

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
DECEMBER 20, 2012**

The Legislature convened at 5:00 p.m. with a call to order by the Acting Chair, Wayne L. Howard. The Clerk, Aaron M. Martin, read the fire exit announcement and called the Attendance Roll, Present-17, Absent-3 (Whalen, Pasquale, Marinich).

The Acting Chair, Mr. Howard, led the members of the Legislature in the Pledge of Allegiance to the Flag. The Clerk, Aaron M. Martin offered the invocation followed by a moment of silence for the Sandy Hook Elementary School shooting victims.

ANNOUNCEMENTS FROM THE CHAIR

Mr. Diffendorf and Mr. Merrill were designated with Acting Chairman Howard as participants in the "Short Roll Call"

Mr. Howard presented a proclamation to MacKenzie Moss who was named NYS Public High School Athletic Association Diving Champion

Mr. Howard presented Michael Leahy, CHOW Director with a check and the non-perishable food items that were collected as part of the Legislature's Holiday Meals Program

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Debra A. Preston
 - 1. Appointment to Nursing Home Advisory Board
 - 2. Adopted 2013-2018 CIP
 - 3. Adopted 2013 County Budget
 - 4. Appointment of Broome County Coroner
 - 5. Veto of Local Law Intro. No. 9 of 2012 – Road Use Agreement

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Jerry F. Marinich
 - 1. Directive Re: Public Safety at BC Public Library
 - 2. Designation for Mr. D.J. Reynolds & Mr. Pasquale – 12/12/12
 - 3. Designation for Mr. D.J. Reynolds & Mr. Black – 12/13/12

Mr. Herz made a motion, seconded by Mr. D. J. Reynolds, that the Regular Session minutes of November 15, 2012 be approved as prepared and presented by the Clerk. **Carried.** Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich).

Mr. Howard noted that the committee minutes for the period November 15, 2012 through December 19, 2012 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. Mr. Howard asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Heebner, seconded by Mr. Schafer. **Carried.** Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich).

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS

- A. PETITIONS: None
- B. COMMUNICATIONS:
 - 1. Legislature Clerk – 2013 County Budget Resolution Correspondence
 - 2. STOP-DWI – 2013 STOP-DWI Plan
 - 3. Kevin McBride – Post Budget Adoption Public Hearing Comments
 - 4. BC Soil & Water – Directors' Meeting Minutes – 10/16/12
 - 5. RPTS – Denial of Sellback

6. OFA – 2013-2016 Plan for Services
7. County Clerk – November 2012 Oil & Gas Revenues
8. NYS Farm Bureau – Re: Local Law Intro. No. 9 of 2012 – BC Road Preservation Law
9. BC Soil & Water – Directors' Meeting Minutes – 11/21/12
10. Town of Barker – 2013 Town Budget
11. Town of Binghamton – 2013 Town Budget
12. Town of Chenango – 2013 Town Budget
13. Town of Colesville – 2013 Town Budget
14. Town of Conklin – 2013 Town Budget
15. Town of Fenton – 2013 Town Budget
16. Town of Kirkwood – 2013 Town Budget
17. Town of Lisle – 2013 Town Budget
18. Town of Maine – 2013 Town Budget
19. Town of Nanticoke – 2013 Town Budget
20. Town of Sanford – 2013 Town Budget
21. Town of Triangle – 2013 Town Budget
22. Town of Vestal – 2013 Town Budget
23. Town of Windsor – 2013 Town Budget

C. NOTICES:

1. Legislature Clerk – Notice of 30 day period for Ag. District Inclusion
2. Legislature Clerk – December 2012 Schedule/Agendas for Committees & Notice of Session
3. FEMA – Final Notice to provide assistance to the Binghamton City School District
Re: MacArthur Elementary School replacement and elevation

D. REPORTS:

1. Audit – Hotel/Motel Occupancy Tax Compliance Audit Report – Nov. 2012
2. Audit – Accounts Payable Documentation Audit Report – Second Qtr 2012
3. BCC – Above Minimum Hire Report – Sept., Oct. & Nov. 2012
4. BCC – Financial Reports

RESOLUTIONS HELD OVER OR DEFERRED FROM A PREVIOUS SESSION

RESOLUTION NO. 419

By County Administration and Personnel Committees Seconded by Mr. Schafer
RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 11 OF 2012, ENTITLED: "A LOCAL LAW RESCINDING CHAPTER 19 IN ITS ENTIRETY AND CREATING A NEW CHAPTER 19-ETHICS"
Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTIONS INTRODUCED AT THIS SESSION

Resolutions were acted upon out of order, but for the purpose of clarity, they are presented here in numerical order.

RESOLUTION NO. 483

By County Administration and Finance Committees Seconded by Mr. D. J. Reynolds
RESOLUTION AUTHORIZING RETENTION OF \$427,760.70 BY THE COUNTY CLERK FOR THE COUNTY OF BROOME FROM MORTGAGE TAXES

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

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

WHEREAS, the New York State Tax Commission has previously approved an allowance for the period of April 1, 2012 through March 31, 2013 in the amount of \$431,110.32, and

WHEREAS, the Broome County Clerk has determined that \$427,760.70 fairly represents the annual amount of expenses incurred by this office in the collection of mortgage taxes due and owing pursuant to New York State Tax Laws, now, therefore, be it

RESOLVED, that this County Legislature hereby determines that the sum of \$427,760.70 per annum be and hereby is a necessary, reasonable and proper allowance to be received by the County Clerk of the County of Broome for the purpose of administering mortgage taxes in said office, and be it

FURTHER RESOLVED, that the previously approved monthly retention of \$35,925.86 shall continue through March 31, 2013 and that a monthly retention of \$35,646.72 shall be for the period of April through December in the County's Fiscal Year 2013 for a 2013 County Fiscal Year total of \$428,298.06 and said monthly amount of \$35,646.72 shall continue through March 31, 2014, and be it

FURTHER RESOLVED that New York State approval is requested for the period of April 1, 2013 through March 31, 2014 in the amount of \$427,760.70, and be it

FURTHER RESOLVED, that revenue from the processing of mortgage taxes shall be credited to budget line 04010001.5000010 (Mortgage Tax), and be it

FURTHER RESOLVED, that the sum of \$427,760.70 per annum (April 1, 2013 through March 31, 2014) is hereby certified to the State Tax Commission as the reasonable and proper allowance for such expenses.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 484

By Finance Committee

Seconded by Mr. D. J. Reynolds

RESOLUTION APPROVING THE SALE OF COUNTY-OWNED PROPERTY IN THE CITY OF BINGHAMTON

WHEREAS, the County of Broome now owns 273 Front Street in the City of Binghamton, tax map #144.80-2-21, and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said property to First Ward Action Council, Inc., 167 Clinton Street, Binghamton, New York 13905 for the purchase price of \$10,601, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of 273 Front Street in the City of Binghamton, tax map #144.80-2-21 to First Ward Action Council, Inc., 167 Clinton Street, Binghamton, New York 13905 for the purchase price of \$10,601, and be it

FURTHER RESOLVED, that the payments hereinabove referenced shall be credited to budget line 1700001.3160007 (Sale of Real Property), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the new owner, together with other such documents as may be necessary to implement the intent of this Resolution.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 485

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING THE ABOLISHMENT OF THE STUDENTS AGAINST DRIVING DRUNK (SADD) TRUST ACCOUNT AND TRANSFERRING REMAINING FUNDS TO THE STOP-DWI HOLIDAY CLASSIC TRUST ACCOUNT

WHEREAS, this County Legislature by Resolution 327 of 1987 authorized the establishment of the Students Against Driving Drunk (SADD) Trust Account, for the STOP-DWI Program, and

WHEREAS, the Coordinator of STOP-DWI has requested that the Students Against Driving Drunk (SADD) Trust Account be abolished and that any remaining funds be transferred to the STOP-DWI Holiday Classic Trust Account, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the abolishment of the Students Against Driving Drunk (SADD) Trust Account and transferring remaining funds to the STOP-DWI Holiday Classic Trust Account, and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget, the Comptroller and the Coordinator of STOP-DWI are hereby authorized and directed to effectuate the intent and purpose of this Resolution.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 486

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2012-2013

WHEREAS, this County Legislature, by Resolution 14 of 2012, authorized and approved renewal of the State Criminal Alien Assistance Program (SCAAP) Grant for the Office of the Sheriff and adopted a program budget in the amount of \$28,975 for the period November 1, 2011 through October 31, 2012, and

WHEREAS, said program grant provides training for corrections officers to help manage offender population, and

WHEREAS, it is desired to renew said program grant in the amount of \$24,896 for the period November 1, 2012 through October 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$24,896 from the United States Bureau of Justice, 810 Seventh Street, NW, Washington, DC 20531, for the Office of the Sheriff's State Criminal Alien Assistance Program Grant for the period November 1, 2012 through October 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$24,896, 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 Director of the Office of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 487

By Public Safety & Emergency Services, Personnel and Finance Committees
Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2012-2013

WHEREAS, this County Legislature, by Resolution 15 of 2012, authorized and approved renewal of the Selective Traffic Enforcement Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$9,700 for the period October 1, 2011 through September 30, 2012, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$15,000 for the period October 1, 2012 through September 30, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,000 from the New York State Department of Motor Vehicles, Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, New York 12228, for the Office of the Sheriff's Selective Traffic Enforcement Program Grant for the period October 1, 2012 through September 30, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$15,000, 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 Director of the Office of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 488

By Public Safety & Emergency Services and Finance Committees
Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF MAINE FOR USE OF SPACE AT TOWN HALL FOR THE OFFICE OF THE SHERIFF FOR 2013

WHEREAS, this County Legislature, by Resolution 375 of 2011, authorized renewal of the agreement with the Town of Maine for use of space at Town Hall for the Office of the Sheriff, at no cost to the County, for the period January 1, 2012 through December 31, 2012, and

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

WHEREAS, said agreement expires by its terms on December 31, 2012, 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, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Maine, 12 Lewis Street, P.O. Box 336, Maine, New York 13802-0336, for the use of

space at Town Hall for the Office of the Sheriff at no cost to the County, for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.
Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 489

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CORRECTIONAL MEDICAL CARE, INC., FOR MEDICAL SERVICES AT THE BROOME COUNTY JAIL FOR THE OFFICE OF THE SHERIFF FOR 2011-2013

WHEREAS, this County Legislature, by Resolution 487 of 2010, authorized an agreement with Correctional Medical Care, Inc., for medical services at the Broome County Jail for the Office of the Sheriff at an amount not to exceed \$2,779,790.16 for 2011, \$2,878,381.77 for 2012 and \$2,980,917.04 for 2013, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$60,000 for 2012, and

WHEREAS, the Sheriff 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 Correctional Medical Care, Inc., 653 Skippack Pike, Blue Bell, Pennsylvania 19422 to increase the not to exceed amount by \$60,000, total not to exceed \$2,938,381.77 for 2012 for medical services at the Broome County Jail for the Office of the Sheriff, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 23010003.6004413 (Other Health & Medical), and be it

