
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
JUNE 21, 2007**

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

The Chair, Mr. Whalen, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by an invocation by Ms. Buchta.

Mr. Gamar made a motion, seconded by Mr. Howard, that the minutes of the meetings held between May 17, 2007 through June 20, 2007 be approved as prepared and presented by the Clerk. **Carried.**

ANNOUNCEMENTS FROM THE CHAIR

None

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

None

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. PETITIONS: None

B. COMMUNICATIONS:

1. Town of Vestal-Resolution Expressing Support for the Underpass or Overpass to Provide Access to the Broome County Landfill Section IV
2. Town of Conklin-Resolution to Express Support for an Underpass or Overpass to Provide Access to the Broome County Landfill Section IV
3. Town of Kirkwood-Resolution Expressing Support for an Underpass or Overpass to Provide Access to the Broome County Landfill Section IV
4. County Attorney-State Ethics Regulations
5. Elmira-Chemung Transportation Council-Resolution Urging the Completion of Interstate 86 and Interstate 99
6. Town of Kirkwood-Resolution Supporting Designation of the Upper Susquehanna River and Tributaries as a National Heritage River
7. Senator Libous-Progress of Sales Tax Extension Bill
8. State of NY Department of Agriculture and Markets-Inclusion of Agricultural District No. 4 Parcels
9. State of NY Department of Agriculture and Markets-Inclusion of Agricultural District No. 5 Parcels
10. County Attorney-Maintenance and Repair of Bridges and Highways
11. Industrial Development Agency Meeting Minutes-2/9/07
12. Industrial Development Agency Meeting Minutes-3/9/07
13. Industrial Development Agency Meeting Minutes 4/13/07
14. EMC-Natural Resources Committee Meeting Minutes 3/15/07
15. Environmental Management Council Meeting Minutes 5/3/07
16. Broome County Soil & Water Conservation District Meeting Minutes 5/15/07
17. Broome County Association of Towns & Villages Meeting Minutes 4/07
18. Broome County Association of Municipal Clerks Meeting Minutes 4/19/07
19. EMC Natural Resources Committee Meeting Minutes 5/17/07

C. NOTICES:

1. Special Personnel Committee Meeting 5/17/07
2. Special Session 5/17/07
3. Special Finance & Personnel Committee Meeting 5/22/07
4. Special Sessions 5/22/07
5. Completion of Draft SEIS and Notice of SEQR Public Hearing 6/20/07
Chenango Town Hall 7:00 pm

D. REPORTS:

1. Shumaker Consulting Engineering & Land Surveying PC-Draft Supplemental Environmental Impact Statement for Broome County Landfill Section IV Entrance Evaluation
2. BCC-Above Minimum Hire Report 4/07
3. BCC-Quarterly Income Statement 5/31/07
4. BCC-Above Minimum Hire Report 5/07
5. BCC-Budget Transfers 4/07
6. Personnel-Monthly Attrition 4/07
7. Broome County 2007-2008 Recommended Broome Community College Budget
8. Office of the County Clerk-2006 Annual Report
9. Department of Parks and Recreation 2006 Annual Report
10. Office of the Sheriff-2006 Annual Report

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Mark R. Whalen
1. Designations for Week of 6/11/07

Mr. Kuzel made a motion, seconded by Mr. Howard, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2007 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.
Carried.

Mr. Kuzel and Ms. Buchta were designated as participants with Chairman Whalen in the 'Short Roll Call'. Resolutions were acted upon out of order, but for the purpose of clarity, they are presented here in numerical order.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 267

(Held over by Mr. Shafer)

Introduced by: Economic Development and Planning and Finance Committees and
Seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH GREATER BINGHAMTON COALITION, INC. FOR ECONOMIC DEVELOPMENT SERVICES FOR 2007-2008

WHEREAS, the Commissioner of Planning requests authorization for an agreement with Greater Binghamton Coalition, Inc. for economic development services at a cost not to exceed \$100,000, for the period June 1, 2007 through June 1, 2008, and

WHEREAS, said services are as recommended in the B.C. Plan, including maintenance and updating of the Economic Development website, partnering with other area economic development agencies to advertise and promote the Greater Binghamton area and to oversee the operations of the Greater Binghamton Development Center, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Greater Binghamton Coalition, Inc., for economic development services for the period June 1, 2007 through June 1, 2008, and be it

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

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

Motion by Mr. Howard, seconded by Mr. Kuzel, to table the Resolution.

Motion defeated. Ayes-8, Nays-8(Keibel, Hutchings, LaBare, Cleary, Garnar, Reynolds, Herz), Abstain-2 (Schofield, Whalen), Absent-1(Hull)

Resolution carried. Ayes-10, Nays-6 (Shafer, Black, Howard, Kuzel, Marinich, Buchta), Abstain-2(Schofield, Whalen), Absent-1(Hull)

RESOLUTION NO. 294

(Held over by Mr. Reynolds)

Introduced by: Finance and Personnel Committee

Seconded by: Mr. Reynolds

RESOLUTION ESTABLISHING NEW HEALTH CARE BENEFITS FOR PARTICIPANTS IN BROOME COUNTY'S SELF INSURANCE INDEMNITY PLAN

WHEREAS Broome County currently offers three separate self insured health insurance plans to employees, covered family members and eligible retirees including HMO-Red, HMO-Blue and one indemnity plan—RMSCO-Traditional;

WHEREAS the overall cost for the County, its employees, covered persons and eligible retirees of this self insurance is escalating at a high annual rate; the cost for health insurance expenses in 2004 was \$25,608,627; the cost for 2005 was \$28,355,867, and the cost for 2006 was \$31,336,731; and

WHEREAS the Risk Manager believes that the County should adopt a wellness program in the traditional indemnity plan to better serve participants and control long term claim costs;

WHEREAS, the Risk Manager requests authorization to include diagnostic health screening tests in the County's traditional indemnity plan, now therefore it is hereby

RESOLVED, that the following diagnostic test benefits shall be added to the available benefits under the County's indemnity health benefit plan:

1. Annual PSA test,
2. Periodic Colonoscopy as available under Medicare regulations,
3. Bi-annual Obstetrical-gynecological tests,
- 4 Annual Pap smear; and
5. Other preventative tests suggested by the County's health care consultant as part of a wellness program, and be it

FURTHER RESOLVED, that the approximate immediate claim costs of the additional diagnostic tests shall be offset by modifying benefits under the County's indemnity health benefit plan based upon recommendations of the County's health care consultant, and be it

FURTHER RESOLVED, that said plan changes shall be effective January 1, 2008 and shall apply to all covered persons under the County's indemnity health benefit plan, and be it

FURTHER RESOLVED, that this resolution shall not apply to any Broome County employees who are represented by a recognized labor union, unless the Administration and respective recognized labor union shall arrive at an agreement regarding these benefit changes, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 05005.4528-252000 medical care and 05005.4529-252000 hospital care, 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.

Motion by Mr. Reynolds, seconded by Mr. LaBare, to amend the resolution by replacing 1-5 in the "Resolved paragraph" with the following:"

1. Routine annual gynecological exams
2. Cancer screening services for colon and rectal cancer (such as colonoscopy), cervical cancer (Pap test), and prostate cancer (PSA test); the cancer screening procedures will be covered consistent with the participant age ranges and frequencies as recommended by the American Cancer Society, and
3. Other preventative tests suggested by the County's Health care consultant as part of a wellness program, and be it"

Motion carried.

Motion by Mr. Reynolds, seconded by Mr. Cleary, to amend the resolution by replacing the entire first "Further Resolved" paragraph with the following, "The Administration is authorized to reduce the overall costs of the plan through collective bargaining, subject to further approval by this Legislature."

Motion carried. Ayes-17, Nays-1(Schofield), Absent-1(Hull)

Resolution as amended carried.

RESOLUTION NO. 295

(Held over by Mr. Reynolds)

Introduced by: Finance and Personnel Committees

Seconded by: Mr. Reynolds

RESOLUTION ESTABLISHING A NEW HEALTH CARE PLAN FOR PARTICIPANTS IN BROOME COUNTY'S SELF INSURANCE PLAN

WHEREAS Broome County currently offers three separate self insured health insurance plans to employees, covered family members and eligible retirees including HMO-Red, HMO-Blue and one indemnity plan—RMSCO-Traditional;

WHEREAS most employees pay a premium for health insurance coverage calculated at approximately 15% of the costs of these health insurance plans; eligible retirees pay a premium for health insurance coverage calculated at approximately 10% or 15% of the costs of these health insurance plans;

WHEREAS the overall cost for the County, its employees, covered persons and eligible retirees of this self insurance is escalating at a high annual rate; the cost for health insurance expenses in 2004 was \$25,608,627; the cost for 2005 was \$28,355,867, and the cost for 2006 was \$31,336,731, and

WHEREAS the Risk Manager believes that the County should adopt an additional health insurance plan with reduced benefits that is required for all new administrative employees and available for existing administrative employees and union employees after necessary bargaining, if any, with authorized representatives;

WHEREAS, the Risk Manager requests authorization for creation and implementation of a new self insurance indemnity plan, now therefore it is hereby

RESOLVED, that this County Legislature hereby authorizes the creation and implementation of a new self insurance indemnity plan for employees, covered persons and eligible retirees, and be it

FURTHER RESOLVED, that initial estimated claim costs and initial actual premiums of the new plan shall be approximately 18% less than the existing County indemnity plan based on 2007 premium equivalent rates, and be it

FURTHER RESOLVED that the subsequent actual premiums for said new plan shall continue to be approximately 18% less than the existing County indemnity plan until the new plan has a statistically relevant participant base, and be it

FURTHER RESOLVED, that said new plan shall be the only health insurance plan that is available to new administrative employees, and shall be optional for all other employees, and be it

FURTHER RESOLVED, that once an individual selects the indemnity health insurance plan authorized by this Resolution, then the individual may not select another plan, and be it

FURTHER RESOLVED, that there shall be a 60 day waiting period in the plan for new employees before benefits are granted; there shall be no waiting period for employees who switch to this plan from a different County self insured plan; and be it

FURTHER RESOLVED, that this resolution shall not apply to any Broome County employees who are represented by a recognized labor union, unless the Administration and respective recognized labor union shall arrive at an agreement regarding delivery of this benefit to union members, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 050005.4528.252000 (medical), 050005.4529.252000 (hospital) and 050005.4549.252000 (service to participant), 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.

Motion by Mr. Marinich, seconded by Mr. Howard, to amend the resolution by removing the entire third "Further Resolved" paragraph.

Motion defeated. Ayes-4, Nays-14(Materese, Sanfilippo, Shafer, Hutchings, LaBare, Black, Cleary, Garnar, Kuzel, Reynolds, Herz, Buchta, Mather, Whalen), Absent-1(Hull)

Motion by Mr. Howard, seconded by Mr. Marinich, to amend the resolution by removing the entire fourth "Further Resolved" paragraph.

