
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
OCTOBER 18, 2007**

The Legislature convened at 6:00 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. Garnar made a motion, seconded by Mr. Sanfilippo, that the minutes of September 20, 2007 and September 27, 2007 meetings be approved as prepared and presented by the Clerk. **Carried.** Ayes-18, Nays-0, Absent-1 (Hull).

Mr. Whalen noted that the committee minutes for the period September 20, 2007 through October 17, 2007 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Whalen asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Garnar, seconded by Mr. Sanfilippo. **Carried.** Ayes-18, Nay-0, Absent-1 (Hull).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Barbara J. Fiala:
1. Broome County 2008 Recommended Budget
 2. Broome County 2008-2013 Recommended Capital Improvements Program
 3. Appointments to the Broome Tioga Workforce Investment Board
 4. Appointment to the Willow Point Nursing Home Board of Directors
 5. Appointment to the Youth Bureau Advisory Board
 6. Appointments to the Office for Aging Advisory Council
 7. Appointments to the Broome Tioga Workforce Investment Board
 8. Appointment to the Airport Advisory Board

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. PETITIONS: NONE

B. COMMUNICATIONS:

1. Broome Community College-Budget Transfers 7/07 & 8/07
2. Finance Committee's 2008 Budget Review Schedule 10/2/07
3. NY State Board of Real Property Services-list of Certified 2007 State Equalization Rates
4. NY State Board of Real Property Services-County Equalization Rates for 2007 Assessment Rolls for Municipalities in the County of Broome
5. NY State Department of Agriculture and Markets-Grant Programs
6. Environmental Management Council Meeting Minutes 9/6/07
7. Board of Acquisition and Contract Meeting Minutes 9/26/07
8. Industrial Development Agency Meeting Minutes 8/10/07
9. Association of Municipal Clerks Meeting Minutes 9/20/07
10. Board of Acquisition and Contract Meeting Minutes 10/10/07
11. Environmental Management Council Letter to Johnson City Planning Board Regarding Wal-Mart

C. NOTICES:

1. Special Public Works Committee Meeting 10/18/07
2. Local Early Intervention Coordinating Council Meeting 10/25/07

D. REPORTS:

1. Department of Mental Health 2006 Annual Report
2. Office of the Legislature 2006 Annual Report
3. Personnel- Monthly Attrition 8/31/07
4. Broome Community College-Above Minimum Hires 7/07 & 8/07

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Mark R. Whalen

Mr. Kuzel made a motion, seconded by Mr. Shafer, 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.** Ayes-18, Nays-0, Absent-1 (Hull).

Mr. Reynolds and Mr. Schofield 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, will be presented in numerical order.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 451

(Held over by Mr. Schofield)

By: County Administration and Finance Committee

Seconded by: Mr. Sanfilippo

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 8 OF 2007, ENTITLED "A LOCAL LAW AMENDING §106-5 OF THE BROOME COUNTY CHARTER AND CODE ESTABLISHING PENALTIES FOR LITTERING"

WHEREAS, the Broome County Legislature wishes to increase the maximum fines for littering and to give local courts an option to impose community service, and

RESOLVED, that Local Law Intro No. 8 of 2007 entitled "A Local Law Amending §106-5 (County Property, Use of-Penalties for Offenses) of the Broome County Charter and Code Establishing Penalties for Littering", be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all applicable statutes and laws pertaining thereto:

A Local Law Amending §106-5 of the Broome County Charter and Code Establishing Penalties for Littering

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

SECTION 1. Section 106-5 of the Broome County Charter and Code is amended as follows:

- A. Any violation of any provision of the foregoing rules, and regulations or any amendments thereto, with the exception of section 4. D. of this Chapter shall be deemed a violation, and any person found guilty thereof shall be liable to a fine which shall not exceed \$500 or imprisonment not to exceed 30 days, or both such fine and imprisonment.
- B. A violation of any provisions of Section 4. D of this Chapter shall be deemed a violation and any person found guilty thereof shall be liable to a fine not to exceed \$500 and/or 20 hours of community service or imprisonment not exceeding 30 days.

or by any combination of such fine, community service, and imprisonment. The penalties for a second violation within a one-year period shall be a fine not to exceed \$750 and/or 40 hours of community service or imprisonment as set forth above. The penalties for more than two offenses within a one-year period shall be a fine not to exceed \$1000 or imprisonment or both such fine and imprisonment. Each day's violation shall constitute a separate offense.

- C. At the discretion of the County Executive, Commissioner or Administrator, any person found guilty of violating any provision of this chapter may be banned from the buildings and grounds for a period of time specified in writing. Persons so notified are prohibited from entering or remaining upon buildings and grounds, as specified.

SECTION 2. That this Local Law shall take effect immediately.

Material underlined is added

Carried. Ayes-12, Nays-6 (Keibel, Schofield, Shafer, LaBare, Black, Materese), Absent-1(Hull).

RESOLUTION NO. 525

(Held over by Mr. Shafer)

By: Personnel and Transportation and Rural Development and Finance Committees

Seconded by: Mr. Herz

RESOLUTION AUTHORIZING PERSONNEL DATA RECORD CHANGES FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION

WHEREAS, the County Executive requests the authorization to make the following Personnel Data Record Changes effective September 24, 2007, and

WHEREAS, these changes will save the County approximately \$60,000 annually, and

WHEREAS, the duties of the position of Public Transportation Analyst will be shared by the Acting Commissioner of Public Transportation and the Director of Transit Operations and the position will remain vacant, and

WHEREAS, the annual salary of the Acting Commissioner of Public Transportation is currently \$65,507 and the County Executive respectfully requests that said annual salary be increased by \$5,508 in accordance with a request contained in PDR# 07-757c, as compensation for the additional responsibility, which would bring his annual salary to \$71,015, and

WHEREAS, the annual salary of the Director of Transit Operation is currently \$59,256, and the County Executive respectfully requests that said annual salary be increased by \$3,000 in accordance with a request contained in PDR# 07-758c, as compensation for the additional responsibility, which would bring her annual salary to \$62,256, now, therefore be it

RESOLVED, that this County Legislature hereby approves and authorizes additional compensation in the amount of \$5,508 for the Acting Commissioner of Public Transportation for the additional duties bringing his total annual salary to \$71,015 effective September 24, 2007, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and authorizes additional compensation in the amount of \$3,000 for the Director of Transit Operations for the additional duties, bringing her total annual salary to \$62,256 effective September 24, 2007, and be it

FURTHER RESOLVED, that this County Legislature hereby waives the residency requirement of Resolution 82 of 1989 in order that Lori Rolison may be appointed to the position of Director of Transit Operations, and be it

FURTHER RESOLVED, that this waiver shall be effective immediately and shall continue for so long as Ms. Rolison shall hold the above mentioned position.

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

RESOLUTION NO. 527

(Held over by Mr. Reynolds)

By: County Administration and Finance Committees

Seconded by: Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SALVATION ARMY FOR THE COUNTY EXECUTIVE'S OFFICE FOR 2007

WHEREAS, the County Executive requests authorization for an agreement with the Salvation Army at a cost not to exceed \$28,165, for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said agreement is necessary to provide one time funding for the Salvation Army Soup Kitchen, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Salvation Army, 5-9 Griswold Street, Binghamton, New York 13904 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 \$28,165 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230037.4747.101000 (Other Fees for Services), and be it

FURTHER RESOLVED, that a transfer in the amount of \$28,165, from 2007 funds, is hereby authorized and approved as follows and disbursed as described:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingency Fund	\$28,165
TO:	230037	4747	101000	Other Fees for Services	\$28,165

and be it

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

Carried. Ayes-16, Nays-2 (Keibel, Kuzel), Absent-1 (Hull)

RESOLUTION NO. 529

(Held over by Mr. Black)

By: Personnel, Health and Human Services and Finance Committees

Seconded by: Mr. Black

RESOLUTION CONFIRMING THE APPOINTMENT OF STEVEN P. REAGAN AS ADMINISTRATOR OF WILLOW POINT NURSING HOME

WHEREAS, the County Executive, pursuant to the authority vested in her by Article XIV, Section A1401 of the Broome County Charter and Administrative Code and pending confirmation by this Legislature, has duly designated and appointed Steven P. Reagan as Administrator of the Willow Point Nursing Home, at the 2004 annual base salary of \$100,219 Grade O Admin II, effective July 30, 2007, and

WHEREAS, Steven P. Reagan is fully qualified to fill the position of Administrator of the Willow Point Nursing Home, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article XIV, Section A1401 of the Broome County Charter and Administrative Code, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature does hereby confirm the appointment of Steven P. Reagan, 2728 Watson Blvd., Apt. 1, Endwell, New York 13760 as Administrator of Willow Point Nursing Home, at the 2004 annual base salary of \$100,219, Grade O Admin II, effective July 30, 2007, in accordance with his appointment by the County Executive.

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

RESOLUTION NO. 530

(Automatic hold over)

By: County Administration and Personnel Committees

Seconded by: Mr. Cleary

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 10 OF 2007, ENTITLED "A LOCAL LAW AMENDING CHAPTER 19 OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE REGARDING THE CODE OF ETHICS"

WHEREAS, this County Legislature requests authorization for a Resolution Adopting Local Law Intro. No. 10 of 2007, Entitled "A Local Law Amending Chapter 19 of The Broome County Charter And Administrative Code Regarding The Code Of Ethics"

RESOLVED, that Local Law Intro. No. 10 of 2007, entitled "A Local Law Amending Chapter 19 of the Broome County Charter and Administrative Code Regarding the Code of Ethics" be and the same is hereby adopted and approved in accordance with the Broome County Charter, The New York State Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

Local Law Intro. No. 10 of 2007

"A Local Law Amending Chapter 19 of the Broome County Charter and Administrative Code Regarding the Code of Ethics"

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

Section 1 Chapter 19 of the Broome County Charter and Administrative Code is amended to read as follows:

ARTICLE I Code of Ethics

§ 19-1. Purpose and intent.

Pursuant to the provisions of § 806 of the General Municipal Law, the County Legislature of the County of Broome recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this Article to promulgate these rules of ethical conduct for the officers and employees of the County of Broome. These rules shall serve as a guide for official conduct of the officers and employees of the County of Broome. The rules of ethical conduct of this Article, as adopted, shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

§ 19-2. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

INTEREST — A pecuniary or material benefit accruing to a municipal officer or employee or to a municipal officer or employee's spouse, minor children and dependents; or a firm, partnership or association of which such officer or employee is a member or employee; or a corporation of which such officer or employee is an officer or director; or a corporation any stock of which is accrued or controlled, directly or indirectly, by such officer or employee.

MUNICIPAL OFFICER OR EMPLOYEE — An officer or employee of the County of Broome, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a Chief Engineer or Assistant Chief Engineer.

IMMEDIATE FAMILY MEMBER — Spouse, child, parent, sibling, grandparent, grandchild (including step and in-law relationships) legal guardian of or any other relative or person residing in the same household as an officer or employee of the County of Broome.

GIFT — Anything of more than nominal value given to a public official in any form including, but not limited to money service, loan, travel, lodging, meals, refreshments, entertainment, discount, forbearance, or promise, having a monetary value.

PUBLIC OFFICERS LAW — The Public Officers Law of the State of New York.

GENERAL MUNICIPAL LAW — The General Municipal Law of the State of New York.

§ 19-3. Standards of conduct.

Every officer or employee of the County of Broome shall be subject to and abide by the following standards of conduct:

A. Gifts.

(1) No officer or employee of the county, whether paid or unpaid, shall directly or indirectly solicit, ~~any gift or gratuity or~~ accept, or receive any gift or gratuity having a value of \$75 or more, ~~whether in the form of money, services, loan, travel, entertainment or any other form,~~ from any person, firm, ~~or~~ corporation or bargaining unit that represents Broome County employees or affiliates of said bargaining unit which is directly or indirectly, in any manner whatsoever, in any business or professional transaction or dealing with the county or any agency thereof; ~~nor~~ shall any officer or employee, whether paid or unpaid, accept or receive, in any one calendar ~~month~~ year, a combination of two or more gifts where the gifts individually are worth less than \$75 but in the aggregate are equal to or exceed a value of \$75 ~~more than one gift or gratuity having a value of less than \$75~~ from a person, firm, ~~or~~ corporation or bargaining unit that represents Broome County employees or affiliates of said bargaining unit which is directly or indirectly in any manner whatsoever in any business or professional transaction or dealing with the county or any agency thereof.

B. Confidential information. He or she shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest.

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C. Representation before one's own agency. He or she shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he or she is an officer, member or employee or of any municipal agency over which he or she has jurisdiction or to which he or she has the power to appoint any member, officer or employee.

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D. Representation before any agency of office's or employee's municipality. He or she shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his or her municipality.

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E. Disclosure of interest in legislation. To the extent that he or she knows thereof, a member of the County Legislature and any officer or employee of the County of Broome, whether paid or unpaid, who participates in the discussion or gives official opinion to the County Legislature or any board, agency, department or other administrative unit of Broome County shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such legislation.

F. Investments in conflict with official duties. He or she shall not invest or hold any investment, directly or indirectly, in any financial business, commercial or other private transaction which creates a conflict with his or her official duties.

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G. Private employment. He or she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

H. Future employment. He or she shall not, after the termination of service or employment with such municipality, appear before any board, agency, department or other administrative unit of the County of Broome in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service or employment or which was under his or her active consideration.

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I. Use of county property and resources. He or she shall not directly or indirectly use or allow the use of property of any kind owned by the County of Broome, including property leased to the county, for other than official county business. Nor shall he or she use County of Broome resources or use his or her position as an officer or employee of the County of Broome to do anything or cause anything to be done that results in the securing of unwarranted benefits, privileges or exemptions for him or herself or for any third party.

J. Nepotism:

(1) In hiring. He or she shall not take part in any hiring or employment decision relating to an immediate family member. If a hiring or employment matter arises relating to an immediate family member, then the officer or employee must advise his or her supervisor of the relationship, and must be recused from any and all discussions or decisions relating to the matter.

(2) In supervising. An immediate family member of an officer or employee may not be employed in a position where an immediate supervisor/subordinate relationship would exist.

(3) In contracting. He or she shall not take part in any contracting decision:

- (i) relating to an immediate family member; or**
- (ii) relating to any entity in which an immediate family member is an officer, director or partner, or in which an immediate family member owns or controls 10% or more of the stock of such entity. If a contracting matter arises relating to an immediate family member, then the employee must advise his or her supervisor of the relationship, and must be recused from any and all discussions or decisions relating to the matter.**

§ 19-4. Semiannual gift disclosure statement.

