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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, APRIL 19, 2001**

The Legislature convened at 5:08 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-16, Absent-3 (Howard, Hull, Miller).

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

Mr. O'Day made a motion, seconded by Mr. Burger, that the minutes of the March 22, 2001 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

Mr. Schofield noted that the committee minutes for the period March 16 through April 12, 2001 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. Schofield asked for corrections to the committee minutes. Mr. Pasquale made a motion to amend the Personnel Committee minutes, changing the text for Resolution Intro. #40 from "...at greater risk to remain employed" to "...at greater risk to remain unemployed". Mr. Kolba seconded the motion. Amendment to the Personnel Committee minutes **carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller). A motion to approve the committee minutes as amended was made by Mr. Mather and seconded by Mr. O'Day. **Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:**

Letters from the County Executive, Jeffrey P. Kraham:

1. Appointing members to the Family Violence Prevention Council
2. Appointing Marc Newman to the Broome Community College Board of Trustees

**PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:**

A. Petitions: None

B. Communications:

1. Minutes:
  - a. Broome County Association of Municipal Clerks
  - b. Soil and Water Conservation District
  - c. Cornell Cooperative Extension Board of Directors
  - d. Environmental Management Council
  - e. Binghamton Regional Airport Terminal Renovation Progress Meeting #56.
  - f. Association of Towns
2. Letters from New York State officials in support of Resolution #01-110
3. Village of Port Dickinson: reconvening of adjourned public hearing
4. Finance Department: Bond Anticipation Note Certificate
5. Letter from Public Defender designating William L. Brown to act in his absence
6. Town of Colesville: Public Hearing on proposed local law in regard to mining.
7. Orange County Legislature: copies of Resolutions #77, #78, #79
8. Town of Maine: Local Law No. 1-2001 amending the zoning ordinance
9. Personnel Officer: memorandum regarding the use of temporary clerical services

C. Notices: None

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D. Reports:

1. Annual Reports
  - a. Division of Purchasing
  - b. Department of Public Works
  - c. Broome County Soil and Water Conservation District
2. Broome Community College
  - a. February 2001 Budget Transfers
  - b. Above Minimum Hires, March 2001
3. Audit and Control: March 2001 Personnel Data Record Control Audit
4. Finance Dept.: NYS Mortgage Tax Report

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE**

Letters from the Chair, Daniel A. Schofield:

1. Appointing Arlene Nannery as voting representative for Brian Mather, Public Safety and Emergency Services Committee, April 9, 2001
2. Appointing for Brian Brunza:
  - a. Andrew Kavulich as voting representative, Health Services committee, March 14, 2001
  - b. Mark Whalen as voting representative, Intergovernmental Relations Committee, March 15, 2001

Mr. Holley made a motion, seconded by Mr. Kavulich, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2001 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

Mr. Kavulich and Mr. Lindsey were designated as participants with Chairman Schofield in the 'Short Roll Call'.

**RESOLUTIONS HELD OVER FROM PREVIOUS SESSION**

**RESOLUTION NO. 160**

(Held over by Ms. Hudak)

By Health Services and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS VENDORS FOR VARIOUS SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP GRANT FOR 2001-2002**

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

**RESOLUTION NO. 176**

(Held over by Ms. Hudak)

By Health Services and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING AGREEMENT WITH MCCUE ADVERTISING AND PUBLIC RELATIONS, INC. FOR AN ANTI-SMOKING ADVERTISING CAMPAIGN FOR THE DEPARTMENT OF HEALTH FOR 2001**

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

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**RESOLUTIONS RECALLED AT THIS SESSION**

Mr. Kolba made a motion to **recall Resolution No. 126**, seconded by Mr. Pasquale for approval. **Motion to recall carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

**RESOLUTION NO. 126**

By Public Works and Finance Committees  
Seconded by Mr. Howard  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH STRATEGIC POWER MANAGEMENT, LLC., FOR CONSULTING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 103 of 2000, as amended by Resolution 65 of 2001, authorized an agreement with Strategic Power Management, LLC., for consulting services for the Division of Solid Waste Management at a cost \$18,000 (including out of pocket expenses), for January 1, 2000 through June 30, 2001, and

WHEREAS, said agreement provides consultant services to assist the County in determining the feasibility of using the power generated in County facilities and/or selling it to NYSEG or a power marketer and the feasibility of doubling the generating capacity of the landfill generator, and

WHEREAS, it is necessary to authorize an amendment to said agreement to provide a feasibility analysis of NYSEG's proposal for the use of the gas produced at the Nanticoke Landfill at an additional cost of \$3,000, total cost not to exceed \$21,000, 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 Strategic Power Management, LLC, 51 Greenwich Avenue, Goshen, New York 10924, to provide a feasibility analysis of NYSEG's proposal for the use of the gas produced at the Nanticoke Landfill, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,000, total cost not to exceed \$21,000 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolutions 103 of 2000 and 65 of 2001, to the extent consistent herewith, shall remain in full force and effect, 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.

Mr. Kolba made a motion, seconded by Mr. Burger, to amend said resolution as indicated by the underlined text as shown. **Amendment carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller). **Resolution as amended carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

Mr. Kolba made a motion to **recall Resolution No. 168**, seconded by Mr. Shafer for approval. **Motion to recall carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

**RESOLUTION NO. 168**

By Public Works, Economic Development & Planning and Finance Committees  
Seconded by Mr. Howard  
**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO APPLY FOR A "BROWNFIELDS" ENVIRONMENTAL RESTORATION GRANT IN CONNECTION WITH 312 MAPLE STREET, ENDICOTT, NEW YORK AND AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEC IN CONNECTION THEREWITH**

WHEREAS, this County Legislature has previously authorized agreements for site investigation in connection with a voluntary clean-up agreement pertaining to 312 Maple Street,



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the "Spiedie Fest") whereby the County will provide the use of Otsiningo Park for the 2001 Spiedie Fest during the period August 1, 2001 through August 6, 2001, including in-kind support from the Parks Department consisting of assistance with set up and refuse removal (the Spiedie Fest to pay tipping fees) and providing the outdoor stage, the Security Division to provide security during the festival and the Office of the Sheriff which will provide traffic control on county highways in and around the festival site, and be it

FURTHER RESOLVED, that in consideration of this agreement the Spiedie Fest will provide at its own expense, insurance, transportation to the site, programs, set up of tents, traffic coordination, crowd control, on-site emergency services and temporary restroom facilities, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 180**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING THE BROOME COUNTY HEALTH DEPARTMENT TO CHARGE OFF BAD DEBTS**

WHEREAS, the Broome County Department of Health has, in the past, acted as a Certified Home Health Agency, and

WHEREAS, the certificate for being a Certified Home Health Agency was transferred to Lourdes Hospital and, at that time, there were outstanding accounts receivable, and

WHEREAS, the accounting entry for the accrued outstanding accounts receivable is reversed with each new year and these amounts are not included in the general ledger of the County's books, and

WHEREAS, although the Department of Health has made all reasonable attempts to collect these monies, including significant rebilling and investigation of why money was not received, it has been determined that the accounts listed on Exhibit "A" are uncollectible, and

WHEREAS, these debts are spaced out over a period of four (4) years and represent less than 2% of the revenue collected during this period, and

