

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
TUESDAY, FEBRUARY 24, 2009**

The Legislature convened at 5:00 p.m. with a call to order by the Chair, Daniel D. Reynolds. The Clerk, Eric S. Denk, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Sanfilippo).

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

Chairman Reynolds welcomed County Executive Fiala and granted privilege of the floor to her for her 2009 State of the County Address.

STATE OF THE COUNTY-2009

Good evening everyone. Chairman Reynolds, lawmakers, thank you for this opportunity. Department heads, Broome County residents, members of the media, thank you all for coming out tonight for this report on the state of our county.

This is such a difficult and unique time in our nation's history. It is hard to believe that our nation and our community would be facing such an uncertain time.

I choose to believe that we will make it out of this dark time. And when we emerge, we all will have learned lessons on how to do things better.

Our community and our economy are hurting but they are not broken. Our spirit is diminished but it too is not broken.

We are a resilient community. We have withstood almost two decades of economic decline in our region and yet we have a solid economic foundation that is now more diverse and in some regards stronger than it has ever been.

We withstood not one, not two, but three major floods in a very short period of time. The largest one in 2006 hit us hard, but again we were not defeated.

A lot has been said about our region and its struggles over the years but one thing that has not wavered is the strength and courage of its people.

We must identify what is good in our country and our community and build upon that. And we must determine what is wrong with our country and our community and their respective economies and work to fix those problems and never repeat the same mistakes.

We have worked these past four years to protect our county taxpayers from roller coaster tax increases. We have been cautious and realistic about the services we can afford. Each year we have asked our department heads to make sure we are operating as cost efficiently as possible. As a result, our budget strategies have been effective.

Although this is not the budget message, I feel it is important to provide you all with a financial briefing of our current situation. We are in the financial fight of our lives. In 2008, we saw the economic downturn depress our sales tax receipts rapidly after substantial gains. In the end, our sales tax revenue was approximately 2.86% higher than our 2007 figures. In 2009, Medicaid has increased by approximately 1 million dollars. At the same time, the state is proposing to reduce

our reimbursement revenues by 5 million dollars for social service programs, inmate reimbursement, public nursing homes, CASA and youth programs.

Simply put, spending on mandatory services has gone up while the proposed revenue for these services has gone down. At this time it is still too early to tell what we can expect from the State or Federal Governments, the national economy, oil companies or the stock market. It's too premature for us to panic or state that we will make it through without sacrifice. I want you to know that we understand our economic environment and we are prepared for whatever comes. We will continue to have this financial dialogue with this body and the public, not just at budget time, but throughout the year. Finally, and so importantly, we will focus on the decisions made at the state and federal levels to stimulate local companies and economic expansion.

REINVESTMENT AND RECOVERY ACT

I want to assure this community and this body that we are poised to take advantage of a number of programs that will result from our nation's recovery and reinvestment act.

We have placed a handful of shovel ready economic development projects before our state leaders and we will lobby hard for our fair share. We have programs that will see increased funding opportunities like BC Transit, Workforce Development, Public Works and Medicaid, just to name a few.

In fact, while nothing is set in stone, thanks to Senator Schumer's insistence in providing direct Medicaid relief to counties, Broome County stands to receive a substantial amount of money to offset rising Medicaid costs. This is significant and I am making the vow today that any funds received will be applied to just what they were intended to be applied to, relief and investment. We will provide relief for taxpayers, we will reinvest in our infrastructure and we will stabilize taxes for the future. It is important to understand that this funding, although helpful is only one time assistance. It helps, but it is in no way the answer to the ever rising Medicaid costs.

Again, it is a little early to know the full extent of the recovery and reinvestment act but we are anxious to go after the opportunities and we will do all that we can to bring these dollars back to our community and invest them to help sustain our economy.

PREPARING FOR THE WORST

While cutting services is never an attractive option, neither is raising taxes on our hard working families. If costs start to outpace revenues, we have no choice but to cut services.

We are not there yet but we have to be prepared for whatever this economic downturn throws our way.

Cuts hurt the individuals receiving services. Cuts hurt individuals who lose their jobs because the services no longer exist. And eventually cuts damage our community's quality of life.

However, raising taxes excessively is not an alternative and as long as we all agree on that fact, we can all pledge to work together to make cuts that will spread the pain and allow us to maintain our core services.

We all need to work harder and more creatively. We are a nation of creative thinkers. We are a community known for its innovation and ingenuity. We can make it work as long as we all are working together on solutions and sharing the collective pain.

CONSOLIDATION EFFORTS REMAIN A PRIORITY

In addition to making financial stability a major focus of my administration, we have also spent a lot of time pushing, studying and actually following through on a number of consolidation and shared service initiatives.

From educating our community about the possibilities associated with police consolidation, to the potential impacts of community dissolution, we have made consolidation a cornerstone of this administration.

To that end, I am proposing an overhaul in the way this community deals with economic development. It has been my goal from the outset to work under one umbrella, as one economic development organization. A one-stop, if you will. That concept frankly has not been an easy one to achieve. However, I feel now is the right time to bring these organizations together to collectively work for our community's best interests.

Before I go any further, I want to state upfront that this reorganization effort will be cost neutral to the taxpayers at the very minimum. And ideally, it will save taxpayers money in the near future.

I am proposing the creation of an economic development organization that incorporates our industrial development agency with our business development and tourism marketing efforts, and our community development outreach. It will be an organization that will also focus on leading the charge for technology transfers out of Binghamton University and beyond.

We have been working together with our partners these past four years. And I am proud of the relationships and partnerships we have been able to forge, however, there has been something missing.

There was and is a cohesive effort, however, it has been disjointed at times simply because of geography and the lack of being in direct communication at all times.

I have made the decision to promote Darcy Fauci from Economic Development Director, to my Deputy County Executive in charge of human and administrative services. She and I have been working on a plan to direct all local economic development efforts under one roof, combined into one organization and in partnership with our allies in the private sector.

This has been something our community has been asking for. This is something I believe our community needs to remain competitive with other areas in New York State and the United States.

If we thought things were competitive before, they are only going to get more competitive going forward. Everyone's resources, from government agencies to business and industry, are going to be tighter than ever.

We need to make some fundamental changes in the way we operate and it would seem to me that now is the perfect time to begin making some of these transformative changes.

In addition to overseeing administrative and human services within Broome County, Darcy will be tasked with overseeing the creation of this new organization. She will do this in partnership with Dick D'Attilio of the Broome County Industrial Development Agency.

This administration and the IDA have forged a strong working relationship that has demonstrated multiple successes including; the Charles St. Business Park, the Impress deal which is bringing a Pennsylvania company to Broome County, and the Brandywine Corridor redevelopment efforts.

We also successfully partnered on marketing campaigns including the Data Disaster Recovery and Data Center campaign, as well as the effort to promote our area's modeling and simulation companies. These are just a few examples of this productive collaboration.

We have had successes but both the leadership of the IDA and my administration agree that more can be done to coordinate our area economic development efforts and that is what we aim to accomplish with this consolidation effort which we will undertake this year.

No one is backing away from economic development. That I snot what is happening here. That would be ridiculous. Instead, we are positioning ourselves to be more competitive, more flexible and definitely more focused.

Some will be critical of making change in the midst of this economic crisis. It is my strong belief that we must make this kind of change because of this economic crisis. Communities all across New York State operate with an economic development association or agency leading the way. It will be a mixture of the public and private sectors. It will be more than a partnership in name only. It will require investment by our private sector partners who want to play a role in the direction this community will take in the decades to come.

But do not presume that government will step away from the process. It will not. Because after all, this legislature will still oversee a good amount of the operating funds for this agency and will have a seat and a strong voice at the table, as will the administration of the county executive's office, no matter who is in office.

Not a week goes by that my office, or someone else in economic development, hears from a constituent about the confusion that exists regarding where to turn for assistance. This reorganization effort aims to go a long way towards resolving that issue, an issue I feel hampers economic development.

This initial consolidation phase will not be the final steps necessary to consolidate all economic development efforts...but it will be a major step. We will start by coalescing many of the efforts here in the county office building. However, going forward, I would like to see this group move off of government property and into the community. And one day, I would like it to be physically located in the same building as other economic development service providing groups like the Chamber and possibly the Small Business Development Center.

But that is down the road a bit. The first goal is to get all of the business development and tourism marketing efforts together and part of one agency. And that can be accomplished and finalized this year with your support.

We will be providing presentations on our reorganization plans in the coming weeks and months. But I ask that you support our efforts at this most crucial time.

This administration remains committed to consolidation whether it is in the area of economic development, law enforcement, labor relations, tax collection, payroll and the list goes on. Basically everything is possible as long as all parties are willing to talk and willing to listen.

I want to thank lawmakers for their support of the resolution seeking state funds to study the amalgamation of law enforcement. I also want to thank you for your support of there solution that would provide implementation dollars if and when one or more police agency agrees to consolidate.

The state has been extremely aggressive about providing communities support in pursuing consolidation efforts. They have provided financial resources as well as guidance to

communities seeking information on consolidation. It is incumbent upon us to take advantage of those resources. That is what we have done and will continue to do as we seek out more efficient and effective ways to provide services to our residents.

There are those who do not want to even use the word "consolidation", let alone enter into a productive dialogue. That is their prerogative. But we do not have to sit by and wait for them to join the discussion. We will move forward and we will produce successful results and hopefully they will be convinced in time. We will not be distracted and we will not slow down our own consolidation efforts. Our constituents want it and the times dictate that we all do a better job of providing our services more affordably.

NATURAL GAS DEVELOPMENT

In addition to finding new ways to reduce spending, we are always looking for ways to tap into new revenue sources. That's why you have been hearing a lot from this administration regarding the Marcellus Shale and the natural gas play that is upon us. Many think it is a new topic for our area; however, Broome County has had natural gas leasing activity for many years. Historically, natural gas companies offered land owners 5 dollars to 50 dollars per acre. That is no longer the case.

Everything changed last summer. The industry knows that our area is rich in this resource and they now know how to extract it more efficiently.

Suddenly, at least to the public, the development of natural gas in the Marcellus Shale has become much more economically attractive. As a result, Broome County has experienced a burst of natural gas lease speculation. Just last year, some lease offers were in the range of \$2,500 per acre and up.

It became clear that there was great potential with the Marcellus Shale and with tremendous potential comes great concern.

We are anxious to see what develops with the natural gas play in our region but we are not simply standing by and letting whatever happens, happen. We want to be out in front of this natural gas development to make sure we balance the benefits with the risks.

We are working on answers to the following questions:

- This type of drilling activity involves heavy truck traffic. Should the county try to regulate that truck traffic?
- Broome County has almost 200,000 residents. What can the county do to protect and educate those residents?
- What kind of economic impact will all this have?
- And finally, Broome County has experienced many examples of ground water contamination caused by industry over the years. What can we do to prevent that from happening again?

We are not absolute "experts" on this industry and all of its moving parts, but we have spent a lot of time and energy educating ourselves on the drilling companies, their practices, the environmental concerns, and the potential economic impacts. We are also hiring additional experts to make sure we do everything right.

I want to recognize County Attorney Joseph Sluzar as well as Deputy County Executive Patrick Brennan on the work they have done to wrap their arms around this issue. They have also been proactive in providing the information they have gathered to anyone who has been willing to listen.

My office has created a natural gas information page on our go-broome-county website. I encourage you all to check out this webpage and educate yourselves about all of the developments related to this natural gas play.

We have also proposed an ordinance to address the question of how we protect our roads. This is not the final say on how we will handle gas companies and our roadways. It is a starting point. And we look forward to working with our towns, villages and city to ensure orderly and safe development.

Again, we believe that working together, we can confront many of these challenges and we can take advantage of the opportunities as well. In the end, we will all be in a better position, if we try to confront these issues together because there is strength in numbers.

2008 ACCOMPLISHMENTS

At this time, I would like to review some of the many accomplishments achieved by Broome County Government in the last year. And by government, I mean my administration, this legislative body, our department heads and their employees. Again, a government is only as good as the people who work there. And I think Broome County Government is pretty awesome!

- The George Harvey Justice Building is three quarters of the way towards being completely renovated. County workers can begin moving in by the end of 2009. Outstanding work by Pat Brennan and Steven Elko to keep this project on target and under budget! Buildings will soon be demolished to make way for the Intermodal Transit Terminal which will begin construction later this year.

- The En-Joie Golf Course was in the black this past year and the improvements at the course, under the supervision of Michael Deuel and Andrew Cain, have provided our community the luxury of hosting the Dick's Sporting Goods Open for the last two years. The event will be held again this summer and hopefully we will be hearing something soon about the long term plans for the Dick's Open at En-Joie.

- In other consolidation efforts, we are making progress in our efforts to try to transfer Broome County's employees from a self insured program for health benefits to the New York State Health Insurance Program. We feel strongly that this will be a positive move for all county employees, and if and when this takes place, we would hope our towns and villages would follow our example and join as well.