FURTHER RESOLVED, that Resolution 487 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 490

By Public Health and Environmental Protection, Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE INMATE STD TESTING/JAIL PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature, by Resolution 302 of 2011, authorized renewal of the Inmate STD Testing/Jail Program Grant for the Department of Health and adopted a program budget in the amount of \$63,434 for the period January 1, 2012 through December 31, 2012, and

WHEREAS, said program grant provides STD/HIV education, testing and treatment of inmates at the Broome County Correctional Facility, and

WHEREAS, it is desired to renew said program grant in the amount of \$64,882 for the period of January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$64,882 from the Broome County Correctional Facility, 155 Lt. Van Winkle Drive, PO Box 2047,

Binghamton, New York 13902-2047, for the Department of Health's Inmate STD Testing/Jail Program Grant for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$64,882, 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 Director of the Office of Management and Budget) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 491

By Public Works & Transportation and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING AN AGREEMENT WITH UPSTATE LABORATORIES, INC., FOR ENVIRONMENTAL MONITORING AND REPORTING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE MANAGEMENT FOR 2013

WHEREAS, the Acting Commissioner of Public Works requests authorization for an agreement with Upstate Laboratories, Inc., for environmental monitoring and reporting services for the Department of Public Works Division of Solid Waste Management at a cost not to exceed \$105,462, for the period January 1, 2013 through December 31, 2013, with the option for four one-year renewals under the same terms and conditions, and

WHEREAS, said agreement is necessary for groundwater, leachate and soil monitoring, sampling and testing at the Broome County Landfill and the Colesville Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Upstate Laboratories, Inc., 117 Washington, Avenue, Endicott, New York 13760 for environmental monitoring and reporting services for the Department of Public Works Division of Solid Waste Management for the period January 1, 2013 through December 31, 2013, with the option for four one-year renewals under the same terms and conditions, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$105,462 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 Programs), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 492

By County Administration and Personnel Committees

Seconded by Mr. Heebner

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 12 OF 2012, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND CODE TO CREATE A DEPARTMENT OF PURCHASING"

RESOLVED, that Local Law Intro. No. 12 of 2012, entitled: "A Local Law Amending the Broome County Charter and Code to Create A Department of Purchasing," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Administrative Code and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 12 OF 2012

A Local Law Amending the Broome County Charter and Code to Create a Department of Purchasing BE IT ENACTED, by the County Legislature of the County of Broome as follows:

Section 1. Sections C308 and A306 of the Charter and Code are hereby repealed.

Section 2. There shall be a new Article III-A of the Broome County Charter to read as follows:

Article III-A

Department of Purchasing

C301-A Department of Purchasing; Director; appointment.

There shall be a Department of Purchasing headed by a Director of Purchasing who shall be appointed by the County Executive, and confirmed by the County Legislature.

The Director of Purchasing shall:

- (A) In accordance with the requirements for advertising and competitive bidding, authorize all purchases and sales of materials, supplies and equipment and contracts for the rental or servicing of equipment for the County.
- (B) Approve and execute certain contracts as shall be prescribed by the Administrative Code.
- (C) Establish and enforce suitable specifications and standards for all supplies, materials and equipment to be purchased for the County.
- (D) Perform such other and related duties as shall be required and delegated by the County Executive or County Legislature.

Section 3. There shall be a new Article III-A of the Broome County Administrative Code to read as follows:

Article III-A

Department of Purchasing

A301-A Director; appointment; qualifications.

- (1) The Department of Purchasing shall be headed by a Director of Purchasing. The method of choosing a Director shall be as prescribed in § C301-A of the Charter. The qualifications of the Director shall be:
 - A) Graduation from a regionally accredited or New York State registered college or university with a Bachelor's Degree and one year of experience in either:
 - 1) a governmental management or administrative capacity which must have included oversight of fiscal management and/or purchasing functions, or
 - 2) a position responsible for large scale purchasing of a variety of commodities including experience in the preparation of specifications and the awarding of contracts;
 - OR
 - B) Graduation from a regionally accredited or New York State registered college or university with an Associate's Degree and three years of experience in either:
 - 1) a governmental management or administrative capacity which must have included oversight of fiscal management and/or purchasing functions, or
 - 2) a position responsible for large scale purchasing of a variety of commodities including experience in the preparation of specifications and the awarding of contracts;
 - OR
 - C) Graduation from high school or possession of an equivalency diploma and five years of experience in either:
 - 1) a governmental management or administrative capacity which must have included oversight of fiscal management and/or purchasing functions, or
 - 2) a position responsible for large scale purchasing of a variety of commodities including experience in the preparation of specifications and the awarding of contracts;

OR

- D) An equivalent combination of training and experience as defined by the limits of A), B) and C) above.
- (2) Powers and duties of Director of Purchasing.
- (A) The Director of Purchasing shall:
- (1) Establish and maintain a central purchasing system.
 - (2) Establish and enforce standard specifications with respect to supplies, materials and equipment.
 - (3) Inspect and supervise and otherwise provide for the inspection of all deliveries of supplies, materials and equipment and determine their quality, quantity and conformity to contract.
 - (4) Sell or lease any surplus, obsolete or unused supplies, materials and equipment under the rules and regulations as may be established by resolution of the County Legislature.
 - (5) Upon request of any city, town, village, school district or any other unit of local government, act as purchasing agent for the same, either for all or any part of its purchases, upon such conditions as may be prescribed by the County Legislature.
 - (6) In accordance with Article III, § A302(O), of this Code, the County Executive is empowered to delegate to the Director of Purchasing the power to execute all contracts on behalf of the County with respect to the buying, selling or leasing of any supplies, materials and equipment, for an amount not to exceed the sum fixed by the General Municipal Law of the State of New York as the mandatory limit above which the competitive bidding process must be employed.
 - (7) Perform under the discretion of the County Executive all other duties of a County Purchasing Agent under the Laws of the State of New York not inconsistent with the provisions of this Code.
 - (8) Arrange for the purchase of supplies, materials and equipment for the County in accordance with any applicable provisions of state, federal or local law.
 - (9) Perform such other and related duties as the County Executive or County Legislature may direct.
 - (10) Appoint such deputies, when such positions are authorized by the County Legislature within budgetary appropriations provided therefore, as he or she may deem necessary for the performance of his duties.
- (B) The Director of Purchasing shall give a surety bond to the County. The bond shall be approved as to form by the County Attorney and as to the sufficiency of the surety by the County Executive and filed with the Department of Records.

Section 4. This Local Law shall take effect upon filing with the Secretary of State.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 493

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING ACCEPTANCE OF A DCJS BYRNE JAG PROGRAM GRANT FOR THE DEPARTMENT OF PUBLIC WORKS-DIVISION OF SECURITY AND ADOPTING A PROGRAM BUDGET FOR 2012-2013

WHEREAS, the Director of Security requests authorization to accept a DCJS Byrne JAG Program Grant and adopt a program budget in the amount of \$40,000 for the period November 1, 2012 through October 31, 2013, and

WHEREAS, said program grant provides funds for new Security equipment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$40,000 from the New York State Department of Criminal Justice, 4 Tower Place, Albany, New York 12203-3764 for the Department of Public Works-Division of Security's DCJS Byrne JAG Program Grant for the period November 1, 2012 through October 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$40,000, 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 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 494

By Education, Culture and Recreation and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE BROOME COUNTY PARKS HANDICAP ACCESSIBLE PLAYGROUND EQUIPMENT FUND

WHEREAS, Broome County expects to receive various gifts and donations to fund the purchase and construction of handicap accessible playground equipment, and

WHEREAS, it is this Legislature's intent to create a trust account for these gifts and donations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment of the "Broome County Parks Handicap Accessible Playground Equipment Trust Account", and be it

FURTHER RESOLVED, that the Deputy Commissioner of Parks and Recreation, is hereby authorized to expend said funds in accordance with the provisions of state and local laws and that use of these funds shall be solely restricted to the purchase and construction of handicap accessible playground equipment, and be it

FURTHER RESOLVED, that the Director of Management and Budget and the Deputy Commissioner of Parks and Recreation are hereby authorized and directed to take any and all necessary steps required to effectuate the intent and purpose of this resolution.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 495

By Finance and Public Works & Transportation Committees

Seconded by Mr. Merrill

RESOLUTION AMENDING THE 2011 CAPITAL IMPROVEMENT PROGRAM FOR THE DEPARTMENT OF AVIATION'S RUNWAY 34 SAFETY AREA IMPROVEMENTS PROJECT

RESOLVED, that the 2011 Capital Improvement Program is hereby revised as follows:

FROM:

Code	Project Name	Total	Estimated Construction Cost:		
			State	Federal/Other	County*
2820039	RW 34 Safety Area Improvements	\$12,690,988	\$324,025	\$12,312,938	\$324,025

Local Finance Law Section 11 How Financed:

2012 Journal of Proceedings

<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2011	15	15	\$324,025	\$0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Estimated Construction Cost:</u>			
		<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County*</u>
2820039	RW 34 Safety Area Improvements	\$13,410,000	\$335,250	\$12,739,500	\$335,250

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2011	15	15	\$335,250	\$0

* County's portion funded by PFC funds and be it

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 496

By Public Safety & Emergency Services and Finance Committees
 Seconded by Mr. D. J. Reynolds

RESOLUTION ADOPTING THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM PLAN FOR 2013

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

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

WHEREAS, this County Legislature, by Resolution 462 of 2011, approved and adopted the 2012 Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program Plan, and

WHEREAS, the Broome County STOP-DWI Advisory Board has reviewed the 2013 Plan, agrees and endorses the recommendations and strategies contained therein and requests this County Legislature to approve and adopt said Plan accordingly, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the 2013 Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program Plan, a copy of which has been filed with the Clerk of the Legislature, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 497

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF FUNDING AGREEMENTS WITH VARIOUS VENDORS, BROOME COUNTY DEPARTMENTS, OUTSIDE AGENCIES, AND MUNICIPALITIES FOR THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM FOR 2013

WHEREAS, this County Legislature, by Resolution 463 of 2011, authorized renewal of the agreement with various Broome County departments, outside agencies, and municipalities for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant in the total amount of \$193,000, for the period January 1, 2012 through December 31, 2012, and

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

WHEREAS, it is desired to renew agreements with various Broome County departments, outside agencies, and municipalities as shown in Exhibit "A" for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant in the total amount of \$172,000 for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of funding agreements with various Broome County departments, outside agencies, and municipalities as shown in Exhibit "A" for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of funding agreements with various Broome County departments, outside agencies, and municipalities as shown in Exhibit "A" and shall not exceed the amount of \$172,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the following budget lines: \$3,700 from 24000003.Various, \$62,800 from 2400003.6004146 (Subcontracted Program Expenses), and \$105,5000 from 2400003.6004610 (Personal Services Chargeback), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 498