WHEREAS, the Director of Public Health requests authorization to consider the amounts listed in Exhibit "A" as uncollectible and remove such amounts from the Department of Health's subsidiary records, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of Public Health to write off as uncollectible the accounts listed in Exhibit "A", and be it

FURTHER RESOLVED, that the Director of Public Health, the Commissioner of Finance and the Comptroller are authorized to make all necessary accounting entries to effectuate the intent and purpose of this Resolution.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 181**

By Personnel, Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENTS TO AGREEMENTS WITH BROOME ADMINISTRATIVE AND PROFESSIONAL ASSOCIATION (BAPA) FOR 1999-2001 AND THE CIVIL SERVICE EMPLOYEES ASSOCIATION (CSEA) FOR 1999-2002**

WHEREAS, this County Legislature, pursuant to the New York State Civil Service Law (Taylor Law) has previously recognized Broome Administrative and Professional Association (BAPA) as the employee organization and authorized representative of certain Broome County Administrative and Professional Employees, and

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WHEREAS, this County Legislature by Resolution 108 of 2000 authorized an agreement between BAPA and Broome County for the period January 1, 1999 through December 31, 2001, and

WHEREAS, this County Legislature pursuant to the Taylor Law has previously recognized Civil Service Employees Association (CSEA) as the employee organization and authorized representative of certain Broome County Administrative and Professional employees, and

WHEREAS, this County Legislature by Resolution 179 of 1999 authorized an agreement between CSEA and Broome County for the period January 1, 1999 through December 31, 2002, and

WHEREAS, the Director of Employee Relations requests authorization for an amendment to said agreements to provide for payment of a stipend of \$3,000 annually to persons in the title of Dog Shelter Manager, Assistant Dog Shelter Manager or Kennel Person if required by the Security Director to hold a NYS Euthanasia Certificate, and

WHEREAS, the Director of Employee Relations requests authorization for an amendment to said agreements to provide for payment of a stipend of \$2,000 annually to persons in the title of Dog Shelter Manager, Assistant Dog Shelter Manager or Kennel Person if required by the Security Director to hold a US Department of Justice Drug Enforcement Administration (DEA) Certificate as an agent to purchase and control euthanasia drugs, now, therefore, be it

RESOLVED, that the County Executive, on behalf of Broome County, be and hereby is authorized and empowered to execute and deliver an amendment to each of the aforesaid agreements approved as to form by the Department of Law with Broome Administrative and Professional Association (BAPA) and Civil Service Employees Association (CSEA) providing for:

1. Payment of a stipend of \$3,000 annually to persons in the title of Dog Shelter Manager, Assistant Dog Shelter Manager or Kennel Person if required by the Security Director to hold a NYS Euthanasia Certificate and
2. Payment of a stipend of \$2,000 annually to persons in the title of Dog Shelter Manager, Assistant Dog Shelter Manager or Kennel Person if required by the Security Director to hold a US Department of Justice Drug Enforcement Certificate as an agent to purchase and control euthanasia drugs

and be it

FURTHER RESOLVED, that the Director of Budget and Research is hereby authorized to transfer funds in order to carry out the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that any resolution required by the terms of the aforesaid labor agreements as required by law to be adopted by this County Legislature to implement, effect or complete the aforesaid labor agreements shall be deemed to be and hereby is adopted by this County Legislature.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

## **RESOLUTION NO. 182**

By Finance Committee

Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PRICEWATERHOUSE COOPERS, LLP FOR CONSULTING SERVICES FOR RISK AND INSURANCE FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 363 of 2000, authorized the renewal of an agreement with PricewaterhouseCoopers, LLP, for Broome County Health Care Plan consulting services for the Department of Risk & Insurance at an amount not to exceed \$40,000 for the period April 1, 2000 through March 31, 2001, and

WHEREAS, said services are necessary to provide health benefits consulting services, as they relate to Broome County's employee and retiree health benefits through a self-insured PPO medical plan administered through SIEBA, Ltd. and through fully insured, community-rated HMOs, and

WHEREAS, said agreement expired by its terms on March 31, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions for an amount not to exceed \$ 40,000 for the term April 1, 2001 through March 31, 2002, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with PricewaterhouseCoopers, LLP, One Lincoln Center, Syracuse, New York 13202-9972 for Broome County Health Care Plan consulting services for the Department of Risk and Insurance, for the period April 1, 2001 through March 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$40,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4724.252000 (Actuary Consultants), 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 183**

By Public Safety & Emergency Services and Finance Committees                      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FEDERAL BUREAU OF INVESTIGATION FOR LEASE OF TOWER SPACE FOR EMERGENCY SERVICES COMMUNICATIONS SYSTEM FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 476 of 1999, authorized renewal of an agreement with the Federal Bureau of Investigation of the United States Department of Justice for lease of the tower facility at Hawkins Hill, Site 66 Tower in the Town of Binghamton, providing revenue to the County of \$125 per month or a total amount of \$1,500 per year for the period October 1, 1999 through September 30, 2000, and

WHEREAS, said agreement expired by its terms on September 30, 2000, and it is desired at this time to renew said agreement on substantially similar terms and conditions for the period October 1, 2000 through September 30, 2001, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Federal Bureau of Investigation of the United States Department of Justice, 200 McCarty Avenue, Albany, New York, 12209, for the lease of the Hawkins Hill, Site 66 Tower, for the period October 1, 2000 through September 30, 2001, and be it

FURTHER RESOLVED, that in consideration of said lease the United States Department of Justice shall pay the County \$125 per month, total revenue of \$1,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 460006.0464.101000 (Other Local Governments), 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 184**

By Public Safety & Emergency Services Committee                                      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH SOUTHERN TIER CHAPTER OF THE AMERICAN RED CROSS FOR AN EMERGENCY OPERATIONS PLAN FOR THE OFFICE OF EMERGENCY SERVICES**

WHEREAS, this County Legislature, by Resolution 260 of 1999, authorized an agreement with the Southern Tier Chapter of the American Red Cross for an emergency operations plan for the period July 1, 1999 through June 30, 2001, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term until such time that it is revised by either the County or the Red Cross, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Southern Tier Chapter of the American Red Cross, 93 Chestnut Street, Binghamton, New York 13905 to extend the term until such time that the agreement is revised by either the County or the American Red Cross, and be it

FURTHER RESOLVED, that Resolution 260 of 1999, to the extent consistent herewith, shall remain in full force and effect, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### RESOLUTION NO. 185

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT TO A MUNICIPAL COOPERATIVE AGREEMENT WITH THE BROOME COUNTY SOIL & WATER CONSERVATION DISTRICT**

WHEREAS, this County Legislature, by Resolution 342 of 1995, authorized a municipal cooperative agreement with the Broome County Soil & Water Conservation District to share facilities between the District and the Broome County Department of Parks and Recreation for the period July 1, 1992 through June 30, 2002, and

WHEREAS, said agreement provides for the Soil & Water Conservation District and the County's Department of Parks and Recreation to share the same facilities, and

WHEREAS, it is necessary to authorize an amendment to said agreement to provide for the equal sharing of electrical costs for the heated bay used for the repair and maintenance of equipment because the year-round use of the building the Department of Parks and Recreation has doubled the use of electricity, and