- We have implemented Phase I of our new ERP system and from all reports it has been a successful transition. There is still another phase of implementation taking place but we moved the payroll to the new system at the beginning of 2009 and there have been only a few minor issues. This system will allow us to work with local municipalities to consolidate their payroll and back office functions with the county, producing savings and creating efficiencies for all.

- Our Greater Binghamton Innovation Center opened in late 2008 and I am happy to report that we are almost full. This is our high tech business incubator that is located at 123 Court St. The incubator is home to 11 separate businesses! It is our goal to provide these small businesses with an affordable, nurturing environment so that they can improve upon their ideas, products and services, and have a better chance of creating new jobs for our local economy.

- Broome County and Broome Community College announced in 2008 that we were moving forward with the construction of a new Science and Technology building on the BCC campus. We are taking monies leftover from the reconstruction of the George Harvey Justice Building and dedicating them to the project. New York State will provide matching dollars to this important capital program and in the end our community college students will have a state of the art facility to study science and technology. It will also begin the long process of renovating other buildings on the BCC campus. We have all known what needs to take place at the campus, but it was important to wait for the Master Plan to be completed. Once that was done, we could apply resources in the best manner in order to provide the college with a building that meets the needs of a technology focused curriculum while also protecting our taxpayers.

- Broome County in partnership with the City of Binghamton has finally filled the hole that existed in our local GIS system. Because we partnered and invested in this effort, the GIS is now 100 percent complete and represents all of Broome County.
- And starting this week, new hybrid buses will finally arrive in Broome County. We are expecting 6 new buses over the next several months. We have an aging fleet that is being held together well and taken care of by George Bagnetto and our BC Transit staff. We need these new buses to simply replace the older, often unreliable vehicles on the road and more importantly the hybrid buses are better for our environment and the fuel will cost less in the long run. It really is a win-win for everyone associated with the transit system. I did want to take a quick moment to thank George, his staff and all of his drivers for their patience and excellent work in adapting to all of their new junctions this past year. We had to move things from Hawley St. because of the construction at the George Harvey Justice Building. Then the Court St. location proved too dangerous and finally we settled on some newly acquired county property further down on Hawley St. From all accounts, things seem to be running smoothly. To George, the drivers and everyone else, thank you for working with us on the best solution. It seems to be working well and soon you will have your long promised Intermodal!

ECONOMIC DEVELOPMENT ACCOMPLISHMENTS

A few quick notes on economic development successes in 2008:

- The Charles St. Business Park came to fruition and Emerson Network Power is about to open its new headquarters.
- Impress, a Pennsylvania company announced in 2008 it was coming to Greater Binghamton, and work on their new facility in the Broome Corporate Park in Conklin is about to get underway. I want to thank Supervisor Debra Preston and the Conklin Board for all of the work they have put into this effort and the support they have dedicated to this project.
- Endicott Mayors Joan Pulse and John Bertoni are to be acknowledged for all of their work to raze the former Endicott Forging site. Broome County played a small role in this effort by dedicating \$50,000 in occupancy tax dollars so the Village could secure more than three quarters of a million dollars in Restore New York funding.
- Broome County, thanks to the efforts of Senator Libous, received two economic development grants last year. The first 4 million dollar grant will support our airport corridor redevelopment efforts and the second 4million dollar grant will help us secure and clear the site on the Greater Binghamton Health Center Campus to make way for a new county nursing facility. The latter project is a complicated one, but it is moving through the state approval process and soon we hope to be able to break ground on a new state of the art nursing home so that we can take better care of some of the most vulnerable members of our community.
- Broome County has also been at the forefront of lobbying efforts to convince the state not to go back on its word to companies certified in the Empire Zone program. We acknowledge that the program needs to be reviewed and possibly revamped but allowing New York State to go back on its commitment to companies would be devastating. I have told the governor's office this and as President of the New York State County Executive's Association, I have also delivered this message to our state lawmakers by testifying before the state's Joint Finance Committee.

BC STOP-DWI

As with every State of the County report, we cannot include every single accomplishment of our individual departments but we did want to highlight a handful of departments and their successes in the past year.

Jim May and our STOP-DWI program and staff have reason to be proud again this year. Broome County experienced one DWI related fatality in 2008. 2008 represents the safest year in Broome County since the inception of the STOP-DWI Program in 1981. During the 1980's, on average, 13 people died each year due to drunk driving.

Unfortunately, that single fatality last year involved one of our own. Aldo Rossi, a former Broome Security Officer, who was on duty for the Port Dickinson Police Department, was killed by a suspected drunk driver last summer. While we will never be completely successful or completely happy until there are no drunk driving related accidents or fatalities, one incident is a milestone and hopefully the numbers will remain low for years to come.

Much of the awareness of the dangers of drunk driving is a direct result of the Broome County STOP-DWI program. The program under the direction of Jim May and with the assistance of his staff Michelle Dickerson and Rick Westfall, goes above and beyond in its attempts to incorporate the important drunk driving message with community events.

2008 marked the 25th Anniversary of the Chris Thater Memorial which recently received the third highest ranking out of 36 diverse races across the country from USA Cycling. This is no small feat considering the Chris Thater was compared to races with \$100,000 dollar purses and those held in larger metropolitan areas like Chicago.

A few months ago, over 10,000 athletes and fans attended the 17th Annual STOP-DWI Holiday Classic at the Arena. Many enjoyed watching our local teams perform as well as some of the best high school teams in the nation.

With all the success our STOP-DWI program has garnered, it is fitting that in 2008 our STOP-DWI Coordinator Jim May, who also serves as the Chairman of New York State STOP DWI Coordinators Association, was recognized by the American Legion as the Citizen of the Year. Jim, I want to congratulate you once again for this distinction and thank you for your unwavering commitment and dedication to our community.

BROOME SECURITY

Jim Dadamio and all of the staff at Broome Security do an excellent job day in and day out, providing the members of our public as well as our employees a safe and secure environment at our county facilities. In addition, as many of you are aware, the Security Division is also responsible for maintaining integrity within our social services programs through the efforts of the Case Integrity Unit.

These are difficult times and many of the most vulnerable members of our community rely on these benefit programs now more than ever. We are entrusted to ensure these hard earned taxpayer dollars go to the people who truly deserve them. There are many however, who unfortunately will go out of their way to take advantage of these programs. To those who think they can get away with welfare fraud, you should know that Broome Security is on top of this.

Let me share some statistics from 2008 to confirm their success. When I heard these figures, I was astounded and proud. In 2008, the Security Division criminally charged 98 individuals with violating various welfare fraud statutes. In addition to these arrests, 428 individuals were also disqualified from receiving future social services benefits for a minimum of six months due to their committing an act of fraud.

As these disqualification penalties prohibit an individual from receiving future benefits, this action alone saved the taxpayers of Broome County now and in the future nearly 330 years of underserved social services payments. Through their efforts in 2008, the Security Division saved Broome County nearly 6 million dollars through our fraud detection program. Excellent job! I thank you and our taxpayer's thank you!

As always, I encourage all of you to review the accomplishments of all of our departments in 2008. They are listed in the back of the State of the County message. Again, I want to recognize

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and thank our valuable public employees. You make all of the accomplishments outlined here today possible!

We are in the midst of some very difficult times. This will be a very tough year and I once again encourage our department heads and their staffs to be working together with my administration and our lawmakers on creative solutions going forward.

I am optimistic that Broome County will once again weather this difficult time but I am not immune to the realities of our situation.

In the last four years, we have taken important steps to protect the financial integrity of our county budget all while preserving vital county services. And we will continue on this path.

We are a state and a community that provides many services to its young children, its working families and its vulnerable, elderly population.

We cannot eliminate programs across the board but we can work creatively together to find ways to scale back on some of these services or simply deliver a service more efficiently and effectively.

Let us not be afraid. Let's be courageous. Let us not be too cautious. Let's be bold. And let us not be stagnant...let's be progressive. We can do and be all of this, if we work together!

Thank you!
Barbara J. Fiala
Broome County Executive

The Chairman called for a short recess.
The meeting reconvened at 6:00 pm

Mr. Garnar made a motion, seconded by Mr. Cleary, that the session minutes of January 22, 2009 be approved as prepared and presented by the Clerk. **Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo)** Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

Mr. Reynolds noted that the committee minutes for the period January 22, 2009 through February 23, 2009 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Ms. Messina, seconded by Mr. Herz. **Carried, Ayes-18, Nays-0, Absent-1 (Sanfilippo)**.

ANNOUNCEMENTS FROM THE CHAIR

The presentation by Mr. LaBare was deferred to the March 19th meeting.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Barbara J. Fiala
 - 1. Appointment of Patrick J. Brennan, Deputy County Executive – Physical Services
 - 2. Appointment of Darcy M. Fauci, Deputy County Executive
 - 3. Nominations to the Cornell Cooperative Extension Association
 - 4. Nominations to the BC Community Services Board
 - 5. Nominations to the BC Veteran's Memorial Arena Board
 - 6. Nominations to the BC Criminal Justice Advisory Board

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel D. Reynolds:
1. Designation for Ronald J. Keibel on 2/17/2009
 2. Designations for Mark R. Whalen on 2/19/2009
 3. Designations for Richard A. Materese on 2/17 & 2/18/2009
 4. Designations for Joseph S. Sanfilippo on 2/18/2009
 5. Designation for Suzanne G. Messina on 2/4/2009

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS

- A. PETITIONS: None
- B. COMMUNICATIONS:
1. BC Office of the Public Defender – 2008 Annual Statistical Report
 2. BC Soil & Water Conservation District Directors Meeting Minutes 1/20/2009
 3. Office of the Clerk Treasurer – Village of Johnson City – Resolution #37 – Authorization to enter into an Intermunicipal Agreement with BC to negotiate with the bargaining units recognized by the Village of Johnson City
 4. EMC Natural Resources Committee Meeting Minutes – 11/20/2008
 5. BCC December 2008 Budget Transfers
 6. Audit & Control – Quarterly Accounts Receivable Analysis – January 2009
 7. BC Department of Audit & Control – Cash Verification Audits – January 2009
 8. BC Soil & Water Conservation District Directors' Meeting Minutes – 12/16/2008
 9. Coughlin & Gerhart LLP –Continuation of the Public Hearing by the Town of Maine Board – 3/10/2009 at 6:00 pm - Application for Special Use Permit to construct and operate a wireless telecommunications facility in the Town of Maine
 10. BCC – Audited Financial Statements 8/31/2008 – Piaker & Lyons C.P.A.'s
 11. BC Board of Elections – Official Election Results- 11/4/2008 General Election
- C. NOTICES:
1. Ad Hoc Committee on Mineral Rights – 2/6/2009 at 12:30 pm
 2. Ad Hoc Committee on Mineral Rights – 2/13/2009 at 1:00 pm
 3. Ad Hoc Committee on Mineral Rights – 2/13/2009 at 1:30 (time change)
 4. Ad Hoc Committee on Mineral Rights – 2/20/2009 at 1:30 pm
 5. Committee of the Whole of the BC Legislators 2/12/09 at 4:00 pm
 6. Special Meeting of the Transportation and Rural Development Committee – 2/4/2009 at 1:00 pm
- D. REPORTS:
1. BCC – Above Minimum Hire Report for December 2008
 2. BC Energy Advisory Board 2008 Annual Report & Recommendations
 3. BC Department of Finance –2008 Annual Dog License Report
 4. BC Department of Finance – Fourth Quarterly Report of 2008 Sales Tax

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

RESOLUTIONS RECALLED FROM A PREVIOUS SESSION

Mr. Garnar made a motion, seconded by Mr. Marinich to recall Resolution 09-17 for the purpose of amending. Motion carried. Ayes18, Nays-0, Absent-1 (Sanfilippo)

RESOLUTION NO. 17

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

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE GREATER BINGHAMTON CONVENTION AND VISITORS BUREAU FOR FUNDING FROM THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2009

Mr. Garnar made a motion, seconded by Mr. Cleary to amend the amount in the first whereas paragraph and the first further resolved paragraph to \$23,225
Amendment Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo). Resolution as amended Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 60

By Transportation & Rural Development Committee Seconded by Mr. Whalen
RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, Daniel D. Reynolds, Chairman of the Broome County Legislature, pursuant to the authority vested in him by Resolution 27, adopted February 1, 1972, and Chapter 64 of the Broome County Charter and Code, has duly designated and appointed the following named individuals to membership on the Broome County Soil and Water Conservation District Board of Directors, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>		<u>TERM EXPIRING</u>
David Bradstreet 363 Perry Road Binghamton, NY 13905	Grange Rep. (Re-appointment)	12/31/2011
Steve Livingston 167 Hunts Corner Road Richford, NY 13835	Farm Bureau Rep. (Re-appointment)	12/31/2011
Barbara Hemedinger 29 Country Knoll Dr. Binghamton, NY 13901	At-Large Member (Re-Appointment)	12/31/2010
Gerald Urda 199 White Birch Lake Rd. Windsor, NY 13865	At-Large Farmer (Re-Appointment)	12/31/2010
Michael Donahue 3100 Maxian Rd. Binghamton, NY 13903	At-Large Member (Re-Appointment)	12/31/2010

