring any person to ride in a licensed taxicab with the intent of the driver or of any or all passengers to commit any unlawful act therein or at any time during the voyage or immediately following the termination thereof, whether within the vehicle or not.
- B. It shall be unlawful for any licensed driver of any taxicab to solicit and/or procure the sale or distribution of controlled substances. It shall be unlawful for any licensed driver of any taxicab to solicit and/or procure any person to ride in a licensed taxicab for the purpose of sale or distribution of controlled substances.
- C. Operating a vehicle under the influence of alcohol or a controlled substance shall be grounds for immediate suspension and revocation of a driver's license. The Director ~~[of Security]~~ may require a licensee to submit to drug and alcohol screening tests upon

reasonable cause. Refusal to submit to such screening test or a positive test result shall constitute grounds for revocation of a license. The licensee shall be responsible for the fees associated with the drug testing as authorized in this section only if a positive test is returned.

- D. No person owning, operating or driving a taxicab shall deceive or misinform any customer or passenger who may pay for taxicab service, or who may ride or desire to ride in any such vehicle, as to the shortest route to a destination or as to the lawful fare to be charged. No person owning, operating or driving a taxicab shall deceive or misinform any customer or passenger as to the location or distance of the destination requested, nor shall any passenger be transported to any destination other than the one specified and/or by any route directed or requested by such person.

Article V  
**Program Fees/Charges**

**§ 85-~~35~~ 33 Penalties for offenses**

- A. For purposes of this chapter, the actions of representatives, agents, employees or taxicab drivers utilizing vehicles owned or operated by a taxicab business shall be treated as actions of the owner of said taxicab vehicles and taxicab business.
- B. Any person violating any of the provisions of this chapter shall, upon conviction, be responsible for any penalty incurred as a result and as administered by Broome County and as approved by the Broome County Legislature. In addition thereto a licensee, or the owner, operator or driver of a licensed vehicle, may have their license suspended or revoked.
- C. The Director ~~[of Security]~~ may, in his discretion, temporarily suspend or revoke a ~~[drivers or vehicle]~~ license or refuse access to all County transportation facilities pending the outcome of the prosecution of the licensee under this chapter or under any other provision of any applicable law, code, rule or regulation.
- D. Vehicles found to be operating without a proper county taxicab business and vehicle license, inspection or by a driver without a valid taxicab driver's license or found to be in violation of any section of this chapter shall be subject to impoundment by any law enforcement agency operating within the County. Any violation of this provision shall be deemed a violation, and the taxicab owner shall be guilty of a violation and subject to the following schedule of fines and/or imprisonment ~~[not to exceed thirty (30) days, or both such fine and imprisonment]:~~
- (1) First offense: not more than \$100.
  - (2) Second offense: not more than \$250 or fifteen (15) days imprisonment or both such fine and imprisonment.
  - (3) Third offense: not more than \$500 or thirty (30) days imprisonment or both such fine and imprisonment.
- E. The penalties set forth in §85-~~35~~ 33 are in addition to the provisions of §§ 106-4V(9)(b) and 106-4V(10)(d) of the Broome County Charter and Code, Part IV, Regulatory Local Laws. These penalties shall be in addition to and not instead of any other penalties imposed by any other applicable law, code, rule or regulation of any other governmental or regulatory agency or entity.

**§ 85-~~36~~ 34 Enforcement**

The County Executive, Director of Security Services, Commissioner of Aviation, County Sheriff and other agents duly designated in addition to local, County and state police or law enforcement officers are hereby authorized to, and they shall, enforce the foregoing rules and regulations.