- A. **All paid officers and employees of the county, whether full time or part time and all board members required to file an annual financial statement pursuant to § 19-6 A(3) of the Code of Ethics shall, on a semiannual basis, complete a gift disclosure statement affirmatively stating that he or she has neither accepted nor received any gift or gratuity from any person, firm, corporation or bargaining unit that represents Broome County employees or affiliates of said bargaining unit which is directly or indirectly, in any manner whatsoever, involved in any business or professional transaction or dealing with the county or any agency thereof during that time period OR that he or she has accepted a gift or gratuity from any of the above mentioned sources. All accepted gifts will be itemized on the gift disclosure statement.**
- B. **Statement review. All completed gift disclosure statements will be forwarded to the office of the Clerk of the Legislature. The office of the Clerk of the Legislature will produce a report of all received gift disclosure statements that contain gift disclosures and submit said report to the Board of Acquisition and Contract (B.A.C), for its review. A statement will be filed with the Board of Ethics for any suspected violations and investigated pursuant to § 19-19 of the Code of Ethics.**
- C. **Schedule. For the purpose of this section, the reporting requirement shall be as follows:**

<u>Statement due to Clerk of the Legislature</u>	<u>Report due to B.A.C.</u>
<u>(1) March 31</u>	<u>(1) April 21</u>
<u>(2) September 30</u>	<u>(2) October 21</u>

§ 19-5. Suits against county.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the County of Broome or any agency thereof on behalf of himself **or herself** or any member of his **or her** family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

§ 19-6. Annual statement of financial disclosure.

- A. On or before ~~May 15~~ **March 1** of each year, a statement of financial disclosure covering the preceding calendar year shall be filed with the Board of Ethics by:
- (1) The following elected officials: County Executive, County Legislators, County Clerk, Sheriff and District Attorney.
 - (2) The following heads of agencies, departments, divisions, councils, boards, commissions or bureaus and their deputies and assistants: ~~Commissioner of Public Works, President of Broome Community College, Commissioner of Aviation, Commissioner of Public Transportation, Director of Solid Waste Management, Director of Central Food and Nutrition Services, Probation Director, Commissioner of Finance, Commissioner of General Services, Comptroller, Director of Computer Services, County Attorney, Personnel Officer, Commissioners of Elections, Commissioner of Planning and Economic Development, Director of Emergency Services/Fire Coordinator, Commissioner of Mental Health, Willow Point Nursing Home Administrator, Director of Drug Awareness Center, Commissioner of Public Health, Public Defender, Commissioner of Parks and Recreation, County Historian, Director of Real~~

~~Property Tax Services, Executive Director of Youth Bureau, Manager of Broome County Veterans Memorial Arena, Commissioner of Social Services, CASA Director, Employment and Training Program Director, Director of Office for Aging, Manager of Risk and Insurance, STOP DWI Coordinator, Library Director, Deputy Commissioner of Buildings and Grounds, Deputy Commissioner of Engineering, Deputy Commissioner of Highways, Director of Security, Assistant Nursing Home Administrator, Vice President of Academic Affairs, Broome Community College, Vice President for Administration, Broome Community College, Vice President for Institutional Advancement, Broome Community College, Vice President for Student Affairs, Broome Community College, Deputy Commissioner of Aviation, Deputy Commissioner of Public Transportation, Deputy County Executive, Administration, Executive Assistant to County Executive, Director of Budget and Research, Deputy for Solid Waste Engineering Services, Clerk of County Legislature, Deputy Clerk of County Legislature, Assistant Director of Probation, Deputy County Clerk, Motor Vehicle Bureau Supervisor, Chief Assistant District Attorney, Deputy Commissioner of Finance, Purchasing Agent, Deputy Commissioner of General Services, Director of Weights and Measures, Deputy Comptroller, Chief Assistant County Attorney, Deputy Personnel Officer – Affirmative Action Officer, Director of Employee Relations, Deputy Commissioners of Elections, Assistant to County Executive for Community Relations, Undersheriff, Deputy Director of Emergency Services, Deputy Commissioner of Mental Health, Deputy Commissioner of Public Health, Chief Assistant Public Defender, Deputy Commissioner of Parks and Recreation, Real Property Tax Services Supervisor, Assistant Arena Manager, Deputy Commissioner of Social Services, Deputy Commissioner of Social Services for Services, Deputy Employment and Training Director, Deputy Director of Office for Aging and Legislative Assistant.]~~

Aging, Office for

Director of Office for Aging

Deputy Director of Office for Aging

Audit & Control

Comptroller,

Deputy Comptroller,

Director of Weights and Measures

Aviation

Commissioner of Aviation

Deputy Commissioner of Aviation

Broome Community College

President of Broome Community College

Vice President of Academic Affairs

Vice President for Administration and Financial Affairs

Vice President for Student Affairs

Central Foods

Director of Central Food and Nutrition Services

Emergency Services

Director of Emergency Services/Fire Coordinator

Deputy Director of Emergency Services

Employment & Training

Employment and Training Director

Deputy Employment and Training Director

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Finance
Commissioner of Finance
Deputy Commissioner of Finance

Health
Public Health Director
Deputy Public Health Director

Historian
County Historian

Information Technology
Director of Information Technology
Assistant Director of Information Technology

Law
County Attorney
Chief Assistant County Attorney
Deputy County Attorney (DSS)

Legislature
Clerk of County Legislature
Deputy Clerk of County Legislature
2nd Deputy Clerk of County Legislature
Legislative Assistant

Library
Library Director

Mental Health
Commissioner of Community Mental Health Services
Deputy Commissioner of Community Mental Health Services
Director of Drug Awareness Center

Nursing Home
Willow Point Nursing Home Administrator
Deputy Nursing Home Administrator – Fiscal Services
Deputy Nursing Home Administrator – Health Services

Parks & Recreation
Commissioner of Parks and Recreation
Deputy Commissioner of Parks and Recreation
Arena Manager
Events Coordinator
Director of Recreation

Personnel
Personnel Officer
Director of Employee Relations
Equal Employment Opportunity Compliance Officer

Planning and Economic Development
Commissioner of Planning and Economic Development
Director of Economic Development

Probation
Probation Director
Deputy Probation Director

Public Defender
Public Defender
Chief Assistant Public Defender

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Public Transportation

Commissioner of Public Transportation
Deputy Commissioner of Public Transportation

Public Works

Commissioner of Public Works
Deputy Commissioner of Public Works /Buildings and Grounds
Deputy Commissioner of Public Works /Engineering
Deputy Commissioner of Public Works / Highways
Director of Security
Director of Solid Waste Management

Purchasing

Purchasing Agent

Real Property Tax Service

Director of Real Property Tax Services
Assistant Director of Real Property Tax Services

Risk & Insurance

Manager of Risk and Insurance

Sheriff

Undersheriff
First Assistant Correctional Facilities Administrator

Social Services

Commissioner of Social Services
Deputy Commissioner of Social Services
Deputy Commissioner of Social Services - Temporary Assistance
Deputy Commissioner of Social Services – Administrative Services

Stop-DWI

STOP DWI Coordinator

Youth Bureau

Executive Director of Youth Bureau

- (3) Members of the following boards and agencies: ~~**Alcoholic Beverage Control Board, Board of Directors of Veterans Memorial Arena and Performing Arts Theater, Board of Trustees of Broome Community College, Cooperative Extension Association, Board of Ethics, Broome County Industrial Development Agency, Jury Board, Central Library Board of Trustees, Board of Directors of Catskill Regional Off-Track Betting Corporation, Private Industry Council, South Central New York Resource Conservation and Development Board, Broome County Resource Recovery Agency, Southern Tier East Regional Planning Development Board and STOP-DWI Advisory Board.**~~

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(1) **Alcoholic Beverage Control Board**

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(2) **Board of Directors of Veterans Memorial Arena and Performing Arts Theater**

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(3) **Board of Directors of Catskill Regional Off-Track Betting Corporation**

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(4) **Board of Ethics**

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(5) **Board of Trustees of Broome Community College**

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(6) **Broome County Industrial Development Agency**

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(7) **Broome County Resource Recovery Agency**

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(8) **Central Library Board of Trustees**

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(9) Cooperative Extension Association

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(10) Jury Board

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(11) Private Industry Council (Broome-Tioga Workforce Development Board)

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(12) South Central New York Resource Conservation and Development Board

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(13) Southern Tier East Regional Planning Development Board

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(14) STOP-DWI Advisory Board

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(15) Tobacco Asset Securitization Board

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(4) Such other officers or employees as certified to by the County Executive and approved by the Board of Ethics.

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B. Any such official, officer or employee whose duties commence after April 15 of any year shall file such statement within 30 days after the commencement of duties.

C. The statement of financial disclosure shall contain the information and shall be in the form of the statement of financial disclosure annexed hereto as Appendix A. Such statement shall be filed in the office of the Clerk of the County Legislature in a sealed envelope marked "Confidential Annual Statement of Financial Disclosure filed with Broome County Board of Ethics." Such envelopes, unopened, shall be forwarded by the Clerk of the Legislature to the Board of Ethics no later than April 15.

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D. Any person who is subject to the filing requirements of both Subdivision 2 of § 73-a of the Public Officers Law and of this § 19- ~~5~~ 6 may satisfy the requirements of this section by filing a copy of the statement filed pursuant to § 73-a of the Public Officers Law with the Board of Ethics in accordance with the provisions of this § 19- ~~5~~ 6.

E. Schedule of relevant dates and deadlines.

(1) February 1 – The office of the Clerk of the Legislature shall distribute the statement of financial disclosure (Appendix A) to officers and employees.

(2) March 1 – Statement of financial disclosure forms shall be postmarked or returned to the office of the Clerk of the Legislature.

(3) March 15 – The office of the Clerk of the Legislature shall mail delinquent letters to officers and employees who have not submitted their statement of financial disclosure.

(4) April 1 – List of employees and officers who have not submitted completed form will be produced.

§ 19-7. Advertisements by elected officials and candidates.

Pursuant to the provisions of § 73-b of the Public Officers Law, no elected government official or candidate for elected local office in the County of Broome shall knowingly appear in any advertisement or promotion, including public or community service announcements, published or broadcast through any print or electronic media (including television, radio and internet) by any private or commercial entity or any other entity that publishes such advertisement for a fee, if the advertisement or promotion is paid for or produced in whole or in part with funds of the state, a political subdivision thereof or a public authority.

§ 19-8. Distribution of code of ethics.

The County Executive of the County of Broome shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the County of Broome within 30 days after the effective date of this Article. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of **his or her** office or employment.

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§ 19-9. Penalties for offenses.

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

ARTICLE II Board of Ethics

§ 19-10. Membership.

Pursuant to the provisions of Article 18 of the General Municipal Law, there is hereby established a Board of Ethics consisting of three members to be appointed by the County Executive, subject to confirmation by the County Legislature. A majority of such members shall not be officers or employees of the county or any other municipality wholly or partially located in the county and at least one of whom shall be an elected or appointed officer or employee of the county or a municipality located therein. No more than two members shall be of the same political party **with at least one member belonging to the political party of Row A and one from Row B of the New York State Board of Elections voting ballot.**

§ 19-11. Advisory opinions.

- A. The Board shall render advisory opinions to officers and employees of the county and other municipalities located therein, except where such other municipality has established its own Board of Ethics, with respect to Article 18 of the General Municipal Law and Codes of Ethics adopted pursuant thereto. The advisory opinions will be rendered pursuant to the written request of any such officers and employees. The Board shall render a written opinion within 30 days of the request, whenever possible, after investigating fully the circumstances surrounding the request. An opinion rendered by the Board, until and unless amended or revoked, shall be binding on the Board in any subsequent proceeding concerning the person who requested the opinion and who acted in good faith, unless material facts were omitted or misstated by the person in the request for an opinion. Such opinion may also be relied upon by such person and may be introduced in any criminal or civil action. Such requests shall be confidential, but the Board may publish such opinions, provided that the name of the requesting person and other identifying details shall not be included in the publication.
- B. The Board shall make recommendations with respect to the drafting and adoption of a Code of Ethics or amendments thereto upon the request of the governing body of any municipality in the county.

§ 19-12. Coexistence with municipal boards of ethics.

The Board of Ethics shall not act with respect to the officers and employees of any municipality located within the county, where such municipality has established its own Board of Ethics, except that a local Board of Ethics may refer matters to the County Board.

§ 19-13. Terms of office, officers, meetings.

- A. Members of the Board of Ethics shall be appointed for terms of three years. If the County Executive fails to fill a vacancy on the Board within 60 days after a vacancy occurs, the County Legislature shall proceed to fill such vacancy. Whenever a vacancy occurs by expiration of term, a member may continue his or her office until the vacancy is filled.
- B. The Board shall elect each year a Chairman and Secretary. Special meetings of the Board shall be held at the call of any member on at least three days' written notice, mailed to the last-known address of the members. It shall adopt rules of proceeding for the conduct of its meetings, including the requirement that minutes shall be kept for every meeting, and establish regular meeting dates.
- C. Two members of the Board shall constitute a quorum.

§ 19-14. Compensation.

The members of the Board shall receive no salary or compensation for their services, but shall, within the appropriations provided therefore, be entitled to actual and necessary disbursements ~~and expenses in performing the duties of their office.~~

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§ 19-15. Removal of members.

Members of the Board may be removed by the County Executive, subject to confirmation by the County Legislature.

§ 19-16. Powers and duties.

The Board shall:

- A. Appoint an Executive Director, if necessary, and such staff as may be necessary to carry out its duties. The Board may delegate authority to the Executive Director, if any, to act in the name of the Board between meetings of the Board, provided that such delegation is in writing and the specific powers to be delegated are enumerated, and further provided that the Board shall not delegate the power to conduct hearings, determine violations, recommend disciplinary action, impose any civil fine, refer any matter to a prosecutor or render any advisory opinion. The office of the County Executive shall provide such office space, equipment and clerical personnel as may be necessary to support the operation of the Board.
- B. Adopt, amend and rescind rules and regulations to govern procedures of the Board, including the promulgation of rules and regulations of the same import as those which the Temporary State Commission on Local Government Ethics enjoys under § 813 of the General Municipal Law. Such rules and regulations shall include, but not be limited to, the procedure whereby a person who is required to file an annual financial disclosure statement with the Board may request an additional period of time within which to file such statement, due to justifiable cause or undue hardship; such rules or regulations shall provide for a date beyond which, in all cases of justifiable cause or undue hardship, no further extension of time will be granted.
- C. Make available forms for annual statements of financial disclosure required to be filed pursuant to the Code of Ethics.
- D. Act as a repository for completed financial disclosure forms filed pursuant to the Code of Ethics.

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- E. Review completed financial disclosure statements filed in accordance with the Code of Ethics **no later than May 15.**
- F. Receive complaints alleging a violation of the Code of Ethics.
- G. Permit any person required to file a financial disclosure statement to request the Board to delete from the copy thereof made available for public inspection one or more items of information, which may be deleted by the Board upon a finding by the Board that the information which would otherwise be required to be disclosed will have no material bearing on the discharge of the reporting person's official duties. If such request for deletion is denied, the Board, in its notification of denial, shall inform the person of his or her right to appeal the Board's determination pursuant to its rules governing adjudicatory proceedings and appeals.
- H. Permit any person required to file a financial disclosure statement to request an exemption from any requirement to report one or more items of information which may pertain to such person's spouse or child, which item or items may be exempted by the Board upon a finding by the Board that the reporting individual's spouse or child objects to providing the information necessary to make disclosure and that the information which would otherwise be required to be reported would have no material bearing on the discharge of the reporting person's official duties. If such request for exemption is denied, the Board, in its notification of denial, shall inform the person of his or her right to appeal the Board's determination pursuant to its rules governing adjudicatory proceedings and appeals.
- I. Permit any person who has not been determined by the County Executive to hold a policy-making position but who is otherwise required to file a financial disclosure statement to request an exemption from such requirement in accordance with rules and regulations governing such exemptions. Such rules and regulations shall provide for exemptions to be granted either on the application of an individual or on behalf of persons who share the same job title or employment classification which the Commission deems to be comparable for purposes of this section. Such rules and regulations may permit the granting of an exemption where, in the discretion of the Commission, the public interest does not require disclosure and the applicant's duties do not involve the negotiation, authorization or approval of:
- (1) Contracts, leases, franchises, revocable consents, concessions, variances, special permits or licenses as defined in § 73 of the Public Officers Law;
 - (2) The purchase, sale or rental or lease of real property, goods or services or a contract therefor;
 - (3) The obtaining of grants of money or loans; or
 - (4) The adoption or repeal of any rule or regulation having the force and effect of law.
- J. Prepare an annual report to the County Executive and the County Legislature summarizing the activities of the Board and recommending changes in the laws governing the conduct of elected officials and officers and employees of the county.