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 27, adopted February 1, 1972, and Chapter 64 of the Broome County Charter and Code, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Soil & Water Conservation District Board of Directors, for the terms indicated, in accordance with their appointment by the Legislative Chair.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 61

By Education, Culture and Recreation Committee Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH LAURA BIASILLO, DOING BUSINESS AS OTSININGO PARK FARMERS MARKET, FOR THE USE OF OTSININGO PARK FOR THE OPERATION OF A FARMERS' MARKET FOR 2009

WHEREAS, the Acting Commissioner of Parks and Recreation requests authorization for an agreement with Laura Biasillo, Doing Business as Otsiningo Park Farmers' Market, for the use of Otsiningo Park for the operation of a Farmers' Market for 2009, and

WHEREAS, the use of the park is requested for Saturdays from 7:00 A.M. to 3:00 P.M. from May 2, 2009 through October 31, 2009, and

WHEREAS, the hours of operation of said Farmers' Market will be established by the Market Manager, and

WHEREAS, the market will not be held on August 1, 2009, due to the Spiedie Fest, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Laura Biasillo, Doing Business as Otsiningo Park Farmers' Market, 9 Hi-Over Rd. , Binghamton, NY 13901 for the use of Otsiningo Park on Saturdays from 7:00 A.M. to 3:00 P.M. from May 2, 2009 through October 31, 2009, excepting August 1, 2009, for operation of a Farmers' Market, and be it

FURTHER RESOLVED, that there will be no cost to Broome County, and be it

FURTHER RESOLVED, that the Otsiningo Farmers Market will be responsible for their own refuse removal, and be it

FURTHER RESOLVED, that Laura Biasillo, Doing Business as Otsiningo Park Farmers' Market, will, through its vendors, keep Broome County save harmless and insure that Broome County is named as additional insured on all vendor policies for the term of the agreement, and be it

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

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

RESOLUTION NO. 62

By Education, Culture and Recreation and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH SPIEDIE FEST BALLOON RALLY EXPO, INC. FOR USE OF OTSININGO PARK FOR THE 2009 SPIEDIE FEST AND BALLOON RALLY

WHEREAS, the Acting Commissioner of Parks and Recreation requests authorization for an agreement with Spiedie Fest Balloon Rally Expo, Inc. for the use of Otsiningo Park for the 2009 Spiedie Fest and Balloon Rally, and

WHEREAS, said Spiedie Fest is a community event that is enjoyed by many Broome County residents, attracts visitors from around the world, and enhances the quality of life in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Spiedie Fest Balloon Rally Expo, Inc., 31 Vermont Avenue, Binghamton, NY 13905, on similar terms and conditions as the previous year's agreement whereby the County will provide the use of Otsiningo Park for the Spiedie Fest during the period July 25, 2009 through August 5, 2009, including in-kind support from the Department of Parks and Recreation consisting of assistance with set up and refuse removal (the Spiedie Fest to pay the tipping fees) up to a maximum value of \$20,000 and with the Security Division providing security during the festival up to a maximum value of \$30,000, and be it

FURTHER RESOLVED, that in consideration of this agreement, the Spiedie Fest will provide, at its own expense, insurance, transportation to the site, programs, set up of tents, traffic coordination, traffic control on County highways in and around the festival site provided by the Office of the Sheriff, on-site emergency services and temporary restroom facilities, and be it

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

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

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

RESOLUTION NO. 63

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING CORRECTION OF 2009 TOWN AND COUNTY TAX BILLS

WHEREAS, applications for Correction of Errors on Tax Rolls for various Towns have been duly filed with the Director of Real Property Tax Service for the County of Broome, and

WHEREAS, the Director of Real Property Tax Service has filed a report pursuant to Section 554 of the Real Property Tax Law and certain claimed errors have been determined to exist that should be corrected, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the application for correction and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in accordance with the list attached hereto as Exhibit "A", pursuant to Section 554 of the Real Property Tax Law.

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

RESOLUTION NO. 64

By Finance and County Administration Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH ALLEN TUNNELL CORPORATION FOR SOFTWARE MAINTENANCE AND SUPPORT AND TAX BILL PRINTING FOR THE OFFICE OF REAL PROPERTY TAX SERVICE FOR 2009

WHEREAS, this County Legislature, by Resolution 393 of 2008, authorized renewal of the agreement with Allen Tunnell Corporation for software maintenance and support and tax bill printing for the Office of Real Property Tax Service at an amount not to exceed \$19,500 for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary to provide software maintenance, on-site support, and printing for the Town, County, City and School tax bills with internet tax data, and

WHEREAS, said agreement expired by its terms on December 31, 2008, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$17,450, for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Allen Tunnell Corporation, 15 Charles Street, Suite 1D, Binghamton, New York 13905 for software maintenance and support and bill printing for the Office of Real Property Tax Services for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$17,450 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 630004.4513.101000 (Software Maintenance), and be it

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

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

RESOLUTION NO. 65

By Transportation and Rural Development and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING REVISION OF THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) GRANT AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 83 of 2008, authorized and approved renewal of the Binghamton Metropolitan Transportation Study (BMTS) Grant and adopted a

program budget in the amount of \$552,800 for the period April 1, 2008 through March 31, 2009, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$20,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Binghamton Metropolitan Transportation Study (BMTS) Grant to reflect an increase of \$20,000 for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$572,800, and be it

FURTHER RESOLVED, that Resolution 83 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 66

By Transportation and Rural Development and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON, INC. FOR THE DESIGN SERVICES OF THE AIRPORT MAIN APRON REHABILITATION PROJECT FOR THE DEPARTMENT OF AVIATION FOR 2009

WHEREAS, The Department of Aviation requests authorization for an agreement with McFarland Johnson Inc. for the design services of the Airport Main Apron Rehabilitation Project at an amount not to exceed \$282,275, for the period January 15, 2009 through August 1, 2009, and

WHEREAS, said services are necessary to provide design phase services for the Greater Binghamton Airport Main Apron Rehabilitation Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., 49 Court St., PO Box 1980, Binghamton, NY 13902 for design phase of the Main Apron Rehabilitation Project for the Department of Aviation for the period of January 15, 2009 through August 1, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$282,275 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211011. 2016.501574, (Other Improvements) and be it

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

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

RESOLUTION NO. 67

By Economic Development and Planning, County Administration and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF VESTAL FOR FUNDING FROM THE BROOME COUNTY DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2008-2011

WHEREAS, the Commissioner of Planning and Economic Development requests authorization for an intermunicipal agreement with the Town of Vestal for funding from the Broome County Department of Planning and Economic Development in the amount of \$5,000 for the period April 1, 2008 through March 31, 2011, and

WHEREAS, said agreement will help fund a study which will identify public access options and strategies for increased recreational use and economic benefit in twenty-two Broome County municipalities that are located along the Susquehanna, Chenango, Tioughnioga and Delaware rivers, and

WHEREAS, said funding is the County's portion of the local match for a NYS Department of State Local Waterfront Revitalization Program, with the Town of Vestal as the grant recipient and administrator of the project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement with the Town of Vestal, 605 Vestal Parkway West, Vestal, New York 13850 for funding from the Broome County Department of Planning and Economic Development for the period April 1, 2008 through March 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Town of Vestal an amount not to exceed \$5,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440016.4545.101000 (Contracted Services), and be it

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

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

RESOLUTION NO. 68

By Economic Development and Planning and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ELAN PLANNING & DESIGN, INC. FOR CONSULTING SERVICES FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2008-2013

WHEREAS, this County Legislature, by Resolution 379 of 2008, authorized an agreement with Elan Planning & Design, Inc., for consulting services for the Department of Planning and Economic Development at a cost not to exceed \$148,345 for the period March 7, 2008 through March 6, 2013, and

WHEREAS, said agreement is necessary to perform a redevelopment study of the Brandywine Corridor Industrial Spine, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$21,615 to reflect a revised scope of services and include reimbursable expenses, and

WHEREAS, the Commissioner of Planning and Economic Development 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 Elan Planning & Design, Inc., 112 Spring Street, Room 305, Saratoga Springs, New York 12866 to increase the not to exceed amount by \$21,615 to reflect a revised scope of services and include reimbursable expenses for the Department of Planning and Economic Development for the period March 7, 2008 through March 6, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$21,615, a total amount not to exceed \$169,960, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440149.4545.105464 (Other Fees for Services), and be it

FURTHER RESOLVED, that Resolution 379 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 69

By Public Works and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AN INTERMUNICIPAL AGREEMENT WITH TIOGA COUNTY FOR THE COLLECTION OF HAZARDOUS WASTE IN TIOGA COUNTY FOR 2009

WHEREAS, this County Legislature, by Resolution 23 of 2008, 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, 2008 through December 31, 2008, and

WHEREAS, said agreement generates revenue to Broome County 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, 2008, 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, 2009 through December 31, 2009, 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, 2009 through December 31, 2009, 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 wastes 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 and a disposal fee of \$0.75 per pound

and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 230078.0609.206000 (Permits) and 230078.0464.206000 (Other Local Governments), and be it

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

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

RESOLUTION NO. 70

By Public Works and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH ARCADIS G&M, INC. FOR PROFESSIONAL ENGINEERING SERVICES AT THE COLESVILLE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 44 of 2008, as amended by Resolution 639 of 2008, authorized renewal of the agreement with ARCADIS G&M, Inc. for professional engineering services at the Colesville Landfill for the Division of Solid Waste Management at an amount not to exceed \$219,000 for the period March 1, 2008 through February 28, 2009, 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, said agreement expires by its terms on February 28, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$238,000, for the period March 1, 2009 through March 1, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with ARCADIS G&M, Inc., Two Huntington Quadrangle, Suite 1S10, Melville, New York 11747 for professional engineering services for the Division of Solid Waste Management for the period March 1, 2009 through March 1, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$238,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035031.4747.501593/501509 (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-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 71

By Public Works and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ITHACA AREA WASTEWATER TREATMENT FACILITY FOR DISCHARGE OF RAW LEACHATE FROM THE LEACHATE COLLECTION SYSTEM AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 468 of 2008, 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 Nanticoke Landfill at a cost not to exceed \$6.00 per 1,000 gallons of leachate, plus a surcharge of \$5.64 per 1,000 gallons if the leachate exceeds 1,384 milligrams per liter Biochemical Oxygen Demand (BOD), total amount not to exceed \$81,000 for the period October 1, 2008 through September 30, 2009, 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, it is necessary to authorize the amendment of said agreement to amend the rate to \$10.00 per 1,000 gallons and amend the Biochemical Oxygen Demand limit to 2,305 milligrams per liter effective January 1, 2009, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Ithaca Area Wastewater Treatment Facility, 525 Third Street, Ithaca, New York 14850 for discharge of raw leachate from the leachate collection system at the Nanticoke Landfill to amend the rate to \$10.00 per 1,000 gallons and amend the Biochemical Oxygen Demand limit to 2,305 effective January 1, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor the rate of \$10.00 per 1,000 gallons of leachate, plus a surcharge of \$5.64 per 1,000 gallons if the leachate exceeds 2,305 milligrams per liter Biochemical Oxygen Demand (BOD) for the period January 1, 2009 through September 30, 2009, total amount not to exceed \$81,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4457.206000 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 468 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 72

~~By County Administration and Public Works Committees~~ COUNTY ADMINISTRATION and PUBLIC WORKS COMMITTEES

Secounded by Mr. Herz

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF DEPOSIT TO PROVIDE FOR THE REPLACEMENT OF AND IMPROVEMENTS TO THE SECOND STREET STORM WATER COLLECTION SYSTEM

WHEREAS, pursuant to Local Law No 6 of 1967, portions of old New York State Highway Number 17 located in the Towns of Windsor and Sanford including the villages located in said towns were added to the county highway map and have been thereafter maintained by Broome County including Second Street in the Village of Deposit, and

WHEREAS, Broome County has maintained the storm water collection system on Second Street in the Village of Deposit, and

WHEREAS, over the years the Village of Deposit has installed and maintains a storm water collection system along various village streets connecting to the Second Street collection system at various points, and

WHEREAS, during heavy storms the capacity of the combined collection systems to handle the storm water run off is exceeded and intermittent surface flooding along Second Street occurs, and

WHEREAS, the Broome County Legislature has approved a 2009 capital project in the amount of \$650,000 with \$400,000 to be provided through a state grant to the Village for replacing the undersized storm water collection system along Second Street in the Village of Deposit, and

WHEREAS, the Village of Deposit has applied for and received a New York State Office of Community Renewal Small Cities Community Development Block Grant (CBDG) in the amount of \$400,000.00 for improvements and upgrades to the Village's storm water collection system, and

WHEREAS, the Village and the County desire to coordinate the improvements to the Village and County storm water collection systems along Second Street in the Village, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes an inter-municipal agreement with the Village of Deposit 146 Front St., Deposit, NY 13754 to provide for the replacement of and improvements to the Second Street storm water collection system (the "Project") to include the following terms and conditions:

- ~~B-1.~~ The Project will take place within the Village in the area delineated on the attached Exhibit A (Alternative #3 – Figure 6 – Woidt Engineering & Consulting Study – January 16, 2008).
- ~~C-2.~~ Any rights of way or easements that may be required will be provided by the Village prior to commencement of the Project.
- ~~D-3.~~ The County will enter into a contract with an engineering firm to design and prepare bid specifications for the project and to provide construction oversight.
- ~~E-4.~~ The County will advertise for bids, review bids received and award contracts for the construction of the Project subject to prior approval of the Village and the New York State Office of Community Renewal.
- ~~F-5.~~ The total cost of the project including engineering services will not exceed \$650,000.00.
- ~~G-6.~~ The Village will be the lead agency in connection with any required environmental reviews -(SEQR) of the Project.
- ~~H-7.~~ The Village will be the administrator of the CDBG grant.
- ~~I-8.~~ The Village, using CDBG monies, will reimburse the County for the first \$400,000 expended by the County on -the Project.
- ~~J-9.~~ The balance of the project costs will be paid by the County up to the maximum Capital Project cost of \$650,000 from 2009 CIP budget number 035030.2017.501583 (Deposit 2nd Street Drainage).

and be it

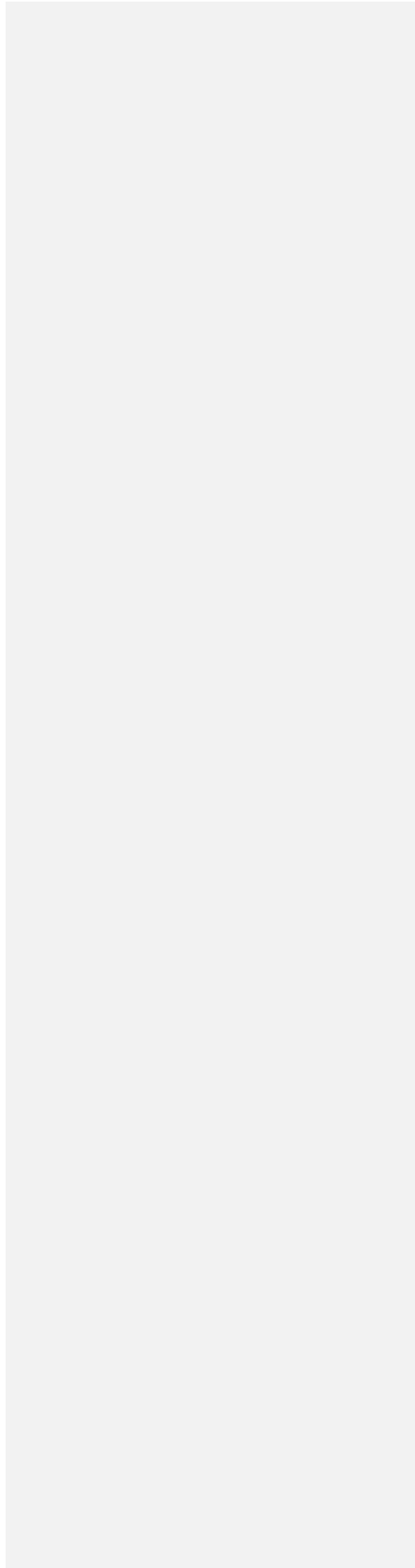
— FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

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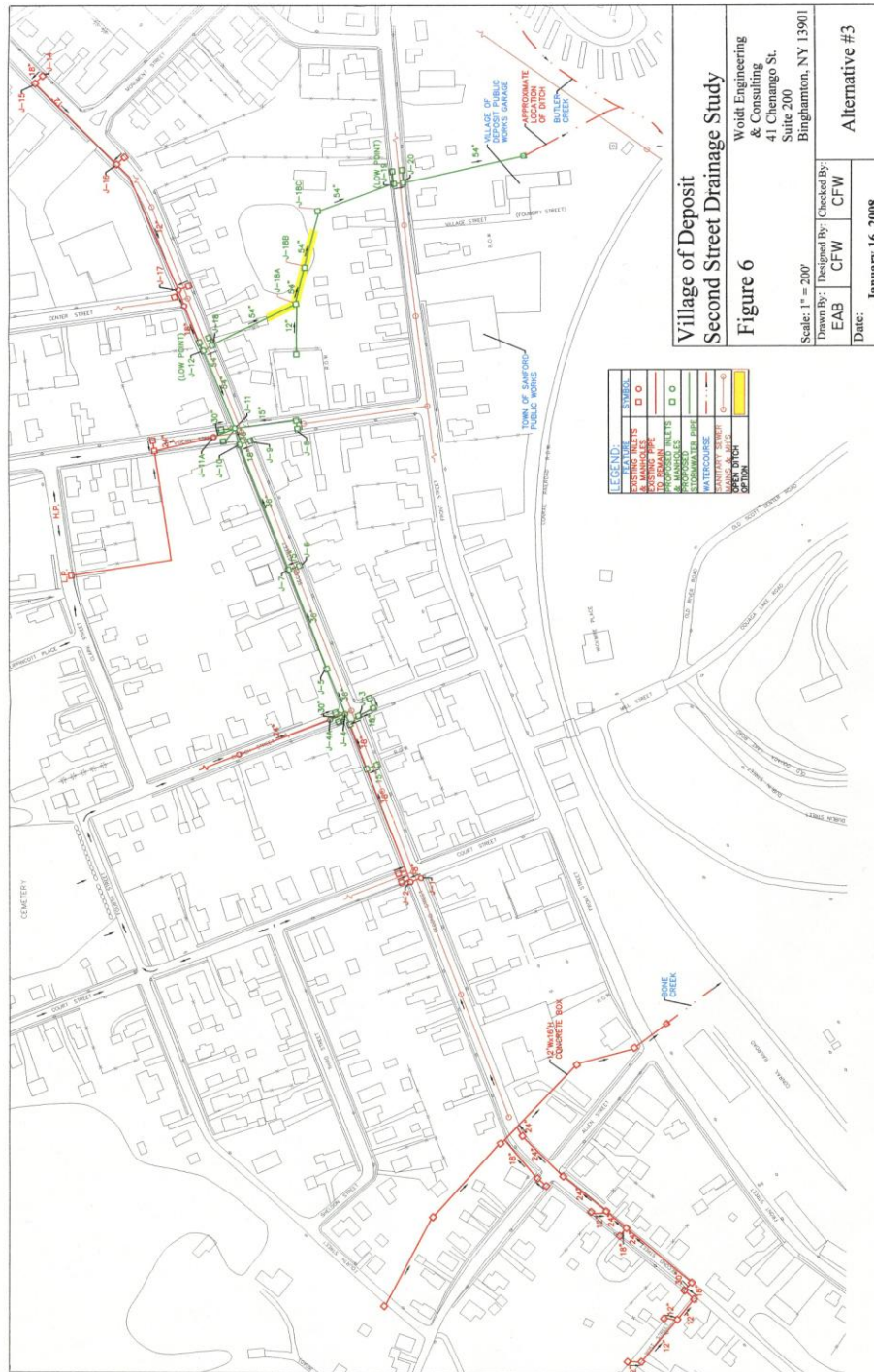


EXHIBIT A

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

RESOLUTION NO. 73

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF 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 2008-2009

WHEREAS, this County Legislature, by Resolution 783 of 2007, authorized and approved the Food Stamp Nutrition Education Project Grant for the Department of Social Services, adopted a program budget in the amount of \$81,302 and authorized an agreement with Cornell Cooperative Extension to administer said program for the period October 1, 2007 through September 30, 2008, 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. This Grant also provides Food Stamp outreach to low-income households.

WHEREAS, it is desired to renew said grant program in the amount of \$138,812 adopt a program budget and renew the agreement with Cornell Cooperative Extension to continue to administer said program for the period October 1, 2008 through September 30, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$69,406 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 for the period October 1, 2008 through September 30 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$138,812, and be it

FURTHUR RESOLVED, that this County Legislature hereby authorizes an agreement with Cornell Cooperative Extension, 840 Upper Front Street, Binghamton, NY 13905 for the Department of Social Services for the period October 1, 2008 through September 30, 2009 and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$69,406 for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Cornell Cooperative Extension, 840 Front Street, Binghamton, New York 13905 to administer the Department of Social Services' Food Stamp Nutrition Education Project Grant for the period October 1, 2008 through September 30, 2009, and be it

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

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

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

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

RESOLUTION NO. 74

By Human Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AN INTENSIVE CASE SERVICES FOR NON COMPLIANT FAMILIES PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2009.

WHEREAS, this County Legislature, by Resolution 567 of 2007, authorized and approved renewal of the Intensive Case Services For Non Compliant Families Program Grant for the Department of Social Services and adopted a program budget in the amount of \$133,513 for the period August 1, 2007, through December 31, 2008, and

WHEREAS, said program grant provides intensive case management, home assessing, job development and placement for non-compliant and underemployed families, now therefore, be it and

WHEREAS, it is desired to renew said program grant in the amount of \$52,470 for the period January 1, 2009 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$52,470 from the Department of Social Services for the Intensive Case Services for Non-Compliant Families Program Grant for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$52,470, and be it

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

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

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

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

RESOLUTION NO. 75

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN AGREEMENT WITH BRENNA WEIR FOR SPEECH PATHOLOGY SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2009 AND PRESCHOOL EDUCATION PROGRAM FOR 2009-2010

WHEREAS, the Director of Public Health requests authorization for an agreement with Brenna Weir for speech pathology services for the Department of Health's Early Intervention Program for the period May 1, 2009 through December 31, 2009 and the Preschool Education Program for the period May 1, 2009 through June 30, 2010 at the rates set by the New York State Department of Health and the Broome County Health Department, and

WHEREAS, said agreement is necessary to provide speech therapy services to children with disabilities in the Early Intervention and Preschool Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Brenna Weir, 605 State Route 369, Port Crane, New York 13833 for speech pathology services for the Department of Health's Early Intervention Program for the period May 1, 2009 through

December 31, 2009 and the Preschool Education Program for the period May 1, 2009 through June 30, 2010, 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 Health and the Broome County Health Department as listed on Exhibit "B", for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480293.various.101081/101082, and be it

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

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

RESOLUTION NO. 76

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN AGREEMENT WITH DR. NALINI NAIK FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR THE PERIOD FOR 2009

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with Dr. Nalini Naik for psychiatric services for the Department of Mental Health at an amount not to exceed \$67,896 for the period March 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary to provide required psychiatric services to children with serious emotional problems, and

RESOLVED, that this County Legislature hereby authorizes an agreement with Dr. Nalini Naik, 2508 Foxwood Lane, Vestal, New York 13850 for psychiatric services for the Department of Mental Health for the period March 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$92.25 per hour, total amount not to exceed \$67,896 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (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-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 77

By Public Health and Environmental Protection, and County Administration Committees

Seconded by Mr. Whalen

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

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Robert Russell 1255 Fowler Place Binghamton, NY 13903 (Seat #3)	Reappointment Term Expires 12/31/2012

Lee Colvill
19 Front Street, Unit 5
Binghamton, NY 13905
(Seat #7)

Reappointment
Term Expires 12/31/2012

Susan Lozinak
135 E. Frederick Street
Binghamton, NY 13904
(Seat #11)

Reappointment
Term Expires 12/31/2012

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Article VIII of the Broome County Charter and Administrative Code, confirms the appointments of the above-named individuals to membership on the Broome County Community Services Board for the terms indicated, in accordance with their appointment by the County Executive.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 78

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

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY VETERAN'S MEMORIAL ARENA BOARD OF DIRECTORS

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Article XXIV, Section 2408, of the Broome County Charter and Administrative Code, has duly designated and appointed the following named individuals to membership on the Broome County Veteran's Memorial Arena Board of Directors, for the terms indicated, subject to confirmation by this County Legislature:

NAME
Lauren B. Hering
148 Pearl Avenue
Johnson City, New York 13790

TERM EXPIRING
12/31/2010

Robert Hartung
1616 Sylvia Drive
Endwell, New York 13760

12/31/2010

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV, Section 2408 of the Broome County Charter and Administrative Code, confirms the appointments of the above-named individuals to membership on the Broome County Veteran's Memorial Arena Board of Directors for the terms indicated, in accordance with their appointment by the County Executive.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 79

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

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE BROOME COUNTY PUBLIC LIBRARY

RESOLVED, that in accordance with a request contained in PCR# 09-46 from the Library Director, this County Legislature hereby authorizes the position of Computer Hardware

Technician, Grade 16, Union Code 69 CSEA Library, minimum FTE salary \$38,200, at budget line 841007.1500.304000, to be abolished effective January 1, 2009, as the position is vacant. Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 80

By Education, Culture and Recreation and Finance Committees Seconded by Ms. Buchta
RESOLUTION AUTHORIZING THE CREATION OF A MANDATORY FACILITY USER FEE FOR ALL EVENTS AT THE BROOME COUNTY VETERANS MEMORIAL ARENA AND THE BROOME CENTER FOR THE PERFORMING ARTS, THE FORUM

WHEREAS, the Veterans Memorial Arena Board of Directors has determined that the creation of a facility user fee at the Broome County Veterans Memorial Arena and the Forum would help lessen and stabilize the burden to the taxpayers of Broome County, and