Motion defeated. Ayes-3, Nays-15(Materese, Sanfilippo, Schofield, Shafer, Hutchings, LaBare, Black, Cleary, Garnar, Kuzel, Reynolds, Herz, Buchta, Mather, Whalen), Absent-1(Hull)

Resolution carried.

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 306

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH ACTION FOR OLDER PERSONS INC. FOR SERVICES RELATED TO THE POINT OF ENTRY PROGRAM GRANT FOR THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY FOR 2007

WHEREAS, the Director of the Community Alternative Systems Agency requests authorization for an agreement with Action for Older Persons, Inc. for services related to the Point of Entry Program Grant for the Community Alternative Systems Agency at a cost not to exceed \$14,963, for the period June 1, 2007 through September 30, 2007, and

WHEREAS, said agreement is necessary for scripting and filming a NY Connects/BC CASA promotional spot to air on television and to coordinate related radio/television airtime and coordinate a half-day fall 2007 Professional Education Conference, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901, for services related to the Point of Entry Program Grant for the Community Alternative Systems Agency for the period June 1, 2007 through September 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,963 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 680066.4545.105240 (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.

RESOLUTION NO. 307

Introduced by: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE HIV/AIDS SEROPREVALENCE STUDY PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 336 of 2006, authorized and approved the HIV/AIDS Seroprevalence Study Program Grant for the Department of Health and adopted a program budget in the amount of \$22,500 for the period July 1, 2006 through June 30, 2007, and

WHEREAS, said program grant allows the Broome County Department of Health STD Clinic participate in a blinded HIV Seroprevalence study which will expand the knowledge of the nature and scope of the epidemic in the Broome County Correctional Facility and in the STD Clinic, and

WHEREAS, it is desired to renew said program grant in the amount of \$22,500 for the period July 1, 2007 through June 30, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$22,500 from the New York State Department of Health, Bureau of HIV/AIDS Epidemiology, Room 729, Corning Tower, Empire State Plaza, Albany, New York 12237, for the Department of Health's HIV/AIDS Seroprevalence Study Program Grant for the period July 1, 2007 through June 30, 2008, 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 \$22,500, and be it

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

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

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

Carried.

RESOLUTION NO. 308

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE SOUTHERN TIER AIDS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 297 of 2006, authorized and approved the Southern Tier Aids Program Grant for the Department of Health and adopted a program budget in the amount of \$19,500 for the period July 1, 2006 through June 30, 2007, and

WHEREAS, said program grant provides free, anonymous HIV/AIDS counseling and testing for people in Broome County who would be considered at risk, and

WHEREAS, it is desired to renew said program grant in the amount of \$19,500 for the period

July 1, 2007 through June 30, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,500 from the Southern Tier AIDS Program, 122 Baldwin Street, Johnson City, New York 13790 for the Department of Health's Southern Tier AIDS Program Grant for the period July 1, 2007 through June 30, 2008, 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 \$19,500, and be it

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

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

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

Carried.

RESOLUTION NO. 309

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH EVERCARE FOR NURSE PRACTITIONER SERVICES FOR WILLOW POINT NURSING HOME RESIDENTS FOR 2007-2008

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with Evercare for nurse practitioner services for Willow Point Nursing Home residents at no cost to the County, for the period July 1, 2007 through June 30, 2008, and

WHEREAS, said agreement is necessary to reduce hospitalization of Willow Point Nursing Home residents by providing in-house medical care services and reduce lost revenue when residents are hospitalized, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Evercare, 100 Corporate Woods, Suite 350, Rochester, New York 14623 for nurse practitioner services for Willow Point Nursing Home residents, at no cost to the County, for the period July 1, 2007 through June 30, 2008, 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.

RESOLUTION NO. 310

Introduced by: Health and Human Services and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE RESEARCH FOUNDATION AT BINGHAMTON UNIVERSITY FOR GRADUATE STUDENT TRAINING WITH THE DEPARTMENT OF MENTAL HEALTH FOR 2007

WHEREAS, this County Legislature, by Resolution 487 of 2006, authorized an agreement with The Research Foundation at Binghamton University for graduate training with the Department of Mental Health at an amount of \$33,250 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said agreement is sponsored by Broome County to provide graduate psychology students with clinical training in the Broome County community while they provide services for the Mental Health Clinic, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$19,950 to cover the cost of one additional summer intern and two additional fall interns, and

WHEREAS, the Commissioner of Mental Health 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 Research Foundation, State University of New York, Office of Research and Sponsored Programs, PO Box 6000, Binghamton, New York 13902, to increase the not to exceed amount by \$19,950 to cover the cost of one additional summer intern and two additional fall interns or graduate student training with the Department of Mental Health for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$53,200 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 Resolution 487 of 2006, 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.

RESOLUTION NO. 311

Introduced by: Health and Human Services, Personnel and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING REVISION OF THE CHILD AND FAMILY CLINIC PLUS PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 485 of 2006, authorized and approved renewal of the Child and Family Clinic Plus Program Grant for the Department of Mental Health and adopted a program budget in the total amount of \$432,907 for the period October 1, 2006 through December 31, 2007, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$130,335, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Child and Family Clinic Plus Program Grant to reflect an increase in the amount of \$130,335 for the period October 1, 2006 through December 31, 2007, 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 \$563,242, and be it

FURTHER RESOLVED, that Resolution 485 of 2006, 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.

RESOLUTION NO. 312

Introduced by: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE CHILD PROTECTIVE STAFF RATIO IMPROVEMENT PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 442 of 2006, authorized and approved the Child Protective Staff Ratio Improvement Program Grant for the Department of Social Services and adopted a program budget in the amount of \$75,078 for the period October 1, 2006 through March 31, 2007, and

WHEREAS, said program grant provides funding for a temporary caseworker trainee and overtime for existing staff to complete child protective investigations and meet state regulations, and

WHEREAS, it is desired to renew said program grant in the amount of \$69,099 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$69,099 from the New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144 for the Department of Social Services' Child Protective Staff Ratio Improvement Program Grant for the period April 1, 2007 through March 31, 2008, 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 \$69,099, 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.

RESOLUTION NO. 313

Introduced by: Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS FROM THE BROOME COMMUNITY COLLEGE FOUNDATION FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2007

WHEREAS, the Commissioner of Social Services requests authorization to accept funds from the Broome Community College Foundation in the amount of \$99,138 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said funds will be used for various child welfare services that focus on early childhood education, healthy children and effective parenting for infants and toddlers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$99,138 from the Broome Community College Foundation, PO Box 1017, Binghamton, New York 13902 for the Department of Social Services for the period January 1, 2007 through December 31, 2007, 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.

RESOLUTION NO. 314

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION SETTING THE RATE CHARGED TO OTHER NEW YORK STATE COUNTIES OR THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR HOUSING JUVENILES AT HASKINS NON-SECURE DETENTION FACILITY FOR 2007

WHEREAS, this County Legislature, by Resolution 21 of 2001, authorized renewal of agreement with the Children's Home of Wyoming Conference for non-secure detention at Haskins Non-Secure Detention Facility at a cost not to exceed \$617,520 and authorized a rate of \$200 per bed, per day to be charged to other New York State Counties or the New York State Office of Children and Family Service for the period January 1, 2001 through December 31, 2001, and

WHEREAS, this County Legislature, by Resolution 663 of 2006, authorized renewal of the agreement with the Children's Home of Wyoming Conference for non-secure detention at Haskins Non-Secure Detention Facility at an amount not to exceed \$795,502 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said agreement provides non-secure detention at Haskins for court ordered persons in need of supervision, juvenile delinquents and related detention services, and

WHEREAS, it is necessary to increase the amount charged to other New York State Counties or the New York State Office of Children and Family Services to \$275 per bed per day, and

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

RESOLVED, that this County Legislature hereby authorizes the increase to the rate charged to other New York State Counties or the New York State Office of Children and Family Services to \$275 per bed per day for housing juveniles at Haskins Non-Secure Detention Facility for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that Resolution 663 of 2006, 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.

RESOLUTION NO. 315

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH VARIOUS INSTITUTIONAL CHILD CARE PROVIDERS FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 581 of 2006, authorized renewal of agreements with various vendors as approved by the State Office of Children and Family Services for institutional child care for the Department of Social Services at rates not to exceed the Maximum State Aid rates set by New York State, within County budgetary guidelines, total amount not to exceed \$14,056,005 for all child care institutions, for the period July 1, 2006 through June 30, 2007, and

WHEREAS, said agreements are necessary to provide room and board and various services to children who require placement outside their homes, and

WHEREAS, said agreements expire by their terms on June 30, 2007, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at rates not to exceed the Maximum State Aid rates set by New York State, within County budgetary guidelines, total amount not to exceed for an amount not to exceed \$16,251,957 for all child care institutions, for the period July 1, 2007 through June 30, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with various vendors as approved by the State Office of Children and Family Services for institutional child care for the Department of Social Services for the period July 1, 2007 through June 30, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at rates not to exceed the Maximum State Aid rates, total amount not to exceed \$16,251,957 for all child care institutions for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 670117.4573.103000 (EAF), 670117.4579.103000 (Foster Care BD Homes-CW), 670117.4580.103000 (Foster Care BD Homes-ADC), 670125.4573.103000 (EAF) 670125.4583.103000 (JD/PINS Institutions-ADC), and 670125.4584.103000 (JD Care In Institutions), 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.

RESOLUTION NO. 316

Introduced by: Personnel and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION CONFIRMING APPOINTMENT OF KEVIN P. KEOUGH AS DIRECTOR OF REAL PROPERTY TAX SERVICES III

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the authority vested in her by Article XXIV, Section 2409 of the Broome County Charter and Administrative

Code, has duly designated and appointed, pending confirmation by this County Legislature, Kevin P. Keough, 185 Richards Road, Chenango Forks, New York 13746 as Director of Real Property Tax Services III, at the 2004 annual base salary of \$68,804. effective June 1, 2007, and

WHEREAS, Kevin P. Keough is fully qualified to fill the position of Director of Real Property Tax Services III, and

WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV, Section 2409 of the Broome County Charter and Administrative Code, does hereby confirm the appointment of Kevin P. Keough as Director of Real Property Tax Services III, effective June 1, 2007, in accordance with his appointment by the County Executive.

Carried.