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE LOCAL ENHANCED WIRELESS 911 PROGRAM GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2012-2015

WHEREAS, this County Legislature, by Resolution 464 of 2011, authorized and approved renewal of the Local Enhanced Wireless 911 Program Grant for the Office of Emergency Services and adopted a program budget in the amount of \$1,090,692 for the period April 1, 2011 through March 31, 2014, and

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

WHEREAS, it is desired to renew said grant program in the additional amount of \$103,337, total amount of \$1,194,029 for the period April 1, 2012 through March 31, 2015, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of an additional \$103,337 from the New York State Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231-0001 for the Office of Emergency Services Local Enhanced Wireless 911 Program Grant for the period April 1, 2012 through March 31, 2015, 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 \$1,194,029, 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 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 499

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING ACCEPTANCE OF A CYBER CRIME TASK FORCE PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2012-2013

WHEREAS, the Sheriff requests authorization to accept a Cyber Crime Task Force Program Grant and adopt a program budget in the amount of \$17,200 for the period October 1, 2012 through September 30, 2013, and

WHEREAS, said program grant provides funds for task force overtime reimbursement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$17,200 from the Federal Bureau of Investigation, 15 Henry Street, Room 321, Binghamton, New York 13901 for the Office of the Sheriff's Cyber Crime Task Force Program Grant for the period October 1, 2012 through September 30, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$17,200, 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 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 500

By Public Works & Transportation and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF TRIANGE AND AUTHORIZING AN AGREEMENT WITH THE TOWN OF VESTAL FOR SNOW AND ICE REMOVAL ON CERTAIN COUNTY ROADS FOR 2013

WHEREAS, this County Legislature, by Resolution 20 of 2012, authorized renewal of the agreement with the Town of Triangle to remove snow and ice from certain County roads for the period January 1, 2012 through December 31, 2012, and

WHEREAS, said agreement expires by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions at a rate of \$3,700 per centerline mile for the term of the agreement, and

WHEREAS, the Acting Commissioner of Public Works requests authorization for an agreement with the Town of Vestal to remove snow and ice from certain County roads at the rate of \$3,700 per center line mile, for the period January 1, 2013 through December 31, 2013, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Triangle, P.O. Box 2655 Main Street, Whitney Point, New York 13862 to remove snow and ice from certain County roads at a rate of \$3,700 per mile, total amount not to exceed \$49,395, for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Vestal to remove snow and ice from certain County roads at the rate of \$3,700 per centerline mile, total amount not to exceed \$14,060 for the period January 1, 2013 through December 31, 2013, 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 501

By Public Works & Transportation and Finance Committees Seconded by Mr. D. J. Reynolds
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 2013

WHEREAS, this County Legislature, by Resolution 489 of 2011, 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 \$57,417 for the period January 1, 2012 through December 31, 2012, and

WHEREAS, said agreement is necessary for solid waste and recycling education, planning and research, and

WHEREAS, said agreement expires by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$57,166 for the period January 1, 2013 through December 31, 2013, 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, 2013 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 \$57,166 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230078.4457.206000 (Other Operational Expenses), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 502

By Personnel, Human Services and Finance Committees Seconded by Mr. D. J. Reynolds
RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF SOCIAL SERVICES AND OFFICE FOR AGING

RESOLVED, that in accordance with a request contained in PCR# 12-221 from the Commissioner of Social Services, this County Legislature hereby authorizes the position of Case Supervisor Grade B, Grade 20, CSEA, 37.5 hours/week, minimum salary \$43,559, budget line 6001000.1011.35010006.3510303 (Child Care & Development Block Grant), to be downgraded to Human Services Coordinator I, Grade 17, Union Code 04 CSEA, 37.5 hours/week, minimum salary of \$37,408, to improve program efficiency, effective November 12, 2012, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 12-223 from the Commissioner of Social Services, this County Legislature hereby authorizes the elimination of two (2) Clerk positions, Grade 6, Union Code 04 CSEA, 37.5 hours/week, minimum salary \$21,679, budget line 6001000.1011.35010006.3510288 (MA CAP Grant) to improve program efficiency, effective December 31, 2012, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 12-224 from the Commissioner of Social Services, this County Legislature hereby authorizes the elimination of a Keyboard Specialist position, Grade 8, Union Code 04 CSEA, 37.5 hours/week, minimum salary \$23,897, budget line 6001000.1011.35010006.3510288 (MA CAP Grant), to improve program efficiency, effective December 31, 2012, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 12-225 from the Commissioner of Social Services, this County Legislature hereby authorizes the elimination of a Community Service Worker position, Grade 8, Union Code 04, CSEA, 37.5 hours/week, minimum salary \$23,897, budget line 6001000.1011.35010006.3510288 (MA CAP Grant), to improve program efficiency, effective December 31, 2012, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 12-226 from the Commissioner of Social Services, this County Legislature hereby authorizes the elimination of a Social Services Examiner position, Grade 13, Union Code 04 CSEA, 37.5 hours/week, minimum salary \$30,592, budget line 6001000.1011.35010006.3510288 (MA CAP Grant) to improve program efficiency, effective December 31, 2012, and be it

FURTHER RESOLVED, that in accordance with requests contained in PCR# 13-10, 13-11, 13-12, 13-22, 13-23, and 13-24 from the Director of the Office for Aging, this County Legislature hereby authorizes the title of Aging Services Program Coordinator, Grade 20, Union Code 07 BAPA, to be changed to Aging Services Program Coordinator II, Grade 20, Union Code 07 BAPA effective January 1, 2013.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 503

By Public Health & Environmental Protection and Finance Committees
Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE CHILD PASSENGER SAFETY PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2012-2013

WHEREAS, this County Legislature, by Resolution 502 of 2011, authorized and approved renewal of the Child Passenger Safety Program Grant for the Department of Health and adopted a program budget in the amount of \$15,000 for the period October 1, 2011 through September 30, 2012, and

WHEREAS, said program raises awareness about proper child passenger seat installation and use, and offers free child passenger safety seats, training and installation to Broome County residents, and

WHEREAS, it is desired to renew said program grant in the amount of \$14,500 for the period October 1, 2012 through September 30, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$14,500 from the New York State Governor's Traffic Safety Committee, 6 Empire State Plaza,

Room 414, Albany, New York 12228 for the Department of Health's Child Passenger Safety Program for the period October 1, 2012 through September 30, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$14,500, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Director of the Office of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 504

By Public Health & Environmental Protection and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DEPOSIT CENTRAL SCHOOL DISTRICT FOR VARIOUS PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH'S PRESCHOOL EDUCATION PROGRAM FOR 2013-2014

WHEREAS, the Director of Public Health requests authorization for an agreement with the Deposit Central School District for various professional services for the Department of Health's Preschool Education Program at rates set by the New York State Department of Education for the period January 1, 2013 through June 30, 2014, and

WHEREAS, said agreement is necessary to provide related services in the 3-5 Preschool Special Education Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Deposit Central School District, 171 Second Street, Deposit, New York 13754-1397 for various professional services for the Department of Health's Preschool Education Program for the period January 1, 2013 through June 30, 2014, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates set by the New York State Department of Education, attached as Exhibit "B" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25060004.various.HPSEDP (Various), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 505

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE FOOD STAMP NUTRITION EDUCATION PROJECT GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH CORNELL COOPERATIVE EXTENSION TO ADMINISTER SAID PROGRAM FOR 2012-2013

WHEREAS, this County Legislature, by Resolution 151 of 2012, authorized and approved renewal of the Food Stamp Nutrition Education Project Grant for the Department of Social Services, adopted a program budget in the amount of \$44,733 and authorized an agreement with Cornell Cooperative Extension to administer said program for the period October 1, 2011 through September 30, 2012, and

WHEREAS, said program grant provides Food Stamp recipients with nutrition education, food purchase, preparation and life skills training, which allows participants to achieve self-sufficiency through instruction on how to reduce food costs and also provides Food Stamp outreach to low-income households, and

WHEREAS, it is desired to renew said grant program in the amount of \$44,732, adopt a program budget and renew the agreement with Cornell Cooperative Extension to continue to administer said program for the period October 1, 2012 through September 30, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$44,732 from New York State, Office of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243-0001 for the Department of Social Services Food Stamp Nutrition Education Project Grant for the period October 1, 2012 through September 30, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$44,732, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Cornell Cooperative Extension, 840 Upper Front Street, Binghamton, New York 13905 to administer said program for the Department of Social Services for the period October 1, 2012 through September 30, 2013 and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$44,732 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 35010006.6004573.3510309 (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 Director of the Office of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 506

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE CHILD PASSENGER SAFETY PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2012-2013

WHEREAS, this County Legislature, by Resolution 526 of 2011, authorized and approved the Child Passenger Safety Program Grant for the Department of Social Services and adopted a program budget in the amount of \$8,600 for the period October 1, 2011 through September 30, 2012, and

WHEREAS, said program grant provides child safety seats and instructions for proper use to low income families, and

WHEREAS, it is desired to renew said program grant in the amount of \$6,915 for the period October 1, 2012 through September 30, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$6,915 from the New York State Department of Motor Vehicles, 6 Empire State Plaza, Albany, New York 12228 for the Department of Social Services Child Passenger Safety Program for the period October 1, 2012 through September 30, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$6,915, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Director of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 507

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH K & A RADIOLOGICAL TECHNOLOGY, INC., FOR PROFESSIONAL RADIOLOGY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2012

WHEREAS, this County Legislature, by Resolution 321 of 2011, authorized an agreement with K & A Radiological Technology, Inc., for professional radiology services for the Willow Point Nursing Home at an amount not to exceed \$22,000 for the period January 1, 2012 through December 13, 2012, and

WHEREAS, said agreement is necessary for on-site portable x-ray, EKG and Holter monitoring services for nursing home residents and to directly bill the nursing home for Medicare Part A eligible residents, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the amount not to exceed by \$5,000 and extend the period through February 28, 2013, and

WHEREAS, the Administrator 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 K & A Radiological Technology, Inc., 2706 East Main Street, Endicott, New York 13760 to increase the not to exceed amount by \$5,000 and extend the period through February 28, 2013 for professional radiology services for the Willow Point Nursing Home, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$27,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 27020204.6004573 (Other Fees for Services), and be it

FURTHER RESOLVED, that Resolution 321 of 2011 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 508

By Finance Committee

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING CANCELLATION OF INTEREST AND PENALTIES ON A PARCEL IN THE TOWN OF LISLE

WHEREAS, the Town of Lisle Tax Collector has returned a parcel as unpaid when in fact the taxes were paid on time and the Director of Real Property Tax Service is requesting authorization to cancel 2012 interest and penalties in the amount of \$1,543.03 for Tax map # 034.02-1-6.1, 4731 NYS Route 26 in the Town of Lisle, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation of 2012 interest and penalties in the amount of \$1,543.03 for Tax map # 034.02-1-6.1, 4731 NYS Route 26 in the Town of Lisle, and be it

