

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
DECEMBER 16, 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-18 Absent-1 (Klipsch).

The Chair, Mr. Reynolds, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a prayer offered by Legislator Buchta. A moment of silence was observed for Henry Weissmann, former Legislator, Deputy County Clerk and Public Works Commissioner, who passed away earlier in the day.

Mr. Moran made a motion, seconded by Ms. Messina, that the Session minutes of November 8, 2010 and November 18, 2010 be approved as prepared and presented by the Clerk. **Carried.** Ayes-18, Nays-0, Absent-1 (Klipsch).

Mr. Reynolds noted that the committee minutes for the period November 18, 2010 through December 15, 2010 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Ms. Messina, seconded by Mr. Sanfilippo. **Carried,** Ayes-18 Nays-0, Absent-1 (Klipsch).

PUBLIC HEARING-None

ANNOUNCEMENTS FROM THE CHAIR

County Executive Fiala presented Darlene Croston with a certificate and named December 16th as Darlene Croston Recognition and Appreciation Day.

Mr. Reynolds presented the family of the late George Harbuchuk with a resolution of condolence.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE: None

- A. Letters from the County Executive, Barbara J. Fiala
 - 1. Appointments to the Greater Binghamton Airport Advisory Board
 - 2. Appointments to the Library Board of Trustees
 - 3. Communication Regarding Funding to Cornell Cooperative Extension of Broome County through Resolution 2010-556

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel D. Reynolds:
 - 1. Designation for Wayne L. Howard on 11/18/2010
 - 2. Designation for Donald T. Moran on 12/6/2010
 - 3. Designation for John F. Hutchings on 12/6/2010
 - 4. Designation for Barry L. Klipsch for week of 12/6/2010
 - 5. Designation for Joseph A. Merrill on 12/8/2010
 - 6. Designation for Jason T. Garnar on 12/8/2010
 - 7. Designation for Mario M. Nirchi on 12/9/2010

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. PETITIONS:
 - 1. Petition from Broome Residents Calling for a Ban on Gas Drilling in Low-Permeable Stone Deposits in New York State
- B. COMMUNICATIONS:

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 retail installment agreement with AMERICAN CAPITAL FINANCIAL SERVICES, INC 2015 Ogden Avenue, Suite 400, Lisle, IL 60532 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 \$617,122.08 for the term of the agreement with monthly payments beginning on or about April 1, 2011, and be it

FURTHER RESOLVED, that said agreement shall be deemed executory only to the extent of monies appropriated and available for the purpose of the agreement, and no liability on account thereof shall be incurred by the county beyond the amount of such monies; said installment agreement is not a general obligation of Broome County; neither the full faith and credit nor the taxing power of the County are pledged to the payment of any amount due or to become due under such installment agreement; it is understood that neither said agreement nor any representation by any public employee or officer creates any legal or moral obligation to appropriate or make monies available for the purpose 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.

Amendment carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

Resolution as amended carried. Ayes-18, Nays-0, Absent-1 (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"

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 551

By Public Safety and Emergency Services and Finance Committees Seconded by Mr. Materese
RESOLUTION AUTHORIZING RENEWAL OF THE STATE CRIMINAL ASSISTANCE PROGRAM (SCAAP) GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2010-2011

Mr. Materese made a motion, seconded by Mr. Moran to amend Exhibit "A" to reflect correct budget amounts.

Amendment carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

Resolution as amended carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 560

By County Administration and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF AN INTER-MUNICIPAL AGREEMENT WITH THE COUNTY CLERKS OFFICE AND THE TOWN OF TRIANGLE FOR THE USE OF TOWN FACILITIES FOR 2011

WHEREAS, this County Legislature, by Resolution 3 of 2010, authorized the renewal of an inter-municipal agreement with the Town of Triangle for the use of Town facilities, with a minimal cost to the County for telephone, computer and cable services and equipment, for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said services are necessary for the County to operate a satellite DMV Unit in the Town of Triangle, 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 Town of Triangle, 2612 Liberty Street, P.O. Box 289, Whitney Point, New York 13862, for the use of Town facilities for the County Clerk's Office-DMV, 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 for telephone, computer and cable services, and equipment, during the term of the agreement, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 561

By County Administration and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF AN INTER-MUNICIPAL AGREEMENT WITH THE COUNTY CLERKS OFFICE AND THE TOWN OF CONKLIN FOR THE USE OF TOWN FACILITIES FOR 2011

WHEREAS, this County Legislature, by Resolution 4 of 2010, authorized the renewal of an inter-municipal agreement with the Town of Conklin for the use of Town facilities, with a minimal cost to the County for telephone, computer and cable services and equipment, for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said services are necessary for the County to operate a satellite DMV Unit in Conklin, 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 Town of Conklin, 1271 Conklin Road, Conklin, New York 13748, for the use of Town facilities for the County Clerk's Office-DMV, 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 for telephone, computer and cable services, and equipment, during the term of the agreement, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 562

By Public Safety and Emergency Services and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING ACCEPTANCE OF UNITED STATES MARSHALS MEMORANDUM OF UNDERSTANDING PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2010-2011

WHEREAS, the Broome County Sheriff requests authorization to accept a United States Marshals Memorandum of Understanding Program Grant and adopt a program budget in the amount of \$36,000 for the period October 1, 2010 through September 30, 2011, and

WHEREAS, said program grant provides for overtime services at the Broome County Correctional Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$42,000 from the United States Department of Justice, United States Marshals Service, 310 Federal Plaza, Central Islip, New York 11722 for the Office of the Sheriff's United States Marshals Service Memorandum of Understanding 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 \$42,000, 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 563

By Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING ACCEPTANCE OF A HOMELAND SECURITY PROGRAM GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2009-2012

WHEREAS, the Director of Emergency Services requests authorization to accept a Homeland Security Program Grant and adopt a program budget in the amount of \$447,255 for the period August 1, 2009 through July 31, 2012, and

WHEREAS, said program grant provides funds necessary for expenses related to homeland security, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$447,255 from New York State Homeland Security, 1220 Washington Avenue, Building 7A, Albany, New York 12226 for the Office of Emergency Services Homeland Security 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 \$447,255, and be it

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

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

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

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

Mr. Materese made a motion, seconded by Ms. Messina to amend Exhibit "A" to reflect correct budget line appropriations. **Amendment carried.** Ayes-18, Nays-0, Absent-1 (Klipsch)

Resolution as amended carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 564

By Human Services and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID FRAUD AND ABUSE INITIATIVE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENTS WITH SALIENT CORPORATION AND AMERICAN QUALITY REVIEW FOR SOFTWARE AND SERVICES FOR SAID PROGRAM FOR 2010-2012

WHEREAS, this County Legislature, by Resolution 157 of 2009, authorized and approved the Medicaid Fraud and Abuse Initiative Program Grant, adopted a program budget in the amount of \$406,200 and authorized an agreements with IBM Salient Corporation and American Quality Review, Inc., for software and services for the period May 1, 2008 through July 31, 2009, and

WHEREAS, said program grant allows Broome County to participate in a pilot demonstration program, led by New York State Association of Counties, which utilizes the most advanced software available to identify Medicaid irregularities that have the potential of provider or recipient fraud or abuse, and

WHEREAS, it is desired to renew said grant program in the amount of \$190,893, adopt a program budget and renew the agreements for services with Salient Corporation for the period May 1, 2011 through April 30, 2012 and American Quality Review, Inc., for the period August 1, 2010 through July 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$95,446 from the New York State Department of Health and \$95,447 from the Federal Medicaid Program for the Department of Social Services Medicaid Fraud and Abuse Initiative Program Grant for the period August 1, 2010 through April 30, 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 \$190,893, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Salient Corporation, 203 Colonial Drive, Horseheads, New York 14845 for software maintenance and training for the Department of Social Services for the period May 1, 2011 through April 30, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$39,000 for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with American Quality Review, 81 Hempstead Avenue, Lynbrook, New York 11563 for professional services for the Department of Social Services for the period August 1, 2010 through July 31, 2011, and

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$151,893 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 35010006.6004573.3510268 (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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 565

By Human Services and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH VARIOUS PROVIDER AGENCIES FOR VARIOUS SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2010

WHEREAS, this County Legislature, by Resolution 617 of 2009 and Resolution 12 of 2010, authorized renewal of the agreements with various provider agencies for various services for the Department of Social Services' Purchase of Service Programs at an amount listed on Exhibit "A", total amount not to exceed \$3,962,065, for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said services are necessary for various services related to the Department of Social Services' Purchase of Service Programs, 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 amounts listed on Exhibit "A", total amount not to exceed \$3,675,387 for all agencies, for the period January 1, 2011 through December 31, 2011, and

WHEREAS, the Commissioner of Social Services requests authorization to accept and pass through Cost of Living Adjustments (COLA) from New York State to all provider agencies without further Legislative approval, and

WHEREAS, the Commissioner of Social Services requests authorization to adjust, if necessary, without further Legislative approval, the amounts designated between Purchase of Service Programs within specific providers as long as the total amount designated for each provider does not exceed the budget amount, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the various provider agencies for various services as listed on Exhibit "A" for the Department of Social Services' Purchase of Services Programs 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 amount listed on Exhibit "A", total amount not to exceed \$3,675,387 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 35020006.6004573 (CCSI), 35070006.6004314 (Haskins), 35070006.6004300 (Purchase of Services), 3507006.6004326 (EAF/POS), and 35070006.6004573 (PSA), and be it