WHEREAS, the increase in the cost of electric and natural gas as well as the increase in the number of events and games that are held at both the Arena and Forum have caused an increase in expenditures over the last few years, and

WHEREAS, additional funds are needed for repairs, improvements, and general operations of the Arena and Forum, and

WHEREAS, currently, there is no user fee associated with the sale of a ticket for an Arena or Forum event although facility user fees added to ticket purchases is a widely held industry practice, which many facility operators utilize to fund repairs, improvements, or general operations, and

WHEREAS, the current contract agreement with the Binghamton Senators does not provide for a facility user fee for Binghamton Senators hockey games at this time, now therefore be it

RESOLVED, that this County Legislature hereby authorizes the creation of a mandatory facility user fee of \$2.00 for every ticket sold costing more than \$10.00 and \$.50 added to every ticket costing up to and including \$10.00 at the Broome County Veterans Memorial Arena and the Broome Center for the Performing Arts the Forum, in order to lessen and stabilize the burden to the taxpayers of Broome County, and be it further

RESOLVED, that this Resolution shall become effective on enactment for all events at both the Arena and the Forum except for those events for which a contract is already in place as of date of enactment, 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. Held over by Ms. Buchta

RESOLUTION NO. 81

By County Administration and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH MED-REV RECOVERIES, INC. IN CONNECTION WITH RECOVERING COSTS OF PUBLIC ASSISTANCE OVERPAYMENTS FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2009

WHEREAS, New York's Codes, Rules and Regulations authorizes a local social services district to contract for legal services pertaining to recovering costs of public assistance overpayments; and

WHEREAS, due to the complexity of administering public assistance programs, local social services departments, including Broome County's Department of Social Services are subjected to fraudulent practices in the public assistance application process as well as practices that result in public assistance overpayment; and

WHEREAS, Med-Rev Recoveries, Inc. specializes in collection and litigation services and is ready, willing, and able to perform such services for the Broome County Department of Social Services as an enhancement to Social Services' current recovery programs; and

WHEREAS, the prior contract with Med-Rev Recoveries, Inc. expired by its terms on December 31, 2004, and Broome County Department of Social Services desires to contract with Med-Rev Recoveries, Inc. for such services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorize an agreement with Med-Rev Recoveries, Inc., P.O. Box 4712, Syracuse, NY 13221-4712, to provide for payment to the Contractor of a sum not to exceed 30% for amounts recovered prior to the commencement of legal action and 33% for amounts recovered after commencement of legal action, not including recoupment amounts, with options to renew to provide for agreements through December 31, 2011; and be it

FURTHER RESOLVED, that net payments shall be forwarded to Broome County Department of Social Services or if gross payments forwarded to Department of Social Services, fees shall be paid from budget line 670018.4736.103000 (Legal Charges & Fees); and be it

FURTHER RESOLVED, That the County Executive and the Commissioner of Social Services, or their duly authorized representatives, are hereby authorized to execute any such papers, documents, or contracts approved as to form by the Department of Law, as may be necessary to execute the intent and purpose of this Resolution.

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

RESOLUTION NO. 82

By Public Health & Environmental Protection, and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH VARIOUS DAY CARE PROVIDERS, FOR MEDICATION ADMINISTRATION TRAINING PROVIDED BY THE BROOME COUNTY HEALTH DEPARTMENT FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 105 of 2008, authorized a renewal of the agreement with various day care providers for medication administration training provided by the Broome County Health Department with revenue to Broome County in the amount of \$100 per person for the period March 1, 2008 through March 1, 2009, and

WHEREAS, said services are necessary for training to meet state health and safety issues requiring that childcare providers be certified to administer medication to children under their care, and

WHEREAS, said agreement expires by its terms on March 1, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount of \$100 per person, for the class, and \$70 per person for an Independent Study for the period, March 1, 2009 through March 1, 2010 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Various Child Care Facilities for medication administration training provided by the Broome County Health Department for the period March 1, 2009 through March 1, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County will be reimbursed \$100 per person, for the class, and \$70 per person for an Independent Study or voucher from the Medication Administration Training Grant Program for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 480293.0057.101080 (Student Tuition, PT Day), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 83

By Finance, Human Services and Personnel Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING RENEWAL OF MEDICAID OUTSTATIONED WORKER PROGRAM GRANT FOR THE DEPT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 77 of 2008, authorized and approved renewal of the Medicaid Outstationed Program Grant for the Department of Social Services and adopted a program budget in the amount of \$107,151.00 for the period April 1, 2008, through March 31, 2009, and

WHEREAS, said program grant provides staff personnel to conduct Medicaid assistance eligibility activities and process Medicaid applications at both Lourdes and UHS Hospitals, enhancing the County's ability to serve indigent Broome County residents in need of assistance while hospitalized, and

WHEREAS, it is desired to renew said program grant in the amount of \$169,322 for the period April 1, 2009 through March 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$84,661 from the New York State Department of Health and \$84,661 from miscellaneous hospital contributions for the Department of Social Services' Medicaid Outstationed Worker Grant for the period April 1, 2009 through March 31, 2010, 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 \$169,322, and be it

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

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

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

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

RESOLUTION NO. 84

By Public Health and Environmental Services, and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING RENEWAL OF THE AMY WATKINS CASEWORKER EDUCATION PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 784 of 2007, authorized and approved renewal of the Amy Watkins Caseworker Education Program Grant for the Department of Social Services and adopted a program budget in the amount of \$8,100 for the period October 6, 2006, through September 30, 2007, and

WHEREAS, said program grant provides reimbursement for costs incurred by a caseworker enrolled in the Master of Social Work Program at Marywood University, and

WHEREAS, it is desired to renew said program grant in the amount of \$7,461 for the period October 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$7,461 from the Department of Social Work, Binghamton University, PO Box 6000, Binghamton, NY for the Amy Watkins Caseworker Education Program Grant for the period October 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$7,461, and be it

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

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

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

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

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

RESOLUTION NO. 85

By Human Services, Personnel, and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING REVISION OF THE SOCIAL DAY CARE FOR THE ELDERLY PROGRAM GRANT FOR THE OFFICE FOR AGING, AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009.

WHEREAS, this County Legislature, by Resolution 706 of 2008, authorized and approved renewal of the Integrated Social Day Care for the Elderly Program Grant for the Office For Aging and adopted a program budget in the amount of \$ 20,100 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said program grant provides funding to Integrate Mentally-Challenged Seniors into the Social Day Care Program, for the Office For Aging, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$299 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Integrated Social Day Care Program Grant to reflect an increase of \$299 for the period January 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$20,399, and be it

FURTHER RESOLVED, that Resolution 706 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 86

By Finance and Human Services Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING REVISION OF LONG TERM CARE OMBUDSMAN PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A REVISED PROGRAM BUDGET AND

AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ACTION FOR OLDER PERSONS TO ADMINISTER SAID PROGRAM FOR 2008-2009.

WHEREAS, this County Legislature, by Resolution 149 of 2008, and Resolution 290 of 2008 authorized the continued participation in the Long Term Care Ombudsman Program Grant by the Office For Aging, adopted a program budget in connection therewith in the total amount of \$11,126, and authorized an agreement with Action for Older Persons for administration of said program, for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said program grant provides funding for recruitment and training of Ombudsman volunteers who respond to the concerns and complaints expressed by, or on behalf of residents of long term care facilities, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$3,774 in grant appropriations and amend the agreement with Actions For Older Persons to reflect an increase, now, therefore, be

RESOLVED, that this County Legislature hereby authorizes a revision of the Long Term Care Ombudsman Program Grant to reflect an increase of \$3,774 for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$14,900 and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Action for Older Persons, 30 West State Street, Binghamton, New York 13901 to reflect an increase of \$3,774, for administration of the Long Term Care Ombudsman Program Grant for the Office For Aging for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,256 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 149 of 2008 and Resolution 290 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 87

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING REVISION OF THE HOME ENERGY ASSISTANCE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 417 of 2008, authorized and approved renewal of the Home Energy Assistance Program Grant for the Office for Aging and adopted a program budget in the amount of \$45,000 for the period October 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides assistance to meet the cost of home heating for eligible homeowners and renters based on household size, income and the type of heating, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$35,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Home Energy Assistance Program Grant to reflect an increase of \$35,000 for the period October 1, 2008 through September 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$80,000, and be it

FURTHER RESOLVED, that Resolution 417 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

RESOLUTION NO. 88

By Human Services, Personnel, and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING REVISION OF THE WEATHERIZATION REFERRAL AND PACKAGING PROGRAM GRANT FOR THE OFFICE OF AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2009.

WHEREAS, this County Legislature, by Resolution 420 of 2008, authorized and approved renewal of the Weatherization Referral Program Grant for the Office For Aging and adopted a program budget in the amount of \$52,204 for the period August 1, 2008 through December 31, 2009, and

WHEREAS, said program grant provides assistance with energy related needs dealing with health and safety concerns and provides for assessment and assisted referral to help offset the costs, plans and monitors to determine if client's needs can be met by the weatherization program, and for the Office For Aging , and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$18,416 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Weatherization Referral and Packaging Program Grant to reflect a decrease of \$18,416 for the period August 1, 2008 through December 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$33,788, and be it

FURTHER RESOLVED, that Resolution 420 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the

grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

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

RESOLUTION NO. 89

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH DELAWARE COUNTY PUBLIC HEALTH NURSING SERVICE FOR SOCIAL ADULT DAY CARE BY BROOME COUNTY OFFICE FOR AGING FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 88 of 2008, authorized renewal of the agreement with Delaware County Public Health Nursing Service for social adult day care services by Broome County Office for Aging with revenue to the County at the rate of \$20 per half day and \$40 per full day for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said agreement is necessary for social adult day care services to long term home health care clients in Delaware County, and

WHEREAS, said agreement expires by its terms on March 31, 2009, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$40 per day for the period April 1, 2009 through March 31, 2010 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Delaware County Public Health Nursing Service, Long Term Home Health Care Program, 99 Main Street, Delhi, New York 13753 for social adult day care services by Broome County Office for Aging for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, Delaware County shall pay Broome County at the rate of \$40 per day for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761254.0538.105558 (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-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 90

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH GTL, INC. LINK TO LIFE AND PROJECT H.E.A.R. FOR PERSONAL EMERGENCY RESPONSE SERVICES FOR THE OFFICE FOR AGING FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 89 of 2008, authorized renewal of the agreement with GTL, Inc. Link to Life and Project H.E.A.R. for personal emergency response services for the Office for Aging at the current Medicaid rates for the period June 1, 2008 through March 31, 2009, and

WHEREAS, said agreements are necessary for personal emergency response services for Office for Aging clients as needed, and

WHEREAS, said agreements expire by their terms on March 31, 2009, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at the current Medicaid rates, not to exceed budget appropriations for the period April 1, 2009 through March 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with GTL, Inc. Link to Life, 297 North Street, Pittsfield, Massachusetts 01201 for personal emergency response services for the Office for Aging with an initial installation charge of \$30 and a monthly service fee of \$24 for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Project H.E.A.R, 4401 Vestal Parkway East, Vestal, New York 13850 for personal emergency response services for the Office for Aging with an initial installation charge of \$35 and a monthly service fee of \$25 for the period April 1, 2009 through March 31, 2010

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the current Medicaid rates, not to exceed budgeted appropriations for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 761247.4457.105xxx, 761247.4457.105492, 761122.4457.105557 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 91

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH BINGHAMTON HOUSING AUTHORITY FOR HOMEMAKER SERVICES THROUGH THE OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY ENRICHED LIVING PROGRAM FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 86 of 2008, authorized renewal of the agreement with Binghamton Housing Authority for homemaker services through the Office for Aging's Community Services for the Elderly Enriched Program with revenue to the County in the amount of \$9,000 for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said agreement is necessary for OFA staff to perform light duty chores for residents in the North Shore Towers Buildings, and

WHEREAS, said agreement expires by its terms on March 31, 2009, 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 \$9,000 for the period April 1, 2009 through March 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Binghamton Housing Authority, 45 Exchange Street, Binghamton, New York 13901 for homemaker services through the Office for Aging's Community Services for the Elderly Enriched Living Program for the period April 1, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount of \$9,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 761262.0166.105559 (Miscellaneous Contributions), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 92

By Public Health and Environmental Protection and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP) FOR SERVICES FOR THE OFFICE FOR AGING'S AoA EMPOWERING OLDER PEOPLE GRANT FOR 2007-2009

WHEREAS, this County Legislature, by Resolution 323 of 2007, as amended by Resolution 423 of 2008, authorized renewal of the agreement with Retired and Senior Volunteer Program (RSVP) for services for the Office for Aging's AoA Empowering Older People Grant at a cost not to exceed \$60,185 for the period August 1, 2007 through October 31, 2008, and

WHEREAS, said agreement is necessary for the implementation of two evidence-based chronic disease programs in the community, and

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

WHEREAS, the Director of Office for Aging 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 Retired & Senior Volunteer Program, 230 Main Street, Binghamton, New York 13905 for services for the Office for Aging's AoA Empowering Older People Grant to extend the period to August 1, 2007 through July 31, 2009, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolutions 323 of 2007 and 423 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 93