**§ 85-~~37~~ 35 Public emergency; police powers**

Whenever a state of emergency is declared by the County or whenever the Director ~~of Security~~, or, if there be none, the highest-ranking officer in command of the Division of Security or his designee, determines that protection of public safety so requires, the County Executive and/or the Director ~~of Security~~ may suspend the provisions of this chapter, in whole or in part, for part or all of the period during which such emergency conditions may prevail. Such power shall include but not be limited to the suspension of the requirement that fares be paid by passengers and/or other requirements of this chapter. Under such circumstances, all drivers and operators shall endeavor to keep and maintain accurate records showing the trips provided and the details of same during such period, similar to such records as would be required to be kept by this chapter if such period of emergency had not existed.

**§ 85-~~38~~ 36 Exceptions**

- A. The provisions of this chapter shall have no application to exempt vehicles, as defined herein, or for special events, upon advance notice of same being provided to the Director ~~of Security~~ and his approval thereof.
- B. The licensing fee set forth in this chapter shall not be required for taxicab vehicles or other vehicles for hire to which this chapter would otherwise apply if same are owned by or operated under the control of a corporation duly organized and existing pursuant to the Not-For-Profit Corporation Law of the State of New York and while being used solely for the purposes of such corporation.

**C. Limousines are exempted from certain requirements of this Chapter at the discretion of the Director to include but not limited to the placement of exterior markings and signage.**

**§ 85-~~39~~ 37 Severability**

The provisions of this chapter shall be deemed severable. The finding of the invalidity, illegality or unenforceability of any one or more provisions hereof shall not be deemed to affect the validity of the other sections or provisions of this chapter, as long as the sense thereof remains.

Section 3. This local law shall take effect immediately upon filing with the Secretary of State.

Material ~~[Bold Strikethrough Brackets]~~ Deleted

Material **Added**

**Heldover** by Mr. Garnar

**RESOLUTION NO. 548**

By Transportation and Rural Development and Finance Committees   Seconded by Mr. Klipsch  
**RESOLUTION AUTHORIZING THE BROOME COUNTY DEPARTMENT OF PUBLIC  
TRANSPORTATION TO DONATE A PARATRANSIT BUS TO THE VESTAL VOLUNTEER  
FIRE DEPARTMENT**

WHEREAS, the Commissioner of Public Transportation requests authorization to donate a paratransit bus to the Vestal Volunteer Fire Department, and

WHEREAS, said bus is old, no longer in use by the Department of Public Transportation, and has no value to Broome County, and

WHEREAS, the Vestal Volunteer Fire Department has use for the bus for emergency scene rehabilitation of firefighters, and

WHEREAS, under the authority of County Law Section 215, Subdivision 9, the Broome County Legislature may authorize the disposal of property having no value to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Public Transportation to donate a paratransit bus to the Vestal Volunteer Fire Department, 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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 549**

By Transportation and Rural Development, Personnel and Finance Committees

Seconded by Mr. Sanfilippo

#### **RESOLUTION AUTHORIZING RENEWAL OF THE JOB ACCESS REVERSE COMMUTE/TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM GRANT FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION AND ADOPTING A PROGRAM BUDGET FOR 2011**

WHEREAS, this County Legislature, by Resolution 584 of 2009, authorized and approved renewal of the Job Access Reverse Commute/Temporary Assistance for Needy Families Program Grant for the Department of Public Transportation and adopted a program budget in the amount of \$615,466 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$600,000 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$300,000 from the Federal Transit Administration, One Bowling Green, New York, New York 10004 for the Department of Public Transportation's Job Access Reverse Commute/Temporary Assistance for Needy Families Program Grant for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$600,000, 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-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 550**

By Transportation and Rural Development and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL TRANSPORTATION ADMINISTRATION FUNDS FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION FOR 2010**

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

WHEREAS, the Commissioner of Transportation requests authorization to accept Federal Transportation Administration Funds for operating assistance for Broome County's Mass Transportation Program in the amount of \$3,003,043 for the period January 1, 2010 through December 31, 2010, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance and expenditure of \$3,003,043 from the Federal Transit Administration, One Bowling Green, New York New York 10004, for operating assistance for Broome County's Mass Transportation Program for the period January 1, 2010 through December 31, 2010, and be it