FURTHER RESOLVED, the Department of Social Services is authorized to accept and pass through Cost of Living Adjustments (COLA) from New York State to all provider agencies without further Legislative approval, and be it

FURTHER RESOLVED, the Department of Social Services is authorized to adjust, if necessary, without further Legislative approval, the amounts designated between Purchase of Service Programs within specific providers as long as the total amount designated for each provider does not exceed the budget amount, and

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 566

By Human Services, Personnel, and Finance Committees Seconded by Ms. Buchta
RESOLUTION AUTHORIZING RENEWAL OF THE TITLE III-B SUPPORTIVE SERVICES PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2011

WHEREAS, this County Legislature by Resolution 620 of 2009, as amended by Resolution 111 and 496 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 \$736,165 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides a variety of services, including transportation, information and assistance, legal assistance, shopping services and caregiver services, and

WHEREAS, it is desired to renew said program grant budget in the amount of \$733,475 for the period January 1, 2011 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the renewal of the Title III-B Supportive Services Grant in an amount of \$271,178 from New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-1251 for the Office For Aging's 2010 Title III-B Supportive Services 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 revised program budget annexed hereto as Exhibit "A" in the total amount of \$733,475 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 567

By Human Services, Personnel, Finance Committees Seconded by Ms. Buchta
RESOLUTION AUTHORIZING RENEWAL OF THE TITLE III-C-1 CONGREGATE MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2011

WHEREAS, this County Legislature by Resolution 621 of 2009 as amended by Resolution 495 of 2010, 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 \$1,153,739 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides support for congregated meals, senior center operation, health and wellness activities, and access to benefits in accordance with the standards established by the Older Americans Act and the New York State Office for Aging, and

WHEREAS, it is desired to renew said program grant budget in the amount of \$1,181,153 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 \$337,989 from New York State Office for Aging, Empire State Agency Building 2, Albany, NY 12223-1251 for the Office For Aging's Title III-C-1 Congregate Meals 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 \$1,181,153 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 568

By Human Services, Personnel, Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE TITLE III-C-2 HOME DELIVERED MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2011

WHEREAS, this County Legislature by Resolution 622 of 2009 as amended by Resolution 494 of 2010, 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 \$727,656 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides support for home delivered meals (Meals on Wheels) to individuals age 60 and over in accordance with standards established by the Older Americans Act and the New York State Office for Aging, and

WHEREAS, it is desired to renew said program grant budget in the amount of \$670,789 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 \$172,776 from New York State Office for Aging, Empire State Agency Building 2, Albany, NY 12223-1251 for the Office For Aging's Title III-C-2 Home Delivered Meals 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 \$670,789 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 569

By Human Services and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF TITLE III-D HEALTH PROMOTION PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2011

WHEREAS, this County Legislature, by Resolution 623 of 2009, as amended by Resolution 493 of 2010 authorized and approved the renewal of the Title III-D Health Promotion Program for the Office For Aging and adopted a program budget in the amount of \$32,679 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$32,803 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 \$16,903 from New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-1251 for the Office For Aging's Title III-D Health Promotion 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 \$32,803 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 570

By Human Services, Personnel, and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF TITLE III-E FAMILY CAREGIVER PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2011

WHEREAS, this County Legislature, by Resolution 624 of 2009 authorized and approved renewal of the Title III-E Family Caregiver Program Grant for the Office For Aging and adopted a program budget in the amount of \$151,899 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides caregivers with education, transportation, in-home and institutional respite, information and assistance and

WHEREAS, it is desired to renew said program grant budget in the amount of \$155,906 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 \$139,920 from New York State Office for Aging, Empire State Agency Building 2, Albany, NY 12223-1251 for the Office For Aging's 2010 Title III-E Family Caregiver 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 \$155,906 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

WHEREAS, this County Legislature, by Resolution 629 of 2009, authorized and approved renewal of the Mental Health Outreach Program Grant for the Office For Aging and adopted a program budget in the amount of \$53,448 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides funding for in-home assessment, mental health counseling and treatment for seriously mentally ill elders over 60 years of age, and

WHEREAS, it is desired to renew said program grant in the amount of \$62,786 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 \$18,000 from Office of General Counsel, United Health Services, 10-42 Mitchell Avenue, Binghamton, New York 13903 for the Office For Aging's Mental Health Outreach 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 \$62,786 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 573

By Human Services and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE ELDER ABUSE PREVENTION PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2011

WHEREAS, this County Legislature, by Resolution 626 of 2009, authorized and approved the Elder Abuse Outreach Program Grant for the Office for Aging and adopted a program budget in the amount of \$160,121 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides funding used to identify and provide services to elders with mental or physical impairments and to protect them from physical, sexual or emotional abuse, neglect or exploitation, and

WHEREAS, it is desired to renew said grant program in the amount of \$156,940 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 \$97,178 from Broome County Department of Social Services, 38 Main Street, Binghamton, New York 13905, for the Office for Aging's Elder Abuse Outreach 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 \$156,940, 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 574

By Human Services, Personnel, and Finance Committees Seconded by Ms. Buchta
RESOLUTION AUTHORIZING RENEWAL OF THE INTEGRATED SOCIAL DAY CARE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2011

WHEREAS, this County Legislature, by Resolution 628 of 2009, authorized and approved renewal of the Integrated Social Day Care Program Grant for the Office For Aging and adopted a program budget in the amount of \$15,450, for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant provides funding to integrate mentally-challenged seniors into the Social Adult Day Care program for the Office For Aging, and

WHEREAS, it is desired to renew said program grant in the amount of \$18,000, 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 \$8,000 from New York State Office of Mental Retardation and Developmental Disabilities, c/o Broome Developmental Services, 229-231 State Street, Binghamton, New York 13901 for the Office For Aging's Integrated Social Day Care 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 \$18,000, 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 575

By Human Services, County Administration and Finance Committees Seconded by Ms. Buchta
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH HARMONY INFORMATION SYSTEMS FOR SOFTWARE LICENSE, MAINTENANCE AND TECHNICAL SUPPORT FOR THE OFFICE FOR AGING AND THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY FOR 2011

WHEREAS, this County Legislature, by Resolution 630 of 2009, as amended by Resolution 374 of 2010, authorized renewal of the agreement with Harmony Information Systems, Inc., for software license, maintenance, and technical support for the Office for Aging and the Community

Alternative Systems Agency at a cost not to exceed \$53,589.02 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said agreement is necessary to provide license renewal, maintenance and technical support for the Office for Aging and the Community Alternative Systems Agency, 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 \$54,447 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 Harmony Information Systems, Inc. 25 New England Drive, Essex Junction, Vermont 05452 for software license, maintenance and technical support for the Office for Aging and the Community Alternative Systems Agency 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 \$54,447 for the term of the agreement, and be it

FURTHER RESOLVED, that \$31,850 shall be made from budget line 34010006.6004505 (Contracted Data Processing) and \$22,597 shall be made from budget line 32010006.6004505 (Contracted Data Processing), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 576

By Personnel and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING LABOR AGREEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION (CSEA) LIBRARY UNIT 6150-01, LOCAL 804 FOR 2011-2014

WHEREAS, the County of Broome, under the provisions of the Civil Service Law (Taylor Law), has heretofore recognized Civil Service Employees Association (CSEA) Library Unit 6150-01, Local 804 as an employee organization for certain Broome County Library employees represented by said Union, and

WHEREAS, this County Legislature, by Resolution No. 32 of 2007, authorized a written agreement with CSEA Library Unit 6150-01, Local 804 setting forth the terms and conditions of employment for those employees represented by said Union for the period January 1, 2007 through December 31, 2010, and

WHEREAS, a tentative agreement has been reached with CSEA Library Unit 6150-01, Local 804 for the period January 1, 2011 through December 31, 2014, and

WHEREAS, it is desired at this time to renew said labor agreement on the terms and conditions set forth in the Memo of Agreement on file with the Clerk of this Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with CSEA Library Unit 6150-01, Local 804, setting forth the terms and conditions of employment for those employees represented by said Union, for the period January 1, 2011 through December 31, 2014, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 2007 written labor agreement with the exception of those changes listed on Exhibit "A" attached hereto, 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.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 577

By Pubic Health and Environmental Protection and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING AN AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL FOR PHARMACY SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2011-2013

WHEREAS, the Director of Public Health requests authorization for an agreement with Our Lady of Lourdes Hospital for pharmacy services for the Department of Health at a cost not to exceed \$5,000 per year, total amount not to exceed \$15,000 for the period January 1, 2011 through December 31, 2013, and

WHEREAS, said agreement is necessary to provide unit doses and individual packaging of prescription drugs used by the STD and TB Clinics, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 for pharmacy services for the Department of Health 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 an amount not to exceed \$5,000 per year, total 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 25020004.6004063 (Prescription Drugs), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 578

By Economic Development and Planning and Finance Committees Seconded by Ms. Buchta
RESOLUTION AUTHORIZING AN AGREEMENT WITH BINGHAMTON JOHNSON CITY JOINT SEWAGE TREATMENT BOARD FOR SERVICES PROVIDED BY THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2011

WHEREAS, the Commissioner of Planning and Economic Development requests authorization for an agreement with the Binghamton Johnson City Joint Sewage Treatment Board for services provided by the Department of Planning and Economic Development at the rate of \$35 per hour, with revenue to the County up to \$10,000 for the period January 1, 2011 through December 31, 2011, and