By Finance and Economic Development and Planning Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING ACCEPTANCE OF A TRADE ADJUSTMENT ASSISTANCE PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, the Director of Employment and Training requests authorization to accept a Trade Assistance Program Grant and adopt a program budget in the amount of \$11,630 for the period September 1, 2008 through September 30, 2009, and

WHEREAS, said program grant provides aid to workers who lose their jobs or whose hours of work and wages are reduced as a result of increased imports, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,630 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's Trade Adjustment Assistance Program Grant for the period September 1, 2008 through September 30, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$11,630, and be it

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

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

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

employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 94

By Economic Development and Planning and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING ACCEPTANCE OF A TITLE 1B STATEWIDE ACTIVITIES-INCENTIVE PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2008-2009

WHEREAS, the Director of Employment and Training requests authorization to accept a Title 1B Statewide Activities Incentive Program Grant and adopt a program budget in the amount of \$50,799 for the period November 1, 2008 through October 31, 2009, and

WHEREAS, said program grant will provide employment related activities to jobseekers and industry; enhance services to One Stop Employment Center; establish eligibility, case management, career planning, job search, placement, and retention assistance to unemployed and underemployed and youth; assist employers in finding qualified employees through recruitment events, job listing and match services; and coordinate services with other workforce development partners in the region, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,799 for the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's Title 1B Statewide Activities Incentive Program Grant for the period November 1, 2008 through October 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$50,799, and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 95

By Economic Development and Planning and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING APPLICATION FOR A NYS LOCAL GOVERNMENT EFFICIENCY PROGRAM GRANT WITH THE TOWN OF KIRKWOOD AS CO-APPLICANT

WHEREAS, the Commissioner of Planning and Economic Development requests authorization for an application for a NYS Local Government Efficiency Program Grant with the Town of Kirkwood as co-applicant, in the amount of \$33,750 with a county local share of \$3,750, for the period April 15, 2009 through March 31, 2010, and

WHEREAS, said grant will allow for a study on the feasibility of establishing a County-wide Code Enforcement Office, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes application for a NYS Local Government Efficiency Program Grant with the Town of Kirkwood as co-applicant, in the amount of \$33,750 with a county local share of \$3,750, for the period April 15, 2009 through March 31, 2010, and be it

FURTHER RESOLVED, that the County local share payment hereinabove authorized shall be made from budget line 440016.4747.101000 (Contracted Services), and be it

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

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

RESOLUTION NO. 96

By County Administration and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH KONICA MINOLTA DANKA IMAGING FOR COPIER LEASE AND MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2009-2011

WHEREAS, this County Legislature, by Resolution 657 of 2008, authorized an agreement with Konica Minolta Danka Imaging for copier lease and maintenance for the Department of Information Technology at a cost not to exceed \$135,861.24, with lease payments to GE Capital and maintenance payments to Konica Minolta Danka Imaging, for the period January 1, 2009 through December 31, 2011, and

WHEREAS, said agreement is necessary for the Broome County Print Shop to provide printing services to various departments, and

WHEREAS, it is necessary to authorize the amendment of said agreement to add a Konica Minolta PRO C6500 color copier to the lease and maintenance agreement and increase the not to exceed amount by \$43,586.50, with both lease and maintenance payments made to GE Capital, 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 Konica Minolta Danka Imaging, 370 Summit Point Drive, Suite 1B, Henrietta, New York 14467 to add a Konica Minolta PRO C6500 color copier to the lease and maintenance agreement and increase the not to exceed amount by \$43,586.50, for the period January 1, 2009 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay GE Capital for the lease and maintenance agreement as follows: two months at \$3,690.56 per month, total amount not to exceed \$7,381.12 for the black and white copier and thirty four months at \$4,940.59 per month, total amount not to exceed \$167,980.06 for the black and white copier and color copier, with an additional amount not to exceed \$4,086.50 for overages if necessary, total amount not to exceed \$179,447.74 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370049.4518.101000 (Copy Machine Rental), and be it

FURTHER RESOLVED, that Resolution 657 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 97

By County Administration and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN AGREEMENT WITH IBM GLOBAL FINANCING FOR LEASE OF HARDWARE AND SOFTWARE AND SIRIUS COMPUTER SOLUTIONS, INC FOR SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2009-2014

WHEREAS, the Director of Information Technology requests authorization for an agreement with IBM Global Financing for lease of hardware and software and Sirius Computer Solutions for services for the Division of Information Technology at a cost not to exceed \$240,364.20, for the period April 1, 2009 through March 31, 2014, and

WHEREAS, said agreement is necessary for the replacement of the current tape library system, for the County's data storage needs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with IBM Global Financing, 4395 Windmoor Drive, Kennesaw, Georgia 30144 for lease of hardware and software for the Division of Information Technology for a period of sixty (60) months beginning on or about April 1, 2009 continuing through on or about March 31, 2014, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay IBM Global Financing an amount not to exceed \$237,364.20 from budget line 370007.4516.101000 (Hardware Lease), and, be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Sirius Computer Solutions, Inc., 613 NW Loop 410, Suite 1000, San Antonio, Texas 78216 for services for the Division of Information Technology for the period April 1, 2009 through March 31, 2014, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay Sirius Computer Solutions, Inc., an amount not to exceed \$3,000 from budget line 370007.4726.101000 (Data Processing Services) for the term of the agreement, and be it

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

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

RESOLUTION NO. 98

By County Administration and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH IBM CORPORATION FOR SOFTWARE LEASES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2009

WHEREAS, this County Legislature, by Resolution 637 of 2008, authorized renewal of the agreement with IBM Corporation for software leases for the Division of Information Technology at an amount not to exceed \$56,064 for the period January 1, 2009 through December 31, 2009, and

WHEREAS, said agreement is necessary for the continued functioning of the Division of Information Technology and includes all IBM software products for major mainframe operating systems, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$33,755 for two additional software lease/licenses, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with IBM Corporation, 80 State Street, Albany, New York 12207 to increase the not to exceed amount by \$33,755 for two additional software lease/licenses for the period March 1, 2009 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$89,819, for the term of the original agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4515.101000 (Software Rental/Lease), and be it

FURTHER RESOLVED, that Resolution 637 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

RESOLUTION AUTHORIZING REVISION OF THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A REVISED PROGRAM BUDGET FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 734 of 2008, authorized and approved acceptance of the State Criminal Alien Assistance Program (SCAAP) Grant for the Office of the Sheriff and adopted a program budget in the amount of \$22,288.50 for the period November 1, 2008 through October 31, 2009, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$39.78 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the State Criminal Alien Assistance Program (SCAAP) Grant to reflect an increase of \$39.78 for the period November 1, 2008 through October 31, 2009, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$22,328.28, and be it

FURTHER RESOLVED, that Resolution 734 of 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 102

By Transportation and Rural Development and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH ROSANNE SALL ADVERTISING FOR AIRPORT ADVERTISING CONCESSION FOR THE DEPARTMENT OF AVIATION FOR 2009-2010

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Rosanne Sall Advertising for airport advertising concession for the Department of Aviation with a revenue of 60% commission to the County for the period March 1, 2009 through February 28, 2010, with the option for three one-year renewals by mutual consent, and

WHEREAS, said agreement is necessary to market and manage advertising space in the airport passenger terminal building, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Rosanne Sall Advertising, 88 Main Street, Binghamton, New York 13905 for airport advertising concession services for the Department of Aviation for the period March 1, 2009 through February 28, 2010, with the option for three one-year renewals by mutual consent, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall receive revenue of 60% commission of leased advertising space, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 210070.0103.207000 (Advertising Fees), and be it

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

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

RESOLUTION NO. 103

By Personnel and Transportation and Rural Development and Finance Committees
Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN HOURLY RATE INCREASE FOR THE TITLE OF SEASONAL TRAFFIC COUNTER

WHEREAS, the Director of Binghamton Metropolitan Transportation Study (BMTS) requests authorization for an hourly rate increase for the title of Seasonal Traffic Counter from \$8.50 per hour to \$9.50 per hour, effective April 1, 2009, and

WHEREAS, said increase is necessary to be competitive to attract quality employees, and WHEREAS, said increase will be fully funded through the BMTS federal planning grant budget, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes an hourly rate increase for the title of Seasonal Traffic Counter from \$8.50 per hour to \$9.50 per hour effective April 1, 2009.

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

RESOLUTION NO. 104

By Transportation and Rural Development, Personnel and Finance Committees
Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) GRANT AND ADOPTING A PROGRAM BUDGET FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 83 of 2008, authorized and approved the renewal of the Binghamton Metropolitan Transportation Study (BMTS) Grant and adopted a program budget in the amount of \$552,800 for the period April 1, 2008 through March 31, 2009, and

WHEREAS, it is desired to renew said grant program in the amount of \$581,725 for the period April 1, 2009 through March 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of Federal Highway Administration Grants in the amount of \$447,586 and Federal Transit Administration Grants in the amount of \$134,139 for the Binghamton Metropolitan Transportation Study (BMTS) Grant for the period April 1, 2009 through March 31, 2010, 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 \$581,725, and be it

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

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

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

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

RESOLUTION NO. 105

By Economic Development and Planning and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AMENDMENT TO AN AGREEMENT WITH THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR A VIDEO MARKETING PROJECT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2008

WHEREAS, the Board of Acquisition and Contract, on October 8, 2008, authorized an agreement with the Broome County Industrial Development Agency for a video marketing project for the Department of Planning and Economic Development at a cost not to exceed \$14,200, for the period through December 31, 2008, and

WHEREAS, said agreement provides management of a simulation and modeling companies coalition marketing video, which will promote our area's high tech companies and our history as it relates to the simulation industry, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$8,800 and extend the term through June 30, 2009 for phase two of the project, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Broome County Industrial Development Agency, 5th Floor County Office Building, 60 Hawley Street, Binghamton, New York 13901, to increase the not to exceed amount by \$8,800 and extend the term for the period through June 30, 2009 for phase two of the project, for the Department of Planning and Economic Development, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$23,000, for the term of the agreement, and be it

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

FURTHER RESOLVED, that CA No. 2597(b) as approved by the Board of Acquisition and Contract on October 8, 2008, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 106

By County Administration and Finance Committees Seconded by Mr. Whalen
RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4 OF 2009, ENTITLED: "A LOCAL LAW ADOPTING THE PROVISIONS OF SECTION 458(5)(a) OF THE REAL PROPERTY TAX LAW"

WHEREAS, the Town of Vestal is conducting a town-wide reassessment of properties, and

WHEREAS, Section 458(5)(a) of the Real Property Tax Law permits a County that levies taxes to modify the limitation of exemption in Section 458(1) where the assessed value of a property increases or decreases as a result of a revaluation or update of assessment and a material change in the level of assessment as defined in the Real Property Tax Law, is certified, now, therefore, be it

RESOLVED, that Local Law Intro. No. 4 of 2009, entitled: "A Local Law Adopting the Provisions of Section 458(5)(a) of the Real Property Tax Law" be and the same, is approved and adopted in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable laws and procedures pertaining thereto.

LOCAL LAW INTRO. NO. 4 Of 2009

"A Local Law Adopting The Provisions Of Section 458(5)(A) of the Real Property Tax Law"
BE IT ENACTED, by the County Legislature of the County of Broome as follows:

Section 1. The provisions of Section 458(5)(a) of the Real Property Tax Law be and hereby are adopted, enacted and in effect in the County of Broome for taxes levied by Broome County

Section 2. This local law shall take effect upon filing with the Secretary of State.

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

RESOLUTION NO. 107

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

RESOLUTION AMENDING THE 2009 CAPITAL IMPROVEMENT PROGRAM FOR THE SNOW REMOVAL EQUIPMENT PROJECT

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

FROM:

Code	Project Name	Total	Estimated Construction Cost:		
			State	Federal/Other	County*
501576	Snow Removal Equipment	500,000	12,500	475,000	12,500

Local Finance Law Section 11			How Financed:	
Year	YPU	LFL	Bond	Current Revenue
Start				
2009	10	14	500,000	0

TO:

Code	Project Name	Total	Estimated Construction Cost:		
			State	Federal/Other	County*
501576	Snow Removal Equipment	640,189	16,005	608,179	16,005

Local Finance Law Section 11			How Financed:	
Year	YPU	LFL	Bond	Current Revenue
Start				
2009	10	14	640,189	0

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

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

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

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

RESOLUTION NO. 108

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

RESOLUTION AMENDING THE 2004 CAPITAL IMPROVEMENT PROGRAM FOR THE TRANSIT COACH REPLACEMENT PROJECT

RESOLVED, that the 2004 Capital Improvement Program is hereby amended as follows:

FROM:

Code	Project Name	Total	Estimated Cost:		
			State	Federal/Other	County/Other

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501394	Transit Coach Replacement	3,310,000	1,150,000	2,030,000	130,000	
		Local Finance Law Section 11			How Financed:	
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
		2004	5	32	3,310,000	0

TO:

		Estimated Cost:				
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County/Other</u>	
501394	Transit Coach Replacement	3,310,000	1,050,000	2,130,000	130,000	
					0	
		Local Finance Law Section 11			How Financed:	
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
		2004	5	32	3,310,000	0

Description: Replace six (6) transit coaches that are past the end of their 12 year useful life with six (6) alternative fuel transit buses. Original request was for five (5) replacements.