FURTHER RESOLVED, that the Director of Real Property Tax Service and the Director of the Office of Management and Budget are hereby authorized to execute any and all adjustments to tax bills, tax records and property tax records as may be necessary to implement the intent of this Resolution.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 509

By Economic & Rural Development and Planning and Finance Committees

Seconded by Mr. Jensen

RESOLUTION AUTHORIZING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO ADMINISTER COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY FUNDS FOR 2011-2017

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to administer Community Development Block Grant-Disaster Recovery (CDBG-DR) Funds in the amount not to exceed \$14,805,900 for the period August 28, 2011 through October 29, 2017, and

WHEREAS, the Department of Planning and Economic Development shall be responsible for administering the sub-allocation of CDBG-DR funds, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Department of Planning and Economic Development to administer Community Development Block Grant-Disaster Recovery Funds in the amount not to exceed \$14,805,900 for the period August 28, 2011 through October 29, 2017, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 510

By Human Services, Personnel, Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE TITLE III-C-1 CONGREGATE MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature by Resolution 508 of 2011, as amended by Resolution 455 of 2012, 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 \$1,123,040 for the period January 1, 2012 through December 31, 2012, 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 \$1,149,289 for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$331,193 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, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$1,149,289 and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Title III-C-1 Congregate Meals Program funds as may be allocated by New York State Office for Aging for the period January 1, 2013 through December 31, 2013, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate or salary total is not changed, 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 Director of Management and Budget and/or Comptroller 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 511

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING INDIGENT BURIAL RATES PAID TO FUNERAL HOMES FOR SERVICES PROVIDED TO THE BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES FOR 2013

WHEREAS, in accordance with Social Services Law §141, Broome County's Department of Social Services is responsible to provide for the care, removal and burial of the bodies of indigent persons who die within Broome County,

WHEREAS, this County Legislature, by Resolution 572 of 2006 established procedures and rates for indigent burials by the Department of Social Services, and

WHEREAS, it is appropriate and necessary at this time to revise said rates, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the following rates and procedures, with an effective date of January 1, 2013 through December 31, 2013, with two one-year renewals at Broome County's option at the following rates and conditions:

1. Allowances for burial of an indigent stillborn, or child up to one year for calendar year 2013 shall be as follows (with a 0% increase in the calendar year 2014 and 2015 with an option for renewal at the end of each year):

2013-2015

Full Service Burial/Full Service Cremation	\$545
Immediate Burial/Immediate Cremation	\$364

Allowance for burial of all other indigent individuals for calendar year 2013 shall be as follows (with a 0% increase in calendar year 2014 and 2015 with an option for renewal at the end of each year):

2013-2015

Full Service Burial/Full Service Cremation	\$1,985
Immediate Burial/Immediate Cremation	\$ 969

2. The allowances in #1 and #2 above will also apply for body donations of

- indigent individuals. This allowance will be paid to the funeral directors for their services involving arrangements for the body and for all transportation costs to the medical facility. Pre-registration with the donation facility is required.
3. In addition to the above allowances, an extra allowance up to \$150 will be allowed to cover expenses of an out of county funeral director.
 4. All full service burials and cremations are to include the following: transfer of the remains within Broome County to the funeral home, embalming (as required), cosmetology, dressing and casketing, hairdressing, arrangements and supervision, minimum of one hour calling or visitation at the funeral home, funeral ceremony, livery (hearse or alternative funeral coach), acknowledgement cards and register book
 5. In addition to the above allowances, out of County transportation costs shall be paid at \$2.00 per loaded mile. The maximum number of reimbursable miles shall be 100, unless the Department of Social Services determines that it would be more economical to reimburse for greater distance.
 6. In addition to the above allowances, there shall be an allowance for the actual cost of a minimum cost cloth covered wood, or minimum cost wood composite material casket. If necessary and pre-approved by Social Services, an additional allowance shall be allowed for the actual cost of a minimum cost oversized cloth covered wood, or minimum cost wood composite material casket or Ziegler case.
 7. In addition to the above allowances, there shall be an allowance for all actual minimal cemetery and cremation costs and equipment for burials and cremations (when necessary) within Broome County, including, but not limited to the following: grave liner (when mandated by the cemetery), grave opening and closing, casket lowering, tent, cremation, allowance for a minimum cost grave plot available at the approved cemetery at which the burial takes places, plus winter storage if needed. DSS will not purchase grave plots or urns for cremains unless the Resource Consultant deems necessary or client funds are available. Burial Plot deeds or a statement from the cemetery indicating plot section and number are to be sent to the DSS Resource Consultant upon DSS payment.
 8. In the case where no next of kin can be located, it will be the obligation of the funeral director to ensure that a funeral notice for all indigent burials or cremations is published in the newspaper. The notice is to include the deceased individual's name, age, place of residence, day of death, place of funeral service, date of funeral service and time of funeral service.
 9. Before any allowance authorized herein is paid by the Department of Social Services, there shall be credited to the burial, cremation or other related expenses, all assets of the indigent deceased individual, including but not limited to benefits offered by Social Security, Veteran's Administration and any life insurance, up to the allowance authorized herein.
 10. All burials/cremations and service herein to be paid for by the Department of Social Services shall be approved by the Department prior to the funeral arrangements. If approval is needed on a weekend, approval can be obtained on the Monday after the actual weekend that approval should have been obtained, provided costs are kept within allowable limits. DSS will not pay overtime or weekend charges for burial services
 11. Before any allowance authorized herein is paid by the Department of Social Services, the funeral director making claims for such funds shall submit the "Itemization of Funeral Services and Merchandise Selected Form" and supporting documentation for all actual costs (casket invoice, vault invoice, cremation or cemetery receipts and any other expenses incurred.) A copy of

- the death certificate, at no additional cost, must accompany all billings. In addition, the provided Attestation of Burial Expenses must be completed and submitted to the department prior to any allowances paid. Said invoices to be in such a form as may be prescribed by the Broome County Comptroller and the NYS Department of Health.
12. The Funeral directors providing services paid by the Department of Social Services shall maintain accurate and detailed records of the services performed by it and/or its employees pursuant to this Resolution, reflecting the nature of the work performed, and to have such records available for six years after this Resolution's term for inspection and audit by appropriate representatives of Broome County, Broome County Department of Social Services (BCDSS) and/or the Broome County Comptroller, upon reasonable notice of said Departments, All services, billings and burial details are subject to audit by Broome County DSS. In addition, the funeral director shall perform the services authorized under this Resolution in a spirit of cooperation with BCDSS, and shall e available to entertain reasonable requests for information from appropriate BCDSS personnel, as well as other County Departments as may be designated by BCDSS.
 13. Before any allowance authorized herein is paid by the Department of Social Services, the funeral director who is making a claim for such funds shall report any monies paid or to be paid from friends or relatives of said deceased indigent individual or from any other source whatsoever to the Department of Social Services, in order that such funds be applied toward any allowance granted herein. Any funds received by the funeral director, subsequent to the funeral, shall be reported and forwarded to BCDSS.
 14. The following items are not covered by DSS and are the financial responsibility of the family or arranging party: Obituary, flowers, clergy honorarium and prayer cards. All upgrades to funeral merchandise (i.e. casket, vault, ploy or services) are prohibited.
 15. The Resource Consultant may request family monetary offsets to cemetery costs or other expenses as necessary.
 16. All immediate and full service burials and creations, as well as any ancillary services, provided herein are to be in compliance with all local and state laws governing such practices, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 512

By Human Services Committee

Seconded by Mr. D. J. Reynolds

RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY NURSING HOME ADVISORY BOARD

WHEREAS, Debra A. Preston, Broome County Executive, pursuant to the authority vested in her by Article XIV of the Broome County Charter and Administrative Code, has duly designated and appointed Jean King, 306 W. Wendell Street, Endicott, New York 13760 to membership on the Broome County Nursing Home Advisory Board, with a term expiring December 31, 2015, and

WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XIV of the Broome County Charter and Administrative Code, confirms the appointment Jean King, 306 W. Wendell Street, Endicott, New York 13760 to membership on the Broome County Nursing Home

Advisory Board, with a term expiring December 31, 2015, in accordance with her appointment by the County Executive.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 513

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH FONTANESE, FOLTS, AUBRECHT, ERNST ARCHITECTS, PC FOR ENGINEERING/ARCHITECTURAL SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2001-2012

WHEREAS, this County Legislature, by Resolution 167 of 2001, as amended by Resolutions 153 of 2002, 56 and 450 of 2003, 455 of 2004, 597 of 2005, 594 of 2006, 747 of 2007, 587 of 2008, 208 and 382 of 2010 and 527 of 2011, authorized an agreement with Fontanese, Folts, Aubrecht, Ernst Architects, PC for engineering/architectural services for the Willow Point Nursing Home at a cost not to exceed \$109,510 for the period March 1, 2001 through December 31, 2012, and

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

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term of the agreement through December 31, 2013, to cover any post submission follow up activity that may be requested by the State regarding the nursing home feasibility study, at no additional cost to the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Fontanese, Folts, Aubrecht, Ernst Architects, PC, 6395 West Quaker Street, Orchard Park, New York 14127, to extend the term of the agreement through December 31, 2013, to cover any post submission follow up activity that may be requested by the State regarding the nursing home feasibility study, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 167 of 2001, as amended by Resolutions 153 of 2002, 56 and 450 of 2003, 455 of 2004, 597 of 2005, 594 of 2006, 747 of 2007, 587 of 2008, 208 and 382 of 2010 and 527 of 2011, 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 514

By Human Services and Finance Committees

Seconded by Mr. Jensen

RESOLUTION AUTHORIZING AN AGREEMENT WITH HEALTHPRO REHABILITATION FOR REHABILITATION THERAPY SERVICES FOR RESIDENTS OF THE WILLOW POINT NURSING HOME FOR 2013

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with HealthPRO, Rehabilitation for rehabilitation therapy services for residents of the Willow Point Nursing Home with a cost based on \$1.03 per minute for Medicare Part A, 75% of the Medicare Physician Fee Schedule for Medicare Part B and all others, and \$68 per hour for Respiratory Therapy Services for the period January 14, 2013 through December 31, 2013, with the option for five one-year renewals, and

WHEREAS, said agreement is necessary to provide rehabilitation therapy services for residents of the Willow Point Nursing Home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with HealthPRO Rehabilitation, 10600 York Road, Suite 105, Cockeysville, Maryland 21030 for

rehabilitation therapy services for residents of the Willow Point Nursing Home for the period January 14, 2013 through December 31, 2013, with the option for five one-year renewals, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$1.03 per minute for Medicare Part A. 75% of the Medicare Physician Fee Schedule for Medicare part B and all others, and \$68 per hour for Respiratory Therapy Services for the term of the agreement, and be it