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§ 19-17. Inspection of financial disclosure statements.

The Board, or the Executive Director and staff of the Board, if responsibility therefor has been delegated, shall inspect all financial disclosure statements filed with the Board **no later than May 15** to ascertain whether any person subject to the reporting requirements of the Code of Ethics has failed to file such a statement, has filed a deficient statement or has filed a statement which reveals a possible violation of the Code of Ethics.

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§ 19-18. Notice of failure to file statement.

If a person required to file a financial disclosure statement with the Board has failed to file a disclosure statement or has filed a deficient statement, the Board shall notify the reporting person in writing, state the failure to file or detail the deficiency, provide the person with a fifteen-day period to cure the deficiency and advise the person of the penalties for failure to comply with the reporting requirements. Such notice shall be confidential. If the person fails to make such filing or fails to cure the deficiency within the specified time period, the Board shall **direct the Clerk of the Legislature to** send a notice of delinquency to the reporting person and to the County Executive and the County Legislature **by March 15. The Board shall direct the Clerk of the Legislature to produce a list of delinquent individuals who have failed to file their financial disclosure statement by April 1 and forward said list to all department heads as well as Boards that have any members that are not in compliance.**

§ 19-19. Violations of code of ethics.

- A. If a reporting person has filed a statement which reveals a possible violation of the Code of Ethics, or the Board receives a sworn complaint alleging such a violation, or if the Board determines on its own initiative to investigate a possible violation, the Board shall notify the reporting person in writing, describe the possible or alleged violation and provide the person with a fifteen-day period in which to submit a written response setting forth information relating to the activities cited as a possible or alleged violation of law. If the Board thereafter makes a determination that further inquiry is justified, it shall give the reporting person an opportunity to be heard. The Board shall also inform the reporting individual of its rules regarding the conduct of adjudicatory proceedings and appeals and the due process procedural mechanisms available to such individual. If the Board determines at any stage of the proceeding that there is no violation or that any potential conflict of interest violation has been rectified, it shall so advise the reporting person and the complainant, if any. All of the foregoing proceedings shall be confidential.
- B. If the Board determines that ~~there is reasonable cause to believe that~~ a violation has occurred, it shall send notice of ~~reasonable cause~~ **violation** to the reporting person, to the complainant, if any, to the County Executive and the County Legislature.

§ 19-20. Penalties for false statements.

A reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who knowingly and willfully, with intent to deceive, makes a false statement or gives information which such individual knows to be false on such statement of financial disclosure filed pursuant to § 19- ~~5~~ **6** of the Code of Ethics shall be assessed a civil penalty in an amount not to exceed \$10,000. Assessment of a civil penalty hereunder shall be made by the Board with respect to persons subject to its jurisdiction. For a violation of this section, the Board may, in lieu of a civil penalty, refer a violation to the District Attorney and, upon such conviction, but only after such referral, such violation shall be punishable as a Class A misdemeanor. Notwithstanding any other provision of law to the contrary, no other penalty, civil or criminal, may be imposed for a failure to file or for a false filing of such statement, except that the appointing authority may impose disciplinary action as otherwise provided by law.

§ 19-21. Rules for proceedings and appeals.

The Board shall be deemed to be an agency within the meaning of Article 3 of the State Administrative Procedure Act and shall adopt rules governing the conduct of adjudicatory

proceedings and appeals taken pursuant to a proceeding commenced under Article 78 of the Civil Practice Law and Rules **of the State of New York** relating to the assessment of the civil penalties herein authorized and Board denials of requests for certain deletions or exemptions to be made from a financial disclosure statement as authorized in § 19-~~144~~ **16G** or H hereof. Such rules, which shall not be subject to the approval requirements of the State Administrative Procedure Act, shall provide for due process procedural mechanisms substantially similar to those set forth in such Article 3, but such mechanisms need not be identical in terms or scope. Assessment of a civil penalty or Board denial of such a request shall be final, unless modified, suspended or vacated within 30 days of imposition, with respect to the assessment of such penalty, or unless such denial of request is reversed within such time period and, upon becoming final, shall be subject to review at the insistence of the affected reporting individuals in a proceeding commenced against the Board pursuant to Article 78 of the Civil Practice Law and Rules **of the State of New York**.

§ 19-22. Filing of notices.

A copy of any notice of delinquency or notice of ~~reasonable cause~~ **violation** sent pursuant to § 19-~~16~~ **18** or 19-~~17~~ **19** hereof shall be included in the reporting person's file and be available for public inspection.

§ 19-23. Additional powers and duties.

In addition to any other powers and duties specified by law, the Board shall have the power and duty to:

A. Administer and enforce all the provisions of §§ 19-~~14~~ **16** through 19-~~20~~ **22**.

B. Administer and enforce all the provisions of § 19-4 and §§ 19-25 through 19-32.

C. Conduct any investigation necessary to carry out the provisions of **§ 19-4**, §§ 19-~~14~~ **16** through 19-~~20~~ **22** and **§§ 19-25 through 19-32**. Pursuant to this power and duty, the Board may administer oaths or affirmations, subpoena witnesses, compel their attendance and require the production of any books or records which it may deem relevant or material.

§ 19-24. Records available for public inspection.

A. The records of the Board which shall be available for public inspection **for a period of 7 years** are:

- (1) The information set forth in an annual statement of financial disclosure filed pursuant to the Code of Ethics, except any of the categories of value or amount, which shall remain confidential, and any item of information deleted pursuant to § 19-~~144~~ **16G** hereof.
- (2) **The information set forth in the gift disclosure statement filed pursuant to § 19-4.**
- (3) **The information set forth in the contribution and gift sworn statements filed pursuant to § 19-27.**
- (4) Notices of delinquency sent **and delinquent list produced** under § 19-~~16~~ **18** hereof.
- (5) Notices of civil assessments imposed under § 19-~~18~~ **20** hereof.
- (6) Notices of **violation** sent under § 19-~~17~~ **19** and **§ 19-31** hereof.

B. No other records of the Board shall be available for public inspection. No meeting or proceeding of the Board shall be open to the public, except if expressly provided otherwise by the Board.

ARTICLE III County of Broome Professional Service Agreement

§ 19-25. Definitions.

As used in this Article, the following term shall have the meaning indicated:

PROFESSIONAL BUSINESS ENTITY — an entity seeking a public contract or agreement for professional service, public works, or purchase/lease of equipment, supplies and materials and which may be an individual including the individual's spouse, if any, and any child living at home; a person; firm, corporation; professional corporation; partnership; organization; or association. The definition of a business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, and officers in the aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity. The definition of business entity shall also include bargaining units that represent Broome County employees or affiliates of said bargaining units.

§ 19-26. Contributions and gifts.

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- A. The County shall not enter into contracts or agreements for professional services, public works, or purchase/lease of equipment, supplies and materials with any party if that party has solicited or made any contribution, including in-kind contributions, within one calendar year immediately preceding the date of the contract or agreement, which exceeded the permitted thresholds set forth in Article 14 of the Election Law of the State of New York.**
- B. It shall be a violation of Chapter 19 of the Broome County Code for a professional business entity to:**
- (1) Make or solicit a contribution or gift in violation of Articles I or III of Chapter 19 of the Broome County Code.**
 - (2) Knowingly conceal or misrepresent a contribution or gift given or received.**
 - (3) Make or solicit contributions or gifts through intermediaries for the purpose of concealing or misrepresenting the source of the contribution.**
 - (4) Engage in the exchange of contributions or gifts that would circumvent the intent of Article III of Chapter 19 of the Broome County Code.**
 - (5) Directly or indirectly, through or by any other person or means, do any act which would subvert the provisions of Article III of Chapter 19 of the Broome County Code or the intent thereof.**

§ 19-27. Contribution statement and gift statement by professional business entity.

- A. Election law signed statements. The County shall require a signed statement for any contract or agreement that requires formal bidding under the New York State General Municipal Law, the Broome County Charter or Local Law of Broome County that the professional business entity has not made a contribution within one calendar year immediately preceding the date of the contract or agreement which exceeded the permitted thresholds set forth in Article 14 of the Election Law of the State of New York.**

B. Gifts signed statement. The County shall require a signed statement for any contract or agreement that requires formal bidding under the New York State General Municipal Law, the Broome County Charter or Local Law of Broome County, that discloses all gifts given, if any, by the bidding professional business entity to any officer or employee of the County of Broome.

C. Reporting violations. The professional business entity shall have a continuing duty to report any violations of Article III of Chapter 19 of the Broome County Code that may occur during the negotiation or duration of a contract.

**§ 19-28. Contributions and gifts made prior to the effective date.
No contribution of money or any other thing of value, including in-kind contributions, and gifts made by a professional business entity shall be deemed a violation of this section; nor shall any contract or agreement be disqualified thereby, if that contribution or gift was given by the professional business entity prior to the effective date of Article III of Chapter 19 of the Broome County Code.**

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**§ 19-29. Return of excess contributions.
A professional business entity, candidate for elected county office, officeholder, county party committee or political action committee (PAC) may cure a violation of Article III of Chapter 19 of the Broome County Code if, within 60 days after the prohibited contribution is made known, the responsible party notifies the Board of Ethics in writing and seeks and receives reimbursement of the contribution.**

§ 19-30. Inspection of signed statements.

A. Any contract or agreement that requires formal bidding under the New York State General Municipal Law, the Broome County Charter or Local Law of Broome County shall have the contribution signed statement and the gift signed statement attached for inspection to ascertain whether any professional business entity subject to the reporting requirements of Article III of Chapter 19 of the Broome County Code has filed a deficient statement or has filed a statement which reveals a possible violation of Article III of Chapter 19 of the Broome County Code. All statements that disclose gift giving will be forwarded by the Purchasing Agent to the office of the Clerk of the Legislature who shall produce a report of all received signed statements and on a semiannual basis submit said report to the Board of Acquisition and Contract (B.A.C) as well as the Board of Ethics for their review. A statement will be filed with the Board of Ethics for any suspected violations.

B. Schedule. The Clerk of the Legislature's reporting requirement shall be as follows:

<u>Period End Date</u>	<u>Report Due To B.A.C.</u>
(1) <u>March 31</u>	(1) <u>April 21</u>
(2) <u>September 30</u>	(2) <u>October 21</u>

§ 19-31. Violations.

The Board of Ethics shall have the power to receive and review all complaints alleging a violation of Article III of Chapter 19 of the Broome County Code in the following manner:

A. If a reporting professional business entity has filed a statement which reveals a possible violation of Article III of Chapter 19 of the Broome County Code, or the Board receives a sworn complaint alleging such a violation, or if the Board determines on its own initiative to investigate a possible violation, the Board shall notify the reporting entity in writing, describe the possible or alleged violation and provide the entity with

a fifteen-day period in which to submit a written response setting forth information relating to the activities cited as a possible or alleged violation of law. If the Board thereafter makes a determination that further inquiry is justified, it shall give the reporting entity an opportunity to be heard. The Board shall also inform the reporting entity of its rules regarding the conduct of adjudicatory proceedings and appeals and the due process procedural mechanisms available to such entity. If the Board determines at any stage of the proceeding that there is no violation or that any potential conflict of interest violation has been rectified, it shall so advise the reporting entity and the complainant, if any. All of the foregoing proceedings shall be confidential.

B. If the Board determines that a violation has occurred, it shall send notice of violation to the reporting person, to the complainant, if any, to the County Executive and the County Legislature.

§ 19-32. Penalties for offenses.

Any professional business entity that violates §§ 19-26 through 19-29 of Article III of Chapter 19 of the Broome County Code, shall be disqualified from eligibility for future County of Broome contracts for a period of two calendar years from the date of the violation.

§ 19-33. Severability and repealer.

A. If any section, subsection, sentence, clause or phrase of Article III of Chapter 19 of the Broome County Code is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of Article III of Chapter 19 of the Broome County Code.

B. All local laws or parts of local laws which are inconsistent with any provisions of this Chapter are hereby repealed as to the extent of such inconsistencies.

Section 2 This Local Law shall become effective **January 1, 2008.**

Material in [brackets] is deleted.

Material underlined is added.

Motion by Mr. Kuzel, seconded by Mr. Garnar, to amend the resolution, changing the word "produced" to "published" in Section 19-24 (4).

Amendment defeated. Ayes-6, Nays-12 (Materese, Keibel, Sanfilippo, Schofield, Hutchings, LaBare, Black, Cleary, Reynolds, Herz, Buchta, Whalen), Absent-1 (Hull).

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

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 532

By: Finance Committee

Seconded by: Mr. Materese

RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME COUNTY GOVERNMENT FOR FISCAL YEAR 2008

WHEREAS, this County Legislature, by an accompanying Resolution of 2007, has adopted a budget for fiscal year 2008, now, therefore, be it

RESOLVED, that the several amounts specified in such budget under the various categories and the various objects of expense in the 2008 tentative budget under the recommended column, unless a specific change or correction has been made in the same, in

which case such change or corrected figure shall apply, shall be the amount appropriated for such items, effective January 1, 2008, and be it

FURTHER RESOLVED, that the Budget Officer is hereby authorized, empowered and directed to correct any modifications, changes, additions and/or typographical errors not affecting the substance of the budget, and that the Budget Officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

Held over to the 2008 Budget Special Session by Mr. Schofield.

RESOLUTION NO. 533

By: Finance Committee

Seconded by: Mr. Materese

RESOLUTION APPROVING THE 2008-2013 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2008 Capital Budget and the 2008-2013 Capital Improvement Program as accompanying the tentative budget for 2008, and as corrected and amended, is hereby approved and adopted as the 2008 Capital Budget and 2008-2013 Capital Improvement Program for the County of Broome, and be it

FURTHER RESOLVED, that the Budget Officer be and hereby is authorized, empowered, and directed to correct any modifications, changes, additions, and/or typographical errors not effecting the substance of the capital budget and capital program, and that the Budget Officer is further directed, after making such corrections, to file the same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

Held over to the 2008 Budget Special Session by Mr. Schofield.

RESOLUTION NO. 534

By: Finance Committee

Seconded by: Mr. Materese

RESOLUTION ADOPTING THE BROOME COUNTY BUDGET FOR FISCAL YEAR 2008

RESOLVED, that the tentative budget of the County of Broome, including the County's 2008 Capital Budget, as corrected and amended to \$ _____, be and hereby is adopted as the budget for the County of Broome, for the year commencing January 1, 2008 and ending December 31, 2008, and be it

FURTHER RESOLVED, that any available fund balances that exist on December 31, 2007 in excess of those appropriated for the 2008 budget, as certified by the Commissioner of Finance, be transferred to the Capital Fund to offset and replace borrowing authorization for projects as approved in the Capital Improvement Program. These funds shall be dedicated in the first instance to these projects that most directly effect real property taxes and projects with the shortest period of probable usefulness as set out in Section 11.00 of the Local Finance Law, and be it

FURTHER RESOLVED, that the Commissioner of Finance and Director of Budget and Research are directed to report to this Legislature and the Comptroller any transfers to the Capital Fund made pursuant to this Resolution, and be it

FURTHER RESOLVED, that the budget officer is hereby authorized, empowered, and directed to correct any modifications, changes, additions and/or typographical errors not effecting the substance of the budget and that the budget officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

Held over to the 2008 Budget Special Session by Mr. Schofield.