FURTHER RESOLVED, that the Commissioner of Finance is hereby authorized to make a short term, non-interest bearing loan from the General Fund and /or the Enterprise Funds to provide sufficient cash to proceed with the projects until Federal and State Aid or bond proceeds are received and be it

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

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

RESOLUTION NO. 109

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING A REFUND OF THE BID PRICE FOR A PARCEL BID THROUGH THE COUNTY'S 2005 TAX SALE AUCTION

WHEREAS, this County Legislature, by Resolution 566 of 2005, authorized the Director of Real Property to sell certain parcels of real property at a tax sale auction for 2005, and

WHEREAS, the parcels that were sold included a property at 820 Milan Avenue, Endicott, New York, tax map number 141.39-2-20, which was bid by Patricia M. Petranick for the bid amount of \$1,200, and

WHEREAS, the Director of Real Property Tax Service recommends that, in the best interest of the County and the purchaser, the sale of said parcel be cancelled and that the original bid amount of \$1,200 be refunded to the bidder, now, therefore, be it

RESOLVED, this County Legislature authorizes the cancellation of the sale of the County-owned parcel at 820 Milan Avenue, Endicott, New York, tax map number 141.39-2-20, to Patricia M. Petranick, 818 Milan Avenue, Endicott, New York 13760, and be it

FURTHUR RESOLVED, that the original bid price of \$1,200, total amount not to exceed \$1,200 be refunded to Patricia M. Petranick, and be it

FURTHUR RESOLVED, that the payments hereinabove authorized shall be made from the appropriate budget lines, and be it

FURTHUR 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.

Parcel ID: 141.39-2-20
Town/Village: Union

Owner: Patricia M. Petranick
 Action to be Taken: Refund of money
 Reason: Failure of payment for recording of deed and property taxes for 2006 & 2007

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

RESOLUTION NO. 110

By Finance and Public Health and Environmental Protection Committees
 Seconded by Mr. Whalen

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request from the Director of Public Health, in order to adjust funds for the 08/09 Building a Healthy Nation-Strategic Alliance for Health grant, as requested by BF# 7584 and 7585, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1000	105538	Salaries- Full Time	8,219
	480376	4448	105538	Advertising & Promotion	3,352
	480376	4462	105538	Travel, Hotel & Meals	2,073
	480376	4463	105538	Education & Training	50
TO:	480376	1500	105538	Salaries – Part time	1,418
	480376	4319	105538	Office Supplies	696
	480376	4457	105538	Subcontract Program Exp	10,000
	480376	4461	105538	Mileage and Parking	185
	480376	4466	105538	Advisory Bd/Trustee Exp	320
	480376	4617	105538	Duplicating/Printing C/B	600
	480376	8010	105538	State Retirement	149
	480376	8030	105538	Social Security	108
	480376	8040	105538	Workers Comp	14
	480376	8050	105538	Life Insurance	1
	480376	8060	105538	Health Insurance	199
	480376	8063	105538	Disability Insurance	4

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

RESOLUTION NO. 111

By Public Health and Environmental Protection and Finance Committees
 Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR PERSONAL CARE/HOMEMAKER SERVICES FOR THE OFFICE FOR AGING'S EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR 2009-2010

WHEREAS, this County Legislature, by Resolution 87 of 2008, authorized agreements with various vendors for personal care/homemaker services for the Office for Aging's Expanded In-Home Services for the Elderly Program at the current approved Medicaid rate for Nursing Supervisor and the current Medicaid fixed rates as listed for the Personal Care/Homemaker Service, for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said agreements expire by their terms on March 31, 2009, and it is desired at this time to renew said agreements on substantially similar terms and conditions and at the current approved Medicaid rate for Nursing Supervisor and the current Medicaid fixed rates as stated below for the Personal Care/Homemaker Service, total amount not to exceed budgeted appropriations, for the Office for Aging's Expanded In-Home Services for the Elderly Program for the period April 1, 2009 through March 31, 2010, and

WHEREAS, because the Medicaid rate changes from time to time, Broome County will pay the contractor for the Personal Care/Homemaker Service the current Medicaid rate listed below, unless the Medicaid rate decreases, then the County will pay the lower, retroactive to

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April 1, 2009; should the Medicaid rates increase, the County will pay the higher rate retroactive to April 1, 2009 and the Nurse Supervisor will be paid at the current approved Medicaid rates listed below, unless the rates decrease or increase, they will be paid at the lower or higher amount, retroactive to April 1, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreements with the vendors listed below at the current approved State Medicaid rates for Nursing Supervisor and the current Medicaid fixed rates as stated below for the Personal Care/Homemaker Service, total amount not to exceed budgeted appropriations, for the Office for Aging's Expanded In-Home Care for the Elderly Program for the period April 1, 2009 through March 31, 2010:

CA# 292-335
Metro Interfaith Housing Management Corp.
21 New Street
Binghamton, NY 13903
Personal Care: \$14.50 per hour
Nurse Supervisor: \$50 per hour

CA#292-156
Interim Healthcare Systems
38 Front Street, Suite D
Binghamton, NY 13905
Personal Care: \$18.14 per hour
Nurse Supervisor: \$75.56 per hour

CA# 292-153
Stafkings Healthcare Systems
P.O. Box 1015
Binghamton, NY 13902-1015
Personal Care: \$21.15 per hour
Nurse Supervisor: \$90 per hour

CA# 292-154
Homemakers of Broome County
DBA Caregivers
700 Harry L. Drive, Suite 120
Johnson City, NY 13790
Personal Care: \$17.42 per hour
Nurse Supervisor: \$47.66 per hour

CA# 292-158
Family & Children's Society of Broome County
257 Main Street
Binghamton, NY 13905
Personal Care: \$19.65 per hour
Nurse Supervisor: \$54.09 per hour

and be it

FURTHER RESOLVED, that if the Medicaid rate for the Personal Care/Homemaker Service decreases, then the County shall pay the reduced rate, retroactive to April 1, 2009, should the Medicaid rates increase, the County will pay the higher rate retroactive to April 1, 2009, and be it

FURTHER RESOLVED, the Nurse Supervisor will be paid at the current approved Medicaid rates listed below, unless the rates decrease or increase, they will be paid at the lower or higher amount, retroactive to April 1, 2009,

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761122.4457.105557 (Subcontracted Program Expense), and be it

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

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

RESOLUTION NO. 112

By Public Safety and Emergency Services, and County Administration Committees

Seconded by Mr. Whalen

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY CRIMINAL JUSTICE ADVISORY BOARD

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Resolution 61, of 1985, of the Broome County Charter and Administrative Code, has duly

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designated and appointed the following named individuals to membership on the Broome County Criminal Justice Advisory Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>REPRESENTS:</u>	<u>ALL TERMS EXPIRING</u>
David Harder Broome County Sheriff PO Box 1766 Binghamton, NY 13902	Alternative to Incarceration Program (Work Release)	12/31/2010
Hon. Joseph Cawley Broome County Court Broome County Court Annex Binghamton, New York 13901	County Court Judge	
Gerald Mollen, Esq. 19 Chenango Street Binghamton, New York 13901	District Attorney	
Hon. Mary Ann Lehman Binghamton City Court Binghamton City Hall Binghamton, NY 13901	Local Court	
Jay Wilbur, Esq. 229 State Street Binghamton, New York 13901	Public Defender	
Lorraine Wilmot Broome County Probation PO Box 1766 Binghamton, NY 13902	Probation Director	
Michael P. Husar Chief Clerk Broome Supreme & County Courts Court House Binghamton, NY 13901	Chief Administrative	
Chief Joseph Zikuski City of Binghamton Police 48 Hawley Street Binghamton, NY 13902	Local Police	
Timothy Grippen Opportunities for Broome 59 Whitney Avenue Binghamton, NY 13901	Private ATI Program	
Vincent Grace 326 Robinson Street Binghamton, NY 13902	Ex-offender	
Raini Baudendistel	Crime Victims Assistance Center, Inc.	

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Crime Victims
377 Robinson Street
Binghamton, NY 13904

Arthur R. Johnson
Community Services/Substance Abuse
36 - 42 Main Street
Binghamton, NY 13905

Commissioner of Social Services & Mental Health

Patrick Brennan
60 Hawley Street
Binghamton, NY 13902

Deputy County Executive

Hon. Penny Delfavero
9234 NYS Route 79
Lisle, NY 13797

Magistrates Association

James May
Coordinator
PO Box 1766
Binghamton, NY 13902

STOP DWI

Remy Perot
1 Wall Street
Binghamton, NY 13901

Broome County Bar Association

Eben Bullock
Binghamton High School
Binghamton, NY 13905

Safe & Drug Free Schools

James Dadamio
Broome County Security
60 Hawley Street
Binghamton, NY 13902

Director of Security

Debbie Singer
Broome County Court Annex
Binghamton, NY 13901

Broome County Family Court

Terry Stark
171 Front Street
Binghamton, NY 13905

Broome Tioga Workforce

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 61 of 1985 of the Broome County Charter and Administrative Code, confirms the appointments of the above-named individuals to membership on the Broome County Criminal Justice Advisory Board for the terms indicated, in accordance with their appointment by the County Executive. Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 113

By Transportation and Rural Development and Finance Committees Seconded by Ms. Messina

RESOLUTION AUTHORIZING A MASS TRANSPORTATION CAPITAL PROJECT MASTER AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SEVERAL PROJECTS FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION

WHEREAS, the Commissioner of Public Transportation requests authorization to enter into a Mass Transportation Capital Project Master Agreement with the New York State Department of Transportation for several projects for the Department of Public Transportation as listed on Exhibit "A", and

WHEREAS, these projects are eligible for funding under Title 23, United States Code, as amended, that calls for the apportionment of the costs thereof to be borne at the ratio of 80% federal funds and 20% non-federal funds, and

WHEREAS, State mass Transportation Capital Aid is available to fund the non-federal aid-eligible portion of projects approved by the Commissioner of Transportation, provided such state funds shall not be used in substitution for the non-federal share of the federally funded portion thereof, and

WHEREAS, this County Legislature desires to advance said projects, now, therefore, be it

RESOLVED, that the County Executive of the County of Broome be and is hereby authorized to execute all necessary agreements, certifications, or reimbursement request for Federal Aid and/or State Mass Transit Capital Aid on behalf of Broome County with the New York State Department of Transportation in connection with the advancement or approval of the Projects and providing for the administration of the Projects and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it

FURTHER RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 114

By County Administration, and Transportation and Rural Development Committees
Seconded by Mr. Whalen

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE CORNELL COOPERATIVE EXTENSION ASSOCIATION

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Section 2405, of the Broome County Charter and Administrative Code, has duly designated and appointed the following named individuals to membership on the Cornell Cooperative Extension Association, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Stephen D. Herz 787 NY Route 79 Windsor, NY 13865	12/31/2010

Ronald J. Keibel P.O. Box 395 169 Keibel Road Whitney Point, NY 13862 and	12/31/2010
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WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Section 2405 of the Broome County Charter and Administrative Code, confirms the appointments of the above-

named individuals to membership on the Cornell Cooperative Extension for the terms indicated, in accordance with their appointment by the County Executive.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 115

By County Administration and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CITY OF BINGHAMTON FOR THE TRANSFER OF PROPERTIES ACQUIRED BY THE FORECLOSURE OF LIENS FORMERLY HELD BY THE MUNICIPAL BOND BANK AGENCY

WHEREAS, the Municipal Bond Bank Agency (MBBA) previously had acquired property tax liens held by the City of Binghamton, and

WHEREAS, MBBA released its ownership of these liens which permitted the City of Binghamton and County of Broome to acquire certain of these properties through foreclosure, and

WHEREAS, it is necessary to authorize the cancellation of certain real property taxes, penalties and interest on properties currently owned by the City of Binghamton, and

WHEREAS, it is necessary to authorize the transfer of two City owned parcels to the County of Broome, and

WHEREAS, the County will transfer to the City the properties listed in Exhibits C and D for the City to demolish the structures on these properties, and

WHEREAS, the County will transfer to the City the properties listed on Exhibit E for the prices set forth in said Exhibit E, now therefore, be it

RESOLVED, that this County Legislature authorizes the cancellation of penalties and interest on the City owned parcels listed in Exhibit A attached hereto, and be it

FURTHER RESOLVED, that this County Legislature authorizes the cancellation of real property taxes, penalties and interest on the City owned properties set forth in Exhibit B, and be it

FURTHER RESOLVED, that this County Legislature authorizes the acquisition by the County of the City owned properties at 53 Lake Avenue and 25 Pine Street, and be it

FURTHER RESOLVED, that this County Legislature authorizes the transfer of County owned properties set forth in Exhibit C and D to the City of Binghamton for the purpose of demolition of the structures at the City expense, and be it