WHEREAS, said agreement is necessary to maintain and update the BJCJSTB system features in GIS format where source data will be in a variety of formats, including paper maps, CAD and GIS, provide hard copies as needed and interface with BJCJSTB and municipalities to resolve any errors, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Binghamton Johnson City Joint Sewage Treatment Board for services provided by the Department of Planning and Economic Development 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 at the rate of \$35 per hour, with revenue to the County up to \$10,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 37000007.5000189.3710052 (Other Local Government), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 579

By Public Safety and Emergency Services and Finance Committees Seconded by Ms. Buchta

RESOLUTION AUTHORIZING ACCEPTANCE OF LEGISLATIVE MEMBER FUNDING FOR THE OFFICE OF EMERGENCY SERVICES FOR 2002-2011

WHEREAS, the Director of Emergency Services requests authorization to accept Legislative Member Funding in the amount of \$20,000 for the period April 1, 2002 through July 31, 2011, and

WHEREAS, said funding will be used for gas well fire training, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the State of New York Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231-0001 for the Office of Emergency Services for the period April 1, 2002 through July 31, 2011, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 20010003.6001009.2010018 (Other Personnel 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 580

By Economic Development and Planning Committee

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING THE GREATER BINGHAMTON CHAMBER OF COMMERCE TO ACT AS THE AGENCY IN BROOME COUNTY FOR TOURISM AND CONVENTION PROMOTION FOR 2011

WHEREAS, this County Legislature, by Resolution 259 of 2009, authorized the Broome County Chamber of Commerce to act as the agency in Broome County for tourism and convention promotion for the period January 1, 2010 through December 31, 2010, and,

WHEREAS, it is desired at this time to authorize the Greater Binghamton Chamber of Commerce to be the tourism and convention promoter for Broome County for the period January 1, 2011 through December 31, 2011 so that appropriate applications may be timely filed for New York State grant monies, now, therefore, be it

RESOLVED, that this County Legislature hereby names and authorizes the Greater Binghamton Chamber of Commerce to be the tourism and convention promoter for Broome County for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that the Greater Binghamton Chamber of Commerce is hereby authorized to make application for any grants from the State of New York for tourism and convention promotion in Broome County, and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to enter into agreement(s) with the Greater Binghamton Chamber of Commerce to provide tourism and convention promotion in Broome County, subject to funding sources and matching funds by the Greater Binghamton Chamber of Commerce, and be it

FURTHER RESOLVED, that the Greater Binghamton Chamber of Commerce shall submit a quarterly written report to this Legislature as to the disposition of said grant monies.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 581

By Education, Culture and Recreation, and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT BETWEEN THE TOWN OF TRIANGLE AND THE BROOME COUNTY DEPARTMENT OF PARKS AND RECREATION FOR USE OF TOWN PROPERTY FOR 2011

WHEREAS, the Deputy Commissioner of Parks and Recreation requests authorization for an inter-municipal agreement between the Town of Triangle and the Broome County Department of Parks and Recreation for use of Town property for January 29, 2011 with an alternative date of February 12, 2011, at no cost to the County, and

WHEREAS, said agreement will provide off-site parking at the Town of Triangle Highway Garage during the Crappie Derby, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an inter-municipal agreement between the Town of Triangle, PO Box 289, 2612 Liberty Street, Whitney Point, New York 13862 and the Broome County Department of Parks and Recreation for use of Town property on January 29, 2011 with an alternate date February 12, 2011, at no cost to the County, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 582

By Economic Development and Planning Committee

Seconded by Ms. Buchta

RESOLUTION RENDERING A NEGATIVE DECLARATION IN REGARDS TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT COORDINATED REVIEW OF THE TOWN OF CONKLIN MULTI-USE TRAIL PROJECT

WHEREAS, Resolution 456 of 2010 established that the Broome County Legislature was the agency with the broadest governmental powers for investigation of the impact of the Proposed Conklin Multi-Use Trail and had the greatest capability for providing the most thorough environmental assessment of said project and was designated as Lead Agency, and

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned project, and

WHEREAS, it is hereby determined that the construction of the proposed Conklin Multi-use Trail is subject to the requirements of the State Environmental Quality Review Act (SEQRA), and it is therefore, necessary to initiate procedures with respect thereto, 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 adoption of the proposed Conklin Multi-use Trail project will not have significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "B".

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 583

By Public Safety and Emergency Services and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING THE BROOME COUNTY SECURITY DIVISION TO INCREASE THE TUITION FEE FOR ATTENDANCE AT THE PEACE OFFICER ACADEMY

WHEREAS, this County Legislature, by Resolution 594 of 2002 authorized the Broome County Security Division to impose a tuition fee of \$200 per person for attendance at the Peace Officer Academy, with the exception of Broome County Security Division personnel, and

WHEREAS, the Commissioner of Public Works requests authorization to increase the fee for tuition to \$250, due to additional costs for class materials and administrative expenses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of Security to increase the tuition fee to \$250 per person for attendance at the Peace Officer Academy, with the exception of Broome County Division of Security personnel, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 22000203.5000533 (Unclassified Revenues), 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 this Resolution shall take effect on January 1, 2011.
Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 584

By Public Safety and Emergency Services and Finance Committees Seconded by Mr. Sanfilippo
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE CITY OF BINGHAMTON FOR BROOME COUNTY SECURITY TO PROVIDE SECURITY SERVICES AT BINGHAMTON CITY HALL FOR 2011

WHEREAS, this County Legislature, by Resolution 633 of 2009, authorized renewal of the agreement with the City of Binghamton for security services at a rate of \$31.80 per hour, total amount not to exceed \$10,000 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said agreement is necessary to staff the Security Station at Binghamton City Hall for non-court related after hours events and meetings, 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 \$31.80 per hour for an amount not to exceed \$10,000, 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 City of Binghamton, 38 Hawley Street, Binghamton, New York 13901 for Broome County Security to provide security services at Binghamton City Hall for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the City of Binghamton shall pay the County at a rate of \$31.80 per hour, total amount not to exceed \$10,000 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 – 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 585

By Transportation and Rural Development and Finance Committees Seconded by Ms. Buchta
RESOLUTION AUTHORIZING AN AGREEMENT WITH VARIOUS CAR RENTAL AGENCIES FOR CAR RENTAL CONCESSIONS FOR THE GREATER BINGHAMTON AIRPORT FOR 2011-2016

WHEREAS, the Commissioner of Aviation requests authorization for agreements with Hertz Corporation, Avis Rent-a-Car System, SLLC, and Budget Rent-a-Car System, Inc. for car rental concessions for the Greater Binghamton Airport, with revenue to Broome County for the period February 1, 2011 through January 31, 2016, and

WHEREAS, these concessions provide both services for the traveling public using the facility as well as revenue to Broome County Aviation Fund, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes non-exclusive car rental concession agreements at the Greater Binghamton Airport with

Hertz Corporation	Avis Rent-A-Car System, LLC
225 Brae Boulevard	6 Sylvan Way
Park Ridge, NJ 07656	Parsippany, NJ 07054
Budget Rent-A-Car System, Inc.	
6 Sylvan Way	
Parsippany, NJ 07054	

for the period February 1, 2011 through January 31, 2016, and be it

FURTHER RESOLVED, that the revenue from these agreements will be based on the following:

- Parking Space: \$17.85 per parking space, per month
- Office and Counter Space: \$30.78 per square foot per year,

- Monthly Fee: 10% of gross sales or 1/12th of the annual guarantee from each concession, whichever is greater, based on the first-year minimum annual guarantees:

Hertz Corporation	\$99,300
Avis Rent-a-Car System, LLC	\$70,000
Budget Rent-a-Car System, Inc.	\$45,000

and be it

FURTHER RESOLVED, that the revenue hereinabove received shall be credited to budget line 28150005.5000129 (Rental Car Concession 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 586

By Transportation and Rural Development and Finance Committees Seconded by Ms. Buchta
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ECOLOGY AND ENVIRONMENT, INC. FOR PROFESSIONAL SERVICES FOR THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY FOR 2010-2013

WHEREAS, this County Legislature, by Resolution 674 of 2008, authorized an agreement with Ecology and Environment, Inc. for professional services for the Binghamton Metropolitan Transportation Study at an amount not to exceed \$49,125 for 2009 through 2012, and

WHEREAS, said agreement is necessary to create and operate a rideshare/carpool matching website for residents of Broome and Tioga Counties, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide an extension of the agreement and a one-time upgrade that will offer more features at a lower yearly cost at an amount not to exceed \$12,000 for April 1, 2010 through March 31, 2011, an amount not to exceed \$9,500 for April 1, 2011 through March 31, 2012, and an amount not to exceed \$9,500 for April 1, 2012 through March 31, 2013, and

WHEREAS, the Executive Director of the Binghamton Metropolitan Transportation Study has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Ecology and Environment, Inc., Buffalo Corporate Center, 368 Pleasant View Drive, Lancaster, New York 14086 for an extension of the agreement and a one-time upgrade that will offer more features at a lower yearly cost at an amount not to exceed \$12,000 for April 1, 2010 through March 31, 2011, an amount not to exceed \$9,500 for April 1, 2011 through March 31, 2012, and an amount not to exceed \$9,500 for April 1, 2012 through March 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$31,000, for the remaining term of the amended agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 37000007.6004573.3710050 (Professional Services), and be it

FURTHER RESOLVED, that Resolution 674 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 587

By Public Works and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING AGREEMENT WITH THE BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR WETLAND MONITORING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE MANAGEMENT FOR 2010-2014