WHEREAS, the Commissioner of Parks and Recreation 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 between the Broome County Soil & Water Conservation District and the Broome County Department of Parks and Recreation to provide for the equal sharing of electrical cost for a heated bay used for repair and maintenance work, effective March 1, 2001, and be it

FURTHER RESOLVED, that Condition number 6 is revised to read as follows (the change is underlined):

6. The Parks Department will have use of the heated bay for repair and maintenance of equipment whenever possible and will share equally the cost of electricity with the District.

and be it

FURTHER RESOLVED, that Resolution 342 of 1995, to the extent consistent herewith, shall remain in full force and effect, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

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**RESOLUTION NO. 186**

By Public Safety & Emergency Services Committee

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE FEDERAL BUREAU OF INVESTIGATION (FBI) FOR ACCESS AND USE OF THE BROOME COUNTY OUTDOOR PUBLIC SAFETY TRAINING FACILITY**

WHEREAS, Broome County is constructing an outdoor public safety training facility, contained within 88 acres of the Binghamton Regional Airport buffer property on Commercial Road in the Town of Maine, and

WHEREAS, the Project consists of outdoor firearms ranges, pavilions, an outdoor obstacle course, a classroom training building, fire training facilities including a smoke tower, a burn pit and building, a water drafting tank and associated parking lots, and

WHEREAS, the Federal Bureau of Investigation (FBI) has offered to fund the cost of a Turning Target System for the training facility in exchange for access and use of the pistol range for a 10-year period, starting when the system is installed and operational, and

WHEREAS, the County will maintain the new Turning Target System after it is installed, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Federal Bureau of Investigation for access and use of the pistol range at the Broome County outdoor public training facility for a 10-year period, starting when the system is installed and operational and based on the following conditions:

1. The FBI will provide the funding for the purchase and installation of a Turning Target System and air compressor for the pistol range.
2. The County shall provide the personnel and equipment necessary to prepare the range site for the Turning Target System.
3. The County, in exchange for the FBI funding of the Turning Target System, will allow the FBI access and use of the pistol range for 10 years without charge for scheduled dates.
4. The County will provide the routine maintenance on the Turning Target System.
5. The County will assume all cost for the utilities necessary to operate the Turning Target System and air compressor,

and be it

FURTHER RESOLVED, the times and dates of the FBI use will be subject to a mutual agreement between the FBI and the County with the County having the final decision in the event an agreement cannot be reached, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

**RESOLUTION NO. 187**

By Finance and Public Safety & Emergency Services Committees

Seconded by Mr. Wike

**RESOLUTION AUTHORIZING THE OFFICE OF THE SHERIFF TO INSTITUTE A "SAVE THE CHILD" GUN SAFETY PILOT PROGRAM AND THE TRANSFER OF FUNDS NECESSARY TO IMPLEMENT SAID PROGRAM**

WHEREAS, there is a rising number of injuries and deaths caused by the accidental firings of guns in homes by young children, and

WHEREAS, young children, by one means or another, are able to gain access to guns in the home without parental knowledge, and

WHEREAS, a critical injury or the death of a youngster can often be prevented by the use of a gun lock that can be purchased for only a few dollars, which is a small price to pay to keep our children safe from accidentally discharged guns, and

WHEREAS, this County Legislature is desirous of taking the lead in establishing a "Save the Child" pilot gun safety program for the issuance of gun locks because of the increase in the number of young children getting hurt and sometimes killed by accidental firings, now, therefore, be it

RESOLVED, that the Office of the Broome County Sheriff is hereby authorized to establish a "Save the Child" pilot gun safety program for County residents who own guns, and be it

FURTHER RESOLVED, that the Sheriff is authorized to purchase gun locks, total cost not to exceed \$5,000, to be distributed free of charge to gun owners with small children residing in the same home as the gun owner, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450049.4449.101000 (Other Operational Expenses), and be it

FURTHER RESOLVED, that in order to provide funds for this Resolution, the Budget Director and the Commissioner of Finance are hereby authorized to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title of Account</u>	<u>Transfer Amount</u>
From	900084	4752	101000	Contingency	\$5,000
To	450049	4449	101000	Other Operational Exp.	\$5,000

and be it

FURTHER RESOLVED, that the Sheriff is hereby authorized to accept any donations from individuals or businesses for the purchase of additional gun locks for the "Save the Child" pilot gun safety program, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the establishment of a trust account for the receipt of said donations for the purchase of additional gun locks and the Sheriff is hereby authorized to expend said funds in accordance with the provisions of state and local laws and the use of these funds shall be restricted solely to the administration and promotion of the "Save the Child" pilot gun safety program, and be it

FURTHER RESOLVED, that the Commissioner of Finance, Director of Budget, County Comptroller, and the Sheriff are hereby authorized and directed to take any and all necessary steps required to effectuate the intent and purpose of this Resolution, 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.

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).**

### **RESOLUTION NO. 188**

By Personnel and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH AMTEK MANAGEMENT SERVICES CORPORATION FOR A HUMAN RESOURCES ANALYSIS FOR THE PERSONNEL DEPARTMENT FOR 2001**

WHEREAS, the Broome County Personnel Officer requests authorization for an agreement with AMTEK Management Services Corporation for a human resources analysis for the Personnel Department at a cost not to exceed \$10,500 for 2001, and

WHEREAS, said services are necessary to conduct a human resources analysis that will examine the functions of the Personnel Department, identify problem areas and recommend solutions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with AMTEK Management Services Corporation, 220 W. Manlius Street, P.O. Box 118, East Syracuse, New York 13057, for a human resources analysis, for the Personnel Department for 2001, and be it

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FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 400002.4545.101000 (Contract Services), 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

#### **RESOLUTION NO. 189**

By County Administration, Public Works and Finance Committees                      Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH IOS CAPITAL AND IKON OFFICE SOLUTIONS FOR THE LEASE AND RELATED SERVICE AGREEMENTS FOR DIGITAL COPY MACHINES FOR SEVERAL BROOME COUNTY DEPARTMENTS FOR 2001-2006**

WHEREAS, this County Legislature, by Resolution 83 of 2001, authorized an agreement with IOS Capital and IKON Office Solutions for lease and related service agreements for the placement of digital copy machines in various County departments at an amount not to exceed \$103,800, for a five year period beginning on or about March 1, 2001, and

WHEREAS, said agreement provides for lease and related service agreements for placement of digital copy machines in various County departments, and

WHEREAS, it is necessary to authorize the amendment of said agreement to add a Canon IR-330 digital copier for the Department of Public Works, Highway Division, and

WHEREAS, the Director of Highways 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 IKON Office Solutions, 21 South Washington Street, Binghamton, New York 13903 to lease an additional digital copier for the Department of Public Works, Highway Division for a five year period beginning on or about March 1, 2001 until 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$154 per month for 60 months, total cost not to exceed \$9,240 and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 030122.4513.301000 (Copy Machine Rentals) and be it

FURTHER RESOLVED, that Resolution 83 of 2000, to the extent consistent herewith, shall remain in full force and effect, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

#### **RESOLUTION NO. 190**

By Health Services and Finance Committees                      Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH UNITED HEALTH SERVICES TO ADMINISTER THE FAMILY INDEPENDENCE PROGRAM FOR DEPARTMENT OF MENTAL HEALTH FOR 2001**