RESOLUTION NO. 535

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By: Transportation and Rural Development and Finance Committees
Seconded by: Mr. Mather

RESOLUTION AUTHORIZING ACCEPTANCE OF A NEW YORK STATE GRANT FOR THE GREATER BINGHAMTON AIRPORT AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, the Commissioner of Aviation requests authorization to accept a New York State Grant and adopt a program budget in the amount of \$241,000 for the period April 1, 2007 through April 1, 2010, and

WHEREAS, the funds will be used toward making security-related and various structural improvements to the large Corporate Aircraft Hangars located at Greater Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$241,000 from the New York State Department of Transportation for hangar improvements for the period April 1, 2007 through April 1, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a loan not to exceed \$60,250 from the Broome County Industrial Development Agency (IDA), which amount, with interest not to exceed 4% per annum, shall be repaid to the IDA in sixty equal monthly payments commencing January 1, 2009, and be it

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

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

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

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

RESOLUTION NO.536

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

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND-JOHNSON, INC. FOR CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2006-2008

WHEREAS, this County Legislature, by Resolution 387 of 2006, authorized an agreement with McFarland-Johnson, Inc. for construction observation and administration services for the Department of Aviation for the period September 1, 2006 through June 1, 2007, and

WHEREAS, said agreement provides construction observation and administration services for the Runway 10-28 Safety Area Improvement Project, and

WHEREAS, due to project winter shut down, administrative requirements pertaining to this project could not be completed within original contract term, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term of the contract to February 29, 2008, and

WHEREAS, the Commissioner of Aviation 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 McFarland-Johnson, Inc., 49 Court St., P.O. Box 1980, Binghamton, NY 13902,

extending the term of the contract for construction observation and administration services for the Department of Aviation for the period September 1, 2006 through February 29, 2008, and be it

FURTHER RESOLVED, there shall be no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 387 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. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO.537

By: Transportation and Rural Development and Finance Committees

Seconded by: Mr. Cleary

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND-JOHNSON, INC. FOR CONSTRUCTION OBSERVATION AND ADMINISTRATION SERVICES FOR THE AIRPORT ENTRANCE IMPROVEMENT PROJECT AT THE GREATER BINGHAMTON AIRPORT FOR THE DEPARTMENT OF AVIATION FOR 2006-2008

WHEREAS, this County Legislature, by Resolution 454 of 2006, authorized an agreement with McFarland-Johnson, Inc. for construction observation and administration services for the Airport Entrance Improvement Project at the Greater Binghamton Airport for the period September 1, 2006 through June 1, 2007, and

WHEREAS, said services are necessary to provide technical inspections, progress reporting, preparation of Federal Aviation Administration weekly reports, contractor monitoring and payment submittals and the development of a daily project diary, and

WHEREAS, due to delays in this project as the result of design changes and weather factors, completing administrative requirements for this project within the original contract term was not possible, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term of the contract to February 29, 2008, and

WHEREAS, the Commissioner of Aviation 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 McFarland-Johnson, Inc., 49 Court St., P.O. Box 1980, Binghamton, NY 13902, extending the term of the contract for construction observation and administration services for the Airport Entrance Improvement Project at the Greater Binghamton Airport for the period September 1, 2006 through February 29, 2008, and be it

FURTHER RESOLVED, there shall be no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 454 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. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO.538

By: Transportation and Rural Development and Finance Committees

Seconded by: Mr. Cleary

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION FOR LEASE OF SPACE AT THE GREATER BINGHAMTON AIRPORT FOR 2007-2012

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WHEREAS, this County Legislature, by Resolution 449 of 2002, authorized an agreement with the Transportation Security Administration for the lease of 950 square feet of space in the terminal building at the Greater Binghamton Airport at an annual rate of \$17,660.50, for the period October 1, 2002 through September 30, 2007, and

WHEREAS, said agreement is necessary for lease of space for the Transportation Security Administration which has responsibility for administering aviation security at U.S. Airports, and

WHEREAS, said agreement expires by its terms on September 30, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County at an amount not to exceed \$21,061.41 per year, for the period October 1, 2007 through September 30, 2012, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with U.S. General Services Administration-PBS Northeast and Caribbean Region, Account Management Division – 2PGL, 26 Federal Plaza, Room 16-100, New York, New York 10278 for lease of 950 square feet of space in the terminal building of the Greater Binghamton Airport for the period October 1, 2007 through September 30, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$21,061.41 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 210070.0108.207000 (Space Rental-Other), and be it

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

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

RESOLUTION NO.539

By: Transportation and Rural Development and Finance Committees

Seconded by: Mr. Cleary

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH FEDERAL AVIATION ADMINISTRATION FOR LEASE OF SPACE AT THE GREATER BINGHAMTON AIRPORT FOR 2007-2012

WHEREAS, this County Legislature, by Resolution 450 of 2002, authorized an agreement with the Federal Aviation Administration for lease of 6,331 square feet of space in the Administration Building at the Greater Binghamton Airport at a rate of \$101,858.04 per year for the period October 1, 2002 through September 30, 2007, and

WHEREAS, said agreement is necessary for lease of space for the FAA for housing air traffic control and facilities personnel and equipment, and

WHEREAS, said agreement expires by its terms on September 30, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed: \$117,136.75 x 3% per year for the period October 1, 2007 through September 30, 2008, \$120,650.85 x 3% per year for the period October 1, 2008 through September 30, 2010, \$124,270.38 per year for the period October 1, 2010 through September 30, 2012, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434-4809 for lease of 6,331 square feet of space in the terminal building at the Greater Binghamton Airport for the period October 1, 2007 through September 30, 2012, and be it

FURTHER RESOLVED, that in consideration of said services; the Contractor shall pay the County an amount not to exceed: \$117,136.75 x 3% per year for the period October 1, 2007 through September 30, 2008, \$120,650.85 x 3% per year for the period October 1, 2008 through September 30, 2010, \$124,270.38 per year for the period October 1, 2010 through September 30, 2012, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 210070.0108.207000 (Space Rental - Other), and be it

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

RESOLUTION NO.540

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

RESOLUTION AUTHORIZING RENEWAL OF THE PUBLIC DEFENDER'S AID TO LOCALITIES-AID TO DEFENSE PROGRAM GRANT FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 267 of 2006, authorized and approved renewal of the Aid to Localities-Aid to Defense funding for the Public Defender in the amount of \$27,834 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said aid supports the Broome County Office of the Public Defender who provides representation to financially eligible persons arrested in Broome County and also relieves the County of an expense it would otherwise have to assume, and

WHEREAS, it is desired to accept the New York State Public Defender Aid to Localities-Aid to Defense Program Grant in the amount of \$27,834 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 \$27,834 from the New York State Division of Criminal Justice Services, Four Tower Place, Albany, New York 12203-3764 for the Public Defender's Aid to Localities-Aid to Defense Program Grant for the period April 1, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be recorded in budget line 530006.0264.101000 (Major Offense Public Defender), and be it

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

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

RESOLUTION NO.541

By: Public Works and Finance Committees
Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF UNION FOR THE TAFT AVENUE/BUFFALO STREET DRAINAGE STUDY

WHEREAS, occasionally after heavy rains the basements of houses located on Darien Drive in the vicinity of Taft Avenue and Buffalo Street are flooded, and water accumulates in front of the George F. Johnson School, and

WHEREAS, the Town of Union Commissioner of Public Works and the Broome County Commissioner of Public Works desire to enter into an inter-municipal agreement to fund a study of these drainage issues in order to find a solution to the flooding, and

WHEREAS, this study would be part of a FEMA funded capital program, and

WHEREAS, it is estimated that the County's share of the cost of the drainage study would be twenty-five percent (25%) of the total cost not to exceed \$1,560, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an inter-municipal agreement with the Town of Union, 3111 E. Main Street, Endwell, New York 13760-5990 whereby the Town and County will jointly fund a drainage study to determine the cause of flooding in the vicinity of Taft Avenue/Buffalo Street/ Darien Drive, and be it

FURTHER RESOLVED, that the County's shares of the cost of the study shall be twenty-five per cent (25%) of the total cost not to exceed \$1,560, and, be it

FURTHER RESOLVED, that the County's share of the cost of the joint study shall be paid from capital project 035030.2013.501485 (Taft Avenue Drainage Study), and, be it

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

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

RESOLUTION NO.542

By: Public Works and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE MARCHISELLI PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFOR

WHEREAS, a Project for Hooper Road Bridge Over the Norfolk Southern, Southern Tier Main Line, (BIN 334970) in the Town of Union, Broome County PIN 9752.51 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Broome desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the Locally Administered costs and 100% of the non-Federal share of the State Administered costs of the Preliminary Engineering, Right-of-Way Incidentals, and Construction and Construction Supervision and Inspection work, and

WHEREAS, the County of Broome has previously executed Master Federal Aid and Marchiselli Aid Project Agreement (D022037) for the Preliminary Engineering and Right-of-Way Incidentals work and appropriated \$339,200, now therefore, be it

RESOLVED, that this Broome County Legislature, hereby approves the above subject project, and it is hereby

FURTHER RESOLVED, that the Broome County Legislature hereby authorizes the County of Broome to pay in the first instance 100% of the Federal and non-Federal share of the Locally Administered costs and 100% of the non-Federal share of the State Administered costs of the Preliminary Engineering, Right-of-Way Incidentals, and Construction and Construction Supervision and Inspection work for the Project of portions thereof, and be it

FURTHER RESOLVED, that the sum of \$2,784,952 is hereby appropriated from 2000 Capital Improvement Program, Project 501358 and 2004 Capital Improvement Program, Project 501389 and made available to cover the cost increase of participation in the above phases of the Project, and be it

FURTHER RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Broome County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it

FURTHER RESOLVED, that the County Executive of the County of Broome be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal-aid and/or Marchiselli aid on behalf of the County of Broome with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it

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

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

RESOLUTION NO.543

By: Finance Committee

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AGREEMENT WITH TRAVELERS, C/O MARSH USA, INC., FOR EMPLOYEE BOND INSURANCE FOR THE OFFICE OF RISK AND INSURANCE FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 538 of 2006, authorized an agreement with St. Paul Travelers, c/o Marsh USA, Inc., for employee bond insurance for the Office of Risk and Insurance at a cost not to exceed \$8,000, for the period November 1, 2006 through October 31, 2007, and

WHEREAS, said agreement is necessary to provide required bonds for employees, and WHEREAS, said agreement expires by its terms on October 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 \$7,000, for the period November 1, 2007 through October 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Travelers, c/o Marsh USA, Inc., 175 Sully's Trail, Suite 301, Pittsford, New York 14534, for employee bond insurance for the Office of Risk and Insurance for the period November 1, 2007 through October 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4521.254000 (Insurance Premiums), and be it

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

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

RESOLUTION NO. 544

By: Finance Committee

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ADJUSTMENT OF TAX BILLS FOR A PROPERTY IN THE TOWN OF MAINE

WHEREAS, the Director of Real Property is requesting authorization to adjust tax bills, tax records and property records in accordance with all applicable laws for the following property and for the reasons stated as may be necessary, now, therefore, be it

RESOLVED, that this County Legislature hereby approves authorization for the Commissioner of Finance to execute any and all adjustments to tax bills, tax records and property records for the following properties and for the reasons stated:

Parcel ID/Tax Map No.:	108.01-1-2
Town/Village:	Town of Maine
Owner:	Craig McConnell
Address:	235 Edson Ave.

	<u>Incorrect Tax</u>	<u>Correct Tax</u>
County	\$ 614.89	\$ 26.64
Town	48.74	2.11
Town Highway	241.99	10.48
School Re-levy	1,549.96	109.56
Fire	<u>174.02</u>	<u>7.54</u>
	\$ 2,626.60	\$156.33 Plus penalty & interest
Penalty and Interest	<u>360.44</u>	
	\$ 2,990.04	

Deleted: ¶

Reason: Assessment from 60,000 to 2,600 due to improvement not existing on parcel

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

RESOLUTION NO. 545

By: Finance Committee

Seconded by: Mr. Sanfilippo

RESOLUTION APPROVING SALE OF COUNTY-OWNED PROPERTY IN THE TOWN OF MAINE

WHEREAS, the County of Broome now owns a certain parcel of real property as listed on Exhibit "A", and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said property to the individual listed on Exhibit "A", now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County property as indicated on Exhibit "A" attached herewith, and be it

FURTHER RESOLVED, that the payments hereinabove referenced shall be credited to budget line 630004.0212.101000 (Sale of Real Property), and be it

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

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

RESOLUTION NO. 546

By: Finance Committee

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING CANCELLATION OF VILLAGE AND/OR SCHOOL TAXES ON COUNTY OWNED PARCELS IN VARIOUS TOWNS AND VILLAGES

WHEREAS, it is necessary to clear the tax records of county owned parcels of real property as listed in Exhibit A, now, therefore, be it

RESOLVED, that taxes will be cancelled on the county owned parcels of real property as listed in Exhibit A.