RESOLUTION NO. 317

Introduced by: Public Works and Finance Committees

Seconded by Mr. Sanfilippo

RESOLUTION AUTHORIZING A PAID UP OIL AND GAS LEASE WITH ANSBRO PETROLEUM COMPANY, LLC FOR GAS EXPLORATION BENEATH TWO WATERSHEDS LOCATED IN THE TOWN OF LISLE FOR THE PERIOD JULY 1, 2007 THROUGH JUNE 30, 2017

WHEREAS, the Commissioner of Parks and Recreation has requested a paid up Oil and Gas Lease with Ansbro Petroleum Company, LLC, for gas exploration beneath County-owned watershed property located in the Town of Lisle with revenue to the County, for the period July 1, 2007 though June 30, 2017, and

WHEREAS, the Commissioner of Parks and Recreation has determined that granting said oil and gas rights would not interfere with the existing land use, and

WHEREAS, the watersheds in the Town of Lisle which the County owns are part of a larger gas exploration unit, and

WHEREAS, consideration for the Oil and Gas Lease would be an upfront payment of \$2,500.00 plus royalties from Ansbro Petroleum Company, LLC for any gas recovered from said unit in the amount of one-eighth (1/8th) of the income from the sale of the gas recovered from the unit, less the cost to transport, treat and process the gas, to be divided among the landowners in the unit in proportion to their holdings, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an Oil and Gas Lease with Ansbro Petroleum Company, LLC, 555 17th Street, Suite 2505 Denver, CO 80202 (hereafter "Ansbro"), granting to Ansbro the right to all oil and gas and their constituents underlying the lands owned by the County of Broome located in the Town of Lisle identified on the Town of Lisle Tax Map as parcels 032.00-2-13 and 032.00-1-26 provided that the Lessee shall not have the right to drill wells, construct pipelines, construct access roads and/or install any other facilities on the herein described leased premises; it being the intent that this lease is granted for unitization purposes only, and be it

FURTHER RESOLVED, that in consideration of the aforesaid Oil and Gas Lease Ansbro Petroleum Company, LLC would pay the County an upfront payment of \$2,500.00 and thereafter pay one-eighth (1/8th) of the income from the sale of gas recovered from the unit, less the cost to transport, treat and process the gas, to be divided among the landowners in the unit in proportion to their holdings, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be deposited to budget line 541003-0147-101020 (miscellaneous revenue), and be it

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

Carried.

RESOLUTION NO. 318

Introduced by: Economic Development and Planning and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF BINGHAMTON AND THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR CONSULTING SERVICES FOR 2007-2008

WHEREAS, the Commissioner of Planning and Economic Development requests authorization for an intermunicipal agreement with the Town of Binghamton for consulting services by the Department of Economic Development and Planning for a fee of \$4,000, for the period July 1, 2007 through December 31, 2008, and

WHEREAS, said intermunicipal agreement is necessary for the Department of Economic Development and Planning to assist the Town of Binghamton in preparing a comprehensive plan, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement with the Town of Binghamton, for consulting services by the Department of Economic Development and Planning for the period July 1, 2007 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$4,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 440016.0070.101000 (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.

RESOLUTION NO. 319

Introduced by: Economic Development and Planning and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF 2007 TANF SUMMER YOUTH PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET FOR 2007

WHEREAS, the Director of Employment and Training requests authorization to accept a 2007 TANF Summer Youth Program Grant and adopt a program budget in the amount of \$448,263 for the period May 1, 2007 through September 30, 2007, and

WHEREAS, said program grant provides funding for full wage subsidy paid summer employment to youth participants from TANF-eligible families in Broome and Tioga Counties, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$448,263 from the State of New York Office of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243-0001 for the Office of Employment and Training 2007 TANF Summer Youth Program Grant for the period May 1, 2007 through September 30, 2007, 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 \$448,263, 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.

RESOLUTION NO. 320

Introduced by: Public Safety and Emergency Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH PAMELA AINI FOR CIVIL FORFEITURE PROCESS SERVICES FOR THE OFFICE OF THE DISTRICT ATTORNEY FOR PERIOD ENDING JUNE 2009

WHEREAS, the Broome County District Attorney requests authorization for an agreement with Pamela Aini for Civil Forfeiture Process services for the office of the District Attorney at a cost not to exceed 10% of the total dollars distributed from each forfeiture case, for the period ending June 2009, and

WHEREAS, because of the demands upon the prosecutors, investigators and paralegal to perform tasks related to criminal investigations and prosecutions, and because of the relatively low amount of property that cannot be forfeited pursuant to federal law, the District Attorney's office has not previously been able to divert the labor resources necessary to initiate state forfeiture proceedings, and

WHEREAS, said services are necessary to allow the staff of the District Attorney's office to initiate state forfeiture proceedings in those cases where the staff could not otherwise divert the necessary time from the criminal caseload to initiate forfeiture actions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Pamela Aini, 414 Fairview Avenue, Hornell, NY 14843 for Civil Forfeiture Process services for the period ending June 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed 10% of total forfeiture funds distributed as a result of Ms. Aini's efforts for the term of the agreement, and be it

FURTHER RESOLVED, that if fees during a one-year period reach \$20,000, the Broome County District Attorney has the right to convert compensation to an hourly rate of \$63.00 per hour, and be it

FURTHER RESOLVED, that the agreement will be a two year contract, commencing the date the contract is signed by both parties, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 330001.0518.101000 (Forfeiture of crime proceeds), 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.

RESOLUTION NO. 321

Introduced by: Finance Committee

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON COUNTY OWNED PARCELS IN VARIOUS TOWNS IN BROOME COUNTY

WHEREAS, it is necessary to clear the tax records of these parcels of real property now, therefore, be it

RESOLVED, that taxes will be cancelled on the parcels outlined in "Exhibit A":

Carried.

RESOLUTION NO. 322

Introduced by: Finance Committee

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWN OF KIRKWOOD

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

RESOLVED, that taxes will be cancelled on the following parcels of real property:

Parcel ID:	146.03-1-40
Town/Village:	Town of Kirkwood
Owner:	People of the State of NY
Amount to be Cancelled:	\$175.34 plus penalties and interest
Reason:	Wholly exempt parcel

Parcel ID:	146.03-1-41
Town/Village:	Town of Kirkwood
Owner:	People of the State of NY
Amount to be Cancelled:	\$1,802.78 plus penalties and interest
Reason:	Wholly exempt parcel

Carried.

RESOLUTION NO. 323

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH RETIRED & SENIOR VOLUNTEER PROGRAM (RSVP) FOR SERVICES FOR THE OFFICE FOR AGING'S AoA EMPOWERING OLDER PEOPLE GRANT FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 90 of 2007, as amended by companion resolution, authorized an agreement with Retired & Senior Volunteer Program (RSVP) for services for the Office for Aging's AoA Empowering Older People Grant at an amount not to exceed \$60,185, for the period February 19, 2007 through July 31, 2007, and

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

WHEREAS, said agreement expires by its original terms on July 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$72,222 for the period August 1, 2007 through July 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Retired & Senior Volunteer Program (RSVP), 230 Main Street, Binghamton, New York 13905 for services for the Office for Aging's AoA Empowering Older People Grant for the period August 1, 2007 through July 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$72,222 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4457.105327 (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.

RESOLUTION NO. 324

Introduced by: Health and Human Services and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF AoA EMPOWERING OLDER PEOPLE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 703 of 2006, authorized and approved the AoA Empowering Older People Program Grant for the Office for Aging and adopted a program budget in the amount of \$87,963 for the period September 30, 2006 through July 31, 2007, and

WHEREAS, said program grant will empower older people to take more control of their health through evidence-based prevention programs, and

WHEREAS, it is desired to renew said program grant in the amount of \$87,963 for the period August 1, 2007 through July 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$87,963 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's AoA Empowering Older People Program Grant for the period August 1, 2007 through July 31, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$87,963, 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.

RESOLUTION NO. 325

Introduced by: Health and Human Services and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING REVISION OF THE HEALTH INSURANCE INFORMATION AND COUNSELING ASSISTANCE PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. TO ADMINISTER SAID PROGRAM FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 130 of 2007, authorized the continued participation in the Health Insurance Information and Counseling Assistance Program Grant for the Office for Aging, adopted a program budget in the total amount of \$15,000 and authorized an agreement with Action for Older Persons, Inc. in the amount of \$15,000 for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said program grant provides for recruitment and training of volunteers for health insurance counseling, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$15,000 in grant appropriations and amend the agreement with Action for Older Persons, Inc. to reflect an increase of \$15,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Insurance Information and Counseling Assistance Program Grant to reflect an increase of \$15,000 for the period April 1, 2007 through March 31, 2008, 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 \$30,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 to reflect an increase of \$15,000 for the Office for Aging for the period April 1, 2007 through March 31, 2008, and be it

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

FURTHER RESOLVED, that Resolution 130 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby 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.

RESOLUTION NO. 326

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC. FOR SOCIAL DAY CARE SERVICES FOR THE OFFICE FOR AGING FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 288 of 2006, authorized renewal of the agreement with Ideal Senior Living Center, Inc. for social day care services for the Office for Aging's Long Term Home Health clients with revenue to the County at a rate of \$40 per client per day for the period August 1, 2006 through July 31, 2007, and

WHEREAS, said agreement is necessary to provide social day care to Ideal Living Center Long Term Home Health Care clients, and

WHEREAS, said agreement expires by its terms on July 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to Broome County at the rate of \$40 per client per day for the period August 1, 2007 through July 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Ideal Senior Living Center, 600 High Street, Endicott, New York 13760 for social day care services for the Office for Aging's Long Term Home Health clients for the period August 1, 2007 through July 31, 2008 and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 761254.0538.105280 (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.

RESOLUTION NO. 327

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC. FOR THE OFFICE FOR AGING'S MEALS ON WHEELS AND CONGREGATE MEALS PROGRAM FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 287 of 2006, authorized renewal of the agreement with Ideal Senior Living Center, Inc. for the Office for Aging's Long Term Home Health Care clients with revenue to Broome County at the rate of \$9 per person per day for each home delivered meal and \$3.75 per person per day for each congregate meal for the period August 1, 2006 through July 31, 2007, and

WHEREAS, said agreement expires by its terms on July 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to Broome County at the rate of \$9 per person per day for each home delivered meal and \$3.75 per person per day for each congregate meal for the period August 1, 2007 through July 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Ideal Senior Living Center, 600 High Street, Endicott, New York 13760 for home delivered meals and congregate meals for the Office for Aging's Long Term Home Health Care clients for the period August 1, 2007 through July 31, 2008 and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County at the rate of \$9 per person per day for each home delivered meal and \$3.75 per person per day for each congregate meal for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget lines 761148.0538.105211 (Long Term Home Health Care Fees), and 761130.0142.105210 (Office for Aging 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.

RESOLUTION NO. 328

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE TRANSPORTATION PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 414 of 2006, authorized and approved the Transportation Program Grant for the Office for Aging and adopted a program budget in the amount of \$11,924 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant provides for transportation related expenses, and
WHEREAS, it is desired to renew said program grant in the amount of \$23,848 for the period
April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$23,848 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Transportation Program Grant for the period April 1, 2007 through March 31, 2008, 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 \$23,848, 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.