FURTHER RESOLVED, that should HealthPRO be unable to secure staffing levels similar to current in-house levels for the period January 14, 2012 through February 28, 2012 that the County shall pay the Contractor an increased charge of \$0.19, total not to exceed \$1.22 per minute for Medicare Part A due to the need to recruit outside staff during this transitional period, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 27020504.6004405 (Rehab & 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-11, Nays-5 (Sanfilippo, D. D. Reynolds, Garnar, Hutchings, Herz), Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 515

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING AN AGREEMENT WITH OMNICARE OF NEW YORK, LLC, D/B/A OMNICARE OF NEW HARTFORD FOR PHARMACY CONSULTING SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2013

WHEREAS, the Administrator of Willow Point Nursing Home requests authorization for an agreement with Omnicare of New York, LLC, d/b/a Omnicare of New Hartford for pharmacy consulting services for the Willow Point Nursing Home at a cost not to exceed \$24,000 for the period January 1, 2013 through December 31, 2013, with the option for two one-year renewals under the same terms and conditions, and

WHEREAS, said agreement is necessary for pharmacy consulting services for residents of the Willow Point Nursing Home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Omnicare of New York, LLC d/b/a Omnicare of New Hartford, 8378 Seneca Turnpike, New Hartford, New York 13413, for pharmacy consulting services for the Willow Point Nursing Home for the period January 1, 2013 through December 31, 2013, with the option for two one-year renewals under the same terms and conditions, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$24,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 27020404.6004573 (Other Fees for Services), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 516

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING AN AGREEMENT WITH OMNICARE OF NEW YORK, LLC, D/B/A OMNICARE OF NEW HARTFORD FOR PHARMACY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2013

WHEREAS, the Administrator of Willow Point Nursing Home requests authorization for an agreement with Omnicare of New York, LLC, d/b/a Omnicare of New Hartford for pharmacy services for the Willow Point Nursing Home at a cost not to exceed \$403,500 for the period January 1, 2013 through December 31, 2013, with the option for five one-year renewals under the same terms and conditions, and

WHEREAS, said agreement is necessary to maintain pharmaceutical regimes and stability for residents, cost containment, third party reimbursement, private billing, facility billing and minimize facility staff time in the pharmacy process now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Omnicare of New York, LLC d/b/a Omnicare of New Hartford, 8378 Seneca Turnpike, New Hartford, New York 13413, for pharmacy services for the Willow Point Nursing Home for the period January 1, 2013 through December 31, 2013, with the option for five one-year renewals under the same terms and conditions, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$403,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 27020404.6004064 (Unit Dosage SNF) and 27020404.6004573 (Other Fees for Services), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 517

By Public Works & Transportation, Personnel and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE JOB ACCESS REVERSE COMMUTE/TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM GRANT FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature, by Resolution 525 of 2011, authorized and approved renewal of the Job Access Reverse Commute/Temporary Assistance for Needy Families Program Grant for the Department of Public Transportation and adopted a program budget in the amount of \$600,000 for the period January 1, 2012 through December 31, 2012, and

WHEREAS, said program grant provides funding for BC Transit services, and

WHEREAS, it is desired to renew said grant program in the amount of \$600,000 for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$300,000 from the Federal Transit Administration, One Bowling Green, New York, New York 10004 for the Department of Public Transportation's Job Access Reverse Commute/Temporary Assistance for Needy Families Program Grant for the period January 1, 2013 through December 31, 2032, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$600,000, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Director of the Office of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 518

By Public Health and Environmental Protection, Personnel and Finance Committees

Seconded by Mr. D. J. Reynolds

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's Medical Staff Credential Committee completed its review and recommends reappointment of Melissa Brennan, Public Health Nurse Practitioner/Director of Clinic Services, Blenda Smith, Public Health Nurse Practitioner, Andin Kovarik-Roeber, Public Health Nurse Practitioner, and Lauren Luchuk, Public Health Nurse Practitioner to the Broome County Health Department's medical/director staff, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the credentialing and reappointment 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 to the Broome County Health Department's medical staff, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 519

By Finance and Public Works & Transportation Committees

Seconded by Mr. Schafer

RESOLUTION AMENDING THE 2009 CAPITAL IMPROVEMENT PROGRAM FOR THE DEPARTMENT OF AVIATION'S TERMINAL IMPROVEMENTS PROJECT

RESOLVED, that the 2009 Capital Improvement Program is hereby revised as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>	
			<u>State</u>	<u>Federal/Other</u>			
2820036	Terminal Improvements Project	\$360,000	\$300,000	\$0		\$60,000	
			<u>Local Finance Law Section 11</u>		<u>How Financed:</u>		
			<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
			2009	10	14	\$360,000	\$0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Federal/Other</u>		
2820036	Terminal Improvements	\$770,000	\$495,000	\$0		\$275,000
			<u>Local Finance Law Section 11</u>		<u>How Financed:</u>	

<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
2009	10	14	\$770,000	\$0

and be it

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 520

By Public Works & Transportation and Finance Committees Seconded by Mr. D. J. Reynolds
RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL TRANSPORTATION ADMINISTRATION FUNDS FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION'S JARC PROGRAM FOR 2012-2013

WHEREAS, the Secretary of the United States Department of Transportation is authorized to make grants for mass transportation programs, and

WHEREAS, the Commissioner of Transportation requests authorization to accept Federal Transportation Administration Funds for Broome County Department of Transportation's JARC Program in the amount of \$350,169 for the period January 1, 2012 through December 31, 2013, and

and WHEREAS, said funding provides the Federal share of the operating funds for the Broome County Department of Public Transportation's JARC Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance and expenditure of \$350,169 from the Federal Transit Administration, One Bowling Green, New York, New York 10004, for Broome County Department of Transportation's JARC Program for the period January 1, 2012 through December 31, 2013, and be it

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits provided that said budget transfers do not affect a personnel line, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the program of projects and budget, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 521

By Public Works & Transportation and Finance Committees Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF FEDERAL TRANSPORTATION ADMINISTRATION FUNDS FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION FOR 2012

WHEREAS, this County Legislature, by 494 of 2011, authorized and approved acceptance of Federal Transportation Administration Funds for operating assistance for Broome County's Mass Transportation Program in the amount of \$3,158,655 for the period January 1, 2011 through December 31, 2011, and

WHEREAS, the Secretary of the United States Department of Transportation is authorized to make grants for mass transportation programs, and

WHEREAS, said funding provides the Federal share of the operating funds for the Broome County Department of Public Transportation Mass Transportation Program, and

WHEREAS, it is desired to renew said Federal Transportation Administration Funds in the amount of \$2,961,759 for the period January 1, 2012 through December 31, 2012, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance and expenditure of \$2,961,759 from the Federal Transit Administration, One Bowling Green, New York, New York 10004, for operating assistance for Broome County's Mass Transportation Program for the period January 1, 2012 through December 31, 2012, and be it

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits provided that said budget transfers do not affect a personnel line, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the program of projects and budget, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 522

By Public Works & Transportation and Finance Committees Seconded by Mr. D. J. Reynolds
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ARCADIS OF NEW YORK, INC. FOR PROFESSIONAL ENGINEERING SERVICES AT THE COLESVILLE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2009-2013

WHEREAS, this County Legislature, by Resolution 70 of 2009, as amended by Resolutions 92 of 2010, 84 of 2011 and 53 of 2012, authorized an agreement with ARCADIS of New York, Inc. for professional engineering services at the Colesville Landfill for the Division of Solid Waste Management at an amount not to exceed \$919,100 for the period March 1, 2009 through February 28, 2013, and

WHEREAS, said agreement is necessary for the continued implementation, operation and maintenance of the groundwater cleanup and water quality monitoring, including improvements/testing as required by the United States Environmental Protection Agency, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for an additional \$20,200, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with ARCADIS of New York, Inc., Two Huntington Quadrangle, Suite 1S10, Melville, New York 11747 for professional engineering services for the Division of Solid Waste Management for an additional amount of \$20,200, for the period March 1, 2009 through February 28, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$939,300, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 38010007.6004573.3820038 (Other Fees for Service), and be it

FURTHER RESOLVED, that Resolutions 70 of 2009, 92 of 2010, 84 of 2011 and 53 of 2012, 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 523

By Public Works & Transportation and Finance Committees Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH ITHACA AREA WASTEWATER TREATMENT FACILITY FOR DISCHARGE OF RAW LEACHATE FROM THE LEACHATE COLLECTION SYSTEM AT THE BROOME COUNTY LANDFILL FOR THE DEPARTMENT OF PUBLIC WORKS-DIVISION OF SOLID WASTE MANAGEMENT FOR 2012-2013

WHEREAS, this County Legislature, by Resolution 346 of 2011, authorized renewal of the agreement with the Ithaca Area Wastewater Treatment Facility for the discharge of raw leachate from the leachate collection system at the Broome County Landfill at a cost not to exceed \$10.00 per 1,000 gallons of leachate, plus a surcharge of \$.52 per pound of Biochemical Oxygen Demand if the leachate exceeds 2,500 milligrams per liter BOD and \$1.00 per load administrative fee, total amount not to exceed \$60,000 for the period October 1, 2011 through September 30, 2012, and

WHEREAS, said agreement is necessary to discharge raw leachate to a treatment facility for final treatment and discharge into a major watercourse, and

WHEREAS, said agreement expired by its terms on September 30, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$60,000, for the period October 1, 2012 through September 30, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ithaca Area Wastewater Treatment Facility, 525 Third Street, Ithaca, NY 14850 for the discharge of raw leachate from the leachate collection system at the Broome County Landfill, for the period October 1, 2012 through September 30, 2013, at a total amount not to exceed \$60,000 for the term of this agreement, and be it

FURTHER RESOLVED, that for leachate treatment for the period October 1, 2012 through September 30, 2013, the County shall pay the contractor an amount not to exceed \$10.00 per 1,000 gallons of leachate, plus a surcharge of \$.52 per pound of Biochemical Oxygen Demand if the leachate exceeds 2,500 milligrams per liter BOD and \$1.00 per load administrative fee, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4449.206000 (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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 524

By Public Works & Transportation and Finance Committees Seconded by Mr. D. J. Reynolds
RESOLUTION AUTHORIZING RENEWAL OF AN INTERMUNICIPAL AGREEMENT WITH TIOGA COUNTY FOR THE COLLECTION OF HAZARDOUS WASTE FROM TIOGA COUNTY FOR 2013

WHEREAS, this County Legislature, by Resolution 52 of 2012, authorized renewal of an intermunicipal agreement with Tioga County allowing for the collection of hazardous waste from households and conditionally exempt small quantity generators at the Broome County Hazardous Waste Facility with revenue to the County for the period January 1, 2012 through December 31, 2012, and

WHEREAS, said agreement generates revenue to the Broome County Solid Waste Management Fund to offset a portion of the operating expenses at the Hazardous Waste Facility and, by providing this collection service to Tioga County, will enhance the regional economy and benefit the region's environment, and