WHEREAS, this County Legislature, by Resolution 197 of 2000, authorized and approved the Family Independence Program Grant, adopted a program budget in the amount of \$275,000 and authorized an agreement with United Health Services to administer said program for the Department of Mental Health for the period January 1, 2000 through December 31, 2000, and

WHEREAS, said grant program provides case management services for families receiving Temporary Aid to Needy Families (TANF) with alcohol and substance abuse problems, and

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WHEREAS, the Department of Social Services will now administer and distribute the funds from said program grant, and

WHEREAS, United Health Services and the County, by mutual agreement, believe that moving the Family Independence Program back under the County would greatly simplify the structure under which it operates, and

WHEREAS, the Commissioner of Mental Health, in keeping with this new policy for TANF funds and the desire to move the Family Independence Program back under the County, requests authorization for an agreement with United Health Services to administer the Family Independence Program for the Department of Mental Health at a cost not to exceed \$35,000, for the period January 1, 2001 through March 31, 2001, and

WHEREAS, said services are necessary to provide case management services for families receiving Temporary Assistance to Needy Families (TANF) with alcohol and substance abuse problems, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with United Health Services, 10-42 Mitchell Avenue, Binghamton, New York 13903 to administer the Family Independence Program for the Department of Mental Health for the period January 1, 2001 through March 31, 2001, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4747.104XXX, and be it

FURTHER RESOLVED, that Resolution 697 of 2000 that authorized the renewal of the Family Independence Program Grant for the Department of Mental Health, adopted a program budget in connection therewith, and authorized the renewal of an agreement with United Health Services to administer said program for 2001 is hereby rescinded in its entirety, 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.

**Carried,** Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

#### **RESOLUTION NO. 191**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY FOR OFFICE SPACE AND RELATED SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2001**

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with the Addiction Center of Broome County for office space and related services for the Department of Mental Health at a cost not to exceed \$21,650 for the period April 1, 2001 through December 31, 2001, and

WHEREAS, said agreement is necessary to provide office space, janitorial services, parking, office equipment use, an internet connection, telephone lines and reception services for the 2001 Temporary Assistance to Needy Families (TANF) Enhanced Case Management Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Addiction Center of Broome County, 455 State Street, Binghamton, New York 13901 for office space and related services for the Department of Mental Health for the period April 1, 2001 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$21,650 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4747.104XXX (Other Fees for Services), and be it

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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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 192**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH THE FAIRVIEW RECOVERY SERVICES FOR VOCATIONAL SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2001**

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with Fairview Recovery Services for vocational services for the Department of Mental Health at a cost not to exceed \$27,000 for the period April 1, 2001 through December 31, 2001, and

WHEREAS, said agreement is necessary to provide vocational services under the 2001 Temporary Assistance to Needy Families (TANF) Enhanced Case Management Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Fairview Recovery Services, 3-5 Merrick Street, Binghamton, New York 13904 for vocational services for the Department of Mental Health for the period April 1, 2001 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$27,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4747.104XXX (Other Fees for Services), 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 193**

By County Administration and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH OUTSOURCING SERVICES INTERNATIONAL (OSI) FOR PROFESSIONAL SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 296 of 2000, as amended by Resolution 507 of 2000 and Resolution 27 of 2001, authorized an agreement with Outsourcing Services International (OSI) for professional services for the Division of Information Technology at a total cost not to exceed \$58,800, for the period April 24, 2000 through February 28, 2001, and

WHEREAS, said agreement provides low level desktop support to the staff of the Division of Information Technology, including upgrading of County PC's in network hardware and other services as needed, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term to June 30, 2001, at no additional cost to the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Outsourcing Services International (OSI), 601 Gates Road, P.O. Box 156, Vestal, New York 13850-0156, for professional services for the Division of Information Technology, extending the term to June 30, 2001 at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolutions 296 and 507 of 2000 and Resolution 27 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

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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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

#### **RESOLUTION NO. 194**

By County Administration and Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH DANKA FINANCIAL SERVICES FOR LEASE OF COPIER MACHINES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2001-2005**

WHEREAS, this County Legislature, by Resolution 560 of 2000, authorized an agreement with Danka Financial Services for lease of copier machines for an amount not to exceed \$68,000 per year, including a combined lease payment of \$3,350 per month, \$2,034 per month for maintenance and supplies for the Heidelberg copier, \$1,500 per year for maintenance and supplies for the Canon copier and \$1,000 per year for overage copies on the Heidelberg copier, total cost not to exceed \$340,000 for the period January 1, 2001 through December 31, 2005, and

WHEREAS, said agreement provides equipment to the Broome County Print Shop for printing services for various County departments, and

WHEREAS, it is necessary to authorize an amendment to said agreement to provide funding for additional maintenance and supplies due to higher than anticipated usage by various County departments, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Danka Financial Services, 1010 Thomas Edison Boulevard, Cedar Rapids, Iowa 52404 to increase the maintenance and supplies for the Canon Copier by \$8,250, total cost for maintenance and supplies not to exceed \$9,750, total cost of the agreement not to exceed \$348,250, for the Division of Information Technology for the period January 1, 2001 through December 31, 2005, and be it

FURTHER RESOLVED, that Resolution 560 of 2000, to the extent consistent herewith, shall remain in full force and effect, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

#### **RESOLUTION NO. 195**

By County Administration and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH OUTSOURCING SERVICES INTERNATIONAL (OSI) FOR PROFESSIONAL SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 1999**

WHEREAS, this County Legislature, by Resolution 137 of 1999, as amended by Resolutions 439 and 615 of 1999, authorized an agreement with Outsourcing Services International (OSI) for professional services for the Division of Information Technology for a total amount of \$207,000 for the period March 1, 1999 through July 31, 2000, and

WHEREAS, it is necessary to authorize an amendment to said agreement for an additional expenditure of \$1,171 and a contract extension of four days for professional services that included work on the mainframe programs for payroll and financial systems through August 4, 2000, and

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WHEREAS, an extension and increase in the amount of the contract will allow the Division of Information Technology to pay off the balance of this contract and to close this project with OSI, and

WHEREAS, the Director of Information Technology requests 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 Outsourcing Services International (OSI), 601 Gates Road, P.O. Box 156, Vestal, New York 13850-0156, for an additional amount of \$1,171, total amount not to exceed \$208,171, and extending the term of the agreement to March 1, 1999 through August 4, 2000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370032.4726.502317 (Contracted Data Processing), and be it

FURTHER RESOLVED, that Resolutions 137, 439 and 615 of 1999, to the extent consistent herewith, shall remain in full force and effect, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 196**

By Finance Committee

Seconded by Mr. Shafer

#### **RESOLUTION APPROVING SALE OF COUNTY-OWNED PROPERTY IN THE TOWN OF UNION AND VILLAGE OF ENDICOTT**

WHEREAS, the County of Broome now owns certain parcels 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 properties to the individuals 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 his 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-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 197**

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO THE RESOLUTION CORRECTING ERRORS ON TAX ROLLS FOR 2001**

WHEREAS, this County Legislature, by Resolution 72 of 2001, authorized the correction of errors on the tax rolls for 2001, and

WHEREAS, the Director of Real Property Tax Service is requesting to correct the information reflected on Exhibit "A" of said resolution for Parcels 111.12-1-3, 111.08-1-22 and 111.12-6-24 in the Town of Chenango, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the following revisions to Parcels 111.12-1-3, 111.08-1-22 and 111.12-6-24 in the Town of Chenango:

Tax Map Number Name & Error		Incorrect Tax	Correct Tax
111.12-1-3	Compost	150.64	40.18
St. Christopher's	Sewer	1,846.14	492.31
RC Church	Water	1,791.89	1,791.89
Sewer & Compost			
Units from 7.50 to 2	Total	\$ 3,788.67	\$2,324.38
111.08-1-22	County	-	-
Bing. Cong.of	Hwy	-	-
Jehovah's Witness	Compost	52.02	40.18
Sewer & Compost	Fire	-	-
Units from 2.59 to 2	Sewer	637.54	492.31
	Ret. Swr.	56.36	56.36
	Ret. Wtr.	44.37	44.37
	Water	550.95	550.95
	Total	\$1,341.24	\$1,184.17

Tax Map Number Name & Error		Incorrect Tax	Correct Tax
111.12-6-24	County	23.54	23.54
Hamm	Hwy	3.16	3.16
Erroneous Sewer	Compost	20.09	-
& Compost Charge	Fire	5.71	5.71
	Light	1.53	1.53
	Sewer	246.15	-
	Total	\$300.18	\$33.94

and be it

FURTHER RESOLVED, that Resolution 72 of 2001, to the extent consistent herewith, remain in full force and effect, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to transmit a copy of this Resolution and a copy of the amended and approved applications to the tax officer having jurisdiction of the Town of Chenango tax rolls.

**Carried,** Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### RESOLUTION NO. 198

By County Administration and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION ESTABLISHING RULES AND AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH MEL MANASSE & SON, AUCTIONEERS FOR AUCTIONEER AND RELATED SERVICES FOR THE DIVISION OF PURCHASING'S ANNUAL AUCTION FOR 2001**

WHEREAS, this County Legislature, by Resolution 219 of 2000, authorized an agreement with Mel Manasse & Son, Auctioneers for auctioneer and related services for the Division of Purchasing's annual auction for 2000, for the period September 1, 2000 through October 31, 2000, and

WHEREAS, the Director of Purchasing requests authorization for the renewal of the agreement with Mel Manasse & Son, Auctioneers for auctioneer services for the annual auction

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of surplus supplies, equipment, materials and vehicles on September 15, 2001, at a cost of \$2,000 for advertising expenses, \$1,000 for Parks Department expenses, \$1,000 for Department of Public Works expenses and \$1,000 for Division of Security expenses and six percent (6%) of the auctioneer's gross receipts, exclusive of sales taxes, for Broome County, and

WHEREAS, all political subdivisions and contract agencies of Broome County shall be eligible to offer surplus supplies, materials, equipment and vehicles for sale at the auction, now, therefore, be it

RESOLVED, that the fee structure for all participating political subdivisions and contract agencies, including Broome Community College, shall be as follows:

Participating political subdivisions shall pay a fee of six percent (6%) of the auctioneer's gross receipts to the auctioneer, attributable to their property, exclusive of sales taxes, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Mel Manasse & Son, Auctioneers, 2924 U.S. Route 11, P. O. Box 738, Whitney Point, New York 13862 for auctioneer services for the period September 1, 2001 through October 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall retain (from the sale of items attributed to Broome County Government) \$2,000 for advertising, mailing and other expenses, plus \$1,000 to be paid to the Parks Department, plus \$1,000 to be paid to the Division of Security, plus \$1,000 to be paid to the Department of Public Works, plus six percent (6%) of the auctioneer's receipts (less the \$2,000 in expenses previously noted) for the term of this agreement, and be it

FURTHER RESOLVED, that the Broome County Comptroller is hereby authorized to review all revenues received from the auction and apportion those revenues to the appropriate departmental revenue budget lines, 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.

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).**

### **RESOLUTION NO. 199**

By Economic Development & Planning Committee

Seconded by Mr. Brunza

#### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE SOUTHERN TIER EAST REGIONAL PLANNING DEVELOPMENT BOARD**

WHEREAS, the Chair of the Broome County Legislature, pursuant to the authority vested in him by Resolution 230 of 1967, 416 of 1974, 48 of 1984 and 108 of 1987, has duly designated and appointed the following named individuals to membership on the Southern Tier East Regional Planning Development Board, subject to confirmation by this County Legislature:

<b>Name</b>	<b>Term Expiring</b>
Jack Chanecka City of Binghamton 38 Hawley Street Binghamton, New York 13901	December 31, 2003
Julie M. Sweet 9 Vermont Avenue Binghamton, New York 13905 (Commissioner, BC Dept. of Planning and Economic Development)	December 31, 2003
Elsie Logan 231 Conklin Avenue Binghamton, New York (Minority Community Representative)	December 31, 2003

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and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it  
RESOLVED, that this County Legislature hereby confirms the appointments of the above-named individuals to membership on the Southern Tier East Regional Planning Development Board for the terms indicated, in accordance with their appointment by the Legislative Chair.  
**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).**

#### **RESOLUTION NO. 200**

By Personnel and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AMENDING HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES**

WHEREAS, this County Legislature, by various resolutions has authorized various non-union, temporary and seasonal employees, and

WHEREAS, by Resolution 666 of 2000, this County Legislature set the hourly rates for these positions for calendar year 2001, and

WHEREAS, the County Attorney has requested that a non-union, temporary position of legal associate be authorized with an hourly rate of \$16.00, and

WHEREAS, said position and hourly rate will allow the County Attorney, the District Attorney and the Public Defender to hire law students as summer associates who will assist with scheduling during vacation periods and allow the opportunity to work with possible candidates for full time positions, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the Hourly Rate Schedule for Non-Union, Temporary and Seasonal Employees for 2001 set forth in Resolution 666 of 2000 to include the position of Legal Associate for the Department of Law, the Office of the District Attorney and the Office of the Public Defender with an hourly rate of \$16.00 for the year 2001, and be it

FURTHER RESOLVED, that Resolution 666 of 2000, to the extent consistent herewith, shall remain in full force and effect.

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).**

#### **RESOLUTION NO. 201**

By County Administration and Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LEXIS/NEXIS FOR LEGAL RESEARCH FOR THE BROOME COUNTY DEPARTMENT OF LAW FOR 2001-2003.**

WHEREAS, the County Legislature, by Resolution 337 of 1999, authorized the Broome County Department of Law to participate in the New York State Office of General Services Contract CMS0415 with Lexis/Nexis, and

WHEREAS, said services are necessary for efficient and prompt availability of legal materials, including cases, statutes, regulations and codes, and

WHEREAS, said agreement will expire by its terms on May 31, 2001 and it is desired at this time to renew said agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Department of Law to participate in the New York State Office of General Services contract CMS0415 with Lexis/Nexis, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Lexis/Nexis, 475 Park Avenue South (4th Floor), New York, New York 10016 for computerized legal research services for the period June 1, 2001 through May 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$15,000 per year, total cost 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 390005.4726.101000 (Contract Data Processing), and be it

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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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 202**