RESOLUTION NO. 329

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS SOFA PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 284 of 2006, authorized and approved continuation of the Foster Grandparents-SOFA Program Grant for the Office for Aging and adopted a program budget in the amount of \$13,513 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant allows income eligible seniors age 60 and older the opportunity to volunteer in schools, day-care centers, Head Start programs and institutions while providing them with an hourly stipend, travel reimbursement, a daily meal and annual physical examination, and

WHEREAS, it is desired to renew said program grant in the amount of \$13,513 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$13,513 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Foster Grandparents-SOFA Program Grant for the period April 1, 2007 through March 31, 2008, 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 \$13,513, 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.

RESOLUTION NO. 330

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF A GRANT-IN-AID PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 424 of 2005, authorized and approved renewal of the Grant-In-Aid Program Grant for the Office for Aging and adopted a program budget in the amount of \$6,000 for the period April 1, 2005 through March 31, 2006, and

WHEREAS, said grant program provides funding for new or expanded services to senior centers, and

WHEREAS, it is desired to renew said grant program in the amount of \$10,000 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,000 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001 for the Office for Aging's Grant-In-Aid Program Grant for the period April 1, 2007 through March 31, 2008, 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 \$10,000, and be it

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

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

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

Carried.

RESOLUTION NO. 331

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

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

WHEREAS, this County Legislature, by Resolution 90 of 2007, authorized an agreement with Retired & 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 February 19, 2007 through July 31, 2007, 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 an amendment to said agreement to extend the term of the agreement through November 30, 2007, and

WHEREAS, the Director of the 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 (RSVP), 230 Main Street, Binghamton, New York 13905 to extend the term of the agreement through November 30, 2007 for services for the Office for Aging's AoA Empowering Older People Grant, and be it

FURTHER RESOLVED, that in consideration of said services; the County shall pay the Contractor \$60,185 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 76114.4457.105265 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 90 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 332

Introduced by: Health and Human Services, Public Works and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH HF JOHN GROUP, LLC FOR A FINANCIAL FEASIBILITY STUDY AND CERTIFICATE OF NEED APPLICATION FOR THE WILLOW POINT NURSING HOME FOR 2006-2008

WHEREAS, this County Legislature, by Resolution 589 of 2006, authorized an agreement with HF John Group, LLC for preparation of a Financial Feasibility Study, completion and submission of a Certificate of Need application for a replacement facility for the Willow Point Nursing Home at a cost not to exceed \$35,000 plus expenses for travel and meetings related to the project billed at the firm's prevailing hourly rate schedule for the period for period December 1, 2006 through November 30, 2007, and

WHEREAS, it is necessary to authorize amendments to said agreement to add "plus Certificate of Need post submission follow up work related to the project to be paid at the attached hourly prevailing wage rates" and extend the term of the agreement through December 31, 2008, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with HF John Group, LLC, PO Box 13505, Albany, New York 12212 to amend the not to exceed amount and extend the term through December 31, 2008 for the Willow Point Nursing Home, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$35,000 plus Certificate of Need fees for post submission follow up work related to the project billed at the firm's hourly prevailing rate schedule for the period December 1, 2006 through December 31, 2008, and be it

FURTHER RESOLVED, that Resolution 589 of 2006, 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.

RESOLUTION NO. 333

Introduced by: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY FAMILIES NEW YORK HOME VISITING PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH LOURDES HEALTH CARE SYSTEM YOUTH SERVICES TO ADMINISTER SAID PROGRAM FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 294 of 2006, as amended by Resolution 587 of 2006, authorized and approved renewal of the Healthy Families New York Home Visiting Program Grant for the Department of Health, adopted a program budget in the amount of \$549,000 and authorized an agreement with Lourdes Health Care System Youth Services to administer said program for the period July 1, 2006 through June 30, 2007, and

WHEREAS, said program grant is designed to prevent child abuse and neglect and promote positive outcomes for young children and their families through home visiting services, and

WHEREAS, it is desired to renew said program grant in the amount of \$549,000, adopt a program budget and renew the agreement with Lourdes Health Care System Youth Services to continue to administer said program for the period July 1, 2007 through June 30, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$549,000 from the New York State Office of Children & Family Services, Development and Prevention Services, 52 Washington Street, 3N, Rensselaer, New York 12144-2796, for the Department of Health's Healthy Families New York Home Visiting Program Grant for the period July 1, 2007 through June 30, 2008, 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 \$549,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Lourdes Health Care System Youth Services, 219 Front Street, Binghamton, New York 13905, for intensive home visiting services for the Department of Health's Healthy Families New York Home Visiting Program Grant for the period July 1, 2007 through June 30, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$379,145 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105332 (Subcontracted Program Expense), and be it

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

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

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

Carried.

RESOLUTION NO. 334

Introduced by: Health and Human Services and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE RESEARCH FOUNDATION OF SUNY AT BINGHAMTON FOR THE DEPARTMENT OF HEALTH'S WEST NILE VIRUS SURVEILLANCE PROGRAM FOR 2007

WHEREAS, this County Legislature, by Resolution 213 of 2006, authorized renewal of an agreement with the Research Foundation of SUNY at Binghamton for the Department of Health's West Nile Virus Surveillance Program at an amount not to exceed \$9,500, for the period May 17, 2006 through September 30, 2006, and

WHEREAS, said agreement is necessary for bird surveillance, the collection, identification and testing of adult mosquito/larva for the West Nile Virus throughout Broome County, and

WHEREAS, said agreement expired by its terms on September 30, 2006, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$9,500, for the period June 21, 2007 September 30, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Research Foundation of SUNY, Office of Research and Sponsored Programs, Cooper Administration Building-242, P.O. Box 6000, Binghamton, New York 13902 for bird surveillance, the collection, identification and testing of adult mosquito/larva for the West Nile Virus for the Department of Health's West Nile Virus Surveillance Program for the period June 21, 2007 through September 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480137.4545.101000 (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.

RESOLUTION NO. 335

Introduced by: Health and Human Services, Personnel and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING REVISION OF THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 456 of 2006, authorized and approved renewal of the Children with Special Health Care Needs Program Grant for the Department of Health and adopted a program budget in the total amount of \$26,456 for the period October 1, 2006 through September 30, 2007, and

WHEREAS, said program grant provides aid in determining the children with special needs, identifies relevant issues and works with State agencies to resolve such issues, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$370 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Children with Special Health Care Needs Program Grant to reflect an increase of \$370 for the period October 1, 2006 through September 30, 2007, 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 \$26,826, and be it

FURTHER RESOLVED, that Resolution 456 of 2006, 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.

RESOLUTION NO. 336

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH VARIOUS VENDORS FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH'S DIABETES PREVENTION AND CONTROL PROGRAM GRANT FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 507 of 2006, authorized the renewal of agreements with various vendors for professional services for the Department of Health's Diabetes Prevention and Control Program Grant at a total cost not to exceed \$16,970 for the period October 1, 2006 through September 30, 2007, and

WHEREAS, said agreements are necessary to provided project coordination, diabetes awareness, education and screening to targeted populations in a five-county region which includes Broome, Tioga, Chenango, Delaware and Otsego, and

WHEREAS, it is necessary to authorize an amendment to said agreements to increase the amount not to exceed by \$28,630 for all vendors, and

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

RESOLVED, that this County Legislature hereby authorizes the amendment to the agreement with various vendors to increase the not to exceed amounts as shown in Exhibit "A", for professional services for the Department of Health's Diabetes Prevention and Control Program Grant ,for the period October 1, 2006 through September 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the amounts listed on Exhibit "A", total amount not to exceed \$45,600 for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105225 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 507 of 2006, 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.

RESOLUTION NO. 337

Introduced by: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING REVISION OF HEALTHY FAMILIES NEW YORK HOME VISITING PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH LOURDES HEALTH CARE SYSTEM YOUTH SERVICES TO ADMINISTER SAID PROGRAM FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 294 of 2006, as amended by Resolution 587 of 2006, authorized the continued participation in the Healthy Families New York Home Visiting Program Grant for the Department of Health, adopted a program budget in the total amount of \$549,000 and authorized an agreement with Lourdes Health Care System Youth Services, in the amount of \$379,145 for the period July 1, 2006 through June 30, 2007, and

WHEREAS, said program grant is designed to prevent child abuse and neglect and promote positive outcomes for youth children and their families through home visiting services, and

WHEREAS, it is necessary at this time to revise said program grant and amend the agreement with Lourdes Health Care System Youth Services to reflect an increase in the amount of \$13,669, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Healthy Families New York Home Visiting Program Grant for the period July 1, 2006 through June 30, 2007, 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 \$549,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Lourdes Health Care System Youth Services to increase the not to exceed amount by \$13,669 for services for the Department of Health's healthy Families New York Home Visiting Program Grant for the period July 1, 2006 through June 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$392,814 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolutions 294 and 587 of 2006, 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.

RESOLUTION NO. 338

Introduced by: Health and Human Services, Personnel and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING REVISION OF DIABETES PREVENTION AND CONTROL PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 459 of 2006, as amended by Resolution 25 of 2007, authorized and approved renewal of the Diabetes Prevention and Control Program Grant for the Department of Health and adopted a program budget in the total amount of \$50,279 for the period October 1, 2006 through September 30, 2007, and

WHEREAS, said program grant provides diabetes awareness, education and screening to targeted populations in a five county region which includes, Broome, Tioga, Chenango, Delaware, and Otsego Counties, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$64,288 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Diabetes Prevention and Control Program Grant to reflect an increase of \$64,288 for the period October 1, 2006 through September 30, 2007, 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 \$114,567, and be it

FURTHER RESOLVED, that Resolution 459 of 2006, and Resolution 25 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby 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.

RESOLUTION NO. 339

Introduced by: Health and Human Services, Personnel and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING REVISION OF EARLY INTERVENTION ADMINISTRATION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 455 of 2006, as amended by Resolution 101 of 2007, authorized and approved renewal of the Early Intervention Administration Program Grant for the Department of Health and adopted a program budget in the total amount of \$130,967 for the period October 1, 2006 through September 30, 2007, and

WHEREAS, said program grant provides funding to identify and register infants and children with suspected disabilities and developmental delays and refers them to the Early Intervention Program to ensure they are provided with appropriate services, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$1,834 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Early Intervention Administration Program Grant to reflect an increase of \$1,834 for the period October 1, 2006 through September 30, 2007, 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 \$132,801, and be it

FURTHER RESOLVED, that Resolutions 455 of 2006 and 101 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby 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.