FURTHER RESOLVED, that this County Legislature authorizes the transfer of County owned properties set forth in Exhibit E to the City of Binghamton for the amounts set forth in that Exhibit, and be it

FURTHER RESOLVED, that the Director of Real Property and the Commissioner of Finance are hereby authorized to execute any and all adjustments to the bills, tax records, and property records that may be necessary to implement the intent of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative are hereby authorized to execute any documents or papers approved as to form by the Department of Law as may be necessary to implement the purpose and intent of this Resolution.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 116

By Economic Development and Planning and Transportation and Rural Development Committees

Seconded by Mr. Whalen

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

WHEREAS, Daniel D. Reynolds, Chair of the Broome County Legislature, pursuant to the authority vested in him by Resolution 272 of 1991, hereby appoints, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Environmental Management Council for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Ronald J. Keibel	December 31, 2010

P.O. Box 395 Reappointment
Whitney Point, New York 13862

Barry Klipsch December 31, 2010
1620 Butternut Drive New Appointment
Vestal, New York 13850
and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 272 of
1991, confirms the appointments of the above-named individuals to membership on the Broome
County Environmental Management Council for the terms indicated, in accordance with their
appointment by the Legislative Chair.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

RESOLUTION NO. 117

By Personnel, County Administration, and Finance Committees Seconded by Mr. Whalen
**RESOLUTION CONFIRMING THE APPOINTMENT OF PATRICK J. BRENNAN AS DEPUTY
COUNTY EXECUTIVE-PHYSICAL SERVICES**

WHEREAS, the County Executive, pursuant to the authority vested in her by Article III,
Section C304 of the Broome County Charter and Administrative Code has duly designated and
appointed, pending confirmation by this County Legislature, Patrick J. Brennan as Deputy
County Executive-Physical Services, at the annual base salary of \$86,580, Grade K Admin II,
effective March 1, 2009 and

WHEREAS, Patrick J. Brennan is fully qualified to fill the position of Deputy County
Executive-Physical Services, and

WHEREAS, it is desired at this time, in accordance with the provisions of Article III,
Section C304 of the Broome County Charter and Administrative Code, to confirm the
appointment, now, therefore, be it

RESOLVED, that this County Legislature does hereby confirm Patrick J. Brennan, 17
Rotary Avenue, Binghamton, New York, 13905 as Deputy County Executive-Physical Services,
at the annual salary of \$86,580, Grade K Admin II, effective March 1, 2009, in accordance with
his appointment by the County Executive,

FURTHER RESOLVED, that in accordance with a request contained in PCR# 09-62 from
the County Executive, this County Legislature hereby authorizes the position of Deputy County
Executive-Physical Services, Grade K, Union Code 02 Admin II, minimum salary of the current
Deputy County Executive position of \$86,580, at budget line 230037.1000.101000, to be created
effective March 1, 2009,

FURTHER RESOLVED, that in accordance with a request from the County Executive in
order to pay the Deputy County Executive-Physical Services, as requested by BF# 7833 and 7834,
this County Legislature hereby authorizes the Commissioner of Finance to make the following
transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	230060	4614	206000	Other Chargeback Exp.	34,289
	030015	1000	101000	Salaries-Full-Time	58,892
	030015	8010	101000	Retirement	6,184
	030015	8030	101000	Social Security	4,505
	030015	8050	101000	Life Insurance	24
	030015	8060	101000	Health Insurance	12,669
TO:	230037	1000	101000	Salaries-Full-Time	86,580
	230037	8010	101000	Retirement	9,091
	230037	8030	101000	Social Security	6,623
	230037	8050	101000	Life Insurance	24
	230037	8060	101000	Health Insurance	14,245

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

RESOLUTION NO. 118

By Personnel, County Administration, and Finance Committees Seconded by Mr. Whalen
RESOLUTION CONFIRMING THE APPOINTMENT OF DARCY M. FAUCI AS DEPUTY COUNTY EXECUTIVE

WHEREAS, the County Executive, pursuant to the authority vested in her by Article III, Section C304 of the Broome County Charter and Administrative Code has duly designated and appointed, pending confirmation by this County Legislature, Darcy M. Fauci as Deputy County Executive, at the annual base salary of \$86,580, Grade K Admin II, effective March 1, 2009 and

WHEREAS, Darcy M. Fauci is fully qualified to fill the position of Deputy County Executive, and

WHEREAS, it is desired at this time, in accordance with the provisions of Article III, Section C304 of the Broome County Charter and Administrative Code, to confirm the appointment, now, therefore, be it

RESOLVED, that this County Legislature does hereby confirm Darcy M. Fauci, 2317 Country Club Road, Endwell, New York 13760 as Deputy County Executive, at the annual salary of \$86,580, Grade K Admin II, effective March 1, 2009, in accordance with her appointment by the County Executive.

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

RESOLUTION NO. 119

By County Administration, Human Services and Finance Committees Seconded by Mr. Whalen
RESOLUTION CALLING ON THE STATE LEGISLATURE TO OPPOSE PROPOSED EXECUTIVE BUDGET RECOMMENDATIONS THAT WOULD RESULT IN A COST-SHIFT OF MILLIONS OF DOLLARS TO COUNTIES FOR MANDATED DEPARTMENT OF SOCIAL SERVICES PROGRAMS

WHEREAS, the New York State Executive Budget includes two recommendations in the Department of Social Services budget that could result in millions of dollars in cost shifts to counties including the transfer of the Local Administrative Fund (LAF) to the Flexible Fund for Family Services (FFFS) and the retroactive start date of the elimination of NYS Office of Child & Family Services (OCFS) funding for Community Optional Preventive Services (COPS) to October 1, 2008; and

WHEREAS, the LAF is the State's reimbursement of the State's share of the costs of administering mandated public assistance programs by counties; and

WHEREAS, these programs include the two cash assistance programs – Temporary Assistance for Needy Families (TANF), & Safety Net, as well as the Food Stamp program, and Emergency Assistance for housing, fuel and other needs; and

WHEREAS, the State plans to convert this funding to 100% Federal TANF funds and then make these funds available to counties through a dollar for dollar swap in counties' FFFS fund; and

WHEREAS, Federal and State rules will prevent counties from using these Federal TANF dollars to pay for any of the mandated costs of the Safety Net program or the Food Stamp program; and

WHEREAS, Broome County's initial estimate of the price of this cost-shift is \$1.3 million causing a budget gap for mandated programs; and

WHEREAS, as part of its 2008-2009 contingency budget recommendation, NYS OCFS is eliminating COPS funding retroactive to October 1, 2008, shifting the cost of this program from 36% county cost to 100% county cost in the fourth quarter of 2008; and

WHEREAS, these two cost-shifting proposals could result in a 3% property tax increase in Broome County in 2009; and

WHEREAS, the Executive Budget through OCFS also includes a 53% increase in the Child Welfare Threshold within FFFS without adding additional dollars to the FFFS fund; and

WHEREAS, this mandated use of the fund will require counties to spend more FFFS funding on child welfare programs without adding any additional funding to FFFS; and

WHEREAS, this will force counties to lay off DSS staff or raise local taxes, and

WHEREAS, Governor Paterson has also submitted a proposal to create a "Youth Development Block Grant" which would consolidate Youth Development and Delinquency Prevention (YDDP), Special Delinquency Prevention Program (SSPP), Runaway and Homeless Youth Act (RHYA), Alternatives to Detention, Alternatives to Residential Placement and Secure and Non Secure Detention Service funds and;

WHEREAS the proposed cost saving measures and enhanced local control, combining mandated, non-secure and secure detention services with prevention funding would pit comprehensive community based programs against the more costly use of detention programs; and

WHEREAS, this proposal would decreased state funding to Broome County by an estimated \$300,000; and

WHEREAS, this Broome County Legislature believes that providing services and programs for youth is an investment, not only in delinquency prevention but also in the development of our young people in all ways thus enriching our society and nation; now, therefore, be it

RESOLVED, that this Broome County Legislature calls on our State legislators to vote against any cost-shifts to counties for mandated DSS services that do not include any increase in funding to the overall FFFS fund and assure that the rules associated with the LAF to FFFS swap for mandated DSS programs do not result in a cost-shift to counties; and be it

FURTHER RESOLVED, that this Broome County Legislature urges the State to move the effective start date of the elimination of COPS funding to no sooner than January 31, 2009; and be it

FURTHER RESOLVED, that this County Legislature urges the Governor and Legislature to maintain the current funding stream and eliminate the concept of block grant funding and uphold Executive Law 420 Article 19a in order to maintain the current youth bureau system which is in the best interest of the 56,000 youth served by youth development and prevention services in Broome County; and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature shall forward copies of this resolution to Governor Paterson, New York State Senate Majority Leader Malcolm Smith, New York State Assembly Speaker Sheldon Silver, New York State Senator Thomas Libous, New York State Assemblywomen Donna Lupardo, New York State Assemblyman Clifford Crouch, New York State Assemblyman Gary Finch, and all others deemed necessary and proper.

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

RESOLUTION NO. 120

By Public Works and Finance Committees

Seconded by Mr. Hutchings

RESOLUTION APPROVING ECONOMIC RECOVERY PROJECTS AND AUTHORIZING IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE OF FEDERAL FUNDS AND APPORTIONING THE COST THEREOF

WHEREAS, the Vestal Road (CR 44) Paving project and the Vestal-Endicott Bridge (BIN 3349850) Painting project located in the County of Broome, State of New York (hereinafter the "Projects") are eligible for funding as Economic Recovery Projects under Title 23 U.S. Code, as amended, with apportionment of the costs of the Projects with federal funds paying 100% of the cost of construction and Broome County paying 100% of the cost of non-construction costs such as design, bidding and construction inspection with non-federal funds, and

WHEREAS, the anticipated cost of construction of the Vestal Road Paving Project is \$350,000.00 and the cost of design, bidding, construction inspection and all other non-construction costs is anticipated to be \$60,000.00 and the anticipated cost of construction of the Vestal-Endicott Bridge Painting Project is \$1,800,000 and the anticipated cost of design, bidding,

construction inspection and all other non-construction costs is anticipated to be \$190,000.00, and

WHEREAS, pursuant to Title 23 U.S. Code, as amended, 100% of the cost of construction of the projects will be paid by Federal funds and 100% of the cost of non-construction expenses such as design, bidding, construction inspection and all other non-construction costs must be paid from non-federal funds, and

WHEREAS, this County Legislature desires to approve the Projects as Economic Recovery Projects and authorize the apportionment of the costs of the projects between Federal funds and non-federal fund and appropriate funds therefore, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the Vestal Road (CR 44) Paving project and the Vestal-Endicott Bridge (BIN 3349850) Painting project as Economic Recovery Projects, and, be it

FURTHER RESOLVED, that this County Legislature hereby agrees to advance the Projects through the County's resources and authorizes the payment in the first instance of the full federal costs and full non-federal costs of any and all phases or portions thereof and hereby appropriates the funds necessary to complete the Projects including all phases or portions thereof as follows: Vestal Road Paving Project - \$350,000.00 federal funds and \$60,000.00 non-federal funds, total \$410,000.00, with both the federal funds and non federal funds of this project paid, in the first instance, from the 2009 Capital Improvement Program, C.I.P. 035030.2013.501584 ('09 Highway Reconstruction/Rehabilitation); and the Vestal-Endicott Bridge Painting Project - \$1,800,000.00 federal funds and \$190,000.00 non federal funds, total \$1,990,000.00, with the federal funds portion of this project paid in the first instance from the 2009 Capital Improvement Program C.I.P. 035030.2013.501584 ('09 Highway Reconstruction/Rehabilitation); and the non federal funds portion of the project paid in the first instance from the 2008 Capital Improvement Program C.I.P. 035030.2017.501531 ('08 Unanticipated Bridge Repairs), and, be it

FURTHER RESOLVED, that this County Legislature makes a 100% commitment of the non-federal share of the costs of all phases of work for the Projects thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (hereinafter "NYSDOT") pursuant to the State/Local Agreement, and it is

FURTHER RESOLVED, that upon completion of construction of the Projects, or a fully usable portion thereof, the County of Broome agrees to maintain the Projects, or fully usable portion thereof, at its sole cost and expense, and it is

FURTHER RESOLVED, that in the event the full federal and nonfederal share of the Projects exceeds the amount appropriated above, this County Legislature shall convene as soon as possible to appropriate said excess amount immediately, and, it is

FURTHER RESOLVED, that the Broome County Executive or her designee is hereby authorized to execute all necessary Agreements or certifications on behalf of the County of Broome (subject to the Broome County Attorney's approval as to form and content), with the NYSDOT in connection with the advancement or approval of the Projects identified in the State/Local Agreement; and providing for the administration of the Projects and the municipality's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it

FURTHER RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Projects, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.
Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo).

Mr. Garnar made a motion to adjourn, seconded by Mr. Whalen. **Motion to adjourn Carried**, Carried. Ayes-18, Nays-0, Absent-1 (Sanfilippo). The meeting was adjourned at 6:15 p.m.

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