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

RESOLUTION NO. 547

By: Finance Committee

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING REINSTATEMENT OF REAL PROPERTY TAXES ON PARCELS IN VARIOUS VILLAGES IN BROOME COUNTY

WHEREAS, it is necessary to reinstate the tax records of a parcel of real property by virtue of the reason stated below, now, therefore, be it

RESOLVED, that taxes will be reinstated on the following parcel of real property:

Parcel ID: 143.65-3-6
Town/Village: Village of Johnson City
Parcel Location: 15 Ozalid Road
Owner: Lee C. Hartjen
Amount to be Reinstated: \$1,460.76
Reason: Land owner filed bankruptcy

Parcel ID: 028.18-2-18
Town/Village: Village of Triangle
Parcel Location: 7295 Collins Street
Owner: Keeler, Donald F & Tamara L
Amount to be Reinstated: \$31.88 plus accrued interest and penalties
Reason: Sell back to former owner

Parcel ID: 028.18-2-19
Town/Village: Village of Triangle
Parcel Location: 7299 Collins Street
Owner: Keeler, Donald F & Tamara L
Amount to be Reinstated: \$1,255.83 plus accrued interest and penalties
Reason: Sell back to former owner

Parcel ID: 143.63-1-28
Town/Village: Village of Johnson City
Parcel Location: 105 West Street
Owner: Kalb, John J., & Mary Ann
Amount to be Reinstated: \$1,106.79 plus accrued interest and penalties
Reason: Sell back to former owner

Parcel ID: 182.07-2-52
Town/Village: Village of Windsor
Parcel Location: 12 Gary Street
Owner: Walter Crowley
Amount to be Reinstated: \$722.51 plus accrued interest and penalties
Reason: Sell back to former owner

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

RESOLUTION NO. 548

By: County Administration and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH NETSMART FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2008

WHEREAS, the Director of Information Technology requests authorization for an agreement with Netsmart for software maintenance at a cost not to exceed \$16,813.20, for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary to allow the Clinics Division of the Health Department to track and manage patients and service, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Netsmart, 3500 Sunrise Highway, Suite D122, Great River, NY 11739, for software maintenance for the period January 1, 2008 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 \$16,813.20 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4513.101000 (Software Maintenance), and be it

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

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

RESOLUTION NO. 549

By: County Administration and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH TIER TECHNOLOGIES FOR SOFTWARE MAINTENANCE FOR THE COUNTY'S FINANCE AND BUDGET PREPARATION SYSTEM FOR 2008

WHEREAS, the Director of Information Technology requests authorization for an agreement with Tier Technologies for software maintenance for the County's Finance and Budget Preparation system at a cost not to exceed \$75,381, for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said services are necessary for software maintenance for the County's Finance (FAMIS) and Budget Preparation (BPREP) and Systemwide, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Tier Technologies, 10780 Parkridge Blvd, Suite 400, Reston, VA 20191, for software maintenance, for the County's Finance and Budget Preparation System for the period January 1, 2008 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 \$75,381 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4513.101000 (Software Maintenance), and be it

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

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

RESOLUTION NO. 550

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THERAPEEDS PHYSICAL THERAPY OF UPSTATE NEW YORK, PLLC (D/B/A G & E THERAPIES) FOR PHYSICAL, SPEECH AND OCCUPATIONAL THERAPY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2007

WHEREAS, this County Legislature, by Resolution 595 of 2006, as amended by Resolution 145 of 2007, authorized renewal of the agreement with Therapeeds Physical Therapy of Upstate New York, PLLC (d/b/a G & E Therapies) for physical, speech and occupational therapy services for the Willow Point Nursing Home at a cost not to exceed \$40,000 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said agreement is necessary to provide physical, speech and occupational therapy services in the absence of a staff therapist and increase Medicare reimbursement at the Willow Point Nursing Home, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$29,200 for physical, speech and occupational therapy services for the Willow Point Nursing Home, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Therapeeds Physical Therapy of Upstate New York, PLLC (d/b/a G& E Therapies) c/o Gerilyn Gault, PT, 1977 Marshland Road, Apalachin, New York 13732, to increase the not to exceed amount by \$29,200 for physical, speech and occupational therapy services for the Willow Point Nursing Home 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 additional \$29,200, total amount not to exceed \$69,200, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160226/160234/160242.4706.204000 (Rehab and Therapy Services), and be it

FURTHER RESOLVED, that Resolutions 595 of 2006 and 145 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 551

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING BLANKET APPROVAL TO PAY FOR SERVICES CLASSIFIED UNDER THE CONSOLIDATED BILLINGS' PROSPECTIVE PAYMENT SYSTEM FOR SKILLED NURSING FACILITIES (SNF)

WHEREAS, the Balanced Budget Act of 1997 created a Consolidated Billings Prospective Payment System for Skilled Nursing Facilities whereby the SNF is responsible for submitting all Medicare claims for the services/products that its residents receive, and

WHEREAS, the vendors supplying the services/products defined under the Act to said residents are only able to be reimbursed by the SNF, and

WHEREAS, each year the Willow Point Nursing Home has requested separate County contracts to make federally-mandated payments to each vendor, which requires a great deal of time and expense in creating contracts and collecting insurance information with vendors who have already supplied the service/products that Willow Point Nursing Home is mandated to pay, and

WHEREAS, the Nursing Home Administrator is requesting authorization for a blanket approval to make said mandated payments for services/products which are classified under the Consolidated Billings Prospective Payment System for Skilled Nursing Facilities, with payment to the vendor being made at the Physician Fee Schedule rate where applicable, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes blanket approval for Willow Point Nursing Home to make mandated payments for services/products classified under the Consolidated Billings' Prospective Payment System for Skilled Nursing Facilities for the period January 1, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said authorization, the County shall pay various contractors a total amount not to exceed \$50,000 for the term of said authorization, and be it

FURTHER RESOLVED, that payment to vendors will be made at the Physician Fee Schedule rate, where applicable, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from various budget lines under project code 204000, and be it

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

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

RESOLUTION NO. 552

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING REVISION OF THE COMMUNITY OPTIONS PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH COMMUNITY OPTIONS, INC. TO ADMINISTER SAID PROGRAM FOR 2007

WHEREAS, this County Legislature, by Resolution 499 of 2006, authorized the continued participation in the Community Options Program Grant for the Department of Mental Health, adopted a program budget in the total amount of \$16,511 and authorized an agreement with Community Options, Inc. to administer said program for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides services to the Office of Mental Health clients enrolled in the VESID Program to assist with maintaining employment, such as integration skills and activities, prevocational skills training, employment preparation, and on-the-job training for individuals, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$9,953 in grant appropriations and amend the agreement with Community Options, Inc., to reflect an increase in the amount of \$9,953, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Community Options Program Grant to reflect an increase in the amount of \$9,953 for the period January 1, 2007 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 \$26,464, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Community Options, Inc., 182-184 State Street, Binghamton, New York 13901, to reflect an increase in the amount of \$9,953 for the Department of Mental Health's Community Options Program Grant 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 \$26,464 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 499 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. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 553

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE VOCATIONAL REHABILITATION SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH VOCATIONAL REHABILITATION SERVICES TO ADMINISTER SAID PROGRAM FOR 2008

WHEREAS, this County Legislature, by Resolution 504 of 2006, authorized and approved renewal of the Vocational Rehabilitation Services Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$68,257 and authorized an agreement with Vocational Rehabilitation Services to administer said program for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides services to enable individuals with disabilities to improve quality of life through productive employment, including vocational evaluation, counseling and training programs, sheltered employment and vocational guidance, and

WHEREAS, it is desired to renew said program grant in the amount of \$71,051, adopt a program budget and renew the agreement with Vocational Rehabilitation Services to continue to administer said program for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$71,051 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Health's Vocational Rehabilitation Services Program Grant for the period January 1, 2008 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 \$71,051, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Vocational Rehabilitation Services, 200 Court Street, PO Box 310, Binghamton, New York 13902 to administer said program for the Department of Mental Health for the period January 1, 2008 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 \$71,051 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5009.105389 (Contracted Services-Vocational Rehabilitation Services), and be it

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

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

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

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

RESOLUTION NO. 554

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE VOCATIONAL REHABILITATION SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH VOCATIONAL REHABILITATION SERVICES TO ADMINISTER SAID PROGRAM FOR 2008

WHEREAS, this County Legislature, by Resolution 504 of 2006, authorized and approved renewal of the Vocational Rehabilitation Services Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$68,257 and authorized an agreement with Vocational Rehabilitation Services to administer said program for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides services to enable individuals with disabilities to improve quality of life through productive employment, including vocational evaluation, counseling and training programs, sheltered employment and vocational guidance, and

WHEREAS, it is desired to renew said program grant in the amount of \$71,051, adopt a program budget and renew the agreement with Vocational Rehabilitation Services to continue to administer said program for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$71,051 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Health's Vocational Rehabilitation Services Program Grant for the period January 1, 2008 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 \$71,051, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Vocational Rehabilitation Services, 200 Court Street, PO Box 310, Binghamton, New York 13902 to administer said program for the Department of Mental Health for the period January 1, 2008 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 \$71,051 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5009.105389 (Contracted Services-Vocational Rehabilitation Services), and be it

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

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

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

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

RESOLUTION NO. 555

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE FAMILY AND CHILDREN'S SOCIETY PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY TO ADMINISTER SAID PROGRAM FOR 2008

WHEREAS, this County Legislature, by Resolution 501 of 2006, authorized and approved renewal of the Family and Children's Society Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$205,597 and authorized an agreement with the Family and Children's Society to administer said program for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant works with local school systems to provide mental health services to children in the community and enhance the family support center, and

WHEREAS, it is desired to renew said program grant in the amount of \$214,022, adopt a program budget and renew the agreement with the Family and Children's Society to continue to administer said program for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$214,022 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Family and Children's Society Program Grant for the period January 1, 2008 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 \$214,022, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Family and Children's Society, 257 Main Street, Binghamton, New York 13905 to administer said program for the Department of Mental Health for the period January 1, 2008 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 \$214,022 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5025.105386(Contracted Services-Family and Children's Society), and be it

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

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

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

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

RESOLUTION NO. 556

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF FAIRVIEW RECOVERY SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH FAIRVIEW RECOVERY SERVICES, INC. TO ADMINISTER SAID PROGRAM FOR 2008

WHEREAS, this County Legislature, by Resolution 500 of 2006, authorized and approved renewal of the Fairview Recovery Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$1,616,409 and authorized an agreement with Fairview Recovery Services, Inc. to administer said program for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides short and long-term residential services and crisis intervention for men and women with alcohol-related problems, and

WHEREAS, it is desired to renew said program grant in the amount of \$1,497,419, adopt a program budget and renew the agreement with Fairview Recovery Services, Inc. to continue to administer said program for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,421,677 from the New York State Office of Alcoholism & Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203 and \$75,742 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Fairview Recovery Services Program Grant for the period January 1, 2008 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 \$1,497,419, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Fairview Recovery Services, Inc., 5 Merrick Street, Binghamton, New York 13901 to administer said program for the Department of Mental Health's Fairview Recovery Services Program Grant for the period January 1, 2008 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 \$1,497,419 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5032.105385 (Contracted Services-Fairview Recovery Services), and be it

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

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

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

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

RESOLUTION NO. 557

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY OPTIONS PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH COMMUNITY OPTIONS, INC. TO ADMINISTER SAID PROGRAM FOR 2008

WHEREAS, this County Legislature, by Resolution 499 of 2006, as amended by companion resolution, authorized and approved renewal of the Community Options Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$26,464 and authorized an agreement with Community Options, Inc. to administer said program for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides services to the Office of Mental Health clients enrolled in the VESID Program to assist with maintaining employment, such as integration skills and activities, prevocational skills training, employment preparation, and on-the-job training for individuals, and

WHEREAS, it is desired to renew said program grant in the amount of \$26,464, adopt a program budget and renew the agreement with Community Options, Inc. to continue to administer said program for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$26,464 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Community Options Program Grant for the period January 1, 2008 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 \$26,464, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Community Options, Inc., 182-184 State Street, Binghamton, New York 13901 to administer said program for the Department of Mental Health for the period January 1, 2008 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 \$26,464 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5078.105384 (Contracted Services-Community Options), and be it

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

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

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

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

RESOLUTION NO. 558

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF CHILDREN'S HOME OF WYOMING CONFERENCE PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH CHILDREN'S HOME OF WYOMING CONFERENCE TO ADMINISTER SAID PROGRAM FOR 2008

WHEREAS, this County Legislature, by Resolution 498 of 2006, authorized and approved renewal of the Children's Home of Wyoming Conference Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$57,004 and authorized an agreement with Children's Home of Wyoming Conference to administer said program for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides support and respite services to children and families of children who have serious emotional illness, and

WHEREAS, it is desired to renew said program grant in the amount of \$59,245, adopt a program budget and renew the agreement with Children's Home of Wyoming Conference to continue to administer said program for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$59,245 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Children's Home of Wyoming Conference Program Grant for the period January 1, 2008 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 \$59,245, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901-1696, for the Department of Mental Health's Children's Home of Wyoming Conference Program Grant for the period January 1, 2008 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 \$59,245 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5076.105383 (Contracted Services-Children's Home of Wyoming Conference), and be it

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

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

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

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

RESOLUTION NO. 559

By: Health and Human Services 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 2007-2008

WHEREAS, this County Legislature, by Resolution 430 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 \$132,801 for the period October 1, 2007 through September 30, 2008, 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 a decrease 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 a decrease of \$1,834 in grant appropriations for the period October 1, 2007 through September 30, 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 \$130,967, and be it

FURTHER RESOLVED, that Resolution 430 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. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 560

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH WBNG-TV FOR MEDIA PROMOTION SERVICES FOR THE DEPARTMENT OF HEALTH'S STEPS TO A HEALTHIER US PROGRAM GRANT FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 430 of 2006, authorized renewal of agreement with WBNG-TV for media promotion services for the Department of Health's Steps to a Healthier US Program Grant at a cost not to exceed \$40,840, for the period September 22, 2006 through September 21, 2007, and

WHEREAS, said agreement is necessary to provide media promotion of healthy lifestyles in Broome County by reducing obesity, diabetes and asthma, and

WHEREAS, said agreement expired by its terms on September 21, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$30,000, for the period October 22, 2007 through September 21, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with WBNG-TV, 560 Columbia Drive, Johnson City, New York 13790 for media promotion services for the Department of Health's Steps to a Healthier US Program Grant for the period October 22, 2007 through September 21, 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 the payments hereinabove authorized shall be made from budget line 480376.4448.105340 (Advertising and Promotion), and be it

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

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

RESOLUTION NO. 561

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING A PROVISION OF A STIPEND TO REIMBURSE PARENTS FOR COSTS INCURRED FOR RESPITE CARE FOR THEIR CHILDREN WITH SPECIAL NEEDS

WHEREAS, the Board of Acquisition and Contract, by contract number 10-832, authorized the Department of Health a provision of a stipend to reimburse parents for costs incurred for respite care for their children with special needs at the rate of \$7.25 per hour for the period February 1, 2007 through December 31, 2007, and

WHEREAS, said provision expires on December 31, 2007 and the Director of Public Health requests authorization to continue the provision of a stipend at the current minimum wage rate, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a provision of a stipend to reimburse parents for costs incurred for respite care for their children with special needs at the rate of \$7.25 per hour or the current minimum wage rate, which ever is higher. and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.4747.101082 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 562

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AGREEMENTS/RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS TO PROVIDE VARIOUS SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 516 of 2005, authorized renewal of agreements with various vendors to provide various services for the Department of Health's Early Intervention Program, at an amount not to exceed budget appropriations for the period January 1, 2006 through December 31, 2007, and

WHEREAS, said agreements are necessary to provide various services, including itinerant speech, occupational and physical therapies, special education, medical services (including psychological evaluation, social histories, physical examinations and non-physical evaluations), classroom and personal care aides, services coordination, interpreters, nursing services, counseling and transportation, and

WHEREAS, said agreements expire by their terms on December 31, 2007, and it is desired at this time to renew said agreements on substantially similar terms and conditions, for an amount not to exceed budget appropriations for the period January 1, 2008 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements/renewal of agreements with various vendors to provide various services as listed on Exhibit "A" for the Department of Health's Early Intervention Program for the period January 1, 2008 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at rates set by the New York State Department of Health, which are modified from time to time, the current rate sheet is attached hereto as Exhibit "B", and be it

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

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

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

RESOLUTION NO. 563

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY LIVING PARTNERSHIP/HRI PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 508 of 2006, authorized and approved renewal of the Healthy Living Partnership Program Grant for the Department of Health and adopted a program budget in the amount of \$113,649 for the period June 30, 2006 through June 29, 2007, and

WHEREAS, said program grant provides a regional approach to breast and cervical cancer screening and diagnostic services for eligible women in a five-county region which includes, Broome, Tioga, Chenango, Otsego and Delaware, and