RESOLUTION NO. 340

Introduced by: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH TIOGA COUNTY HEALTH DEPARTMENT FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH'S TOBACCO CONTROL AND INSURANCE INITIATIVE PROGRAM GRANT FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 292 of 2006, authorized renewal of the agreement with Tioga County Health Department for professional services for the Department of Health's Tobacco Control and Insurance Initiatives Program Grant at a cost not to exceed \$212,631 for the period August 1, 2006 through July 31, 2007, and

WHEREAS, said agreement is necessary to allow staff to carry out work plan activities specified in the State Strategic Plan in Tioga County and implement planned statewide media campaign activities as set forth by the New York State Department of Health Tobacco Control Program, and

WHEREAS, said agreement expires by its terms on July 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$74,041, for the period August 1, 2007 through July 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Tioga County Health Department, PO Box 120, 1062 State Route 38, Owego, New York 13827, for professional services for the Department of Health's Tobacco Control and Insurance Initiative Program Grant for the period August 1, 2007 through July 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$74,041 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105331 (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.

RESOLUTION NO. 341

Introduced by: Health and Human Services and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MCCUE ADVERTISING AND PUBLIC RELATIONS, INC. FOR AN ANTI-SMOKING ADVERTISING CAMPAIGN FOR THE DEPARTMENT OF HEALTH FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 291 of 2006, authorized renewal of agreement with McCue Advertising and Public Relations, Inc. for an anti-smoking advertising campaign for the Department of Health's Tobacco Control and Insurance Initiatives Program Grant at an amount not to exceed \$30,200, for the period August 1, 2006 through July 31, 2007, and

WHEREAS, aid agreement is necessary to provide a media campaign and public relations activities as it relates to the Tobacco Prevention and Control Workplan for 2007-2008, and

WHEREAS, said agreement expires by its terms on July 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$35,000, for the period August 1, 2007 through July 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with McCue Advertising and Public Relations, Inc., 91 Riverside Drive, Binghamton, New York 13905 for an anti-smoking advertising campaign for the Department of Health's Tobacco Control and Initiatives Program Grant for the period August 1, 2007 through July 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$35,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4458.105XXX (Other 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.

RESOLUTION NO. 342

Introduced by: Health and Human Services, Personnel and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE TOBACCO CONTROL AND INSURANCE INITIATIVE PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 290 of 2006, as amended by Resolution 20 of 2007, authorized and approved renewal of the Tobacco Control and Insurance Initiative Program Grant for the Department of Health, and adopted a program budget in the amount of \$362,231 for the period August 1, 2006 through July 31, 2007, and

WHEREAS, said program grant provides community based outreach, education activities and special media campaign promotion events to prevent and control tobacco use among adults and youth, and disparate populations, and

WHEREAS, it is desired to renew said program grant in the amount of \$256,758 for the period August 1, 2007 through July 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$256,758 from the New York State Department of Health Tobacco Control Program, Corning Tower, Room 515, Albany, New York 12237 for the Department of Health's Tobacco Control and Insurance Initiatives Program Grant for the period August 1, 2007 through July 31, 2008, 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 \$256,758, 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.

RESOLUTION NO. 343

Introduced by: Finance and Economic Development and Planning Committees

Seconded by: Mr. Cleary

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO SUPPORT COMMUNITIES AGAINST THE REGIONAL INTERCONNECTION (CARI)

WHEREAS, by Resolution 383 of 2006, the County of Broome supported a bi-partisan appeal against construction of a direct current electrical power transmission power line by New York Regional Interconnect Inc. between the Edic Substation in the Town of Marcy, Oneida County, NY and the Rock Tavern Substation in the Town of New Windsor, Orange County, NY pending as an Article VII application before the Public Service Commission of the State of New York; and

WHEREAS, Broome County joined with the Counties of Madison, Oneida, Herkimer, Chenango, Delaware, Sullivan and Orange, along with organized groups of citizens from these counties, in a coalition under the name of Communities Against the Regional Interconnection (CARI) that opposes the NYRI power line project; and

WHEREAS, the not-for-profit corporation known as Mohawk Valley Economic Development Growth Enterprises has replaced the New York Association of Counties in managing the financial affairs of CARI; and

WHEREAS, the New York State Senate has promised monetary assistance to CARI in the amount of \$1,000,000 in two \$500,000 increments, which assistance is not yet available; and

WHEREAS, CARI has informed the Broome County Executive that an additional contribution is necessary to meet the immediate costs of opposing the project proposed by the New York Regional Interconnect, Inc; and

WHEREAS, said allocation must be approved by the Broome County Legislature, now therefore, be it

RESOLVED, that the County of Broome will contribute an additional \$50,000 to CARI with \$25,000 to be made available to CARI immediately and the remaining \$25,000 to be provided when the other county members of CARI have made a payment of \$25,000 and have made a commitment of an additional \$25,000; and it is

FURTHER RESOLVED, that a transfer in the amount of \$50,000, from 2007 funds, is hereby authorized and approved, as follows and disbursed as described:

<u>Index Code</u>	<u>Subject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
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FROM: 900084 4752 101000 Contingency Fund \$50,000
TO: 230037 4747 101000 Other Fees for Services \$50,000

and be it

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

Resolution carried. Ayes-12, Nays-6 (Materese, Shafer, Hutchings, LaBare, Kuzel, Mather), Absent-1(Hull)

RESOLUTION NO. 344

Introduced by: Economic Development and Planning Committee

Seconded by: Mr. Sanfilippo

RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE ENVIRONMENTAL MANAGEMENT COUNCIL BOARD OF DIRECTORS

WHEREAS, Barbara J. Fiala, County Executive of Broome County, pursuant to the authority vested in her by Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980, has duly designated and appointed the following named individual to membership on the Broome County Environmental Management Council Board of Directors, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Josephine Chu BU #17432 PO Box 6017 Binghamton, NY 13902	August 31, 2008

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980, hereby confirms the appointment of the above-named individual to membership on the Broome County Environmental Management Council Board of Directors for the term indicated, in accordance with the appointment by the County Executive.

Carried.

RESOLUTION NO. 345

Introduced by: Planning and Economic Development and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING THE LEASE OF FIRST FLOOR 123 COURT STREET, BINGHAMTON, NY

WHEREAS, the Broome County Department of Planning and Economic Development has applied for a federal Housing & Urban Development (HUD) Economic Assistance Grant (EDI), and

WHEREAS, by permanent Resolution 07-225 this legislature authorized acceptance and approval of the HUD-EDI Grant in the amount of \$248,525.00 for development of incubator space to attract start up companies, and

WHEREAS, 123 Court Street, Binghamton, NY is a three story commercial building owned by Court Street Redevelopment Company, LLC, a limited liability company, with offices at 49 Court Street, Binghamton, NY (Contractor); said building is suitable for development of an incubator to attract start up companies, and

WHEREAS, the Department of Planning and the Contactor propose that the grant proceeds be used for reconstruction, rehabilitation, and improvement of the first floor of 123

Court Street, Binghamton, NY consisting of 7,500 square feet so the space can be used for an incubator for start up companies to be managed by the County, and

WHEREAS, the Contractor shall lease the first floor of the premises at 123 Court Street, Binghamton, NY to the County for a term of three years, with one three year renewal option, at a rent of \$4.24 per square foot, and

WHEREAS, the development of an incubator project on the first floor of 123 Court Street, Binghamton, NY will have reasonable project costs, is financially feasible, will and has used all sources of project financing, is not using HUD-EDI grant proceeds in lieu of available non-federal financial support and will not generate an unreasonable high return for the contractor, and

WHEREAS, the development of an incubator project at 123 Court Street, Binghamton, NY will realize a public benefit in that this project is expected to create at least one fulltime equivalent job per \$35,000 of grant dollars, is expected to provide assistance to businesses that operate within a census tract that has at least 20 percent of its residents who are in poverty; and/or is expected to stabilize a neighborhood that appears to have at least 70 percent of its residents who are low and moderate income, and

WHEREAS, the Contractor has agreed to reconstruct, rehabilitate and improve the premises prior to the County taking possession, in compliance with HUD-EDI regulations the Project Grant Agreement, and applicable codes, rules and regulations; now, therefore, be it

RESOLVED, that the grant proceeds shall be used, in compliance with HUD-EDI federal regulations and the Project Grant Agreement, for reconstruction, rehabilitation, and improvement of the first floor of 123 Court Street, Binghamton, NY consisting of 7,500 square feet so the space can be used for an incubator for start up companies to be managed by the County, and it is

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Court Street Redevelopment Company, LLC with offices at 49 Court Street, Binghamton, NY (Contractor), for the improvement and lease of premises commonly known as 123 Court Street, Binghamton, New York consisting of 7,500 square feet on the first floor on the following terms and conditions:

1. Term: Three years commencing upon completion of reconstruction, rehabilitation, and improvement of the first floor by the Contractor with the option to renew for an additional term of three (3) years on the same terms and conditions.
2. \$31,800 per year for the three-year period of the initial term.
3. \$31,800 per year for the three year period of the renewal term, following expiration of the initial term.
4. County shall pay for utilities, water, sewer, telephone and internet services.
5. Contractor shall pay for taxes, insurance, HVAC and structural maintenance, and be it

FURTHER RESOLVED that the County shall have a right of first refusal to rent the second floor of the building as an incubator, subject to approval of this Legislature, and

FURTHER RESOLVED that the Commissioner of Planning and Economic Development is authorized to enter into sub leases with start up businesses for occupancy of all or part of the premises subject to all HUD-EDI regulations, the Project Grant Agreement and the lease agreement between the County and the Contractor, and

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from budget lines 440123.4747.105335 (Other fees for services), and be it

FURTHER RESOLVED that the County Executive or her duly authorized representative is authorized to enter into an early occupancy agreement providing for occupancy of the premises to be leased until substantial completion of the reconstruction, rehabilitation, and improvement to be made by the Contractor, 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.

RESOLUTION NO. 346

Introduced by: Education, Culture and Recreation and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH PIAKER & LYONS, PC FOR AUDITING SERVICES OF BROOME COMMUNITY COLLEGE FINANCIAL ACCOUNTS FOR FISCAL YEARS ENDING 2007, 2008, 2009, 2010 AND 2011

WHEREAS, the Vice President of Administrative and Financial Affairs of Broome Community College requests authorization for an agreement with Piaker & Lyons, P.C., for auditing services for Broome Community College financial accounts at a cost not to exceed \$148,300, for the fiscal years ending August 31, 2007, 2008, 2009, 2010, and 2011, and

WHEREAS, Local Law Intro. No. 8, 1990 entitled "A Local Law Amending the Broome County Charter and Administrative Code with Respect to Broome Community College" requires that an annual audit be conducted of the finances of Broome Community College and said auditor to be selected from a list of firms approved by the County Comptroller, and

WHEREAS, said services are necessary to audit the financial accounts of Broome Community College, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Piaker and Lyons, P.C., 92 Hawley St., PO Box 1330, Binghamton, NY 13902-1330, for audit of Broome Community College financial accounts for the fiscal years ending August 31, 2007, 2008, 2009, 2010, and 2011, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 190875.4446. (General Institutional Expense-Professional 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.