By Community & Social Services Committee

Seconded by Mr. Brunza

#### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FAMILY VIOLENCE PREVENTION COUNCIL**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 477 of 1985, has duly designated and appointed the following named individuals to membership on the Broome County Family Violence Prevention Council, subject to confirmation by this County Legislature, for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Carol Aronowitz 67 Crestmont Road Binghamton, New York 13905	New Appointment Term Expires 12/31/03
Dennis McCabe 4513 Madison Drive Vestal, New York 13850	New Appointment Term Expires 12/31/03

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 477 of 1985, hereby confirms the appointments of the above-named individual to membership on the Broome County Family Violence Prevention Council for the terms indicated, in accordance with their appointment by the County Executive.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 203**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS TO PROVIDE SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION AND PRESCHOOL EDUCATION PROGRAMS FOR 2001-2002**

WHEREAS, the Director of Public Health requests authorization for agreements with various vendors for services for the Department of Health's Early Intervention for the period August 1, 2001 and Preschool Education Programs for the period August 1, 2001 through June 30, 2002, at rates set by the New York State and Broome County Departments of Health, total amount not to exceed budget appropriations, and

WHEREAS, said agreements are necessary to provide various services, including speech services in the Early Intervention and Preschool Programs and special instruction as needed in the Early Intervention Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various vendors for services as listed on Exhibit "A" for the Department of Health's Early Intervention and Preschool Programs, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates set by the New York State Department of Health as listed on Exhibit "B" for the period August 1, 2001 through December 31, 2001 for the Early Intervention Program and rates set by the Broome County Department of Health as listed on Exhibit "C" for the period August 1, 2001 through June 30, 2002 for the Preschool Education Program, total not to exceed budget appropriations, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480293.4706.101081 (Rehabilitation and Therapy Services) and 480293.various.101082, 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.

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).**

#### **RESOLUTION NO. 204**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS TO PROVIDE SERVICES FOR THE DEPARTMENT OF HEALTH'S DIVISION OF MATERNAL CHILD HEALTH AND DEVELOPMENT PRESCHOOL EDUCATION PROGRAM FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 188 of 2000, authorized renewal of agreements with various vendors for services for the Department of Health's Division of Child Development Preschool Education Program for the period July 1, 2000 through June 30, 2001, and

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

WHEREAS, the Department of Health at this time requests authorization for renewal of said agreements with the various providers as listed on the attached Exhibit "A" for services for the Preschool Education Program for the period July 1, 2001 through June 30, 2002, as per the rate sheet attached hereto as Exhibit "B", and

WHEREAS, it is also desired at this time to establish agreements with the various vendors listed on Exhibit "C" for related services for the preschool Education Program, as per the rate sheet attached hereto as Exhibit "D", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with various vendors for services for the Preschool Education Program as listed on Exhibit "A" and Exhibit "C" for the period July 1, 2001 through June 30, 2002, and be it

FURTHER RESOLVED, that the Contractors shall be paid at the rates set by the New York State Department of Education as per the attached Exhibit "B" and Exhibit "D", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.various.101081, total amount not to exceed budget appropriations, 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.

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).**

#### **RESOLUTION NO. 205**

By Transportation, Public Works and Finance Committees

Seconded by Mr. Mather

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH CLOUGH, HARBOUR & ASSOCIATES, LLP FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 78 of 2000, as amended by Resolution 125 of 2001, authorized an agreement with Clough, Harbour & Associates, LLP for professional engineering services relating to the design phase of the water system to serve the Binghamton Regional Airport and the Nanticoke Landfill, at a cost not to exceed \$574,413, for the period March 1, 2000 through July 1, 2001, and

WHEREAS, said services are necessary for the design phase, which includes plans, specifications and bid documents, and

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WHEREAS, it is necessary to authorize an amendment to said agreement to provide for additional design work related to the replacement of the existing water mains at the Binghamton Regional Airport at an additional cost not to exceed \$45,500, 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 Clough, Harbour & Associates, LLP, The Galleries of Syracuse, 441 South Salina Street, Syracuse, New York 13202-4712 for additional design work related to the replacement of the existing water mains at the Binghamton Regional Airport for the period March 1, 2000 through July 1, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$45,500, total amount not to exceed \$619,913 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211037.2019.501346 (Improvements Other Than Buildings), and be it

FURTHER RESOLVED, that Resolutions 78 of 2000 and Resolution 125 of 2001, to the extent consistent herewith, shall remain in full force and effect, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

#### **RESOLUTION NO. 206**

By Education, Culture & Recreation Committee

Seconded by Mr. Brunza

#### **RESOLUTION CONFIRMING THE APPOINTMENT OF MARC NEWMAN TO MEMBERSHIP ON THE BROOME COMMUNITY COLLEGE BOARD OF TRUSTEES**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article XXIII-A of the Broome County Charter and Code, has duly designated and appointed Marc Newman to membership on the Broome Community College Board of Trustees, for a term beginning July 1, 2001 and expiring June 30, 2010, subject to confirmation by this County Legislature, and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIII-A of the Broome County Charter and Code, hereby confirms the appointment of Marc Newman, 2020 East Hampton Road, Binghamton, New York 13903 to membership on the Broome Community College Board of Trustees in accordance with his appointment by the County Executive.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

#### **RESOLUTION NO. 207**

By Finance and Education, Culture & Recreation Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH BINGHAMTON UNIVERSITY PUBLIC ARCHAEOLOGY FACILITY FOR A STAGE 1 ARCHEOLOGICAL SURVEY FOR THE OTSININGO TRAIL EXTENSION PROJECT FOR 2001-2002**

WHEREAS, a Stage 1 survey of the site for the Otsiningo Trail Extension Project is necessary to comply with Section 106 of the National Historic Preservation Act, the New York State Historic Preservation Act, the New York State Environmental Quality Review Act and the professional standards of the New York Archaeological Council, and

WHEREAS, the Binghamton University Public Archeological Facility has provided a proposal to conduct the Stage 1 site survey which complies with Federal and State Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Binghamton University Office of Research and Sponsored Programs, P.O. Box 6000,

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Binghamton, New York, 13902-6000, to conduct a Stage 1 Archeological Survey of the Otsiningo Trail Extension Project in the Town of Chenango for the period April 19, 2001 through June 1, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$3,992 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 541003.4449.101000 (Other Operational Expenses), and be it

FURTHER RESOLVED, that in order to provide funds for this Resolution, the Budget Director and the Commissioner of Finance are hereby authorized to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title of Account</u>	<u>Amount of Transfer</u>
From	900084	4752	101000	Contingency	\$3,992
To	541003	4449	101000	Other Operational Exp.	\$3,992

and be it

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

### **RESOLUTION NO. 208**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING REVISION OF THE AGREEMENT WITH THE TIOGA COUNTY HEALTH DEPARTMENT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S COMPREHENSIVE COMMUNITY-BASED TOBACCO GRANT FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 258 of 2000, as amended by Resolution 686 of 2000, authorized the continued participation in the Community-Based Tobacco Grant by the Department of Health, adopted a program budget in connection therewith in the total amount of \$238,329 and authorized an agreement with the Tioga County Health Department for services related to said grant for the period June 1, 2000 through May 31, 2001, and

WHEREAS, said grant program allows the Broome County Department of Health to be the fiscal agent and support tobacco control and prevention-related activities, now, therefore, be it