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

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

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 551**

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Materese

**RESOLUTION AUTHORIZING RENEWAL OF THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 632 of 2009, authorized and approved the State Criminal Alien Assistance Program (SCAAP) Grant for the Office of the Sheriff and adopted a program budget in the amount of \$31,298 for the period November 1, 2009 through October 31, 2010, and

WHEREAS, said program grant provides training for corrections officers to help manage offender population, and

WHEREAS, it is desired to renew said program grant in the amount of \$32,621 for the period November 1, 2010 through October 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$32,621 from the United States Department of Justice, 950 Pennsylvania Ave., NW, Washington, DC 20530-0001, for the Office of the Sheriff's State Criminal Alien Assistance Program Grant for the period November 1, 2010 through October 31, 2011, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$32,621, and be it

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

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

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

**Heldover** by Mr. Materese

### **RESOLUTION NO. 552**

By County Administration and Finance Committees

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH VERIZON ENTERPRISE SOLUTIONS FOR INTELLIPATH II DIGITAL CENTREX SERVICE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2010-2011**

WHEREAS, this County Legislature, by Resolution 614 of 2007, authorized an agreement with Verizon Enterprise Solutions for Intellipath II Digital Centrex Service for the Division of Information Technology at a monthly rate of \$12.54 per line, total amount not to exceed \$657,296.64 for the period December 1, 2008 through November 30, 2010, and

WHEREAS, said agreement is necessary to provide Intellipath II Digital Centrex Service for certain County telecommunication lines including provided inter-office communication via 4-digit dialing capabilities, remote administration and detailed call records necessary for internal/external billing and administration, and

WHEREAS, said agreement expires by its terms on November 30, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a monthly rate of \$12.54 per line for the period December 1, 2010 through November 30, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Verizon Enterprise Solutions, 201 South State Street, 2<sup>nd</sup> Floor, Syracuse, New York 13202 for Intellipath II Digital Centrex Services for the Division of Information Technology for the period December 1, 2010 through November 30, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12.54 per line per month, total amount not to exceed \$328,648.32, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 10030001.6004102 (Telephone Equipment), 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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 553**

By Transportation and Rural Development and Finance Committees

Seconded by Mr. Klipsch

**RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL TRANSPORTATION ADMINISTRATION FUNDS FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION'S JARC PROGRAM FOR 2010-2011**

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

WHEREAS, the Commissioner of Transportation requests authorization to accept Federal Transportation Administration Funds for Broome County Department of Transportation's JARC Program in the amount of \$339,385 for the period January 1, 2010 through December 31, 2011, and

WHEREAS, said funding provides the Federal share of the operating funds for the Broome County Department of Public Transportation's JARC Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance and expenditure of \$339,385 from the Federal Transit Administration, One Bowling Green, New York New York 10004, for Broome County Department of Transportation's JARC Program for the period January 1, 2010 through December 31, 2011, and be it

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

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

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 554**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL TRANSPORTATION ADMINISTRATION FUNDS FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION'S NEW FREEDOM PROGRAM FOR 2010-2011**

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

WHEREAS, the Commissioner of Transportation requests authorization to accept Federal Transportation Administration Funds for Broome County Department of Transportation's New Freedom Program in the amount of \$194,405 for the period January 1, 2010 through December 31, 2011, and

WHEREAS, said funding provides the Federal share of the operating funds for the Broome County Department of Public Transportation's New Freedom Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance and expenditure of \$194,405 from the Federal Transit Administration, One Bowling Green, New York New York 10004, for Broome County Department of Transportation's New Freedom Program for the period January 1, 2010 through December 31, 2011, and be it

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

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

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 555**

By Finance Committee

Seconded by Mr. LaBare

#### **TAX ANTICIPATION NOTE RESOLUTION DATED NOVEMBER 18, 2010**

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

Section 1. The power to authorize, from time to time during fiscal year 2011, the issuance and sale of tax anticipation notes of the County of Broome, New York, including renewals thereof, in anticipation of the collection of real property taxes levied, or to be levied, for such fiscal year of said County during which such issuance and sale shall be authorized for the fiscal year during which such notes shall be issued and sold, in an amount not to exceed \$20,000,000, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said Commissioner of Finance, pursuant to the Local Finance Law of the State of New York. This power shall apply to tax anticipation notes to be issued by said County within 30 days prior to the commencement of the 2011 fiscal year in anticipation of the collection of real estate taxes levied or to be levied for such fiscal year.