RESOLUTION NO. 347

Introduced by: Public Safety and Emergency Services, Personnel, and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF ENHANCED IMPACT GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2007

WHEREAS, the Office of the Sheriff requests authorization to accept an Enhanced Impact Grant and adopt a program budget in the amount of \$70,308 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides funding for a full-time field intelligence officer, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$63,277 from NYSDCJS, 4 Tower Place, Albany, NY 12203 for the Office of the Sheriff's Enhanced Impact Grant for the period January 1, 2007 through December 31, 2007, 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 \$ 70,308, 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.

RESOLUTION NO. 348

Introduced by: Transportation and Rural Development and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH SHANNON & LUCHS INSURANCE AGENCY, INC. FOR INSURANCE COVERAGE FOR THE GREATER BINGHAMTON AIRPORT AIR SHOW FOR THE DEPARTMENT OF AVIATION FOR 2007

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Shannon & Luchs Insurance Agency, Inc. for insurance coverage for the Greater Binghamton Airport Air Show for the Department of Aviation at a cost not to exceed \$9,626, for the period June 29, 2007 through June 30, 2007, and

WHEREAS, said services are necessary to provide event insurance coverage for the Greater Binghamton Airport Air Show, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Shannon & Luchs Insurance Agency, Inc., 300 South State Street, Syracuse, NY 13221, for insurance coverage for the Greater Binghamton Airport Air Show for the Department of Aviation, for the period June 29, 2007 through June 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,626 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from Aviation Day Trust Fund (Fund 60, GL 525, Subsidiary 525052), 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.

RESOLUTION NO. 349

Introduced by: County Administration and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF REAL PROPERTY TAX ADMINISTRATION TECHNOLOGY IMPROVEMENT PROGRAM GRANT FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY AND ADOPTING A PROGRAM BUDGET FOR 2007

WHEREAS, the Director of Information Technology requests authorization to accept a Real Property Tax Administration Technology Improvement Program Grant and adopt a program budget in the amount of \$109,341 for the period March 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides funding for two major initiatives; conversion of parcel information to ESRI Geo-database format and the installation of ImageMate software, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$109,341 from NYS Office of Real Property Services, 16 Sheridan Avenue, Albany, NY 12210 for the 2007 Real Property Tax Administration Technology Improvement Program Grant for the period March 1, 2007 through December 31, 2007, 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 \$109,341, 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.

RESOLUTION NO. 350

Introduced by: County Administration and Finance Committees

Seconded by: Mr. LaBare

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH IBM FOR HARDWARE MAINTENANCE FOR THE OFFICE OF THE BROOME COUNTY CLERK FOR 2007

WHEREAS, this County Legislature, by Resolution 102 of 2006, authorized a renewal of an agreement with IBM Corporation for computer hardware maintenance for the Broome County Clerk's Office at an amount not to exceed \$11,500, for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said agreement provides for the maintenance of computer hardware equipment in the County Clerk's Office, including maintenance on any equipment added during the year, and

WHEREAS, said agreement expired by its terms on December 31, 2006, and it is desired at this time to renew said agreement (NYS Contract #PS61988) on substantially similar terms and conditions, for an amount not to exceed \$10,000, for the period January 1, 2007 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with IBM Corporation, 3039 Cornwallis Rd., Research Triangle Park, NC 27709, for computer hardware maintenance for the Broome County Clerk's Office for the period January 1, 2007 through December 31, 2007, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4514.101000 (Hardware 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.

Resolution carried. Ayes-17, Nays-0, Absent-1(Hull), Abstain-1(Schofield)

RESOLUTION NO. 351

Introduced by: Finance and Transportation and Rural Development Committees
Seconded by: Mr. Cleary

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR DEPARTMENT OF PUBLIC TRANSPORTATION

RESOLVED, that in accordance with a request from the Commissioner of Public Transportation, in order to appropriate sufficient funds to various accounts by revising the 2007 JARC/TANF grant as requested by BF# 0002259, 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:	225029	4341	213006	Motor Equipment Supplies	10,000
	225029	4347	213006	Gas, Oil & Diesel	10,000
TO:	225029	1000	213006	Salaries – Full time	15,000
	225029	8060	213006	Health Insurance	5,000

Carried.

RESOLUTION NO. 352

Introduced by: Finance and Transportation and Rural Development Committees
Seconded by: Mr. Cleary

RESOLUTION AMENDING THE 2006 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2006 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other*</u>	
502387	Hangar Improvements	\$340,000	\$272,000	\$68,000	0

	<u>Local Finance Law Section 11</u>				<u>How Financed:</u>
	<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
TO:	2006	10	13	0	0

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other*</u>	
502387	Hangar Improvements	\$386,000	\$272,000	\$114,200	0

	<u>Local Finance Law Section 11</u>				<u>How Financed:</u>
	<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
	2006	10	13	0	0

Description: One of the hangars being improved as part of this project is known as Hangar I. As part of a lease agreement pertaining to Hangar I between Broome County and Lockheed Martin Corporation, the Broome County IDA has agreed to front local share costs as well as expenses associated with a commission agreement with the Pyramid Brokerage Company in the amount of \$46,200.

and be it

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

Carried.

RESOLUTION NO. 353

Introduced by: Transportation and Rural Development and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND – JOHNSON, INC. FOR CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES FOR THE DEPARTMENT OF AVIATION

WHEREAS, this County Legislature, by Resolution 220 of 2005, amended by Resolution 313 of 2006, authorized an agreement with McFarland-Johnson, Inc. for construction observation and administration services for the Runway 16-34 Rehabilitation Project at the Greater Binghamton Airport for the period May 1, 2005 through August 30, 2006, at a cost not to exceed \$504,628 for the term of the agreement, and

WHEREAS, said agreement provides for technical inspection, progress reporting, preparation of FAA weekly reports, contractor monitoring, contractor payment submittals and development of the daily project diary, and

WHEREAS, it is necessary to authorize an amendment to said agreement to provide for additional services required due to delays, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with McFarland-Johnson, Inc., 49 Court St., PO Box 1980, Binghamton, NY 13902, to provide additional services at an additional cost not to exceed \$44,216 for the Department of Aviation for the period May 1, 2005 through August 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor and additional \$44,216, total amount not to exceed \$548,844 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211037.2015.503199 (Runways), and be it

FURTHER RESOLVED, that Resolution 220 of 2005 and Resolution 313 of 2006, 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.

RESOLUTION NO. 354

Introduced by: Education, Culture and Recreation Committee
Seconded by: Mr. Sanfilippo

RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY VETERANS MEMORIAL ARENA BOARD OF DIRECTORS

WHEREAS, Barbara J. Fiala, 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 individual to membership on the Broome County Veterans Memorial Arena Board of Directors, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Jon D. Miselnicky PO Box 105 Port Crane, NY 13833-0105	12/31/08 (Filling unexpired term of Martha Westbrook)

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV, Section 2408, of the Broome County Charter and Administrative Code, hereby confirms the

appointment of the above-named individual to membership on the Broome County Veterans Memorial Arena Board of Directors for the term indicated, in accordance with the appointment by the County Executive.

Carried.

RESOLUTION NO. 355

Introduced by: Education, Culture and Recreation and Finance Committees

Seconded by: Mr. LaBare

RESOLUTION AUTHORIZING AN AGREEMENT WITH BLUE SKY PROMOTIONS, LLC FOR CONSULTING SERVICES FOR THE TERM SEPTEMBER 1, 2007 THROUGH JULY 1, 2008

WHEREAS, the Commissioner of Parks requests authorization for an agreement with Blue Sky Promotions, LLC for consulting services for the Broome County Center for the Performing Arts (Forum) and the Broome County Veterans Memorial Arena at a cost not to exceed \$13,000 for the term September 1, 2007 through July 1, 2008, and

WHEREAS, said services are necessary to provide marketing, promotion and advertising for the Broome County Center for the Performing Arts (Forum) and the Broome County Veterans Memorial Arena,

WHEREAS, said consultant will research available options for utilization of the Forum and Arena, prepare a marketing plan, market and promote the facilities, advertise events, and assist with event management, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Blue Sky Promotions, LLC, 180 State Street, Apt 1-A, Binghamton, NY 13901, for consulting services for the term September 1, 2007 through July 1, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$13,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 655027.4448.306000 (Advertising and Promotion Expenses), and be it

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

Resolution carried. Ayes-17, Nays-1(Kuzel), Absent-1(Hull)

RESOLUTION NO. 356

Introduced by: Education, Culture and Recreation Committee

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE AMERICAN HOCKEY LEAGUE TO USE THE NAME AND LIKENESS OF THE BROOME COUNTY VETERANS MEMORIAL ARENA

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with the American Hockey League to use the name and likeness of the Broome County Veterans Memorial Arena, and

WHEREAS, said services are necessary for the American League to use the name and likeness of the Broome County Veterans Memorial Arena in their upcoming "NHL 2008" E.A. Sports video game, and

WHEREAS, this game will effectively promote the American Hockey League, the Binghamton Senators and the Broome County Veterans Memorial Arena, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the American Hockey League to use the name and likeness of the Broome County Veterans Memorial Arena in a video hockey game produced by EA Sports and for no other purpose, and be it

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

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

Carried.

RESOLUTION NO. 357

Introduced by: Finance and Health and Human Services Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR HEALTH DEPARTMENT

RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts to maximize spending for the Comprehensive Tobacco Program Grant for 06-07, as requested by BF# 006478, 79 and 80, 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	105189	Salaries Full-Time	67
	480376	1500	105189	Salaries Part-Time	3,087
	480376	4461	105189	Mileage & Parking – Local	250
	480376	4462	105189	Travel, Hotel, Meals	811
	480376	4463	105189	Education & Training	70
	480376	4465	105189	Non-Employee Travel/H/M	250
	480376	4466	105189	Adv Board/Trustees Exps	130
	480376	4606	105189	Telephone Billing Acct	545
	480376	4610	105189	Personal Svcs Chagbacks	49
	480376	4615	105189	Gasoline Charbeback	65
	480376	4616	105189	Fleet Service Chargeback	44
	480376	4617	105189	Dup & Printing Chgback	303
	480376	4618	105189	Office Supplies Chgback	224
	480376	4627	105189	Single Audit Chargeback	100
	480376	8010	105189	State Retirement	3,372
	480376	8030	105189	Social Security	541
	480376	8040	105189	Workers Compensation	750
	480376	8050	105189	Life Insurance	12
	480376	8060	105189	Health Insurance	2,406
	480376	8063	105189	Disability Insurance	6
	480376	8070	105189	Unemployment Insurance	278
To:	480376	4319	105189	Office Supplies	1,074
	480376	4346	105189	Training & Edu Supplies	2,954
	480376	4349	105189	Misc Operational Supplies	1,680
	480376	4359	105189	Computer Software/Supp	5,397
	480376	4411	105189	Postage & Freight	45
	480376	4448	105189	Advertising & Promo Exp	1,762
	480376	4614	105189	Other Chargeback Exp	292
	480376	4626	105189	Transportation Svs Chrgbk	156