WHEREAS, the Deputy Commissioner for Solid Waste Management requests authorization for an agreement with the Broome County Soil and Water Conservation District for wetland monitoring services for the Department of Public Works Division of Solid Waste Management at an amount of \$32/per hour, at a cost not to exceed \$13,067 for the period December 22, 2010 through December 31, 2014, and

WHEREAS, said services are necessary as per the County's Wetlands Permit because the Army Corp of Engineers requires monitoring of the mitigation wetland that was created as part of the landfill expansion project for a minimum of four years, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Soil and Water Conservation District, 1163 Upper Front Street, Binghamton, New York 13905, for wetland monitoring services for the Department of Public Works Division of Solid Waste Management for the period December 22, 2010 through December 31, 2014, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$32 per hour, total amount not to exceed \$13,067 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 38040007.6004572.2020 (Subcontracted 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.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 588

By Public Works and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SHUMAKER CONSULTING ENGINEERING AND LAND SURVEYING P.C. FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE FOR 2008-2010

WHEREAS, this County Legislature, by Resolution 233 of 2008 as amended by Resolution 548 of 2009, authorized an agreement with Shumaker Consulting Engineers and Land Surveying P.C. for Professional Services for the Department of Public Works Division of Solid Waste Management at a cost not to exceed \$737,130 for the period June 1, 2008 through December 31, 2010, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$57,975.20 as per the fee schedule in Exhibit "A" and extend the period through June 30, 2011, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Shumaker Consulting Engineers and Land Surveying, P.C., 143 Court Street, Binghamton, New York 13901-3528 to increase the not to exceed amount by \$57,975.20 as per the fee schedule in Exhibit "A" and amend the period to June 1, 2008 through June 30, 2011 for professional services for the Department of Public Works Division of Solid Waste, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$795,105.20, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 38010007.6004572.3820029 (Scale House Road and Facility), and be it

FURTHER RESOLVED, that Resolution 233 of 2008 as amended by Resolution 548 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 589

By Public Works and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR SOLID WASTE EDUCATION FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE MANAGEMENT FOR 2011

WHEREAS, this County Legislature, by Resolution 29 of 2010, authorized renewal of the agreement with Cornell Cooperative Extension of Broome County for solid waste education for the Department of Public Works Division of Solid Waste Management at an amount not to exceed \$58,905 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said services are necessary for education, planning and research for recycling operations, 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 \$57,417 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 Cornell Cooperative Extension of Broome County, 840 Front Street, Binghamton, New York 13905 for solid waste education for the Department of Public Works Division of Solid Waste Management 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 \$57,417 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 38050007.6004146 (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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 590

By Public Works Committee

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING A CONSERVATION EASEMENT AGREEMENT WITH THE BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, the Deputy Commissioner of Public Works for Solid Waste Management has requested that the Broome County Soil and Water Conservation District be granted a no-cost conservation easement for the wetlands at the Broome County Landfill, and

WHEREAS, said easement would allow the Broome County Soil and Water Conservation District access to the landfill wetlands to monitor and ensure that the wetlands remain undisturbed and in compliance with the requirements by the Army Corps of Engineers in the County's Wetlands Permit, now, therefore, be it

RESOLVED, that this County Legislature hereby grants a no-cost conservation easement to the Broome County Soil and Water Conservation District, 1163 Upper Front Street, Binghamton, New York 13905, to monitor and ensure that the wetlands at the Broome County

Landfill remain undisturbed pursuant to requirements by the Army Corps of Engineers in the County's Wetlands Permit, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 591

By Public Works and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH STEARNS & WHEELER, LLC FOR PROFESSIONAL SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 337 of 2010, Resolution 395 of 2009, Resolution 458 of 2008, Resolution 524 of 2007, Resolution 738 of 2006, Resolution 400 of 2005, and Resolution of 353 of 2004, authorized an agreement with Stearns & Wheeler, LLC for professional engineering services for the Department of Public Works Division of Solid Waste Management at an amount not to exceed \$30,000 for the period September 1, 2010 through August 31, 2011, and

WHEREAS, said amendment is necessary to assist the leachate treatment plant operations staff with operations questions, evaluation of chemical usage, troubleshooting operations issues and plant maintenance and repair issues, including assistance with operations at the landfill facility including initial operation of the new Section IV, Cell 1 landfill, and ongoing operation at the County's leachate treatment facility at the Broome County Landfill, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the contract cost by \$20,000 to provide hardware and software upgrade for the SCADA system, and

WHEREAS, the Deputy Commissioner for Solid Waste Management has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheeler, GHD, One Remington Park Drive, Cazenovia, New York, 13035, to increase the contract amount by \$20,000 to provide hardware and software upgrade for the SCADA system for the Department of Public Works Division of Solid Waste Management for the period September 1, 2010 through August 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$50,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 38040007.6004146.2020 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 337 of 2010, Resolution 395 of 2009, Resolution 458 of 2008, Resolution 524 of 2007, Resolution 738 of 2006, Resolution 400 of 2005, and Resolution of 353 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 592

By Finance Committee

Seconded by Ms. Messina

BOND RESOLUTION DATED DECEMBER 16, 2010 AUTHORIZING THE ISSUANCE OF \$27,231,000 BONDS OF THE COUNTY OF BROOME, NEW YORK TO PAY THE COST OF VARIOUS CAPITAL PROJECTS

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

Section 1. The following are the classes of objects or purposes or specific objects or purposes to be financed by the County of Broome, New York, pursuant to this resolution, the

maximum estimated costs thereof, and the subdivisions of Section 11.00(a) of the Local Finance Law of the State of New York and periods of probable usefulness applicable thereto:

<u>Project Name</u>	<u>PPU/L.F.L. Sect 11</u>	<u>ESTIMATED MAXIMUM COST</u>
Runway 16 Threshold Relocation (Design)	30/15	\$550,000
Runway 34 Safety Area Improvements	15/15	\$11,000,000
Hazardous Materials	10/63	\$515,000
Wales Building Upgrade	25/12(a)(1)	\$3,000,000
Watershed Annual Maintenance	10/3	\$75,000
Repair Courthouse Portico Stone Steps	10/35	\$100,000
Spill Prevention/Petroleum Bulk Storage	10/35	\$250,000
Highway Reconstruction/Rehabilitation	15/20(c)	\$2,225,000
Killawog Rd & Oregon Hill Rd Bridges	20/62(a)	\$600,000
Unanticipated Bridge/Culvert Repairs	20/10	\$300,000
West Hill Rd Bridge Rehabilitation	20/10	\$300,000
Highway Equipment Replacement	15/28	\$500,000
Virtual Desktop/Server Replacement/License	5/32	\$495,000
Otsiningo Bathroom	15/35	\$100,000
Parks Facilities Repairs & Renovations	15/35	\$75,000
Forum Repairs and Renovations	15/35	\$1,000,000
Colesville Landfill Remediation	25/6	\$550,000
Construction Section IV Cell II	25/6	\$5,500,000
Betterment and Improvements - WPNH	5/32	\$96,000

\$27,231,000

Section 2. SEQR DETERMINATION. It is hereby declared to be the intent of this County Legislature that the projects listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act (SEQR), to the extent applicable, to ensure that said proposed projects are in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process.

Section 3. The aggregate maximum estimated cost of the aforesaid classes of objects or purposes is \$27,231,000 and the plan for the financing thereof is by the issuance of \$27,231,000 bonds of said County, hereby authorized to be issued therefor pursuant to the Local Finance Law and by the application of \$10,950,000 from the Federal government in the following monies and allocated in their entirety to the following projects: \$10,450,000 for Runway 34 Safety Area Improvements, \$500,000 for Forum Repairs and Renovations and there being anticipated \$2,057,500 received from State government in the following amounts and allocated entirely to the following projects: \$275,000 for Runway 34 Safety Area Improvements, \$257,500 for Hazardous Materials, \$1,500,000 for Wales Building Upgrade, \$25,000 for Repair Courthouse Portico Stone Steps, provided however, that the amounts of bonds to be issued shall be reduced to the extent of Federal and/or State grants received in connection therewith.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of Broome County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine may be necessary or appropriate consistent with the provision of the Local Finance Law.

Section 6. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest of such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in the Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby authorized to make a short term non-interest bearing interfund loan from the General Fund and other Enterprise Funds, Internal Service Funds, or Special Revenue Funds to provide sufficient cash to proceed with these Projects until the bonds authorized by this Resolution are sold.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 593

By County Administration and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH ACS-EXIGENT STATE AND LOCAL SOLUTIONS, INC., FOR SOFTWARE MAINTENANCE AND SUPPORT FOR THE OFFICE OF THE COUNTY CLERK FOR 2011

WHEREAS, this County Legislature, by Resolution 645 of 2009, authorized renewal of the agreement with ACS-Exigent State and Local Solutions, Inc. for software maintenance and support

for the Office of the County Clerk at an amount not to exceed \$40,921.50, for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said services are necessary for maintenance and support for indexing and cashiering software, 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 \$41,372.40, 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 ACS-Exigent State and Local Solutions, Inc., 400 Executive Parkway, Suite 275, San Ramon, California 94583 for software maintenance and support for the Office of the County Clerk 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 \$41,372.40 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 04010001.6004192 (Software Maintenance), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 594

By Human Services and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY, INC. FOR DRUG TESTING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2011