WHEREAS, said agreement expired by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the intermunicipal agreement with Tioga County for the collection of hazardous waste from households and conditionally exempt small quantity generators of hazardous wastes located in Tioga County for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that Tioga County residents will be allowed access to the Broome County Hazardous Waste Facility during scheduled collection days during the months of April through November for the disposal of hazardous waste, following the facility's guidelines, and be it

FURTHER RESOLVED, the following charges will apply to Tioga County, its residents and businesses:

- Tioga County will pay an annual fee of \$3,200 plus a disposal fee of \$0.75 per pound for all hazardous waste and a recycle fee of \$0.35 per pound of electronics brought to the facility by Tioga County residents
- Tioga County businesses and institutions meeting the criteria of "conditionally exempt small quantity generators (CESQGs)" will be permitted access to the facility on a year-round basis, during all scheduled days of operation subject to an annual fee of \$80 per business/generator and a disposal fee of \$0.75 per pound for all hazardous waste and a recycle fee of \$0.35 per pound of electronics

and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 38050007.2020.5000323 (Other Local Government) and 38050007.2020.5000481 (Hazardous Waste Facility Permits), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 525

By Public Works & Transportation and Finance Committees Seconded by Mr. D. J. Reynolds
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH GHD CONSULTING ENGINEERS, LLC FOR ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS-DIVISION OF SOLID WASTE MANAGEMENT FOR 2010-2014

WHEREAS, this County Legislature, by Resolution 192 of 2010, as amended by Resolutions 495 of 2011 and 167 of 2012, authorized an agreement with GHD Consulting Engineers, LLC for engineering services for the Department of Public Works Division of Solid

Waste Management at a cost not to exceed \$970,000 for the period May 1, 2010 through December 31, 2012, and

WHEREAS, said agreement is necessary for the design and permitting of Section IV Cells 2 and 3 and construction oversight for Section IV Cell 2, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$849,000 and extend the term through December 31, 2014 for additional scope of works including the design and permitting of Section IV Cells 3 & 4 and Construction oversight for Section IV Cell 3, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with GHD Consulting Engineers, LLC, One Remington Park Drive, Cazenovia, New York 13035, to increase the not to exceed amount by \$849,000, for engineering services for the Department of Public Works-Division of Solid Waste Management for the period May 1, 2010 through December 31, 2014, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$849,000, total amount not to exceed \$1,819,000 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolutions 192 of 2010, 495 of 2011 and 167 of 2012, 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 526

By Public Works & Transportation and Finance Committees Seconded by Mr. D. J. Reynolds
RESOLUTION AUTHORIZING AN AGREEMENT WITH SHUMAKER CONSULTING ENGINEERING & LAND SURVEYING, P.C. FOR PROFESSIONAL/DESIGN SERVICES ON THE EAST WINDSOR ROAD BRIDGES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2013-2014

WHEREAS, the Deputy Commissioner of Engineering requests authorization for an agreement with Shumaker Consulting Engineering & Land Surveying, P.C., for professional/design services on the East Windsor Road Bridges for the Department of Public Works at a cost not to exceed \$89,395 for the period January 1, 2013 through December 31, 2014, and

WHEREAS, said agreement is necessary for professional services for design work associated with two bridges on East Windsor Road in the Town of Colesville (BIN 3349180 & BIN 3349190), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Shumaker Consulting Engineering & Land Surveying, P.C., 143 Court Street, Binghamton, New York 13901 for professional/design services on the East Windsor Road Bridges for the Department of Public Works for the period January 1, 2013 through December 31, 2014, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$89,395 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 3120.2901010.2920057.6002205 (Bridges), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 527

By Economic & Rural Development and Planning and Finance Committees
Seconded by Mr. D. J. Reynolds

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH TETRA TECH, INC.
FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PLANNING AND
ECONOMIC DEVELOPMENT FOR 2012-2013**

WHEREAS, this County Legislature, by Resolution 206 of 2012, authorized an agreement with Tetra Tech, Inc. for professional services for the Department of Planning and Economic Development at a cost not to exceed \$107,000, for the period May 1, 2012 through October 30, 2013, and

WHEREAS, said agreement is necessary for the development of a Broome County Multijurisdictional Hazard Mitigation Plan Update, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for an additional \$7,815 for additional scopes of work, and

WHEREAS, the Commissioner of Planning and Economic Development 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 Tetra Tech, Inc., 1000 The American Road, Morris Plains, New Jersey 07950, for an additional \$7,815, for professional services for the Department of Planning and Economic Development for the period May 1, 2012 through October 30, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$114,815, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 37000007.5000901.3710057 (Contracted Services), and be it

FURTHER RESOLVED, that Resolution 206 of 2012, 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 528

By Economic & Rural Development and Planning and Finance Committees
Seconded by Mr. D. J. Reynolds

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE BROOME COUNTY
INDUSTRIAL DEVELOPMENT AGENCY (BCIDA) FOR ADMINISTRATIVE SERVICES FOR
THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2011-2013**

WHEREAS, the Commissioner of Planning and Economic Development requests authorization for an agreement with the Broome County Industrial Development Agency (BCIDA) for administrative services for the Department of Planning and Economic Development at a cost not to exceed \$15,000 for the period June 30, 2011 through May 24, 2013, and

WHEREAS, said agreement is necessary for the BCIDA to administer the NYSERDA Better Building Program Grant on behalf of the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the BCIDA, 60 Hawley Street, Binghamton, New York 13901 for administrative services, for the Department of Planning and Economic Development for the period June 30, 2011 through May 24, 2013, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.6004255.3710058 (Contracted Services), and be it

WHEREAS, the Director of Real Property Tax Service is requesting authorization to cancel taxes plus accrued interest and penalties on County owned parcels in the Town of Dickinson as listed on Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation of taxes plus accrued interest and penalties on County owned parcels in the Town of Dickinson as listed on Exhibit "A", and be it

FURTHER RESOLVED, that the Director of Real Property Tax Service and the Director of the Office of Management and Budget are hereby authorized to execute any and all adjustments to tax bills, tax records and property tax records as may be necessary to implement the intent of this Resolution.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 532

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Merrill
RESOLUTION AUTHORIZING THE BROOME COUNTY SHERIFF'S OFFICE TO DONATE A 1999 FORD JAIL TRANSPORT VAN TO THE MADISON COUNTY SHERIFF'S OFFICE

WHEREAS, the Broome County Sheriff requests authorization to donate a 1999 Ford Jail Transport Van (VIN# 1FTPE24L2XHC00244) (BC ID# 72039) to the Madison County Sheriff's Office, and

WHEREAS, said truck has a mileage reading of 131,379 and is no longer used by the Sheriff's Office, and

WHEREAS, under the authority of County Law Section 215, Subdivision 9 and County Charter and Code §28-5, the Broome County Legislature may authorize the disposal of property having nominal value to the County and no longer being required for public use, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Sheriff to donate a 1999 Ford Jail Transport Van (VIN# 1FTPE24L2XHC00244) (BC ID# 72039) to the Madison County Sheriff's Office, 138 N. Court Street, # 7, Wampsville, New York 13163, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 533

By Human Services, Personnel, and Finance Committees Seconded by Mr. D. J. Reynolds
RESOLUTION AUTHORIZING RENEWAL OF THE TITLE III-B SUPPORTIVE SERVICES PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature by Resolution 507 of 2011, as amended by Resolution 456 of 2012, 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 \$735,540 for the period January 1, 2012 through December 31, 2012, and

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

WHEREAS, it is desired to renew said program grant budget in the amount of \$759,560 for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$259,501 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-B Supportive Services Program Grant for the period January 1, 2013 through December 31, 2013, 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 \$759,560 and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Title III-B Supportive Services Program funds, for the period January 1, 2013 through December 31, 2013, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate or salary total is not changed, 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 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 534

By Human Services, Personnel, Finance Committees

Seconded by Mr. D. J. Reynolds

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 2013

WHEREAS, this County Legislature by Resolution 509 of 2011, as amended by Resolution 454 of 2012, 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 \$704,731 for the period January 1, 2012 through December 31, 2012, 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 \$772,532 for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$160,210 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, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$772,532 and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Title III-c-2 Home Delivered Meals Program funds, for the period January 1, 2013 through December 31, 2013, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate or salary total is not changed, 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 Director of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 535

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF TITLE III-D HEALTH PROMOTION PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature, by Resolution 510 of 2011, as amended by Resolution 453 of 2012, 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 \$39,615 for the period January 1, 2012 through December 31, 2012, 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 \$38,381 for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$16,971 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, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$38,381 and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Title III-D Health Promotion Program funds, for the period January 1, 2013 through December 31, 2013, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate or salary total is not changed, 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 Director of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 536

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF TITLE III-E FAMILY CAREGIVER PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature, by Resolution 511 of 2011, as amended by Resolution 452 of 2012, 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 \$154,926 for the period January 1, 2012 through December 31, 2012, 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 \$152,442 for the period January 1, 2013 through December 31, 2013 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$135,827 from New York State Office for Aging, Empire State Agency Building 2, Albany, NY 12223-1251 for the Office For Aging's Title III-E Family Caregiver Grant for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$152,442 and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Title III-E Family Caregiver Program funds, for the period January 1, 2013 through December 31, 2013, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate or salary total is not changed, 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 Director of Management and Budget and/or Comptroller) 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.