and be it

FURTHER RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts to maximize the 2006-7 Emergency Preparedness Response/Bioterrorism Grant, as requested by BF# 006521 & 22, 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	105198	Salaries –Full Time	8,435
	480376	1500	105198	Salaries –Part Time	35,244
	480376	8010	105198	State Retirement	5,671
	480376	8030	105198	Social Security	3,155
	480376	8040	105198	Worker's Compensation	524
	480376	8050	105198	Life Insurance	18
	480376	8060	105198	Health Insurance	3,710
	480376	8063	105198	Disability Insurance	34
	480376	8070	105198	Unemployment	1,273
TO:	480376	1600	105198	Salaries – Temporary	4,229
	480376	4349	105198	Misc Operational Supplies	4,000
	480376	4359	105198	Computer Software/Supplies	19,015
	480376	4449	105198	Misc Operational Expense	12,006
	480376	4610	105198	Personal Services	18,814
				Chargebk	

and be it

FURTHER RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts to maximize the 2006-7 Childhood Lead Poisoning Prevention Program Grant, as requested by BF# 006311 & 12, 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	1500	105145	Salaries – Part Time	522
	480376	4362	105145	EH Supplies	34
	480376	4411	105145	Postage & Freight	102
	480376	4457	105145	Subcontracted Program	111
	480376	4461	105145	Mileage & Parking	475
	480376	4462	105145	Travel/Hotel/Meals	478
	480376	4463	105145	Education & Training	115
	480376	4606	105145	Telephone Billing	96
	480376	4618	105145	Office Supplies	270
	480376	4627	105145	Single Audit Chgk	30
	480376	8010	105145	State Retirement	516
TO:	480376	4319	105145	Office Supplies	71
	480376	4609	105145	Data Processing Chargebk	93
	480376	4610	105145	Personnel Svc Chargeback	1,863
	480376	4615	105145	Gasoline Chargeback	173
	480376	4616	105145	Fleet Services Chargeback	245
	480376	4617	105145	Duplicating/Printing Chbk	78

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Carried.

RESOLUTION NO. 358

Introduced by: Public Safety and Emergency Services Committee

Seconded by: Mr. Sanfilippo

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY TRAFFIC SAFETY BOARD

WHEREAS, Mark R. Whalen, Chairman of the Broome County Legislature pursuant to the authority vested in him by Local Law 4 of 1967, as amended by Local Law 1 of 1970, has duly designated and appointed the following named individuals to membership on the Broome

County Traffic Safety Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Eric Denk 1 Bayless Avenue Binghamton, New York 13903	New Appointment 12/31/09
Sergeant Laurie Sorensen 450 Elmhaven Drive Vestal, New York 13850	New Appointment 12/31/08
Captain David Burdick 116 Hazel Drive Vestal, New York 13850	New Appointment 12/31/08

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 Local Law 4 of 1967, as amended by Local Law 1 of 1970, confirms the appointments of the above-named individuals to membership on the Broome County Traffic Safety Board for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 359

Introduced by: Personnel, Transportation and Rural Development and Finance Committees

Seconded by: Mr. Howard

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION

RESOLVED, that in accordance with a request contained in PCR# 07-179 from the Commissioner of Public Transportation, this County Legislature hereby authorizes the creation of a Clerk, Grade 06, Union Code 04, at budget line 225029.1000.213006, at a salary of \$21,799 FTE, effective June 1, 2007.

Carried.

RESOLUTION NO. 360

Introduced by: Personnel, Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT SOCIAL SERVICES

RESOLVED, that in accordance with a request contained in PCR#07-173 from the Commissioner of Social Services, this County Legislature hereby authorizes the creation of a Caseworker Trainee, Grade 14, Union Code 04, minimum salary \$30,322, at budget line 670513. 1000 .105191 effective July 1, 2007, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR#07-174 from the Commissioner of Social Services, this County Legislature hereby authorizes the abolishment of a Human Services Program Coordinator, Grade 17, Union Code 04, minimum salary \$35,255, at budget line 670513.1000.105271 effective May 21, 2007

Carried.

RESOLUTION NO. 361

Introduced by: Personnel, Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE OFFICE FOR AGING

RESOLVED, that in accordance with a request contained in PCR# 07-161 from the Director of the Office for Aging, this County Legislature hereby authorizes the creation of a Leisure Time Activities Leader, Grade 07, Union Code 08, at budget line 761254.1500.105280, at a salary of \$21,454 FTE, effective July 02, 2007, and be it

Further Resolved, that in accordance with a request contained in PCR# 07-162 from the Director of the Office for Aging, this County Legislature hereby authorizes the creation of a Caseworker, Grade 16, Union Code 08, at budget line 761122.1500.105279, at a salary of \$33,512 FTE, effective July 02, 2007

Carried.

RESOLUTION NO. 362

Introduced by: Personnel, Education, Culture and Recreation and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF PARKS AND RECREATION

RESOLVED, that in accordance with a request contained in PCR#07-178 from the Commissioner of Parks and Recreation, this County Legislature hereby authorizes the change of Recreation Facility Manager at Grade 20, Union Code 07, minimum salary \$46,438 at budget line 542001.1000.101000 to Park Manager, Union Code 17, no grade, minimum hourly salary \$22.09 at budget line 542001.1000.101000, to be effective July 2, 2007

Carried.

RESOLUTION NO. 363

Introduced by: Finance and Public Safety and Emergency Services Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE PUBLIC DEFENDER'S DEPARTMENT

RESOLVED, that in accordance with a request from the Public Defender, in order to appropriate sufficient funds to various accounts to employ an Intern as requested by BF# 0001485, 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:	530006	1000	101000	Salaries – Full Time	4,050
TO:	530006	1600	101000	Salaries – Temporary	4,050

Carried.

RESOLUTION NO. 364

Introduced by: Personnel, Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING PERSONNEL DATA RECORD CHANGE REQUEST FOR THE DEPARTMENT OF MENTAL HEALTH

RESOLVED, that in accordance with a request contained in PDR# 07-374c from the Commissioner of Mental Health, this County Legislature hereby authorizes the change of salary of the Nurse Practitioner, Grade 27, Step 2, at budget line 470013.1000.101000 at a salary of \$64,292 to Grade 27, Step 5, at a salary of \$70,079, effective January 1, 2007,

Note: This request is to adjust the compensation level consistent with Resolutions 88-197 and 07-136, authorizing department heads to pay nursing personnel at salaries above the minimum of the appropriate salary as determined by years of nursing experience.

Carried.

RESOLUTION NO. 365

Introduced by: Economic Development and Planning Committee
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING THE GREATER BINGHAMTON CHAMBER OF COMMERCE TO ACT AS THE AGENCY IN BROOME COUNTY FOR TOURISM AND CONVENTION PROMOTION FOR 2008

WHEREAS, this County Legislature, by Resolution 401 of 2006, authorized the Broome County Chamber of Commerce to act as the agency in Broome County for tourism and convention promotion for the period January 1, 2007 through December 31, 2007, and

WHEREAS, it is desired at this time to authorize the Greater Binghamton Chamber of Commerce to be the tourism and convention promoter for Broome County for the period January 1, 2008 through December 31, 2008 so that appropriate applications may be timely filed for New York State grant monies, now, therefore, be it

RESOLVED, that this County Legislature hereby names and authorizes the Greater Binghamton Chamber of Commerce to be the tourism and convention promoter for Broome County for the period January 1, 2008 through December 31, 2008, and be it

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

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

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

Carried.

RESOLUTION NO. 366

Introduced by: Economic Development and Planning and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF A GREATER BINGHAMTON ECONOMIC DEVELOPMENT INITIATIVE PROGRAM GRANT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT FOR PROGRAMS AND MARKETING FOR THE PERIOD APRIL 1, 2007 THROUGH DECEMBER 31, 2008

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to accept a Greater Binghamton Economic Development Initiative Grant, adopt a program budget in the amount of \$250,000 and enter into an agreement with the New York State Department of Economic Development for promotion of innovation and job creation for the period April 1, 2007 through December 31, 2008, and

WHEREAS, said program grant provides funds for programs and marketing to promote innovation and job creation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$250,000 from the New York State Department of Economic Development for the Planning and Economic Development Department's Greater Binghamton Economic Development Initiative Program Grant for the period April 1, 2007 through December 31, 2008, 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 \$250,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Department of Economic Development to provide programs and marketing to promote innovation and job creation, for the period April 1, 2007 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$250,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440149.0460.105336 (Other State Aid), 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) are 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.

RESOLUTION NO. 367

Introduced by: Public Safety and Emergency Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF A SOUTHERN TIER CYBER PREDATOR TASK FORCE GRANT FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF SECURITY, AND ADOPTING A PROGRAM BUDGET FOR THE PERIOD JUNE 1, 2007 THROUGH MAY 31, 2008

WHEREAS, the Commissioner of Public Works requests authorization to accept a Southern Tier Cyber Predator Task Force Grant and adopt a program budget in the amount of \$41,603 for the period June 1, 2007 through May 31, 2008, and

WHEREAS, said program grant provides funds for the buildout and furnishing of the task force office and necessary equipment and supplies, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$41,603 from the U.S. Department of Justice – Federal Bureau of Investigation, 200 McCarty Avenue, Albany, NY 122069 for the Department of Public Works, Division of Security's, Southern Tier Cyber Predator Task Force Grant for the period June 1, 2007 through May 31, 2008, 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 \$41,603, 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.

RESOLUTION NO. 368

Introduced by: Personnel, Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT SOCIAL SERVICES

RESOLVED, that in accordance with a request contained in PCR#07-183 from the Commissioner of Social Services, this County Legislature hereby authorizes abolishing the Child Assistance Program Coordinator in the 06/07 Flexible Funds for Family Services Grant, Grade 18, Union Code 04, minimum salary \$37,095, at budget line 670513. 1000 .105191 effective July 1, 2007

Carried.

RESOLUTION NO. 369

Introduced by: Personnel, Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE HEALTH DEPARTMENT

RESOLVED, that in accordance with a request contained in PCR# 07-152 from the Director of the Health Department, this County Legislature hereby authorizes the change of the position of Nutritionist in the WIC Grant from Union Code 04, Grade 17, minimum salary of \$35,255 FTE, at budget line 480376.1000.105200, to Union Code 08, Grade 17, minimum salary of \$35,255 FTE at budget line 480376.1500.105200 effective May 21, 2007, and

BE IT FURTHER RESOLVED, that in accordance with a request contained in PCR# 07-167 from the Director of the Health Department, this County Legislature hereby authorizes the creation of a Director of Home Health Services, Union 02, Grade C, minimum salary of \$58,636 FTE at budget line 480293.1500.101080 effective July 1, 2007 and

BE IT FURTHER RESOLVED, that in accordance with a request contained in PCR# 07-168 from the Director of the Health Department, this County Legislature hereby authorizes abolishing of the position of Supervising Public Health Nurse, Union 07, Grade 20, minimum salary of \$43,682 FTE at budget line 480293.1000.101000 effective July 1, 2007

Carried.