WHEREAS, it is necessary at this time to revise said agreement with the Tioga County Health Department to reflect an increase of \$8,403, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an increase in the agreement with the Tioga County Health Department of \$8,403 to provide services in relation to the Community-Based Tobacco Grant, total amount of agreement not to exceed \$20,403, for the period June 1, 2000 through May 31, 2001, and be it

FURTHER RESOLVED, that Resolutions 258 and 686 of 2000, to the extent consistent herewith, shall remain in full force and effect, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

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### RESOLUTION NO. 209

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH UNITED HEALTH SERVICES TO PROVIDE A WORKSITE WELLNESS FORUM FOR THE DEPARTMENT OF HEALTH FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 475 of 2000, authorized an agreement with various vendors for services for the Department of Health's Healthy Worksites grant at a cost not to exceed \$21,700, for the period April 1, 2000 through March 31, 2001, and

WHEREAS, said agreement provides services necessary to assist with carrying out the goals of the Healthy Worksites Grant program in the counties of Broome, Chenango, Tioga and Delaware, and

WHEREAS, it is necessary to authorize an amendment to the said agreement with United Health Services to provide for a worksite wellness forum in Broome, Chenango, Delaware and Tioga counties, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with United Health Services Stay Healthy Center, 33-57 Harrison Street, Johnson City, New York 13790, to provide for a worksite wellness forum in Broome, Chenango, Delaware and Tioga counties, for the Department of Health for the period April 1, 2000 through March 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$3,500, total amount not to exceed \$10,100, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104399 (Sub-contracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 475 of 2000, to the extent consistent herewith, shall remain in full force and effect, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### RESOLUTION NO. 210

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH THE CENTER FOR GOVERNMENTAL RESEARCH, INC. FOR CONSULTING SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH'S COMMUNITY REINVESTMENT EVALUATION PROGRAM GRANT FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 486 of 2000, authorized acceptance of the Community Reinvestment Evaluation Program Grant for the Department of Mental Health, adopted a program budget in connection therewith and authorized an agreement with the Center for Governmental Research, Inc. for consulting services at a cost not to exceed \$74,564, for the period October 1, 2000 through March 1, 2001, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term to July 31, 2001 at no additional cost to the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Center for Governmental Research, Inc., 37 S. Washington Street, Rochester, New York 14608, extending the term for consulting services for Department of Mental Health to October 1, 2000 through July 31, 2001 at no additional cost to the County, and be it

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FURTHER RESOLVED, that Resolution 486 of 2000, to the extent consistent herewith, shall remain in full force and effect, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### **RESOLUTION NO. 211**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF CATHOLIC CHARITIES DAY TREATMENT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH CATHOLIC CHARITIES TO ADMINISTER SAID PROGRAM FOR 2001**

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Catholic Charities Day Treatment Program Grant, to adopt a program budget in the amount of \$47,500 and to enter into an agreement with Catholic Charities to administer said program for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said grant program services are necessary for the treatment of moderately intensive nature of persons who have serious psychiatric problems, have histories of in-patient care and show difficulty usually in more than one functional area, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$47,500 from the NYS Office of Mental Health, for the Department of Mental Health's Catholic Charities Day Treatment Program Grant for the period January 1, 2001 through December 31, 2001, 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 \$47,500, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905 to administer said program grant for the period January 1, 2001 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$47,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5031.104XXX (Subcontracted Program Expense - Catholic Charities), 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) 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-16, Nays-0, Absent-3 (Howard, Hull, Miller).

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### RESOLUTION NO. 212

By Health Services and Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF THE ADOLESCENT PREGNANCY PREVENTION SERVICES PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001**

WHEREAS, the Director of the Department of Health requests authorization to accept a Adolescent Pregnancy Prevention Services Program Grant and adopt a program budget in the amount of \$6,444 for the period January 1, 2001 through May 31, 2001, and

WHEREAS, said grant program provides intensive home care visiting services to women ages 14 to 19 who are pregnant or parenting in the 13901, 13905 13790 and 13754 zip codes, and

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$6,444 from Mothers & Babies Perinatal Network, 45 Lewis Street, Binghamton, New York 13901 for the Department of Health's Adolescent Pregnancy Prevention Services Program Grant for the period January 1, 2001 through May 31, 2001, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$6,444, 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-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### RESOLUTION NO. 213

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH THE TOWN OF CHENANGO FOR THE LEASE AND DEVELOPMENT OF RIVER FRONT PARK FOR THE DEPARTMENT OF PARKS AND RECREATION FOR 2001-2014**

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with the Town of Chenango for the lease and development of property known as River Front Park for the Department of Parks and Recreation at no cost to the County, for the period May 1, 2001 through July 11, 2014, and

WHEREAS, said agreement is necessary to extend the trail from Otsiningo Park to the Town of Chenango Riverfront Park (Otsiningo Trail Extension Project) along with related facilities, including a soccer field, additional roads, parking and connecting trails, and

WHEREAS, the Otsiningo Trail Extension Project will be funded by the Azon Corporation (\$125,000), New York State (\$300,000) and Broome County (\$316,000, a portion of which will be in-kind services), and

WHEREAS, the Town of Chenango must assign its lease agreement with the State of New York as described in the attached Exhibit "A" before this Project can move forward, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Chenango, 1137 Front Street, Binghamton, New York 13905 for the development of the property known as Riverfront Park, including the assignment of the Town's lease agreement with

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the State of New York as described in the attached Exhibit "A" to the County, for the period May 1, 2001 through July 11, 2014, and be it

FURTHER RESOLVED, that this agreement shall be at no cost to the County for the term of the agreement, and be it

FURTHER RESOLVED, that all improvements made to the leased property shall be made, and owned by, the County, 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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### RESOLUTION NO. 214

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE VILLAGES OF ENDICOTT AND JOHNSON CITY IN THE TOWN OF UNION**

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

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

Parcel ID:	141.18-4-10
Town/Village:	Union/Village of Endicott
Owner:	Town of Union
Amount to be Cancelled:	\$934.98 (plus accrued interest and penalties)
Reason:	Town is tax exempt

Parcel ID:	143.65-1-16
Town/Village:	Union/Village of Johnson City
Owner:	Town of Union
Amount to be Cancelled:	\$5,764.78 (plus accrued interest and penalties)
Reason:	Town is tax exempt

Parcel ID:	157.06-8-9
Town/Village:	Union/Village of Endicott
Owner:	County of Broome
Amount to be Cancelled:	\$4047.07 (plus accrued interest and penalties)
Reason:	Parcel has title problems and closing will be delayed for this taxing period

and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to remove the above-stated properties from the County tax rolls.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### RESOLUTION NO. 215

By Community & Social Services, Health Services, Personnel, Economic Development & Planning and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING THE DEPARTMENT OF SOCIAL SERVICES TO ENTER INTO AGREEMENTS AND CONTRACTS TO IMPLEMENT ITS NEW YORK STATE-APPROVED TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) SERVICES BLOCK GRANT PLAN FOR 2001**

WHEREAS, the New York State Office of Temporary and Disability Assistance (OTDA) requires each local Social Services Department throughout New York State to submit a

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Temporary Assistance to Needy Families (TANF) Services Plan for the period January 1, 2001 through December 31, 2001 in accordance with guidelines established by OTDA, and

WHEREAS, the Broome County Department of Social Services TANF Services Plan for the year 2001 has been approved by New York State, and