WHEREAS, it is desired to renew said program grant in the amount of \$102,789 for the period June 30, 2007 through June 29, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$102,789 from the Health Research Inc., One University Place, Rensselaer, New York 12144-3455, for the Department of Health's Healthy Living Partnership/HRI Program Grant for the period June 30, 2007 through June 29, 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 \$102,789, and be it

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

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

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

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

RESOLUTION NO. 564

Deleted: ¶

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH MILLENIUM MEDICAL IMAGING FOR RADIOLOGICAL SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2007-2010

WHEREAS, the Director of Public Health requests authorization for an agreement with the Millenium Medical Imaging for radiological services for the Department of Health at current Medicaid rates, total cost not to exceed \$7,500, for the September 1, 2007 through August 31, 2010, and

WHEREAS, said agreement is necessary to interpret x-rays of chest clinic patients who test positive for latent and active TB disease, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Millenium Medical Imaging, PO Box 230, Latham, New York 12110, for radiological services for the Department of Health for the period September 1, 2007 through August 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor the current Medicaid rates, total amount not to exceed \$2,500 per year, total amount not to exceed \$7,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480228.4434.101066 and 480228.4434.101056 (Medical, Hospital and Lab), and be it

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

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

RESOLUTION NO. 565

By: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Sanfilippo

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

WHEREAS, this County Legislature, by Resolution 307 of 2007, authorized and approved renewal of the HIV/AIDS Seroprevalence Study Program Grant for the Department of Health and adopted a program budget in the total amount of \$22,500 for the period July 1, 2007 through June 3, 2008, 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 necessary at this time to revise said program to reflect an increase in the amount of \$1,350 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the HIV/AIDS Seroprevalence Study Program Grant to reflect an increase of \$1,350 in grant appropriations for the period July 1, 2007 through June 30, 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 \$23,850, and be it

FURTHER RESOLVED, that Resolution 307 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. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 566

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF COST OF LIVING ADJUSTMENT FUNDING FOR THE DEPARTMENT OF SOCIAL SERVICES AND AUTHORIZING AN AMENDMENT TO THE AGREEMENTS WITH VARIOUS VENDORS FOR 2007-2008

WHEREAS, the Commissioner of Social Services requests authorization to accept Cost of Living Adjustment Funding in the amount of \$106,404 and amend the agreements with various vendors listed on Exhibit "A" for the period April 1, 2007 through March 31, 2008, and

WHEREAS, said funding will give preventive services providers a one time cost of living adjustment to use for the recruitment and retention of staff or to respond to other non-personnel services cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$106,404 from the New York State Office of Children & Family Services, 52 Washington Street, Rensselaer, New York 12144 for the Department of Social Services Cost of Living Adjustment Funding for the period April 1, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the amendment to the agreements with various vendors as listed on Exhibit "A" to reflect a cost of living increase 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 Contractors the additional amounts as listed on Exhibit "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670513.4561.105381 (Purchase of Services), and be it

FURTHER RESOLVED, that Resolution 228 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, 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. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 567

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF AN INTENSIVE CASE SERVICES FOR NON-COMPLIANT FAMILIES PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH THE STAR GROUP TO ADMINISTER SAID PROGRAM FOR 2008

WHEREAS, the Commissioner of Social Services requests authorization to accept an Intensive Case Services for Non-Compliant Families Program Grant, adopt a program budget in the amount of \$133,513 and enter into an agreement with The Star Group to provide a home assessor to evaluate home situations, and a job developer/coach to assist in job placement, at an amount not to exceed \$77,432 for the period July 1, 2007 through June 30, 2008, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$133,513 from the New York State Office of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243-0001 for the Department of Social Services' Intensive Case Services for Non-Compliant Families Program Grant for the period January 1, 2008 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 \$133,513, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with The Star Group, PO Box 708, Whitney Point, New York 13862 to provide a home assessor to evaluate home situations, and a job developer/coach to assist in job placement, 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 \$77,432 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670513.4747.105379 (Other Fees for Services), and be it

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

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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. Ayes-18, Nays-0, Absent-1 (Hull)

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RESOLUTION NO. 568

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE INTEGRATED COUNTY PLANNING GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH UNITED WAY OF BROOME COUNTY, INC. TO ADMINISTER SAID PROGRAM FOR 2008

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WHEREAS, this County Legislature, by Resolution 482 of 2006, authorized and approved renewal of the Integrated County Planning Grant for the Department of Social Services, adopted a program budget in the amount of \$3,500 and authorized an agreement with the United Way of Broome County, Inc. to administer said program for the period January 1, 2007 through December 31, 2007, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$3,500, adopt a program budget and renew the agreement with United Way of Broome County, Inc. to continue to administer said program for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$3,500 from various County Departments for the Department of Social Services Integrated County Planning Program Grant for the period January 1, 2008 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 \$3,500, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the United Way of Broome County, Ind., Corner of Vestal Parkway East & Jensen Road, Vestal, New York 13850, to administer said program grant for the period January 1, 2008 through December 31, 20078, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670513.4747.105380 (Other Fees for Services), and be it

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

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

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

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

RESOLUTION NO. 569

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING REVISION OF THE FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 444 of 2006, authorized and approved renewal of the Food Stamp Employment and Training Program Grant for the Department of Social Services and adopted a program budget in the total amount of \$117,680 for the period October 1, 2006 through September 30, 2007, and

WHEREAS, said program grant provides job readiness and job search activities to non-public assistance and safety net food stamp recipients, and

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WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$51,490, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Food Stamp Employment and Training Program Grant to reflect an increase of \$51,490 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 \$169,170, and be it

FURTHER RESOLVED, that Resolution 444 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. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 570

By: Health and Human Services, Personnel and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 444 of 2006, as amended by a companion resolution, authorized and approved renewal of the Food Stamp Employment and Training Program Grant for the Department of Social Services and adopted a program budget in the amount of \$117,680 for the period October 1, 2006 through September 30, 2007, and

WHEREAS, said program grant provides job readiness and job search activities to non-public assistance and safety net food stamp recipients, and

WHEREAS, it is desired to renew said program grant in the amount of \$169,170 for the period October 1, 2007 through September 30, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$169,170 from the New York State Office of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243-0001, for the Department of Social Services' Food Stamp Employment and Training Program Grant for the period October 1, 2007 through September 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 \$169,170, and be it

FURTHER RESOLVED, due to New York State's Office of Temporary and Disability Assistance Allocating FSE&T funds throughout the year, the Department requests this authorizing resolution permit the Department of Social Services to accept and allocate such additional administrative FSE&T funding as may be allocated by New York State from October 1, 2007 through September 30, 2008, provided there is no increase in employee head count and that the County's financial contribution is not increased, and be it

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

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

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

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

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

RESOLUTION NO. 571

By: Public Safety and Emergency Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CORRECTIONAL MEDICAL CARE, INC. FOR MEDICAL SERVICES AT THE BROOME COUNTY JAIL FOR THE OFFICE OF THE SHERIFF FOR 2007

WHEREAS, this County Legislature, by Resolution 652 of 2005, as amended by Resolution 38 of 2007, authorized an agreement with Correctional Medical Care, Inc., for medical services at the Broome County Jail for the Office of the Sheriff, at a cost not to exceed \$2,261,189.52, which includes \$70,000 for per diem and catastrophic for the renewal period January 1, 2007 through December 31, 2007, and

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

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$120,000 for psychiatric hospitalization and \$50,000 for per diem and catastrophic, and

WHEREAS, the Sheriff 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 Correctional Medical Care, Inc., 653 Skippack Pike, Suite 118, Blue Bell, Pennsylvania 19422, to increase the not to exceed amount by \$120,000 for psychiatric hospitalization and \$50,000 for per diem and catastrophic for medical services at the Broome County Jail for the Office of the Sheriff 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 additional \$120,000 for psychiatric hospitalization and an additional \$50,000 for per diem and catastrophic, total amount not to exceed \$2,431,189.52, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4715.101000 (Other Health & Medical Services), and be it

FURTHER RESOLVED, that Resolutions 652 of 2005 and 38 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.

Held over by Mr. Reynolds.

RESOLUTION NO. 572

By: Public Safety and Emergency Services, Personnel and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING REVISION OF THE OPERATION IMPACT III PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 163 of 2007, authorized and approved the Operation Impact III Program Grant for the Office of the Sheriff and adopted a program budget in the total amount of \$50,000 for the period July 1, 2006 through June 30, 2007, and

WHEREAS, said program grant is intended to provided for the reduction of robbery and crime associated with narcotics, and

WHEREAS, it is necessary at this time to revise the program budget as reflected in Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Operation Impact III Program Grant budget 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 \$50,000, and be it

FURTHER RESOLVED, that Resolution 163 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. Ayes-18, Nays-0, Absent-1(Hull)

RESOLUTION NO. 573

By: Public Safety and Emergency Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH GOVERNMENT PAYMENT SERVICES FOR COLLECTION OF CASH BAIL FOR THE OFFICE OF THE SHERIFF FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 410 of 2002, authorized an agreement with Government Payment Services, Inc. for collection of cash bail payments made by inmates of the Broome County Public Safety Facility for the period October 1, 2002 through September 30, 2003, with the option of four one-year renewals, and

WHEREAS, said agreement is necessary for collecting cash bail payments made by credit card by inmates of the Broome County Public Safety Facility, and

WHEREAS, said agreement expires by its terms on September 30, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at no cost to the County for the period October 1, 2007 through September 30, 2008, with the option of four one-year renewals at the County's option, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Government Payment Services, Inc., 5555 West 73rd Street, Indianapolis, Indiana 46268 for collection of cash bail payments for the Office of the Sheriff, at no cost to the County, for the period

October 1, 2007 through September 30, 2008, with the option of four one-year renewals at the County's option, and be it

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

RESOLUTION NO. 574

By: County Administration and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH NTS DATA SERVICES FOR SOFTWARE SUPPORT AND MAINTENANCE FOR ELECTIONS FOR 2008

WHEREAS, the Commissioner of Elections requests authorization for an agreement with NTS Data Services for software support and maintenance at a cost not to exceed \$8,000, for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary to be in compliance with the New York State statewide voter registration system which requires support of the IMS (Interface Messaging System), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the NTS Data Services, 1342 Military Rd., Niagara Falls, NY 14304, for IMS software support and maintenance for the period January 1, 2008 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 \$8,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 410001.4449.101000 (Other Operational Expenses), and be it

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

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

RESOLUTION NO. 575

By: County Administration and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH SEQUOIA VOTING SYSTEMS FOR OPTICAL SCAN ABSENTEE BALLOT SYSTEM FOR THE BOARD OF ELECTIONS FOR 2007-2008

WHEREAS, this County Legislature, by Resolution 450 of 2006, authorized an agreement with Sequoia Voting Systems for the maintenance of the Optical Scan Absentee Ballot System for the Board of Elections at a cost not to exceed \$3,000 for the period July 1, 2006 through June 30, 2007, and

WHEREAS, said services are necessary for the maintenance of the Optical Scan Ballot System during primary, general and special elections, and

WHEREAS, said agreement expired by its terms on June 30, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$3,000, 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 agreement with Sequoia Voting Systems, Inc., P.O. Box 116977, Atlanta, Georgia 30368-6977 for the maintenance of the Optical Scan Absentee Ballot Systems for the Board of Elections 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 \$3,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 410001.4419.101000 (General Office Expense), and be it

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

RESOLUTION NO. 576

By: Health and Human Services Committee

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AFFILIATION AGREEMENT WITH SUNY PLATTSBURGH FOR PLACEMENT OF STUDENTS AT THE BROOME COUNTY HEALTH DEPARTMENT FOR INTERN EXPERIENCE

WHEREAS, the Public Health Director requests authorization for an affiliation agreement between the State University of New York at Plattsburgh and the Broome County Health Department at no cost to the County, for the 2007-2008 school year, and

WHEREAS, said agreement is necessary to provide opportunity for students to obtain intern experience, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an affiliation agreement between the State University of New York at Plattsburgh, 101 Broad Street, Plattsburgh, New York 12901-2681 and the Broome County Health Department for the 2007-2008 school year, at no cost to the County, and be it

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

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

RESOLUTION NO. 577

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AGREEMENTS WITH KATRINA VAN HOUSEN AND KRISTIN KINNEY FOR SPEECH THERAPY SERVICES FOR THE DEPARTMENT OF HEALTH'S PRESCHOOL EDUCATION PROGRAM AND EARLY INTERVENTION PROGRAM FOR 2008-2009

WHEREAS, the Public Health Director requests authorization for agreements with Katrina VanHousen and Kristin Kinney for speech therapy services for the Department of Health's Preschool Education Program for the period January 1, 2008 through June 30, 2008 and the Department of Health's Early Intervention Program for the period January 1, 2008 through December 31, 2009, at rates which are set by the New York State Department of Education and the Broome County Department of Health as listed on Exhibit "A" and

WHEREAS, said agreements are necessary as speech services continue to be the most needed service for children in the Early Intervention and Preschool programs, and due to capacity concerns, it is necessary to increase the number of providers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreements with Katrina VanHousen, 78 Grand Boulevard, Binghamton, NY 13905 and Kristin Kinney, 260 Barton Road., Apalachin, NY 13732 for speech therapy services for the Department of Health's Preschool Education Program for the period January 1, 2008 through June 30, 2008 and the Early Intervention Program for the period January 1, 2008 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at rates which are set by the New York State Department of Education and the Broome County Department of Health as listed on Exhibit "A" for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.various.101081/101082 (Early Intervention Services and Evaluations / Preschool Services), and be it

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

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

RESOLUTION NO. 578

By: County Administration and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF A LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT FOR THE COUNTY CLERK AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2007-2008

WHEREAS, the County Clerk requests authorization to accept a Local Government Records Management Improvement Fund Grant and adopt a program budget in the amount of \$27,000 for the period July 1, 2007 through June 30, 2008, and

WHEREAS, said grant program provides funds to be used for the County Clerk's map scanning project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$27,000 from the Local Government Records Management Improvement Fund, State Education Department, Room 542EB, Albany, New York 12230 for the County Clerk's Local Government Records Management Improvement Fund 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 \$27,000, and be it

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

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

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

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

RESOLUTION NO. 579

By: Personnel and Public Safety and Emergency Services Committees

Seconded by: Mr. Sanfilippo

RESOLUTION GRANTING A WAIVER OF RESIDENCY FOR LISA WINTERS FOR EMPLOYMENT AS DEPUTY PROBATION DIRECTOR III

WHEREAS, this County Legislature, by Resolution 82 of 1989, amended by Resolution 510 of 1999, established residency requirements for Broome County officers and employees, and

WHEREAS, said Resolutions provided for waiver of the residency requirement in certain circumstances, and

WHEREAS, Lisa Winters, who resides outside the County, currently serves as Probation Supervisor and is otherwise qualified for appointment to the position of Deputy Probation Director III, and

WHEREAS, Ms. Winters has served as Probation Supervisor since 2002, and prior to that, in October 1993, was promoted to Senior Probation Officer from Probation Officer, and

WHEREAS, the Broome County Probation Director recommends Ms. Winters for the position and requests that the County Legislature grant a residency waiver allowing her to be promoted to the rank of Deputy Probation Director III, now, therefore, be it

RESOLVED, that this County Legislature hereby grants a residency waiver to Lisa Winters, 12 Devon Drive, Endicott, NY 13760, County of Tioga, in order that she may be promoted to the position of Deputy Probation Director III, and be it

FURTHER RESOLVED, that this waiver shall be effective immediately and shall continue for as long as Ms. Winters shall hold the aforementioned position.