RESOLUTION NO. 370

Introduced by: Finance and Health and Human Services Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR HEALTH DEPARTMENT

RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts for the Healthy Families New York 06-07 Grant, as requested by BF# 006518, 6519 & 6520, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1000	105194	Salaries – Full Time	18,717
	480376	4419	105194	General Office Exp	10
	480376	4461	105194	Mileage & Parking	1,166
	480376	4606	105194	Telephone Billing	194
	480376	4615	105194	Fuel Chargeback	112
	480376	4616	105194	Fleet Chargeback	555

	480376	8010	105194	State Retirement	6,257
	480376	8030	105194	Social Security	1,652
	480376	8040	105194	Workers Compensation	686
	480376	8050	105194	Life Insurance	26
	480376	8060	105194	Health Insurance	7,821
TO:	480376	1600	105194	Salaries – Temporary	925
	480376	4319	105194	Office Supplies	3,833
	480376	4346	105194	Training & Edu Supplies	1,997
	480376	4349	105194	Misc. Operational	5,789
	480376	4359	105194	Computer Software & Supp	1,486
	480376	4457	105194	Subcontracted Prog. Exp	13,669
	480376	4462	105194	Travel, Hotel, Meals	357
	480376	4466	105194	Advisory Board/Trustees	70
	480376	4610	105194	Personal Svcs. Chargeback	8,417
	480376	4617	105194	Duplicating/Printing Chgbk	497
	480376	4618	105194	Office Supplies Chargeback	100
	480376	4626	105194	Transportation Svcs	32
	480376	8063	105194	Disability Insurance	24

Carried.

RESOLUTION NO. 371

Introduced by: Public Works and Public Safety and Emergency Services Committees
 Seconded by: Mr. Sanfilippo

RESOLUTION RECOMMENDING THAT THE COMMISSIONER OF PUBLIC WORKS TAKE OVER REPAIR OF THE WALKER AVENUE BRIDGE IN THE TOWN OF LISLE

WHEREAS, the Honorable Ronald J. Keibel requests authorization for a Resolution recommending that the County Commissioner of Public Works take over responsibility for repair of the Walker Avenue Bridge over Dudley Creek in the Town of Lisle (Bridge), and

WHEREAS, the Bridge with a span of more than 25 feet serves a population in the Town of Lisle, and

WHEREAS, the Bridge is currently closed to vehicular traffic in excess of six tons, and

WHEREAS, the weight restriction prevents various emergency vehicles from using the Bridge including certain fire fighting apparatus, and

WHEREAS, due to the weight restriction emergency response vehicles have at least a ten minute delay to the immediate population served by the Bridge, and

WHEREAS, the Town of Lisle is responsible for repair and maintenance of the Bridge, and

WHEREAS, pursuant to the Highway Law of the State of New York, the County Commissioner of Public Works may order immediate repair of the Bridge with or without the approval of this Legislature, now, therefore, be it

RESOLVED, that the Broome County Legislature officially recommends that the County of Broome acting through the Commissioner of Public Works make arrangements for immediate repair of the Bridge.

Carried.

RESOLUTION NO. 372

Introduced by: Public Works and County Administration Committees

Seconded by: Mr. Sanfilippo

RESOLUTION TO ESTABLISH A POLICY FOR THE UTILIZATION OF PROJECT LABOR AGREEMENTS FOR CONSTRUCTION PROJECTS IN EXCESS OF ONE MILLION DOLLARS (\$1,000,000)

WHEREAS, it is the intent of the Broome County Legislature ("Legislature") to attempt to minimize construction delays, cost increases and potential litigation with respect to major capital construction projects by enacting and establishing a policy with regard to the use of project labor agreements ("PLA(s)") for construction projects with a total cost exceeding one million dollars (\$1,000,000), and

WHEREAS, both the United States Supreme Court and the New York Court of Appeals have determined that municipalities are permitted to use PLAs provided that a municipality seeking to use a PLA must perform its due diligence to determine that the use of a PLA is rationally based upon reasons in the public interest embodied in the competitive bidding statutes and will assure prudent use of public monies, and

WHEREAS, in order to ensure that the legal parameters are met when a PLA is to be utilized by the County of Broome ("County") on a particular project a due diligence report must be prepared and said report must recommend that the use of a PLA would be in the County's interest by demonstrating cost savings or other benefits that the PLA would provide, and

WHEREAS, among the goals to be fostered in a PLA are as follows:

1. Avoiding the costly delays of potential strikes, slowdowns, walkouts, picketing disruptions arising from work disputes, and promoting labor harmony and peace for the duration of the project.
2. Standardizing the terms and conditions governing the employment of labor on the project.
3. Permitting wide flexibility in work scheduling, shift hours and times.
4. Receiving negotiated adjustments as to work rules and staffing requirements,
5. Providing comprehensive and standardized mechanisms for the settlement of work disputes including those related to jurisdiction.
6. Ensuring a reliable source of skilled and experienced labor.
7. Furthering public policy objectives as to improved employment opportunities for minorities, women, and the economically disadvantaged in the construction industry.
8. Minimizing potential losses of revenues when applicable.
9. Expediting the construction process and otherwise minimizing public inconvenience; and
10. Use of local labor force.

WHEREAS, the Legislature, by this Resolution, hereby determines that PLA's should be considered by the County for construction projects where the estimated total of construction contracts to be let for an individual project exceeds one million dollars (\$1,000,000) when after thorough investigation a due diligence feasibility study demonstrates that the use of a PLA would be a prudent use of public monies, and would facilitate acquisition of high quality goods and services at the lowest possible costs while guarding against favoritism, improvidence, extravagance, fraud, and corruption, and

WHEREAS, the Honorable John F. Hutchings requests that the Legislature adopt a policy that establishes a procedure for evaluating the feasibility of using a PLA for a project when it is in the best interest of the County, now, therefore, be it

RESOLVED, that is the policy of Broome County that in all construction projects where the estimated total of construction contracts to be let for a particular project exceeds \$1 million dollars, the Director of Purchasing and the appropriate department head shall, after reviewing due diligence or feasibility study explore and consider using a project labor agreement to reduce construction costs, avoid delay claims, and potential litigation, when the use of a project labor agreement is rationally based upon reasons in the public interest promoted by the competitive bidding statutes, and be it

FURTHER RESOLVED, that after exploration and consideration and proper study has been completed, the Director of Purchasing and the appropriate department head shall report to the Legislature as to the feasibility of utilizing a PLA for a particular project, which recommendations will thereafter be subject to review and ratification by the Legislature, and be it

FURTHER RESOLVED, that prior to the Legislature authorizing the utilization of a PLA for any project the Director of Purchasing and/or the appropriate department head will present the necessary due diligence report, and be it

FURTHER RESOLVED, that the Broome County Attorney's Office, in conjunction with the County Executive, is authorized to draft a PLA, in furtherance of the objectives outlined herein, for a particular project when authorized to do so by the Legislature.

Carried.

RESOLUTION NO. 373

Introduced by: Education, Culture and Recreation and Finance Committees

Seconded by: Mr. Cleary

RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED 2007-2008 BROOME COMMUNITY COLLEGE BUDGET AND COUNTY EXECUTIVE'S MESSAGE IN CONNECTION HEREWITH

WHEREAS, the County Executive presented a proposed 2007-2008 Broome Community College Budget, and

WHEREAS, pursuant to Article XXIII-A of the Broome County Charter and Code, this Legislature, or a committee designated by this Legislature, must hold a public hearing on the submitted Broome Community College Budget, now therefore, be it

RESOLVED, that this County Legislature hereby designates the Finance and Education, Culture and Recreation Committees of this Legislature to hold a public hearing on the proposed 2007-2008 Broome Community College Budget, and be it

FURTHER RESOLVED, that this County Legislature hereby designates Wednesday, July 11, 2007 at 6:00 pm in the Legislative Chambers as the date, time and place of said public hearing, and be it

FURTHER RESOLVED, that in accordance with Article XXIII-A of the Broome County Charter and Code, the Clerk of this Legislature is hereby directed to cause to be printed or otherwise reproduced sufficient copies of the proposed budget for distribution not less than five (5) days prior to the public hearing, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to cause to be published the appropriate notices of said public hearing in accordance with the Broome County Charter and Code.

Resolution carried. Ayes-18, Nays-0, Absent-1(Hull)

RESOLUTION NO. 374

Introduced by: Personnel, Education, Culture and Recreation and Finance Committees

Seconded by: Mr. Garnar

RESOLUTION AUTHORIZING A THREE PERCENT SALARY INCREASE FOR THE DIRECTOR OF GOLF AND THE SUPERINTENDENT OF GOLF FOR 2007

WHEREAS, this County Legislature, by Resolution 112 of 2006, authorized the creation of a Director of Golf, union code 01, minimum salary \$61,000, budget line 850008.1000.309000, and the creation of a Superintendent of Golf, union code 01, minimum salary \$57,000, budget line 850008.1000.309000, effective March 1, 2006, and

WHEREAS, the Honorable Daniel A. Schofield requests authorization for a three percent salary increase for the Director of Golf and the Superintendent of Golf, effective March 1, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a three percent salary increase for the Director of Golf, union code 01, minimum salary \$61,000, budget line 850008.1000.309000 to Director of Golf, union code 01, minimum salary \$62,830, budget line 850008.1000.309000, effective March 1, 2007 and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes a three percent salary increase for the Superintendent of Golf, union code 01, minimum salary \$57,000,

budget line 850008.1000.309000 to Superintendent of Golf, union code 01, minimum salary \$58,710, effective March 1, 2007, and be it

FURTHER RESOLVED, that Resolution 112 of 2006, to the extent consistent herewith, shall remain in full force.

Resolution carried. Ayes-14, Nays-4(Keibel, Shafer, Kuzel, Mather), Absent-1(Hull)

RESOLUTION NO. 375

Introduced by: Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF AID TO PROSECUTION PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 359 of 2006, authorized and approved a renewal of the Aid to Prosecution Program Grant for the District Attorney and adopted a program budget in the amount of \$109,688 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant provides funds for approximately 50% of the salary and fringe benefits for one Senior Assistant District Attorney and for the Chief Assistant District Attorney, and

WHEREAS, it is desired to renew said program grant in the amount of \$109,688 for the period April 1, 2007 through March 3, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$109,688 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, NY 12203, for the Aid to Prosecution Program Grant for the period April 1, 2007 through March 31, 2008, 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 \$220,138, 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.

Mr. Howard made a motion to adjourn, seconded by Mr. Cleary. **Motion to adjourn carried.** The meeting was adjourned at 6:45 p.m.

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