Section 2. It is the intent of the County Legislature that this resolution shall remain in full force and effect until December 31, 2011, at which time the powers granted to the Commissioner of Finance shall automatically terminate without further action of this Legislature.

Section 3. This resolution shall take effect immediately.

**Carried.** Ayes-16, Nays-1 (Nirchi), Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 556**

By Human Services and Finance Committees

Seconded by Mr. Herz

#### **RESOLUTION AUTHORIZING AN INCREASE TO THE AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2010**

WHEREAS, this County Legislature, by Resolution 28 of 2010, authorized an agreement with Cornell Cooperative Extension of Broome County for services for the Department of Social Services at an amount not to exceed \$397,372 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, the amount authorized by the Legislature in the 2010 budget is \$430,835, and

WHEREAS, as was also set forth in Resolution 28 of 2010, the contract amount is to be reviewed by this Legislature to determine whether there are sufficient County funds to increase the total amount of the 2010 contract to \$430,835 for the term of the agreement, now therefore, be it

WHEREAS, in accordance with Resolution 28 of 2010, that this County Legislature has determined that there are sufficient County funds to increase the contract accordingly, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes an increase of the agreement with Cornell Cooperative Extension of Broome County, 840 Front Street, Binghamton, New York 13905-1500 for services for the Department of Social Services for the period January 1, 2010 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$33,463, total amount not to exceed \$430,835 for the term of the agreement, as authorized by the appropriation in the 2010 budget, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 44010008.6005016 (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-17, Nays-0, Absent-2 (Howard, Merrill)

### **RESOLUTION NO. 557**

By Public Works Committee

Seconded by Mr. Klipsch

#### **RESOLUTION AUTHORIZING THE INCLUSION OF A NEW PORTION OF KNAPP ROAD IN THE BROOME COUNTY HIGHWAY SYSTEM MAP**

WHEREAS, the Broome County Division of Solid Waste Management is constructing a new entrance to Section IV of the Broome County Landfill located north of Dunham Hill road in the Towns of Nanticoke and Barker, and

WHEREAS, the Broome County Division of Solid Waste Management in conjunction with the construction of the new entrance to Section VI of the landfill has constructed a new road extending from the intersection of Knapp Road in the Town of Nanticoke and the present entrance to the Broome County Landfill to Dunham Hill Road in the Town of Nanticoke to divert truck traffic from the existing Knapp Road located in the Town of Nanticoke and eliminate a sharp curve and steep grade, and

WHEREAS, the Commissioner of Public Works requests that this new road be included in the Broome County Highway System Map pursuant to Highway Law, Section 115, and that it be designated as Knapp Road being a portion of County Road 73, and

WHEREAS, the new portion of Knapp Road extends for .93 miles, and as described and pictured in Exhibit "A", and

WHEREAS, the inclusion of this road in the Broome County Highway System Map as proposed will allow for County maintenance thereof in accordance with Highway Law, Section 115, and

WHEREAS, it is necessary that this County Legislature approve the proposed amendment to the County Highway System pursuant to Highway Law, Section 115, now, therefore, be it

RESOLVED, that the Commissioner of Public Works be, and hereby is directed to make the necessary changes to the map detailing the County Highway System so that this new portion of Knapp Road described and pictured in Exhibit "A" be included in the County Highway System, and be it

FURTHER RESOLVED, that said new portion of Knapp Road shall be designated as County Road 73, and be it

FURTHER RESOLVED, that the Commissioner of Public Works be, and he hereby is, directed to file the amended version of the County Highway System Map with the County Clerk and his own office.