RESOLUTION NO. 537

By Human Services, Personnel and Finance Committees Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH OUTREACH PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature, by Resolution 515 of 2011, 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 \$63,376 for the period January 1, 2012 through December 31, 2012, 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 \$18,000 for the period January 1, 2013 through December 31, 2013, 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 Grant for the period January 1, 2013 through December 31, 2013 and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$18,000 and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Mental Health Outreach Program funds for the period January 1, 2013 through December 31, 2013, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate or salary total is not changed, 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 Director of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 538

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF VETERANS ADMINISTRATION PROGRAM GRANT, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH THE VETERANS ADMINISTRATION FOR THE OFFICE FOR AGING TO ADMINISTER SAID PROGRAM FOR 2013

WHEREAS, this County Legislature, by Resolution 174 of 2010, as amended by Resolution 517 of 2011 authorized and approved the Veterans Administration Program Grant for the Office for Aging, adopted a program budget in the amount of \$175,000 and authorized an agreement with Veterans Administration for the Office for Aging to administer said program for the period April 22, 2010 through December 31, 2012, and

WHEREAS, said program grant allows for the Broome County Office for Aging to provide reimburseable services, including but not limited to, personal care, chore services, consumer-directed, transportation, home delivered meals congregate meals social adult day care PERS and nutrition education and counseling, to veterans in Broome County that are assigned by the Veterans Administration, and

WHEREAS, it is desired to renew said grant program in the amount of \$75,000, adopt a program budget and renew the agreement with the Veterans Administration for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$75,000 from the Veterans Administration, Syracuse VA Medical Center, 800 Irving Avenue, Syracuse, New York 13210 for the Office for Aging's Veterans Administration Program Grant for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$75,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Veteran's Administration, Syracuse VA Medical Center, 800 Irving Avenue, Syracuse, New York 13210 for the Office for Aging to administer said program for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 34010006.5000946.3410495 (Other Federal Revenue), and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Veteran's Administration Program funds, for the period January 1, 2013 through December 31, 2013, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate or salary total is not changed, 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 Director of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 539

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE ELDER ABUSE PREVENTION PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature, by Resolution 512 of 2011, authorized and approved renewal of the Elder Abuse Outreach Program Grant for the Office for Aging and adopted a program budget in the amount of \$159,064 for the period January 1, 2012 through December 31, 2012, 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 \$155,695 for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$100,093 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, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$155,695, and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Elder Abuse Prevention Program funds, for the period January 1, 2013 through December 31, 2013, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate or salary total is not changed, 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 Director of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 540

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE INTEGRATED SOCIAL DAY CARE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature, by Resolution 514 of 2011, 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 \$19,000, for the period January 1, 2012 through December 31, 2012, 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 \$16,000, for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$6,000 from New York State Office for People with 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, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$16,000, and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Integrated Social Day Care Program funds, for the period January 1, 2013 through December 31, 2013, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate or salary total is not changed, 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 Director of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 541

By Human Services, Personnel, and Finance Committees Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS PROGRAM CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (CNCS) GRANT FOR THE OFFICE OF THE AGING AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature, by Resolution 513 of 2011, authorized and approved renewal of the Foster Grandparents Program Corporation for National and Community Services (CNCS) Grant for the Office for Aging and adopted a program budget in the amount of \$288,137 for the period January 1, 2012, through December 31, 2012, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$292,668 for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$262,200 from Corporation for National and Community Service (CNCS), 601 Walnut Street, Suite 876E, Philadelphia, Pennsylvania 19106 for the Office For Aging 's Foster Grandparents

Program Corporation for National and Community Service (CNCS) Grant or the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$292,668 and be it

FURTHER RESOLVED, the Office for Aging is authorized to accept and allocate additional Foster Grandparents Program Corporation for National and Community Services Program funds, for the period January 1, 2013 through December 31, 2013, provided there is no increase in employee head count, the County's financial contribution is not increased and the salary rate or salary total is not changed, 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 Director of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 542

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH NEW YORK STATE CATHOLIC HEALTH PLAN, INC., D/B/A FIDELIS CARE NEW YORK FOR HOME DELIVERED MEALS AND ADULT DAY CARE SERVICES FOR THE OFFICE FOR AGING FOR 2013

WHEREAS, this County Legislature, by Resolution 261 of 2011 authorized an agreement with New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York for home delivered meals and adult day care services for the Office for Aging with revenue to the County in the amount of \$45 for a full day of adult day care services , \$25 for a half day of adult day care services and \$6 for meals, per client per day for the period August 1, 2011 through December 31, 2012, and

WHEREAS, said agreement is necessary to provide adult day care services and home-delivered meals to Fidelis Care New York managed care program clients, and

WHEREAS, said agreement expires by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, Southwoods 8 Boulevard, Albany, New York 12211 for home delivered meals and adult day care services, including a congregate meal, to Fidelis Care New York managed care program clients for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$45 for a full day of adult care services, \$25 for a half day of adult care services and \$6 for meals, per client per day, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 34010006.5000215.3410489/3410470/34104 (Long Term Home Health Care Fees), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 543

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR HOME DELIVERED MEALS AND ADULT DAY CARE SERVICES FOR OUR LADY OF LOURDES MEMORIAL HOSPITAL LONG TERM HOME HEALTH CARE CLIENTS FOR THE OFFICE FOR AGING FOR 2013

WHEREAS, this County Legislature, by Resolution 508 of 2010, as amended by Resolution 69 of 2011, authorized renewal of the agreement with Our Lady of Lourdes Memorial Hospital for home delivered meals and adult day care services for the Office for Aging's Long Term Home Health Care clients with revenue to Broome County in the amount of \$10.70 for Meals on Wheels, \$5.41 for congregate meals, and \$41.32 for a full day of adult day care services, per client per day, for the period January 1, 2012 through December 31, 2012, and

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

WHEREAS, said agreement expires by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions with revenue to the County in the amount of \$10.70 for Meals on Wheels, \$5.41 for Congregate Meals, and \$41.32 for a full day of social day care, per client per day, for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905 for home delivered meals and adult day care services, including a congregate meal, for Our Lady of Lourdes Memorial Hospital Long Term Home Health Care clients for the Office for Aging for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$10.70 for Meals on Wheels, \$5.41 for Congregate Meals and \$41.32 for a full day of adult day care, per client per day, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget lines 34010006.5000215.3410489 (Long Term Home Health Care Fees), 34010006.5000161.3410488 (Office for Aging Fees), and 34010006.5000215.3410470 (Long Term Home Health Care Fees), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 544

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH INTERIM HEALTH CARE FOR SERVICES RELATED TO THE OFFICE FOR AGING'S NURSING HOME TRANSITION AND DIVERSION MEDICAID WAIVER PROGRAM FOR 2013

WHEREAS, this County Legislature, by Resolution 413 of 2011, authorized renewal of the agreement with Interim Health Care for services related to the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program with revenue to the County in the amount of \$42 for a full day of adult day care, \$10.70 for Meals on Wheels, and \$5.41 for Congregate Meals, per client per day, for the period January 1, 2012 through December 31, 2012, and

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

WHEREAS, said agreement expires by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Interim Health Care, 38 Front Street, Binghamton, New York 13905 for meals and adult day

care for the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$42 for a full day of adult day care, \$10.70 for Meals on Wheels, and \$5.41 for Congregate Meals, per client per day, for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 34010006.5000215.3410489 (Long Term Home Health Care Fees), 34010006.5000161.3410488 (OFA Fees), and 34010006.5000215.3410470 (Long Term Home Health Care Fees), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 545

By Human Services and Finance Committees

Seconded by Mr. Heebner

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY FOR SERVICES RELATED TO THE OFFICE FOR AGING'S NURSING HOME TRANSITION AND DIVERSION MEDICAID WAIVER PROGRAM FOR 2013

WHEREAS, this County Legislature, by Resolution 522 of 2011, authorized renewal of the agreement with the Family and Children's Society of Broome County for services related to the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program with revenue to the County in the amount of \$42 for a full day of adult day care, \$10.70 for Meals on Wheels, and \$5.41 for Congregate Meals, per client per day, for the period January 1, 2012 through December 31, 2012, and

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

WHEREAS, said agreement expires by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Children's Society of Broome County, 257 Main Street, Binghamton, New York 13905 for meals and adult day care for the Office for Aging's Nursing Home Transition and Diversion Medicaid Waiver Program for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$42 for a full day of adult day care, \$10.70 for Meals on Wheels and \$5.41 for Congregate Meals, per client per day, for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 34010006.5000215.3410489 (Long Term Home Health Care Fees), 34010006.5000161.3410488 (OFA Fees), and 34010006.5000215.3410470 (Long Term Home Health Care Fees), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-15, Nays-0, Absent-3 (Whalen, Pasquale, Marinich), Abstain-1 (Merrill)

RESOLUTION NO. 546

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH S.E.P.P., INC. FOR MEAL SERVICES THROUGH THE OFFICE FOR AGING'S TITLE III-C-1 CONGREGATE MEALS PROGRAM FOR 2013

WHEREAS, this County Legislature, by Resolution 516 of 2011, authorized renewal of the agreement with S.E.P.P., Inc. for meal services through the Office for Aging's Title III-C-1 Congregate Meals Program with revenue to the County in the amount of \$3.45 per meal, total amount estimated at \$17,000, for the period January 1, 2012 through December 31, 2012, and

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

WHEREAS, said agreement expires by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County in the amount of \$3.50 per meal, total amount estimated at \$17,000, for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with S.E.P.P., Inc., 53 Front Street, Binghamton, New York 13905 for meal services through the Office for Aging's Title III-C-1 Congregate Meals Program for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$3.50 per meal, total amount estimated at, but not limited to \$17,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 34010006.5000228.3410488 (Contracted Meals Revenue), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 547

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH METRO INTERFAITH HOUSING MANAGEMENT CORPORATION FOR MEAL SERVICES THROUGH THE OFFICE FOR AGING'S TITLE III-C-1 CONGREGATE MEAL PROGRAM FOR 2013

WHEREAS, this County Legislature, by Resolution 518 of 2011, authorized renewal of the agreement with Metro Interfaith Housing Management Corporation for meal services through the Office for Aging's Title III-C-1 Congregate Meal Program, with revenue to Broome County in the amount of \$3.45 per meal, total amount estimated at, but not limited to \$32,000, for the period January 1, 2012 through December 31, 2012, and

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

WHEREAS, said agreement expires by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue in the amount of \$3.50 per meal, total amount estimated at, but not limited to \$32,000 for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Metro Interfaith Housing Management Corporation, 21 New Street, Binghamton, New York 13903, for meal services through the Office for Aging's Title III-C-1 Congregate Meal Program for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$3.50 per meal, total amount estimated at, but not limited to \$32,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 34010006.5000228.3410488 (Contracted Meals Revenue), and be it

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 548

By Human Services and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH LEGAL AID SOCIETY OF MID NEW YORK, INC. FOR LEGAL SERVICES FOR THE OFFICE FOR AGING FOR 2013

WHEREAS, this County Legislature, by Resolution 414 of 2011, authorized renewal of the agreement with Legal Aid Society of Mid New York, Inc. for legal services to elderly County residents for the Office for Aging at the rate of \$65 per hour, total amount not to exceed \$28,665 for the period January 1, 2012 through December 31, 2012, and

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

WHEREAS, said agreement expires by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$65 per hour, total amount not to exceed \$24,665, for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Legal Aid Society of Mid New York, Inc., 255 Genesee Street, 2nd Floor, Utica, New York 13502 for legal services to elderly County residents for the Office for Aging for the period January 1, 2013 through December 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$65 per hour, total amount not to exceed \$24,665 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 34010006.6004146.3401487 (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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 549

By County Administration and Finance Committees

Seconded by Mr. Schafer

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH FIBERTECH NETWORKS, LLC TO PROVIDE AND INSTALL HIGH SPEED DARK FIBER CABLE TO THE RECORDS MANAGEMENT CENTER FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2008-2018

WHEREAS, this County Legislature, by Resolution 791 of 2007, authorized an agreement with Fibertech Networks, LLC to provide and install high speed dark fiber cable to the Records Management Center for the Division of Information Technology at a cost not to exceed \$140,300, for the period January 1, 2008 through March 31, 2018, and