Carried. Ayes-14, Nays-4 (Whalen, Hutchings, Garnar, Kuzel), Absent-1 (Hull)

RESOLUTION NO. 580

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER TO PROVIDE SIGNING SERVICES FOR VARIOUS PROGRAMS FOR THE DEPARTMENT OF HEALTH, THE COUNTY CLERK, OFFICE FOR AGING, AND THE WILLOW POINT NURSING HOME FOR 2008

WHEREAS, this County Legislature, by Resolution 524 of 2006, amended by Resolution 102 of 2007, authorized renewal of the agreement with the Southern Tier Independence Center for signing services for various programs for the Department of Health, the County Clerk, and Willow Point Nursing Home at a rate of \$50 per hour (portal to portal) for certified interpreters, \$40 per hour (portal to portal) for pre-certified interpreters, \$60 per hour for certified interpreter in court and \$60 per hour for emergency interpreters (weekends, emergencies and between the hours of 10:00 pm and 7:00 a.m.), total amount not to exceed \$12,000 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said services are necessary to comply with applicable New York State regulations, and

WHEREAS, said agreement expires by its terms on December 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$50 per hour for certified interpreters, \$40 per hour for pre-certified interpreters, \$60 per hour for certified interpreter in court, and \$60 per hour weekends and evenings between the hours of 11:00 p.m. and 6:00 a.m., for a total amount not to exceed \$12,000, for the period January 1, 2008 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Southern Tier Independence Center, 24 Prospect Avenue, Binghamton, New York 13901 for signing services for various programs for the Department of Health, the County Clerk, the Office for Aging, and the Willow Point Nursing Home for the period January 1, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$50 per hour for certified interpreters, \$40 per hour for pre-certified interpreters, \$60 per hour for certified interpreter in court, and \$60 per hour weekends and evenings between the hours of 11:00 p.m. and 6:00 a.m., for a total amount not to exceed \$12,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines various.4715.various (Other Health and Medical Services) and various.4706.various (Rehab and Therapy Services), and be it

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

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

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

RESOLUTION NO. 581

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NEW YORK MEDICAL COLLEGE SCHOOL OF PUBLIC HEALTH, DEPARTMENT OF EPIDEMIOLOGY AND BIOSTATISTICS, FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PUBLIC HEALTH'S PUBLIC HEALTH PREPAREDNESS GRANT FOR 2008

WHEREAS, the Public Health Director requests authorization for an agreement with the New York Medical College School of Public Health, Department of Epidemiology and Biostatistics for professional services for Department of Health's Public Health Preparedness Grant at a cost not to exceed \$37,000, for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary to provide technical and administrative support, coordination and assessment for the Broome County Health Department's public health surveillance activities and conduct research on vital statistics and communicable and chronic disease data, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New York Medical College School of Public Health Department of Epidemiology and Biostatistics, Valhalla, New York 10595, for professional services, for the Department of Health's Public Health Preparedness Grant for the period January 1, 2008 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 \$37,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4457.various (Subcontracted Program Expenses), and be it

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

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

RESOLUTION NO. 582

By: Finance Committee

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) 1650 DR NY FUNDING FOR REIMBURSEMENT TO MUTUAL AID AGENCIES FOR 2006 JUNE/JULY FLOODING EXPENSES

WHEREAS, the Director of Emergency Services requests authorization to accept Federal Emergency Management Agency (FEMA) funds in the amount of \$44,115 for reimbursement to mutual aid agencies for 2006 June/July flooding expenses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$44,115 from the Federal Emergency Management Agency for reimbursement to mutual aid agencies for 2006 June/July flooding expenses, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 460072.0353.105293 (Federal Aid-Other), and be it

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

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

RESOLUTION NO. 583

Deleted: ¶

By: Health and Human Services Committee

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CHENANGO FORKS CENTRAL SCHOOL DISTRICT AND THE BROOME COUNTY DEPARTMENT OF HEALTH FOR EMERGENCY PREPAREDNESS

WHEREAS, the Public Health Director recommends that this County Legislature authorize a Memorandum of Understanding between the Chenango Forks Central School District and the Broome County Department of Health for emergency preparedness, and

WHEREAS, said Memorandum of Understanding defines a working relationship between the Chenango Forks Central School District and the Department of Health in the event of a declared state of emergency, it may become necessary to use school district facilities, staff and equipment for mass vaccinations, assessment and treatment, dispensing of medications and receipt and storage of medical supplies, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a Memorandum of Understanding between the Chenango Forks Central School District, 1 Gordon Drive, Binghamton, New York 13901 and the Broome County Department of Health for emergency preparedness, during the 2007-2008 school year, and be it

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

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

RESOLUTION NO. 584

By: County Administration and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF CHENANGO FOR THE CONSTRUCTION AND OPERATION OF A SHARED SALT STORAGE FACILITY TO BE LOCATED AT THE BROOME COUNTY HIGHWAY DIVISION GARAGE

WHEREAS, this County Legislature pursuant to Permanent Resolution No. 06-687, duly adopted on November 21, 2006 and the Town of Chenango pursuant to Resolution No. 119 duly adopted on October 2, 2006 authorized Broome County (hereafter "County") and the Town of Chenango (hereafter "Town") to jointly apply for a New York State Department of State Shared Municipal Services Incentive Grant for the construction of a salt storage facility to be located at the Broome County Highway Division Garage with the Town to be lead agency in connection with the application for, and administration of, the grant, and

WHEREAS, said grant application has been approved and the County and Town desire to formalize their agreement as to the construction and operation of said salt storage facility and the Commissioner of Public Works has requested authorization to enter into an Intermunicipal Agreement with the Town of Chenango to provide for the construction and operation of the salt storage facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an Intermunicipal Agreement with the Town of Chenango to provide for the construction and operation of a salt storage facility to be located at the Broome County Highway Division Garage, and, be it

FURTHER RESOLVED, that said Intermunicipal agreement shall provide as follows:

1. The Town of Chenango shall be the lead agency in connection with the application for and administration of the New York State Department of State Shared Municipal Services Grant.
2. The total cost of the salt storage facility (hereafter the "facility") shall be \$480,000.00. The grant will provide \$432,000.00 and the County and Town

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3. will pay the balance of \$48,000.00 with the County paying 81% of the \$48,000 (\$38,330.00) and the Town paying 19% (\$9,120.00).
The facility will be constructed on County owned land at the Broome County Highway Division Garage, 48 Thomas Street, Binghamton, New York 13901.
 4. The Town will advertise for bids for construction of the facility and award construction contracts.
 5. Payments for design and construction of the facility will be coordinated by the Town. The County will reimburse the Town for the County's share of the cost of construction.
 6. The Town and County will each buy their own salt to be stored in the facility.
 7. The County, at the County's expense, will provide a loader and operator to load Town salt on Town vehicles.
 8. The County will insure and maintain the facility and the Town will reimburse the County for 19% of the costs and maintenance of the facility.
 9. The term of the agreement shall be twenty-five years (October 1, 2007 through September 30, 2032) with an option, on mutual consent, to renew the term for an additional twenty-five years.
 10. Upon termination of the agreement the facility shall remain the sole property of the County.

and, be it

FURTHER RESOLVED, that the County's share of the cost of construction shall be paid for from capital project budget line 035014.2013.501448 ('06 Highway Reconstruction) and the County's share of insurance and maintenance shall be paid from budget line 030130.4305.301000 (Snow and Ice removal), and, be it

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

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

RESOLUTION NO. 585

By: Finance, Health and Human Services and Personnel Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR HEALTH DEPARTMENT MENTAL HEALTH DEPARTMENT AND THE WILLOW POINT NURSING HOME

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 2007 Inmate STD Testing/Jail Grant, as requested by BF# 006383, 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	4703	105224	Lab Services	2,519
	480376	8010	105224	State Retirement	874
	480376	8030	105224	Social Security	422
	480376	8040	105224	Workers Compensation	268
	480376	8070	105224	Unemployment Insurance	211
TO:	480376	1500	105224	Salaries, Part-time	2,412
	480376	4363	105224	Medical,Lab,Clinic Supp	509
	480376	8050	105224	Life Insurance	7
	480376	8060	105224	Health Insurance	1,297
	480376	8063	105224	Disability Insurance	69

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and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health, in order to transfer funds to the proper subobject for rent, as requested by BF# 006599, 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:	470153	4422	105249	Building & Land	5,475
TO:	470153	4621	105249	Building & Land Chargeback	5,475

and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health, in order to transfer funds to the proper subobject for rent chargeback, as requested by BF# 006600, 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:	470153	4422	105253	Building & Land	6,736
TO:	470153	4621	105253	Building & Land Chargeback	6,736

and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of the Willow Point Nursing Home, in order to transfer funds for agencies and subcontractors used as a result of staffing shortages, as requested by BF#4194, 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:	160226	1000	204000	Salaries – Full Time	48,318
	160226	8010	204000	State Retirement	5,305
	160226	8030	204000	Social Security	3,696
	160226	8050	204000	Life Insurance	24
	160226	8060	204000	Health Insurance	9,121
	160226	8063	204000	Disability Insurance	120
TO:	160226	4706	204000	Rehab & Therapy	66,584

and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of the Willow Point Nursing Home, in order to transfer funds to cover shortages in .2000 lines, as requested by BF#4195, 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:	160010	4725	204000	Other Financial Services	16,251
	160101	2620	204000	Hospital, Med, Lab	12,000
	160085	5072	204000	Nsg Svcs – Aides	10,000
TO:	160010	2851	204000	Computer Software	8,550
	160127	2011	204000	Building Improvement	19,701
	160143	2240	204000	Building Maint. Equip	10,000

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

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RESOLUTION NO. 586

By: Finance and Public Safety and Emergency Services Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE SHERIFF'S OFFICE

RESOLVED, that in accordance with a request from the Sheriff, in order to appropriate sufficient funds to various accounts to maximize the funds in the Impact III Grant as requested by BT# 0004916, 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:	450122	4462	105315	Travel, Hotel & Meals	1,853
TO:	450122	1700	105315	Overtime	1,853

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

RESOLUTION NO. 587

By: Finance, Public Works and Transportation and Rural Development Committees

Seconded by: Mr. Shafer

RESOLUTION TO CREATE NEW 2007 CAPITAL IMPROVEMENT PROJECT

RESOLVED, that the 2007 Capital Improvement Program is hereby revised to create a new projects as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	
502391	Corporate Hangar Improvements	301,250	241,000	0	60,250

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>		
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2007	10	14	301,250	0	

Description: Hangar #2 was built in the 1970s and is leased to store corporate aircraft and subleased to businesses that provide aircraft maintenance services. Improvements are needed to facility to maintain a safe, efficient building for its intended service.
and be it

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

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

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

RESOLUTION NO. 588

By: Hon. Ronald J. Keibel and Public Works Committees

Seconded by: Mr. Shafer

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 11 OF 2007, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, REGARDING LANDFILL FEES."

WHEREAS, approximately 400 tons of contaminated soil has been removed from the streets in the Village of Whitney Point during installation of sanitary sewers, and

WHEREAS, it has been determined that the soil is suitable for cover material within the landfill,
and

WHEREAS, this County Legislature wishes to authorize waiving the tipping fee for contaminated soil from the Village of Whitney Point's sewer project, now, therefore, be it RESOLVED, that Local Law Intro. No. 11 of 2007, entitled: "A Local Law Amending Chapter 179 of the Broome County Charter and Code, as Amended, Regarding Landfill Fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 11 Of 2007

"A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, REGARDING LANDFILL FEES."

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

Section 1. Chapter 179-9 A (4) of the Broome County Charter and Code, as amended, be and hereby is amended to add a new subsection (b) to read as follows:

Section 179-9 A (4)

(b) The charges set forth in §179-9(A)(4) shall be waived for disposal of contaminated soil from the Village of Whitney Point's 2007 sewer project

Section 2 This local Law shall become effective October 18, 2007.

Material in [brackets] deleted

Material underlined added

Motion by Mr. Herz, seconded by Mr. Keibel, to add "...waiving the tipping fee to an amount not to exceed \$10,000..." to the third Whereas paragraph.

Amendment carried. Ayes-10, Nays-8 (Materese, Sanfilippo, Hutchings, LaBare, Cleary, Garnar, Reynolds, Buchta), Absent-1 (Hull)

Automatic holdover.

RESOLUTION NO. 589

By: Public Works Committee

Seconded by: Mr. Kuzel

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO WAIVING THE TIPPING FEES AT THE BROOME COUNTY LANDFILL, AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to waive the tipping fees at the Broome County Landfill for contaminated soil from the Village of Whitney Point's Sewer Project, and

WHEREAS, it has been determined that the waiver of tipping fees under this program is subject to the requirements of the State Environmental Quality Review Act (SEQRA), and it is therefore necessary to initiate procedures with respect thereto, and

WHEREAS, this County Legislature has determined that it is the agency with the broadest governmental powers for investigation of the impact of the proposed action and has the greatest capability for providing the most thorough environmental assessment of the project, and

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act (SEQRA), reviewing the aforementioned tipping fee waiver, and

WHEREAS, the waiver of tipping fees may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "lead agency" status with respect to the environmental review of the proposed waiver of tipping fees for contaminated soil from the Village of Whitney Point's Sewer Project, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that the waiver of tipping fees under this program will not have a significant effect on the environment, and be it

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

Held over by Mr. Mather.