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**RESOLUTION NO. 558**

By Public Health and Environmental Protection Committees

Seconded by

**RESOLUTION RENDERING A NEGATIVE DECLARATION WITH RESPECT TO A GENERIC LEASE OF OIL AND NATURAL GAS MINERAL RIGHTS ON COUNTY OWNED LAND**

WHEREAS, this County Legislature, pursuant to resolution No. 430 of 2010 has declared itself to be the lead agency with respect to the environmental review of a generic lease of the oil and natural gas mineral rights on county owned real property, and

WHEREAS, this County Legislature has before it Resolution No. 464 of 2010 authorizing lease agreements with Inflection Energy, LLC for oil and natural gas rights on county owned real property which lease agreements would incorporate the generic lease of the oil and natural gas mineral rights on county owned property under review pursuant to Resolution No. 430 of 2010, and

WHEREAS, the Commissioner of Planning and Economic Development has submitted Part II of the long form Environmental Assessment Form that was annexed to Resolution 430 of 2010, and

WHEREAS, this County Legislature has reviewed the said Part II of the long form Environmental Assessment Form together with the supporting documentation including proposed findings, and

WHEREAS, this County Legislature has determined, based on the EAF and proposed findings, annexed hereto as Exhibit "A", that the proposed action of entering into generic lease agreements and, specifically, a generic lease agreement with Inflection Energy, LLC for oil and natural gas mineral rights on county owned land incorporating the terms set forth in Resolution No. 430 of 2010 and Part I of the EAF will not have a significant effect on the environment, now, therefore, be it

RESOLVED that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that the proposed action of entering into generic lease agreements as set forth in Resolution No. 430 of 2010 and, specifically, a generic lease agreement with Inflection Energy, LLC for oil and natural gas mineral rights on county owned land as set forth in Resolution No. 464 of 2010 that incorporates the generic terms set forth in Resolution No. 430 of 2010 and Part I of the EAF attached to said resolution will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "B"

**Note:** Resolution 2010-430 Designating Broome County as Lead Agency with Respect to a Generic Lease of Oil and Natural Gas Mineral Rights on County Owned Land failed, therefore it is not necessary to act on this resolution. No action was taken

**RESOLUTION NO. 559**

By Education, Culture and Recreation and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF THE LEASE AGREEMENT WITH THE BINGHAMTON AREA GIRLS SOFTBALL ASSOCIATION, INC.**

WHEREAS, this County Legislature, by Resolution 287 of 1988 as amended by Resolution 34 of 1993, authorized a lease agreement with Binghamton Area Girls Softball Association, Inc. (BAGSAI) for the lease of property and development of a softball complex with payment to the county of one dollar for the term of the lease, and

WHEREAS, said services are necessary for the Binghamton Area Girls Softball Association, Inc. to use the property adjacent to the Broome Community College to host softball events, and

WHEREAS, said agreement expires by its terms on December 31, 2010, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with the Contractor

paying \$1 to the County for the term of the lease agreement, for the period January 1, 2011 through December 31, 2020, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Binghamton Area Girls Softball Association, P.O. Box 2907, Binghamton, NY 13902, to use the property adjacent to Broome Community College for the period January 1, 2011 through December 31, 2020, and be it

FURTHER RESOLVED, that the County may terminate the lease as of December 31 of any of the final five years of the lease upon one year prior written notice to the contractor; and be it

FURTHER RESOLVED, that in consideration of said services, the County shall be paid an amount of \$1 by the Contractor for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 43010008.5000165 (Miscellaneous Revenue), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

**Carried.** Ayes-17, Nays-0, Absent-2 (Howard, Merrill)

Mr. Garnar made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried.** The meeting was adjourned at 7:15 PM.

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