WHEREAS, said agreement was necessary for a more stable and faster connection between the Broome County Office Building and the Broome County Records Center; provided critical backup protection of hundreds of thousands of permanent documents scanned at the Records Center and allowed County departments to have immediate online access to their scanned documents, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide an additional \$8,000 for re-location of the dark fiber cable from the Records Management Facility in Vestal to the Public Transportation Facility on Old Mill Road, and

WHEREAS, the Director of Information Technology 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 Fibertech Networks, LLC, 300 Meridian Centre, Rochester, New York 14618, for an additional \$8,000 to re-locate dark fiber cable from the Records Management Facility in Vestal to the Public Transportation Facility on Old Mill Road for the Department of Information Technology for the period January 1, 2008 through March 31, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$148,300, for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 791 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 550

By Personnel and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE OFFICE OF MANAGEMENT AND BUDGET

RESOLVED, that in accordance with a request contained in PCR# 13-7 from the Director of the Office of Management and Budget, this County Legislature hereby authorizes the position of Deputy Director of Management and Budget - Accounting, Grade F, Union Code 02 Admin II, minimum salary of \$68,922, budget line 45010001.6001000.1010 to be upgraded to Grade G, Union Code 02 Admin II, minimum salary of \$71,802 due to department restructuring resulting in costs savings, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 13-8 from the Director of the Office of Management and Budget, this County Legislature hereby authorizes the position of Deputy Director of Management and Budget - Budget, Grade D, Union Code 02 Admin II, minimum salary of \$63,159, budget line 45010001.6001000.1010 to be upgraded to Grade F, Union Code 02 Admin II, minimum salary of \$68,922 due to department restructuring resulting in costs savings, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 13-9 from the Director of the Office of Management and Budget, this County Legislature hereby authorizes the creation of the position of Financial Analyst, Grade 19, Union Code 04 CSEA, minimum salary of \$21.7845 per hour, budget line 45010001.6001000.1010 due to department restructuring resulting in costs savings, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 13-6 from the Director of the Office of Management and Budget, this County Legislature hereby authorizes the abolishment of the position of Deputy Director of Management and Budget - Treasury, Grade F, Union Code 02 Admin II, minimum salary of \$68,922 budget line 45010001.6001000.1010 due to department restructuring resulting in costs savings.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 551

By Public Works & Transportation and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND JOHNSON, INC. FOR CONSTRUCTION INSPECTION AND ADMINISTRATION SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2011-2013

WHEREAS, this County Legislature, by Resolution 366 of 2011, authorized an agreement with McFarland Johnson, Inc., for construction inspection and administration services for the Department of Aviation at a cost not to exceed \$937,731, for the period August 1, 2011 through January 1, 2013, and

WHEREAS, said agreement is necessary for construction inspection and project administration services pursuant to the terms of Task Order No. 31 for the airport Runway Safety Area Improvements Project, including placement of fill material in order to relocate an aircraft arresting system allowing for additional overshoot and undershoot protection for landing and departing aircraft, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide an additional \$36,108 for additional services pursuant to the terms of Task Order No. 31(A) which include relocating a County road and extending the area at the south end of runway 16-34, and

WHEREAS, the Commissioner of Aviation 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 McFarland Johnson, Inc., 49 Court Street, P.O. Box 1980, Binghamton, New York 13902, to provide an additional \$36,108 for additional services pursuant to the terms of Task Order No. 31(A) for the Department of Aviation for the period August 1, 2011 through January 1, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor in the amount not to exceed \$973,839, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 28010005.6002203.2820039 (Runways), and be it

FURTHER RESOLVED, that Resolution 366 of 2011, 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 552

By Public Works & Transportation and Finance Committees Seconded by Mr. D. J. Reynolds
RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND-JOHNSON INC. FOR DESIGN AND CONSTRUCTION SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2011-2016

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland-Johnson Inc. for design and construction services for the Department of Aviation at a cost not to exceed \$252,000, for the period September 1, 2011 through August 31, 2016, and

WHEREAS, said agreement is necessary to provide for the environmental assessment, design and construction of a new rental car service facility as part of the 2012 CIP, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., 49 Court Street, P.O. Box 1980, Binghamton, New York 13902, for design and construction services, for the Department of Aviation for the period September 1, 2011 through August 31, 2016, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$252,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 28010005.6002101.2820040 (Original Acquisition/Construction), 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.

RESOLUTION NO. 553

By Public Works & Transportation and Finance Committees Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING REVISION OF FEDERAL AIRPORT IMPROVEMENT PROGRAM FUNDING FOR THE DEPARTMENT OF AVIATION'S AIRPORT CAPITAL IMPROVEMENT PROGRAM RUNWAY SAFETY AREA IMPROVEMENTS PROJECT

WHEREAS, this County Legislature, by Resolution 247 of 2011, authorized and approved Federal Airport Improvement Program Funding for the Department of Aviation's Airport Capital Improvement Program Runway Safety Area Improvements Project in the amount of \$12,318,938, and

WHEREAS, said project will consist of relocating a County road and placing fill material to extend the area at the south end of runway 16-34 to accommodate installing a new engineered arresting system, and

WHEREAS, it is necessary at this time to revise said program funding to reflect an increase in the amount of \$420,562, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of Federal Airport Improvement Program Funding for the Department of Aviation's Capital Improvement Program Runway Safety Area Improvements Project, to increase the amount by \$420,562, total amount not to exceed \$12,739,500, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 28010005.5000920.2820039 (Federal Aid), and be it

FURTHER RESOLVED, that Resolution 247 of 2011, 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 Director of Management and Budget and/or Comptroller) 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 554

By Public Works & Transportation and Finance Committees

Seconded by Mr. D. J. Reynolds

RESOLUTION AMENDING THE CONSOLIDATED FACILITY CHARGE (CFC) FOR CAR RENTAL CONCESSIONAIRES AT THE GREATER BINGHAMTON AIRPORT

WHEREAS, this County Legislature by Resolution 215 of 2007 authorized car concessionaires at the Greater Binghamton Airport to charge a Consolidated Facility Charge (CFC), and

WHEREAS, said Consolidated Facility Charge is a user fee collected by the car rental company in the amount of \$2 on a per rental day with a \$10 cap per rental agreement that is used to fund car rental facility improvements, and

WHEREAS, the 2012 CIP included a project for the environmental assessment, design and construction of a rental car service facility, and

WHEREAS, the car rental agencies and the Commissioner of Aviation request authorization to increase the amount by \$.50 per rental day and remove the \$10 cap per rental, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes to remove the \$10 cap per rental and a \$.50 increase in the per rental day agreement Consolidated Facility Charge, total

amount not to exceed \$2.50 per rental day agreement for car rental concessionaires at the Greater Binghamton Airport, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 45010001.5000539.0820001 (Consolidated Facility Charges), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 555

By County Administration, Personnel and Finance Committees Seconded by Mr. D. J. Reynolds
RESOLUTION AUTHORIZING RENEWAL OF THE COMPUTER PROGRAMMER ANALYST SUPPORT PROGRAM GRANT FOR DIVISION OF INFORMATION TECHNOLOGY AND ADOPTING A PROGRAM BUDGET FOR 2013

WHEREAS, this County Legislature, by Resolution 380 of 2011, authorized and approved renewal of the Computer Programmer Analyst Support Program Grant for the Division of Information Technology and adopted a program budget in the amount of \$106,981 for the period January 1, 2012 through December 31, 2012, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$114,312 for the period January 1, 2013 through December 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$114,312 from the Broome County Health Department and the Willow Point Nursing Home for the Division of Information Technology's Computer Programmer Analyst Support Program Grant for the period January 1, 2013, through December 31, 2013, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$114,312, 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 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-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 556

By Personnel, Public Health & Environmental Protection and Finance Committees
Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING AMENDMENT TO THE HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES

WHEREAS, this County Legislature, by Resolution 125 of 2011, authorized and approved amendments to the hourly rates for various non-union, temporary and seasonal employees which went into effect on January 1, 2011, and

WHEREAS, under the current rates, a Peer Counselor for the Health Department makes a hourly rate of \$7.25, and

WHEREAS, a recent WIC audit of the Broome County Health Department cited a significant disparity between the compensation levels of the WIC Peer Counselors in Broome County and other Counties in the program region, and

WHEREAS, the regional hourly rate of compensation for peer counselors ranges between \$9.00 and \$15.00, and

WHEREAS, the Public Health Director has requested authorization to increase the hourly rate of compensation for the Broome County Health Department Peer Counselors from the current \$7.25 per hour to \$9.00 per hour, effective January 1, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the hourly rates for various non-union, temporary and seasonal employees to increase the hourly rate of compensation for the Broome County Health Department Peer Counselors from the current \$7.25 per hour to \$9.00 per hour, effective January 1, 2013.

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

RESOLUTION NO. 557

By Finance Committee

Seconded by Mr. D. J. Reynolds

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH SYSTEMED, LLC FOR PRESCRIPTION BENEFIT MANAGEMENT SERVICES FOR THE OFFICE OF RISK AND INSURANCE FOR 2013-2015

WHEREAS, this County Legislature, by Resolution 271 of 2010, authorized an agreement with Systemed, LLC for prescription benefit management services for the Office of Risk and Insurance at an amount not to exceed \$279,000 for the period January 1, 2010 through December 31, 2012, and

WHEREAS, said agreement is necessary for administration of the County's prescription benefit plan, and

WHEREAS, said agreement expires by its terms on December 31, 2012, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$190,000 per year, total amount not to exceed \$570,000 for the period January 1, 2013 through December 31, 2015, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Systemed, LLC, 100 Parsons Pond Drive, Franklin Lakes, New Jersey 07417 for prescription benefit management services for the Office of Risk and Insurance for the period January 1, 2013 through December 31, 2015, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$190,000 per year, total amount not to exceed \$570,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 18010001.6004207.2080 (Prescription Drugs), and be it

FURTHER RESOLVED, that the contractor will send quarterly reports to the County documenting the financial savings achieved by the utilization management program; said financial savings shall be calculated by comparing members claims before and after a utilization management program intervention, and be it

FURTHER RESOLVED, that if any quarterly report does not demonstrate average financial savings of \$1.86 or more per claim for the quarter, then within 90 days after the end of the quarter, the contractor shall pay the County or credit the County on its invoices for the prescription benefit plan an amount equal to the difference between average financial savings of \$1.86 per claim and the actual amount of savings realized, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Whalen, Pasquale, Marinich)

Mr. Black congratulated everyone that participated in the development of the Southern Tier's Strategic Plan which was awarded \$91.1 million by the Economic Development Council.

Mr. D. D. Reynolds asked for the specifics regarding the County Executives veto of the Road Use Agreement Local Law Intro. 9 of 2012.

Mr. D. J. Reynolds made a motion to adjourn, seconded by Mr. Merrill. **Motion to adjourn carried.** The meeting was adjourned at 5:40 p.m.