WHEREAS, this County Legislature, by Resolution 9 of 2010, authorized renewal of the agreement with The Addiction Center of Broome County, Inc. for drug testing services for the Department of Social Services at an amount not to exceed \$30,400 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said services are necessary to perform drug testing, at the request of the Department of Social Services Child Protective Services and Child Welfare, on parents and caretakers when drug or alcohol abuse is suspected, 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 \$30,400, 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 Addiction Center of Broome County, Inc., 30 West State Street, Binghamton, New York, 13901 for drug testing services for the Department of Social Services for the period January 1, 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 \$30,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 35050006.6004400 (Medical & Physical Exams), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 595

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF NEW YORK ON BEHALF OF THE

CLINICAL CAMPUS AT THE COMMUNITY FREE CLINIC FOR THE DEPARTMENT OF HEALTH FOR 2011

WHEREAS, this County Legislature, by Resolution 456 of 2009, authorized renewal of the agreement with the Research Foundation of the State University of New York on behalf of the Clinical Campus at the Binghamton Community Free Clinic for medical and dental services for the Department of Health at an amount not to exceed \$100,000 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said agreement is necessary for enhanced medical and dental services to the uninsured through the Community Free Clinic, to enable a core staff of physicians to be regularly present and to expand the volunteer base, thereby assuring consistency in the provision of medical care, 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 \$100,000, 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 Research Foundation of the State University of New York on behalf of the Clinical Campus at the Binghamton Community Free Clinic, 425 Robinson Street, Binghamton, New York 13904 for medical and dental services for the Department of Health for the period January 1, 2011 through December 31, 2011 for, 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 25020004.6004146 (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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 596

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE MONROE PLAN PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2011

WHEREAS, this County Legislature, by Resolution 613 of 2009, authorized and approved the Monroe Plan Program Grant for the Department of Health and adopted a program budget in the amount of \$45,480 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said program grant assists pregnant women and adolescents in accessing comprehensive prenatal, postpartum and primary health care services, and

WHEREAS, it is desired to renew said program grant in the amount of \$50,282 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 \$50,282 from Monroe Plan for Medical Care, Excellus Blue Cross Blue Shield, 53 Chenango Street, Binghamton, New York 13901 for the Department of Health's Monroe Plan 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 \$50,282, 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 597

By Public Health and Environmental Protection, Human Services and Finance Committees
Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER FOR SIGNING SERVICES FOR THE DEPARTMENT OF HEALTH, THE COUNTY CLERK, THE OFFICE FOR AGING, THE WILLOW POINT NURSING HOME AND THE DEPARTMENT OF SOCIAL SERVICES FOR 2011

WHEREAS, this County Legislature, by Resolution 10 of 2010 authorized renewal of the agreement with Southern Tier Independence Center for signing services for the Department of Health, the County Clerk, the Office for Aging and the Willow Point Nursing Home at an amount not to exceed \$56,000 for the period January 1, 2010 through December 31, 2010, and

WHEREAS, said services are necessary to comply with applicable New York State regulations, 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 \$55 per hour portal to portal for pre-certified interpreters; \$65 per hour portal to portal for certified interpreters and \$80 per hour for emergency and after hours interpreters, total amount not to exceed \$60,000 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 Southern Tier Independence Center, 135 East Frederick Street, Binghamton, New York 13904 for signing services for the Department of Health, the Office for Aging, the County Clerk's Office, the Department of Social Services and the Willow Point Nursing Home 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 \$55 per hour portal to portal for pre-certified interpreters; \$65 per hour portal to portal for certified interpreters and \$80 per hour for emergency and after hours interpreters, total amount not to exceed \$60,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines various.6004405.various (Other Health and Medical Services) and various.6004413.various (Rehab and Therapy 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 598

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

RESOLUTION APPROVING THE CREDENTIALING AND REAPPOINTMENT OF MEDICAL STAFF AT THE BROOME COUNTY HEALTH DEPARTMENT

WHEREAS, New York State's Official Compliance of Codes, Rules and Regulations requires the operator of an Article 28 Diagnostic and Treatment Center to review the assignment of clinical privileges for the medical and dental staff every two years, and

WHEREAS, the Broome County Health Department Credential Committee completed its review of Melissa Brennan, Public Health Nurse Practitioner/Director of Clinic Services, Blenda Smith, Public Health Nurse Practitioner, Andin Kovarik, Public Health Nurse Practitioner, Lauren

Luchuk, Public Health Nurse Practitioner, and recommends reappointment to the medical/director staff, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the credentialing of Melissa Brennan, Public Health Nurse Practitioner/Director of Clinic Services, Blenda Smith, Public Health Nurse Practitioner, Andin Kovarik, Public Health Nurse Practitioner, Lauren Luchuk, Public Health Nurse Practitioner and reappointment to the medical staff at the Broome County Health 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 599

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING REVISION OF THE CANCER SERVICES PROGRAM OF BROOME, CHENANGO AND TIOGA COUNTIES HRI GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010-2011

WHEREAS, this County Legislature, by Resolution 419 of 2010, authorized and approved renewal of the Cancer Services Program of Broome, Chenango and Tioga Counties HRI Grant for the Department of Health and adopted a program budget in the amount of \$78,321 for the period June 30, 2010 through June 29, 2011, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$28,055 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Cancer Services Program of Broome, Chenango and Tioga Counties HRI Grant to reflect an increase of \$28,055 for the period June 30, 2010 through June 29, 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 \$106,376, and be it

FURTHER RESOLVED, that Resolution 419 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 600

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING REVISION OF THE CANCER SERVICES PROGRAM OF CHEMUNG AND SCHUYLER COUNTIES HRI GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010-2011

WHEREAS, this County Legislature, by Resolution 418 of 2010, authorized and approved renewal of the Cancer Services Program of Chemung and Schuyler Counties HRI Grant for the Department of Health and adopted a program budget in the amount of \$29,235 for the period June 30, 2010 through June 29, 2011, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$10,646 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Cancer Services Program of Chemung and Schuyler Counties HRI Grant to reflect an increase of \$10,646 for the period June 30, 2010 through June 29, 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 \$39,881, and be it

FURTHER RESOLVED, that Resolution 418 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 601

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

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING ACCEPTANCE OF A SODIUM REDUCTION IN COMMUNITIES CDC PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2010-2011

WHEREAS, the Public Health Commissioner requests authorization to accept a Sodium Reduction in Communities CDC Program Grant and adopt a program budget in the amount of \$120,000 for the period September 30, 2010 through September 29, 2011, and

WHEREAS, said program grant provides for a part-time public health representative who will work with Federal, State and local partners to create the demand to reduce sodium levels in products, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$120,000 from Health Research Inc., One University Place, Rensselaer, New York 12144-3455 for the Department of Health's Sodium Reduction in Communities CDC 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 \$120,000, 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 602

Sponsored by Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TIOGA COUNTY CORNELL COOPERATIVE EXTENSION FOR TOBACCO CONTROL PROGRAM SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2010-2011

WHEREAS, the Commissioner of Public Health requests authorization for an agreement with the Cornell Cooperative Extension of Tioga County for Tobacco Control Program Services for the Department of Health at a cost not to exceed \$25,000 for the period December 16, 2010 through June 30, 2011, and

WHEREAS, said services are necessary to fulfill work plan deliverables including conducting educational presentations, meetings, media buys, advocating for policy change, and educating local officials, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Cornell Cooperative Extension of Tioga County, 56 Main Street, Owego, New York 13827, for Tobacco Control Program Services for the Department of Health for the period December 16, 2010 through June 30, 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 25010004.6004146.2510364 (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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 603

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH DR. FLORANTE TINIO FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2011

WHEREAS, this County Legislature, by Resolution 515 of 2010, authorized an agreement with Dr. Florante Tinio for psychiatric services for the Department of Mental Health at the rate of \$94.30, total amount not to exceed \$90,528 for the period January 1, 2011 through December 31, 2011, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to provide increase the rate to \$112.50 per hour for 20 hours per week for 48 weeks, total amount not to exceed \$108,000, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Dr. Florante Tinio to increase the rate to \$112.50 per hour for 20 hours per week for 48 weeks, total amount not to exceed \$108,000 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 the payments hereinabove authorized shall be made from budget line 26000004.6004573 (Other Fees for Services), and be it

FURTHER RESOLVED, that Resolution 515 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 604

By Public Health and Environmental Protection and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF ADDICTION CENTER PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY TO ADMINISTER SAID PROGRAM FOR 2011

WHEREAS, this County Legislature, by Resolution 542 of 2009, authorized renewal of the agreement with the Addiction Center of Broome County for counseling services for the Department of Mental Health at an amount not to exceed \$68,719 for the period January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$227,322, adopt a program budget and renew the agreement with the Addiction Center of Broome County to continue to administer said program for the period December 16, 2010 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$165,475 from the Office of Alcoholism and Substance Abuse Services for the Department of Mental Health's Addiction Center of Broome County Program Grant for the period December 16, 2010 through January 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 \$227,322, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Addiction Center of Broome County, 30 West State Street, Binghamton, New York 13901 for counseling services for the Department of Mental Health for the period December 16, 2010 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$227,322 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 26000004.6005005.2610299 (Contracted Services-ACBC), 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 605

By Education, Culture and Recreation and Finance Committees Seconded by Ms. Buchta
RESOLUTION AUTHORIZING AGREEMENTS WITH LOCAL LIBRARIES FOR THE DISTRIBUTION OF COUNTY LIBRARY AID FOR 2011

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

WHEREAS, it is the desire of this Legislature to distribute the 2011 budgeted library aid to said Public Libraries,

WHEREAS, the percentage formula from the 2010 adopted budget was used to determine the split of the appropriation to said Public Libraries, and now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or her duly authorized representative to execute such agreements, approved as to form by the Department of Law, for the distribution of 2011 budgeted library aid in the manner described above to local libraries as follows:

<u>Library</u>	<u>Amount</u>
Deposit Free Library	\$ 1,331
G.F. Johnson Memorial	\$ 26,984
Lisle Free Library	\$ 3,447
Mary Wilcox Memorial	\$ 7,077
Moody Memorial (Fenton)	\$ 9,574
Nineveh Public Library	\$ 1,075
Vestal Public Library	\$ 65,516
Your Home Public Library	\$ 34,996
Total	\$150,000

and be it

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 606

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

RESOLUTION AUTHORIZING RENEWAL OF THE QUALITY ASSURANCE AND ACCOUNTABILITY PROJECT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH COORDINATED CARE SERVICES, INC. TO ADMINISTER SAID PROGRAM FOR 2011

WHEREAS, this County Legislature, by Resolution 540 of 2009, as amended by Resolution 393 of 2010, authorized and approved renewal of the Quality Assurance and Accountability Project Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$290,970 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 program grant provides stronger management and quality assurance capabilities as well as monitoring performance expectations, and

WHEREAS, it is desired to renew said program grant in the amount of \$265,690, adopt a program budget and renew the agreement with Coordinated Care Services, 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 \$150,610 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Quality Assurance and Accountability Project Program Grant for the period January 1, 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 \$265,690, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Coordinated Care Services, Inc., 1099 Jay Street, Rochester, New York 14611 to administer said program grant for a total amount not to exceed \$253,093 for the Department of Mental Health for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 26000004.6004573.2610302 (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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 607

By Public Works and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF TRIANGLE AND THE TOWN OF LISLE FOR THE CONTROL OF SNOW AND ICE ON COUNTY ROADS AND HIGHWAYS FOR 2011

WHEREAS, this County Legislature, by Resolution 635 of 2009, authorized renewal of the agreements with various Towns in Broome County whereby said Towns contracted to remove snow and ice from certain County highways for the period January 1, 2010 through December 31, 2010, 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 a rate of \$3,330 per mile for the term of the agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Triangle and the Town of Lisle, whereby such towns will remove snow and ice from

certain County highways at a rate of \$3,330 per mile, total amount not to exceed \$97,470 for all contracts, for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 3120.6004191.29010305 (Outside Rental Machinery), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 608

By Finance and Personnel Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE HARTFORD LIFE INSURANCE CO. FOR FINANCIAL AND TRUSTEE SERVICES FOR THE OFFICE OF RISK AND INSURANCE'S DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF BROOME COUNTY FOR 2005-2010

WHEREAS, this County Legislature, by Resolution 518 of 2005, authorized an agreement with the Hartford Life Insurance co. for financial and trustee services for the Office of Risk and Insurance's Deferred Compensation Plan for employees of Broome County, at no cost to the County for the period October 1, 2005 through September 30, 2010, and

WHEREAS, said agreement is necessary to provide financial services to Broome County employees who wish to take part in said Deferred Compensation Plan, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through December 31, 2010, and

WHEREAS, the Risk Manager 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 Hartford Life Insurance Co., 200 Hopmeadow Street, Simsbury, Connecticut 06089 to extend the period through December 31, 2010 for financial and trustee services at no cost to Broome County, and be it

FURTHER RESOLVED, that Resolution 518 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 609

By Finance and Personnel Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE HARTFORD LIFE INSURANCE COMPANY FOR FINANCIAL AND TRUSTEE SERVICES FOR THE OFFICE OF RISK AND INSURANCE'S DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF BROOME COUNTY FOR 2011-2015

WHEREAS, Broome County did establish a Deferred Compensation Plan for employees, and

WHEREAS, the Deferred Compensation Committee did accept and review proposals for the administration of the Deferred Compensation Plan for a five-year contract period as stipulated in Section 9003 of Subtitle II, Title 9 NYCRR, and

WHEREAS, the Deferred Compensation Committee does recommend the award of such contract to The Hartford as Administrative Services Agency and Financial Organization pursuant to Section 9003 of Subtitle II, Title 9 NYCRR, and

WHEREAS, the Deferred Compensation Committee does recommend that Reliance Trust Company act as trustee, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Hartford and Reliance Trust Company, 200 Hopmeadow Street, Simsbury, Connecticut 06089 for administrative, financial, and trustee services for the Broome County Office of Risk and Insurance's Deferred Compensation Plan for the period January 1, 2011 through December 31, 2015, at no cost to the County, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 610

By County Administration Committee

Seconded by Ms. Buchta

RESOLUTION ESTABLISHING THE DATE AND TIME FOR THE 2011 ORGANIZATIONAL MEETING OF THE BROOME COUNTY LEGISLATURE

WHEREAS, Article II of the Broome County Charter and Code provides that the County Legislature shall adopt by resolution all necessary rules and regulations for its own conduct and procedure, now, therefore, be it

RESOLVED, that the meeting to organize the 2011 Broome County Legislature shall be held on January 5, 2011 at 5:00 PM, in the Legislative Chambers, Edwin L. Crawford County Office Building, Government Plaza, Binghamton, New York, and be it

FURTHER RESOLVED, that the Legislature at said Organizational Meeting shall establish the dates and starting times of all regular meetings and consider such other business as may legally come before it, and be it

FURTHER RESOLVED, that the Legislature shall at said Organizational Meeting consider the election of a Legislative Chairperson, election of a Legislative Clerk, appointment of a Legislative Assistant, establishment of Rules of Order and any other business as may legally come before it.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 611

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING REVISION OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE TO BIOTERRORISM PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2010-2011

WHEREAS, this County Legislature, by Resolution 424 of 2010, authorized and approved renewal of the Public Health Emergency Preparedness and Response to Bioterrorism Program Grant for the Department of Health and adopted a program budget in the amount of \$93,301 for the period August 10, 2010 through August 9, 2011, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$70,045 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Public Health Emergency Preparedness and Response to Bioterrorism Program Grant to reflect an increase of \$70,045 for the period August 10, 2010 through August 9, 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 \$163,346, and be it

is adopted and approved in accordance with the Broome County Charter and Code, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 16 OF 2010

"A LOCAL LAW AMENDING SECTION C610 AND SECTION A609 OF THE BROOME COUNTY CHARTER AND CODE"

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

Section 1 Section C610 of the Broome County Charter and Code is amended to read as follows:

§ C610 Appropriations; reduction and transfer after budget adoption.

If, at any time during the fiscal year, it appears that the revenues available will be insufficient to meet the amounts appropriated, the County Executive shall report to the County Legislature without delay the estimated amount of the deficit, remedial action taken by him and his recommendations as to further action. The County Legislature shall take such action as it deems necessary to prevent or minimize any deficit. For that purpose, it may, by resolution, reduce one (1) or more appropriations; but no appropriation for debt service may be reduced, and no appropriation may be reduced by more than the unencumbered balance thereof or below any amount required by law to be appropriated. The Legislature may also, if it so desires, borrow temporarily pursuant to the Local Finance Law in any amount not greater than such deficit for that purpose.

The County Executive may, at any time during the fiscal year, transfer part or all of any unencumbered appropriation balance between classifications of expenditures within the same administrative unit, provided that prior approval by resolution of the County Legislature shall be required if the proposed transfer would affect any salary rate or salary total, and further provided that prior approval by resolution of the County Legislature shall be required if the proposed transfer would affect the total appropriations for the Broome County Veterans Memorial Arena or the Broome County Performing Arts Theater (The Forum). **Transfers within administrative units affecting salary totals in grant budgets shall not require approval of the County Legislature.**

If the County Executive so requests in writing, the County Legislature, by resolution effective immediately, may transfer part or all of any unencumbered appropriation balance from one County administrative unit to another, or a contingent fund to any administrative unit; provided, however, that no such transfer shall be made from appropriations for debt service, and no appropriation may be reduced below any amount required by law to be appropriated.

Section 2. Section A609 of the Broome County Charter and Code is hereby amended to read as follows:

§ A609 Transfers

The County Executive may, at any time during the fiscal year, transfer part or all of any unencumbered appropriation balance between classifications of expenditures within the same administrative unit, provided that prior approval by resolution of the County Legislature shall be required if the proposed transfer would affect any salary rate or salary total, and further provided that prior approval by resolution of the County Legislature shall be required if the proposed transfer would affect the total appropriations for the Broome County Veterans Memorial Arena or the Broome County Performing Arts Theater (The Forum). **Transfers within administrative units affecting salary totals in grant budgets shall not require approval of the County Legislature.** If the County Executive so requests in writing, the County Legislature, by resolution effective immediately, may transfer part or all of any unencumbered appropriation balance from one County administrative unit to another, or a contingent fund to any administrative unit; provided, however, that no such transfer shall be made from appropriations for debt service and no appropriations may be reduced below any amount required by law to be appropriated.

Section 3 This Local Law shall become effective upon filing with the Secretary of State.