RESOLUTION NO. 590

By: Personnel, Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF SOCIAL SERVICES AND THE DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request contained in PCR# 07-258 from the Commissioner of Social Services, this County Legislature hereby authorizes the position of Senior Social Services Examiner, Grade 13, Union Code 04, at budget line 670513.1000.105269, at a salary of \$28,834 FTE, to be created effective October 1, 2007, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 07-265 from the Commissioner of Social Services, this County Legislature hereby authorizes the change of a Social Services Examiner, Grade 11, Union Code 04, at budget line 670455.1000.104893, at a salary of \$28,834 FTE, to budget line 670513.1000.105309, effective September 24, 2007, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 07-231 from the Director of Public Health, this County Legislature hereby authorizes the position of Health Program Specialist, Grade 8, Union Code 08, at budget line 480376.1500.105198, at a salary of \$22,511 FTE, to be abolished effective August 31, 2007, as this grant funding has ended, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 07-230 from the Director of Public Health, this County Legislature hereby authorizes the position of Health Program Specialist, Grade 8, Union Code 08, at budget line 480376.1500.105303, at a salary of \$22,511 FTE, to be abolished effective August 31, 2007, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 07-274 from the Director of Public Health, this County Legislature hereby authorizes the position of Health Program Specialist, Grade 8, Union Code 04, at budget line 480376.1000.105351, at a salary of \$22,511 FTE, to be changed to budget line 480376.1000.105303 at the same salary 22,511 FTE, Grade 8, Union Code 04, effective August 31, 2007, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 07-275 from the Director of Public Health, this County Legislature hereby authorizes the position of Dental Assistant, Grade 7, Union Code 08, at budget line 480376.1500.105132, at a salary of \$21,454 FTE, to be changed to budget line 480376.1500.105351 at the same salary \$21,454 FTE, Grade 7 Union Code 08, effective July 1, 2007

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

RESOLUTION NO. 591

By: Public Works and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH STEARNS & WHELER, LLC FOR ENGINEERING SERVICES IN CONNECTION WITH THE SECTIONS II AND III PARTIAL CLOSURE PROJECT AT THE BROOME COUNTY LANDFILL FOR 2005-2007

WHEREAS, this County Legislature, by Resolution 224 of 2005, as amended by Resolution 310 of 2006, authorized an agreement with Stearns & Wheler, LLC for engineering services for the design and construction of the final closure of portions of Sections II and III at the Broome County Landfill in conjunction with the vertical expansion of a portion of the said Sections II and III at an amount not to exceed \$299,285 for the period May 1, 2005 through December 31, 2007, and

WHEREAS, said agreement provides the services of an engineer to collect data, analyze the data and design the final closure for the partial closure portion of Sections II and III, prepare bids for the work, supervise construction and prepare the final documentation for submittal to the New York State Department of Environmental Conservation, and

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WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$15,000 for additional construction and project management services, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheeler, LLC, One Remington Park Drive, Cazenovia, New York 13035, to increase the not to exceed amount by \$15,000 for additional construction and project management services for the Department of Public Works Division of Solid Waste Management for the period May 1, 2005 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$15,000, total amount not to exceed \$314,285 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501377 (Contracted Services), and be it

FURTHER RESOLVED, that Resolutions 224 of 2005 and 310 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. Ayes-18, Nays-0, Absent-1 (Hull)

RESOLUTION NO. 592

By: Public Safety and Emergency Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING ACCEPTANCE OF LAW ENFORCEMENT OFFICER REIMBURSEMENT AGREEMENT PROGRAM GRANT FOR THE DEPARTMENT OF PUBLIC WORKS – SECURITY DIVISION FOR 2007-2012

WHEREAS, the Commissioner of Public Works requests authorization to accept a Law Enforcement Officer Reimbursement Agreement Program Grant in the amount of \$779,640 for the period October 1, 2007 through September 30, 2012, and

WHEREAS, said program grant provides reimbursement to Broome County for Security Officers assigned to the Greater Binghamton Airport for the purpose of providing a law enforcement presence and capability that adequately insures the safety of passengers and national security, pursuant to 49 U.S.C. s/s 44903c and 49 C.F.R. Part 1542, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$779,640 from Transportation Security Administration, OLE/FMS/LEO Program, TSA-18, 601 S. 12th Ave., E8-206S, Arlington, VA 22202 for the Department of Public Works – Security Division's Law Enforcement Officer Reimbursement Agreement Program Grant for the period October 1, 2007 through September 30, 2012, and be it

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

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

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

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

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

RESOLUTION NO. 593

By: Health and Human Services and Finance

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH FAMILY & CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR FOSTER FAMILY PERSONAL CARE SERVICES FOR ADULTS FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 587 of 2005, authorized renewal of the agreement with the Family & Children's Society of Broome County, Inc. for foster family personal care services for adults at an amount not to exceed \$1,022.89 per client, per month, for the period January 1, 2006 through December 31, 2007, and

WHEREAS, said agreement is necessary for foster family care services for adults, and

WHEREAS, said agreement expires by its terms on December 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 \$1,418.65 per client, per month, for the period January 1, 2008 through December 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Family & Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for personal care services for the Department of Social Services for the period January 1, 2008 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,418.65 per client, per month, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS, Medical Assistance), and be it

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

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

RESOLUTION NO. 594

By: Health and Human Services and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH VARIOUS VENDORS FOR PERSONAL CARE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES' MEDICAID PROGRAM FOR 2008-2009

WHEREAS, this County Legislature, by Resolution 586 of 2005, authorized renewal of the agreement with various vendors for personal care services for the Department of Social Services' Medicaid Program at rates approved by New York State for the period January 1, 2006 through December 31, 2007, and

WHEREAS, said agreements are necessary for personal home care assistance to eligible Medicaid clients which allows them to remain in their community residence, and

WHEREAS, said agreements expire by their terms on December 31, 2007, and it is desired at this time to renew said agreements on substantially similar terms and conditions for the period January 1, 2008 through December 31, 2009, at rates approved by New York State attached hereto as Exhibit "A" and said rates will continue until such time when New York State approves new rates, at which time the new approved New York State rates will apply, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various vendors for personal care services, for the period January 1, 2008 through December 31,

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2009, at rates approved by New York State attached hereto as Exhibit "A" and said rates will continue until such time when New York State approves new rates, at which time the new approved New York State rates will apply, and be it

FURTHER RESOLVED, that the new rates approved by New York State will automatically be adopted without the necessity of legislative approval, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS, Medical Assistance), and be it

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

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

RESOLUTION NO. 595

By: County Administration and Finance Committees

Seconded by: Mr. Cleary

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT(S) FOR LABOR RELATIONS PROFESSIONAL SERVICES

WHEREAS, this Legislature by Resolution 101 of 2005 authorized an intermunicipal agreement with the Village of Endicott for the County to perform labor relations professional services for the Village of Endicott, and

WHEREAS, other local Broome County municipalities have inquired about the possibility of Broome County performing similar labor relations professional services for their respective municipalities, and

WHEREAS, the County Executive requests authorization for an intermunicipal agreement with any local Broome County municipality that requests assistance in labor relations professional services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement with any local Broome County municipality that requests assistance in labor relations professional services, and be it

FURTHER RESOLVED, that in consideration of said services, the local municipality shall pay the County an amount not to exceed Fifty Five Dollars (\$55.00) per hour, per person, for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue received shall be credited to budget line 390005.0041.101000 (County Attorney Fees), and be it

FURTHER RESOLVED, that any intermunicipal agreement executed pursuant this resolution shall continue from the date of execution of said agreement until December 31, 2008, and may be terminated in whole or in part by either party upon thirty days written notice to the other party, and be it

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

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

RESOLUTION NO. 596

By: County Administration and Finance 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 and Resolution 343 of 2007, 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

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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, Resolution 343 of 2007 specifically authorized 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

WHEREAS, the County has contributed to CARI \$50,000 pursuant to Resolution 383 of 2006 and \$25,000 pursuant to Resolution 343 of 2007, and

WHEREAS, the County of Herkimer has withdrawn or may withdraw from CARI, and may not make an additional financial contributions to support CARI's efforts, and

WHEREAS, CARI has requested that Broome County make its final \$25,000 contribution pursuant to Resolution 343 of 2007 even if Herkimer County fails to make a similar contribution, and

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

RESOLVED, that the County of Broome will contribute the final payment of \$25,000 originally described in Resolution 343 of 2007; said payment is not contingent upon any other conditions, and it is

FURTHER RESOLVED that this Resolution to the extent inconsistent with Resolution 343 of 2007 supercedes and amends said prior Resolution.

Held over by Mr. Kuzel.

RESOLUTION NO. 597

By: Economic Development and Planning and County Administration Committees and
Hon. Jason T. Garnar

Seconded by: Mr. Sanfilippo

RESOLUTION ESTABLISHING THE BROOME COUNTY ENERGY ADVISORY BOARD AND MEMBERSHIP DESIGNATIONS FOR THE BROOME COUNTY ENERGY ADVISORY BOARD

WHEREAS, Section C203, subsection (l) of the Broome County Charter provides that the Broome County Legislature shall have the power to make such studies and investigations as it deems to be in the best interests of the county and to appoint temporary advisory boards, and

WHEREAS, the Broome County Legislature recognizes that high energy costs are taxing the budget and damaging the local economy, and

WHEREAS, there is no county-wide structure in place to devise potential solutions, solicit input, and advise County officials on how to best deal with these problems, and

WHEREAS, the Broome County Chamber of Commerce, representing over 600 businesses across the county, has officially endorsed the creation of an Energy Advisory Board, now, therefore be it

RESOLVED, that for these reasons, this Legislature creates a Broome County Energy Advisory Board (BCEAB), to last through the end of 2008, to be responsible for providing short-term and long-term energy policy recommendations to the Broome County Legislature and the County Executive, and be it

FURTHER RESOLVED, that the BCEAB shall consist of representatives from Broome County to be appointed by the Chairman of the Legislature's Economic Development and Planning Committee and confirmed by a simple majority of the County Legislature to serve a one (1) year term, and be it

FURTHER RESOLVED, that the BCEAB shall meet once (1) a month to discuss the following specific duties:

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- (a) Advise the Legislature and the County Executive on energy production, consumption, and distribution as related to Broome County and specifically advise them in establishing and supporting a comprehensive set of energy polices which reduce the rate of increase of energy consumption in Broome County while maintaining the quality of life.
- (b) Advise the Legislature and the County Executive in establishing a comprehensive set of energy policies to support and promote future non-traditional energy production and to plan for development of needed levels of traditional energy in Broome County while maintaining the quality of life.
- (c) Recommend work programs to the Legislature and the County Executive within the appropriate County departments and agencies that will maximize energy conservation.
- (d) Advise the Legislature and the County Executive as to support of federal and state legislation designed to reduce energy consumption and/or affect energy utilization in the County.
- (e) Provide information to the Legislature and the County Executive on energy programs beneficial to the County's residential, commercial, industrial, and transportation users.
- (f) Advise the Legislature and the County Executive on specific areas of cooperation with various public and private agencies and organizations to plan and implement effective energy conservation methods in this county.
- (g) Work with the County to maintain an online presence within the County website to inform the public of meetings, share energy information, and to provide contact information.

and be it

FURTHER RESOLVED, that Board meetings will be open to the public who are encouraged to attend and participate in the meeting agenda with the approval of the BCEAB current president, and be it

FURTHER RESOLVED, that this resolution shall become effective immediately.

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

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RESOLUTION NO. 598

By: County Administration and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MEL MANASSE & SON AUCTIONEERS FOR AUCTIONEER AND RELATED SERVICES AND ESTABLISHING PARTICIPATION RULES FOR THE ANNUAL COUNTY AUCTION FROM JUNE 1, 2007 THROUGH MAY 31, 2008

WHEREAS, the Broome County Division of Purchasing extended an invitation to various political subdivisions, contract agencies and neighboring Counties to participate in the annual Broome County Auction for a total fee of 9% of the proceeds of their items with said amount being retained for the Auctioneer's payment, and

WHEREAS, this County Legislature, by Resolution 402 of 2007, authorized an agreement with Mel Manasse & Son Auctioneers for auctioneer and related services for the period June 1, 2007 through May 31, 2008, and

WHEREAS, said Resolution authorized that for the sale of property belonging to political subdivisions, contract agencies and adjacent Counties the Auctioneer shall retain not only 9% of the sale proceeds for the Auctioneer's commission but also an additional 2 1/2% to be distributed to the Broome County Commissioner of Finance, and

WHEREAS, it is necessary to authorize an amendment to the Resolution to remove the provision regarding withholding the additional 2 1/2% for distribution to the Broome County Commissioner of Finance and reflect the same in the agreement with the vendor, and

WHEREAS, the Division of Purchasing 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 Mel Manasse & Son Auctioneers, 2924 US Route 11, Whitney Point, NY 13862, for auctioneer services for the Division of Purchasing for the period June 1, 2007 through May 31, 2008, and be it

FURTHER RESOLVED, that the provision in Resolution 402 of 2007 for the Broome County Commissioner of Finance to receive 2 ½% of the proceeds from the sale of property owned by political subdivisions, contract agencies and neighboring Counties is hereby removed from the resolution and the agreement with Mel Manasse & Son Auctioneers, and

FURTHER RESOLVED, that Resolution 402 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 599

By: Finance, Public Works and Education, Culture and Recreation Committees

Seconded by: Mr. Cleary

RESOLUTION AMENDING THE 2007 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2007 Capital Improvement Program is hereby revised to create a new project as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Estimated Construction Cost:</u>			
		<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501514	BCC Feasibility Study	50,000	0	0	50,000

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<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>
2007	5	62a	50,000	0

Description: The project would fund a study to determine the feasibility of Broome Community College creating a satellite program at 41 Court St, Binghamton, to provide space for a Music and Arts Program and for housing international students.

and be it

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

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

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

RESOLUTION NO. 600

By: Finance Committee

Seconded by: Mr. Cleary

RESOLUTION INCREASING THE FEE FOR TAX CERTIFICATES ISSUED BY THE DEPARTMENT OF FINANCE.

WHEREAS, as a service to the public, the Department of Finance researches and prepares tax certificates which certify that real property taxes on parcels of real property in Broome County and the City of Binghamton have been paid, and

WHEREAS, the Department of Finance currently charges a fee of \$5 for said certificates, which fee is inadequate to reimburse the County for the cost of issuance of said certificates, and

WHEREAS, the Commissioner of Finance has recommended that this County Legislature authorize an increase in said fees, now therefore be it

RESOLVED, that this County Legislature hereby establishes the fee for issuance of tax certificates by the Department of Finance as follows:

Effective January 1, 2008	\$10.00
Effective January 1, 2009	\$15.00
Effective January 1, 2010	\$20.00

Carried. Ayes-15, Nays-2 (Kuzel, Reynolds), Abstain-1 (Black), Absent-1 (Hull)

RESOLUTION NO. 601

By: Public Works and Finance Committees

Seconded by: Mr. Sanfilippo

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SHUMAKER CONSULTING ENGINEERING AND LAND SURVEYING, P.C. FOR PREPARATION OF A SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT TO EVALUATE ENTRANCE OPTIONS TO SECTION IV OF THE BROOME COUNTY LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 191 of 2006, as amended by Resolution 254 of 2007, authorized an agreement with Shumaker Consulting Engineering and Land Surveying, P.C. for preparation of a supplemental environmental impact statement to evaluate entrance options to Section IV of the Broome County Landfill for the Division of Solid Waste Management, at a cost not to exceed \$150,000 for the period May 1, 2006 through December 31, 2007, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$13,200 to investigate an alternative proposed by the Host Communities during the comment period, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Shumaker Consulting Engineering and Land Surveying, P.C., 143 Court Street, Binghamton, New York 13901, to increase the not to exceed amount by \$13,200 to investigate an alternative proposed by the Host Communities during the comment period, for the period May 1, 2006 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$13,200, total amount not to exceed \$163,200 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4746.501473 (Architectural & Engineering Services), and be it

FURTHER RESOLVED, that Resolutions 191 of 2006 and 254 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 602

By: Public Works Committee

Seconded by: Mr. LaBare

RESOLUTION AUTHORIZING APPROVAL OF THE COMPLETED DESIGN OF THE RECONSTRUCTION OF THE GEORGE HARVEY JUSTICE BUILDING

WHEREAS, this County Legislature, by Resolution 392 of 2006, approved and accepted a feasibility study by C & S Engineers, Inc. for the renovation and/or reconstruction of the George Harvey Justice Building, and

WHEREAS, based on the feasibility study, C & S Architects and Engineers have completed the design of the reconstruction of the George Harvey Justice Building, and

WHEREAS, Resolution 392 of 2006 states that this County Legislature shall review and approve the design for the renovation and/or reconstruction of the George Harvey Justice Building prior to the start of the renovation and/or reconstruction of the project, and

WHEREAS, the Commissioner of Public Works is requesting approval of the design so that the project may be submitted for bids, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the completed design of the reconstruction of the George Harvey Justice Building based on the previously approved feasibility study, and be it

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

Held over by Mr. Black.

Mr. Shafer made a motion to adjourn, seconded by Mr. Sanfilippo. **Motion to adjourn carried.** The meeting was adjourned at 7:13 p.m.

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