Material **bold underlined** is added, Material **[bold brackets]** is deleted

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

and be it

FURTHER RESOLVED, as approved in the Legislative Amendments to the 2011 Recommend Budget Report, this County Legislature hereby authorizes the Broome County Arts Council to receive an additional payment of \$20,000 made from budget line 90000099.6005026 (Marketing/Economic Development), for the period January 1, 2011 through December 31, 2011, and be it

FURTHER RESOLVED, that said contract shall be in form substantially similar to those used in prior years for each specific agency conditioned upon and limited to the monetary amount and funding distribution criteria as set forth herewith and/or as approved in the 2011 County Budget, and to be subject to any necessary approvals required by the State or Federal Government or for any

other valid reason which may require the approval of Federal or State government and to be conditioned upon the submission and filing with the Clerk of this said Legislature and County Executive a written annual report, detailing the agency's use of these funds received from the County during the previous calendar year, and be it

FURTHER RESOLVED, that each agency receiving funds from Broome County Government shall be subject to annual audits by the County Comptroller and shall provide, upon the request of the County Executive, all documents pertaining to or dealing with current and/or past individual program funding, and be it

FURTHER RESOLVED, that any contract that provides for payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released and any contract which provides for two or more periodic payments during the contract term, said annual report shall be filed prior to the release of the second payment provided for by said contract and such payments are further subject to the provisions of Resolutions 262 of 1978 and 243 of 1979.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 616

By Finance Committee

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH RMSCO INC. FOR WORKERS COMPENSATION THIRD PARTY ADMINISTRATION SERVICES FOR THE OFFICE OF RISK AND INSURANCE FOR 2011

WHEREAS, this County Legislature, by Resolution 679 of 2005, authorized renewal of agreement with RMSCO, Inc. for Workers' Compensation Third Party Administration Services for the Office of Risk and Insurance at a cost not to exceed \$100,000 per year, total amount not to exceed \$300,000 for the period January 1, 2006 through December 31, 2008, and

WHEREAS, said services are necessary for comprehensive claims handling, cost containment efforts, appropriate reporting for members of the program and actuarial and rehabilitation services in connection with Broome County's Workers' Compensation 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 \$76,000, for the period January 1, 2011 through December 31, 2011 with two (2) two-year renewal options by mutual consent with an increase in cost of 5% each year, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with RMSCO, Inc., 115 Continuum Drive, Liverpool, New York 13088 for Workers' Compensation Third Party Administration Services for the Office of Risk and Insurance for the period January 1, 2011 through December 31, 2011 with two (2) two year renewal options by mutual consent, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$76,000 for the period January 1, 2011 through December 31, 2011 with renewal costs as follows:

1st renewal period-cost

January 1, 2012 through December 31, 2012-\$79,800

January 1, 2013 through December 31, 2013-\$83,790
2nd renewal period-cost
January 1, 2014 through December 31, 2014-\$87,979.50
January 1, 2015 through December 31, 2015-\$92,378.48
and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 18030001.6004569.2090 (Claims Administration), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 617

By Finance Committee

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CORPORATE CARE MANAGEMENT FOR WORKERS COMPENSATION NURSE CASE MANAGEMENT FOR THE OFFICE OF RISK AND INSURANCE FOR 2011

WHEREAS, this County Legislature, by Resolution 695 of 2005, authorized renewal of agreement with Corporate Care Management for Workers' Compensation Nurse Case Management for the Office of Risk and Insurance at a cost not to exceed \$52,500 per year for the period January 1, 2006 through December 31, 2008 with two one-year renewal options by mutual consent, and

WHEREAS, said agreement is necessary to provide nurse case management for worker's compensation claims for Broome County employees on an "as needed" basis, 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 with four one-year renewal options by mutual consent with an increase in cost of 5% each year, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Corporate Care Management, 1 Kattelville Road, Binghamton, New York 13901 for Workers' Compensation Nurse Case Management for the Office of Risk and Insurance for the period January 1, 2011 through December 31, 2011 with four one-year renewal options by mutual consent, 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 period January 1, 2011 through December 31, 2011 with renewals as follows:

1st renewal period-cost
January 1, 2012 through December 31, 2012-\$31,500
2nd renewal period-cost
January 1, 2013 through December 31, 2013-\$33,075
3rd renewal period-cost
January 1, 2014 through December 31, 2014-\$34,728.75
4th renewal period-cost
January 1, 2015 through December 31, 2015-\$36,465.19
and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 18030001.6004150.2090 (Case Assessment), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 618

By Public Works and Finance Committees

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING THE BROOME COUNTY DIVISION OF SOLID WASTE MANAGEMENT TO WRITE OFF AMOUNTS OWED ON ACCOUNTS RECEIVABLE

WHEREAS, the Commissioner of Public Works has advised that certain amounts owed to the Division of Solid Waste Management landfill accounts currently remain unpaid and uncollected, and

WHEREAS, the Commissioner of Public Works has requested authorization to write off amounts owed on accounts receivable in the amount of \$713.43 for the Division of Solid Waste Management, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Division of Solid Waste Management to write off amounts owed on accounts receivable as follows:

Ben Weitsman & Son
PO Box 420
Owego, New York 13827
Amount: \$234.30

Interest on account
Precision Construction
2000 North Street
Endicott, New York 13760
Amount \$479.13

Section 727, Title 11, United States Code Bankruptcy
and be it

FURTHER RESOLVED, that the Commissioner of Finance and the Broome County Comptroller are hereby authorized to make the necessary accounting entries to implement the intent and purpose of this Resolution.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 619

By Finance Committee

Seconded by Ms. Messina

RESOLUTION AMENDING A BOND RESOLUTION DATED DECEMBER 20, 2007 HERETOFORE ADOPTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF BROOME, NEW YORK ON SAID DATE WITH RESPECT TO THE MAXIMUM ESTIMATED COST AND PLAN OF FINANCING THEREFOR

WHEREAS, the Bond Resolution adopted by this County Legislature on December 20, 2007 (Resolution 07-816) set forth a Landfill Road Reconstruction project at \$2,550,000 and a Scale House Road and Facility project of \$2,000,000 and

WHEREAS, the costs are now estimated to be \$2,700,000 for the Landfill Road Reconstruction project, and \$2,150,000 for the Scale House Road and Facility project and

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

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

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

<u>Project Name</u>	<u>PPU/LFL</u> <u>Section 11:00</u>	<u>Maximum Estimated Cost</u>
Landfill Road Reconstruction	15/20	\$2,700,000
Scale House Road and Facility	25/6	\$2,150,000

Section 2. Section 3 of said Bond Resolution is also amended so that the aggregate maximum cost so set forth therein is increased by \$150,000 to \$2,700,000 for the Landfill Road Reconstruction, and increased by \$150,000 to \$2,150,000 for the Scale House Road and Facility project and with amount of serial bonds to be issued increased by \$300,000 to \$23,702,195.

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

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

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

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

Carried. Ayes-16, Nays-2 (Pasquale, Diffendorf), Absent-1 (Klipsch)

RESOLUTION NO. 620

By County Administration Committee

Seconded by Ms. Buchta

RESOLUTION ESTABLISHING THE DATE AND TIME FOR THE 2011 ORGANIZATIONAL MEETING OF THE BROOME COUNTY LEGISLATURE

WHEREAS, Article II of the Broome County Charter and Code provides that the County Legislature shall adopt by resolution all necessary rules and regulations for its own conduct and procedure, now, therefore, be it

RESOLVED, that the meeting to organize the 2011 Broome County Legislature shall be held on January 5, 2011 at 5:00 PM, in the Legislative Chambers, Edwin L. Crawford County Office Building, Government Plaza, Binghamton, New York, and be it

FURTHER RESOLVED, that the Legislature at said Organizational Meeting shall establish the dates and starting times of all regular meetings and consider such other business as may legally come before it, and be it

FURTHER RESOLVED, that the Legislature shall at said Organizational Meeting consider the election of a Legislative Chairperson, election of a Legislative Clerk, appointment of a Legislative Assistant, establishment of Rules of Order and any other business as may legally come before it.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 621

By Human Services and Finance Committee

Seconded by Ms. Buchta

RESOLUTION AUTHORIZING AN AGREEMENT WITH ROTENBERG HEALTH CARE CONSULTING, LLC FOR FINANCIAL CONSULTANT SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2010-2011

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with Rotenberg Health Care Consulting, LLC for financial consultant services for the Willow Point Nursing Home at a cost not to exceed \$50,000 for the period December 17, 2010 through December 31, 2011, and

WHEREAS, said agreement is necessary for financial consultant services for the new nursing home projects, and

WHEREAS, the work shall be completed as soon as possible but not more than six months from the date of notice to proceed, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Rotenberg Health Care Consulting, LLC, 280 Kenneth Drive, Rochester, New York 14623 for financial consultant services for the Willow Point Nursing Home for the period December 17, 2010 through December 31, 2011, and be it

Authority of its revenue bonds in a principal amount not to exceed \$300,000,000 (the "Bonds") for the purpose of making a loan to Guthrie Health a Pennsylvania nonprofit corporation (the "Borrower"), to finance and refinance costs of acquisition, construction, renovation, equipping, furnishing and installation of land, buildings, equipment, furnishings, fixtures, and software for the provision of clinical, hospital, inpatient, outpatient, diagnostic, treatment, ancillary, support and/or other health care related services provided by members of the health care system headed by the Borrower at various locations, including locations in this Host Jurisdiction, and

WHEREAS, section 147(f) of the Code requires the approval of the governing body or chief elected representative of each state or local government jurisdiction in which bond-finance facilities are located, following a public hearing by an authorized representative of the state or local government jurisdiction, and

WHEREAS, In accordance with the above-mentioned requirement, a public hearing was held by or on behalf of this Host Jurisdiction respecting the proposed issuance of the Bonds to finance and refinance facilities that are located within this Host Jurisdiction, after notice of the hearing (the "Hearing Notice") was published not less than 14 days prior to the hearing date in a newspaper of general circulation in this Host Jurisdiction. A copy of the Hearing Notice and proof of publication thereof is attached to and made a part of this resolution as Exhibit "A" hereto, now, therefore, be it

RESOLVED, as follows:

1. The issuance of the Bonds to finance and refinance costs of facilities described in the Hearing Notice that are located in this Host Jurisdiction is hereby approved in accordance with section 147(f) of the Code. This approval does not impose any liability on this Host Jurisdiction or in any way involve this Host Jurisdiction in the issuance of the Bonds, nor shall the credit or taxing power of this Host Jurisdiction be pledged in any way for the issuance of the Bonds or the financing and refinancing of any projects with respect thereto.
2. It is hereby declared desirable for the health, safety and welfare of the people in this Host Jurisdiction to have the Authority issue the Bonds for the purpose of, among other things, financing and refinancing costs of facilities located in this Host Jurisdiction.
3. The proper officers, authorized representatives or designees of this Host Jurisdiction are hereby authorized, directed and empowered to execute and deliver a copy of this resolution and such other documents or certifications as may be required of this Host Jurisdiction for the host approval. Without limiting the generality of the foregoing authorization, this Host Jurisdiction is authorized and empowered to execute and deliver a Certificate of Approval in the form attached hereto as "Exhibit B"

and be it

FURTHER RESOLVED, that this resolution shall be effective immediately upon adoption, All prior resolutions inconsistent herewith are hereby rescinded to the extent of such inconsistency.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 624

By All Members

Seconded by Mr. Whalen

RESOLUTION OF CONDOLENCE ON THE DEATH OF JAMES JOSEPH SLOCUM

WHEREAS, former Legislator James Joseph Slocum passed away on Thursday, November 18, 2010, and

WHEREAS, the late James Joseph Slocum served the citizens of Broome County in many capacities during his life, including his appointment to the Broome County Legislature to represent the Nineteenth District in 1978, and

WHEREAS, James Joseph Slocum was a veteran and served his country as a Staff Sergeant in the European Theater from 1945 through 1947 and served his community as a member of the Catholic Central High School Booster Club, St. Vincent's Parish Council, and the Board of Directors of the Willow Point Nursing Home, and

WHEREAS, James Joseph Slocum is fondly remembered by his colleagues and while he was only a Legislator for a short time his legacy of public service shall remain with us, and

WHEREAS, James Joseph Slocum will long be remembered for his dedication to his family and the Broome County community, and

WHEREAS, this County Legislature wishes to record its condolences in the official proceedings of this body, now therefore, be it

RESOLVED, that this County Legislature hereby recognizes the loss of James Joseph Slocum and extends its sincere sympathy to her family, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to place this Resolution in the minutes of the Regular Session of the Broome County Legislature held on December 16, 2010 and to forward a copy of this Resolution to the family of the late James Joseph Slocum.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 625

By All Members

Seconded by Mr. Whalen

RESOLUTION OF CONDOLENCE ON THE DEATH OF GEORGE HARBACHUK

WHEREAS, former Legislator George Harbachuk passed away on Tuesday, November 16, 2010, and

WHEREAS, the late George Harbachuk served the citizens of Broome County in many capacities during his life, including being elected to serve on the Broome County Legislature from 1993-1994 and 1997-1998 as a representative of the Nineteenth District, and

WHEREAS, George Harbachuk was a Golden Gloves middleweight Boxing prizefighter in the 1930's, a veteran who served his country during World War II in the United States Coast Guard Intelligence and was a member of the John Handte American Legion Post #89, and

WHEREAS, Mr. Harbachuk served as a member of many Legislative Committees during his tenure as Legislator including:

the County Administration, Economic Development and Planning Committee,

the Environment Committee,

the Intergovernmental Relations Committee,

the Personnel Committee, and

the Transportation Committee, and

WHEREAS, George Harbachuk is fondly remembered by his colleagues for his love of life and the Broome County community and for his persistence as shown in his constant quote "Never Give Up", and

WHEREAS, George Harbachuk will long be remembered for his dedication to his family and the Broome County community, and

WHEREAS, this County Legislature wishes to record its condolences in the official proceedings of this body, now therefore, be it

RESOLVED, that this County Legislature hereby recognizes the loss of George Harbachuk and extends its sincere sympathy to his family, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to place this Resolution in the minutes of the Regular Session of the Broome County Legislature held on December 16, 2010 and to forward a copy of this Resolution to the family of the late George Harbachuk.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 626

By Human Services and Finance Committees

Seconded by Ms. Buchta

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

WHEREAS, this County Legislature, by Resolution 641 of 2009 as amended by Resolution 212 of 2010, authorized an agreement with Therapeeds Physical Therapy of Upstate New York PLLC (d/b/a G & E Therapies) for therapy services for the Willow Point Nursing Home at an amount not to exceed \$33,500 for January 1, 2010 through December 31, 2010, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$4,900, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Therapeeds Physical Therapy of Upstate New York PLLC (d/b/a G & E Therapies), 1977 Marshland Road, Apalachin, New York 13732, to increase the not to exceed amount by \$4,900 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 \$38,400, for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 641 of 2009 as amended by Resolution 212 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-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 627

By Personnel, County Administration and Finance Committees Seconded by Ms. Messina
RESOLUTION AUTHORIZING PERSONNEL GRADE CHANGE REQUESTS FOR THE BROOME COUNTY LEGISLATURE AND THE LEGISLATIVE CLERK

RESOLVED, that in accordance with a request from Legislator Marinich, this County Legislature hereby authorizes the downgrade of one (1) full-time Clerk of the County Legislature to Grade D, Admin II effective January 1, 2011, and be it

FURTHER RESOLVED, that in accordance with a request from Legislator Marinich, this County Legislature hereby authorizes the downgrade of one (1) full-time Deputy Clerk of the County Legislature to Grade 18, Admin I, effective January 1, 2011, and be it

FURTHER RESOLVED, that in accordance with a request from Legislator Marinich, this County Legislature hereby authorizes the downgrade of a one (1) full-time Second Deputy Clerk of the County Legislature to Grade 14, Admin I, effective January 1, 2011, and be it

FURTHER RESOLVED, that in accordance with a request from Legislator Marinich, this County Legislature hereby authorizes the downgrade of a one (1) full-time Legislative Assistant to Grade 22, Admin I, effective January 1, 2011, and be it

FURTHER RESOLVED, that in the event that any incumbent remains in a position, said incumbent's 2011 salary will be the same as that individual's 2010 year end salary.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 628

By Personnel and Finance Committees Seconded by Ms. Messina
RESOLUTION CONFIRMING APPOINTMENT OF MARIE KALKA AS DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET

WHEREAS, Barbara J. Fiala, County Executive, pursuant to the authority vested in her by Article V, Section C501 of the Broome County Charter and Administrative Code as amended by Local Law Permanent Number 8 of 2010, has duly designated and appointed pending

confirmation by this County Legislature, Marie F. Kalka, 26 Acre Place, Binghamton, New York 13904 as Director of the Office of Management and Budget, at the 2011 base salary of \$88,312, and

WHEREAS, Marie F. Kalka is fully qualified to fill the position of Director of the Office of Management and Budget, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article V, Section C501 of the Broome County Charter and Administrative Code as amended by Local Law Permanent Number 8 of 2010, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the Article V, Section C501 of the Broome County Charter and Administrative Code as amended by Local Law Permanent Number 8 of 2010, hereby confirms the appointment of Marie F. Kalka as Director of the Office of Management and Budget, at the 2011 base salary of \$88,312, Grade K, Admin II, effective January 1, 2011, in accordance with the appointment by the County Executive.

Carried. Ayes-18, Nays-0, Absent-1 (Klipsch)

RESOLUTION NO. 629

By Public Safety and Emergency Services and Finance Committees Seconded by Mr. Moran
RESOLUTION AUTHORIZING AGREEMENTS WITH CONSULTANTS TO ASSIST WITH THE CHRIS THATER MEMORIAL RACES AND THE STOP-DWI HOLIDAY CLASSIC FOR THE STOP-DWI PROGRAM FOR 2011

WHEREAS, STOP-DWI requests authorization for an agreement with James May for services related to the 2011 Chris Thater Memorial Races at a cost not to exceed \$30,000 for the period January 1, 2011 through December 31, 2011; and

WHEREAS, said services are necessary to provide professional services related to planning, organizing, operating, managing and promoting the 2011 Chris Thater Memorial Races; and

WHEREAS, STOP-DWI further requests authorization for an agreement with Richard Westfall for services related to the 2011 STOP-DWI Holiday Classic at a cost not to exceed \$20,000 for the period January 1, 2011 through December 31, 2011; and

WHEREAS, said services are necessary to provide professional services related to planning, organizing, operating, managing and promoting the 2011 STOP-DWI Holiday Classic; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with James May, 63 Park Street, Binghamton, New York 13905, for professional consulting services for STOP-DWI 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 James May an amount not to exceed \$30,000; and be it

FURTHER RESOLVED, that the payments hereinabove authorized to James May shall be made from budget line 4660007 (Chris Thater Memorial Trust Account); and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Richard Westfall, 2240 Glenwood Road, Vestal New York 13850 for professional consulting services for STOP-DWI for the period January 1, 2011 through December 31, 2011; and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized to Richard Westfall shall be made from budget line 4660014 (STOP-DWI Holiday Classic Trust Account), 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. Moran

Mr. Reynolds presented a plaque to Mr. LaBare for his dedication and service on the Legislature.

Mr. Howard made a motion to adjourn, seconded by Mr. Whalen. **Motion to adjourn Carried.** The meeting was adjourned at 5:45 PM.

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