WHEREAS, the Commissioner of Social Services hereby requests approval and authorization to enter into such agreements and contracts as may be necessary to implement the State-approved TANF Services Plan, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and authorizes acceptance of \$1,283,031 from the New York State OTDA Federal funds in accordance with the OTDA-approved TANF Services Block Grant for the period January 1, 2001 through December 31, 2001, 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 \$1,283,031, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and authorizes the Department of Social Services to enter into such agreements and contracts as may be necessary to implement its OTDA-approved TANF Services Plan for the period January 1, 2001 through December 31, 2001, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and authorizes the Broome County Department of Health's acceptance of the State-approved TANF Services Block Grant Funds through the Department of Social Services for the Early Childhood Coordinator Project and adopting a program budget annexed hereto as Exhibit "B" in the total amount of \$64,935, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and authorizes the Broome County Mental Health Clinic's acceptance of the State-approved TANF Services Block Grant Funds through the Department of Social Services for the Drug and Alcohol Assessment and Treatment and Employment Mental Health Assessment projects and adopting program budgets annexed hereto as Exhibit "B" in the total amount of \$314,788 and \$60,000, respectively, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and authorizes the Broome County Office of Employment and Training's acceptance of the State-approved TANF Services Block Grant Funds through the Department of Social Services for the Youth Job Program in the total amount of \$190,000, 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-16, Nays-0, Absent-3 (Howard, Hull, Miller).**

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**RESOLUTION NO. 216**

By Transportation, Personnel, County Administration and Finance Committees  
Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING REVISION OF BINGHAMTON METROPOLITAN  
TRANSPORTATION STUDY GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN  
CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 85 of 2001, authorized the continued participation in the Binghamton Metropolitan Transportation Study Grant and adopted a program budget in connection therewith in the total amount of \$559,400 for the period April 1, 2001 through March 31, 2002, and

WHEREAS, said resolution authorized and approved acceptance of two Federal Highway Administration grants totaling \$472,000 and two Federal Transit Administration Section 8 grants totaling \$87,400, for the period April 1, 2001 through March 31, 2002, and

WHEREAS, it is necessary at this time to revise the revenue amounts being authorized and approved to be \$373,542 for two Federal Highway Administration grants and \$185,858 for two Federal Transit Administration Section 8 grants and adopt a revised program budget in connection therewith, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the revenue amounts being authorized and approved to be \$373,542 for two Federal Highway Administration grants and \$185,858 for two Federal Transit Administration Section 8 grants, the total amount of said grant being \$559,400 for the period April 1, 2001 through March 31, 2002, 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 \$559,400, and be it

FURTHER RESOLVED, that Resolution 85 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his 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 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 within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

**RESOLUTION NO. 217**

By Finance and Health Services Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING THE BUDGET TRANSFERS FOR THE DEPARTMENTS OF  
HEALTH AND RISK & INSURANCE**

RESOLVED, that in accordance with a request from the Director of Health, in order to maximize the funds available in the Comprehensive Community Based Tobacco Grant as requested in BF# 03107 and BF#003108, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

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	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1500	104428	Salaries – Part Time	2,923
	480301	4319	104428	Office Supplies	350
	480301	4461	104428	Mileage and Parking Local	400
	480301	4462	104428	Travel/Hotel/Meals	300
	480301	8010	104428	State Retirement	146
	480301	8030	104428	Social Security	214
	480301	8040	104428	Workers' Compensation	461
	480301	8050	104428	Life Insurance	2
	480301	8060	104428	Health Insurance	1,757
	480301	8063	104428	Disability Insurance	12
	480301	8070	104428	Unemployment Insurance	11
TO:	480301	4311	104428	Books/Subscriptions	25
	480301	4346	104428	Train/Ed. Supplies	325
	480301	4359	104428	Computer Software	4,507
	480301	4466	104428	Advisory Board Travel	215
	480301	4606	104428	Telephone Chargeback	190
	480301	4610	104428	Personal Services Chgbk.	969
	480301	4614	104428	Other Chgbk. Expenses	10
	480301	4617	104428	Dup/Printing Chgbk.	175
	480301	4618	104428	Office Supplies Chgbk.	160

FURTHER RESOLVED, that in accordance with a request from the Risk Manager, in order to Hire a temporary Security Services Investigator as requested in BF#0002167, 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</u>	<u>Title</u>	<u>Amount</u>
Revenue:	050070	0214	253000	Unrealized Revenue	27,106
Appropriations:	050088	1600	254000	Salaries – Temp.	21,828
	050088	8010	254000	State Retirement	655
	050088	8030	254000	Social Security	1,670
	050088	8050	254000	Life Insurance	17
	050088	8060	254000	Health Insurance	2,936

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).**

### **RESOLUTION NO. 218**

By Personnel, Health Services and Finance Committees Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST FOR WPNH**

RESOLVED, that in accordance with a request from the Administrator of WPNH as contained in PCR#01-131, this County Legislature hereby authorizes the abolishment of two (2) In-Service Education Nurse positions, Part Time, at budget line 160077.1500.204000, minimum salary of \$28,042 FTE, Grade 15, Union CSEA, and the creation of one (1) RPN-Nursing Home position, Full Time, at budget line 160077.1000.204000, minimum salary of \$26,664, Grade 14, Union CSEA, effective date 4/30/01.

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).**

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**RESOLUTION NO. 219**

By Finance and Public Works Committee Seconded by Mr. Mather

**RESOLUTION AMENDING THE 2001 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 2001 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502346	Maintenance Bldg. Design	360,000	18,000	324,000	18,000

  

<u>Year Start</u>	<u>Local Finance Law Sec. 11</u>		<u>How Financed:</u>	
	<u>YPU</u>	<u>Subd.</u>	<u>Bond</u>	<u>Current Revenue</u>
2001	3	62	0	18,000

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502346	Maintenance Bldg. Design/Construction	3,110,000	135,921	2,446,572	527,507

  

<u>Year Start</u>	<u>Local Finance Law Sec. 11</u>		<u>How Financed:</u>	
	<u>YPU</u>	<u>Subd.</u>	<u>Bond</u>	<u>Current Revenue</u>
2001	30	15	0	527,507

Comments: The County Share (Current Revenue) will be paid for with Passenger Facility Charge.  
Description: To design and build a new facility to house all maintenance and snow removal equipment also, to provide repair, storage and work areas. This project will involve the engineering, design, site selection, construction, finishing and equipping of the new facility.

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

**RESOLUTION NO. 220**

By County Administration, Public Works and Finance Committees Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AMENDMENT OF THE AGREEMENT WITH HARRIS, BEACH & WILCOX, LLP, FOR CONSULTING SERVICES FOR 2000-2001**

WHEREAS, this County Legislature by Resolution 176 of 2000 authorized an agreement with Harris Beach & Wilcox, LLP (now known as Harris Beach LLP) for consulting services in connection with various claims resulting from capital projects at the Willow Point Nursing Home, and

WHEREAS, it is necessary to amend the agreement to extend the term of the agreement and to increase the amount authorized to be expended in order to complete the work and close the project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Harris Beach, LLP (formerly Harris Beach and Wilcox, LLP), 20 Corporate Woods Boulevard, Albany, NY 12211 (formerly 130 East Main Street, Rochester, NY 14604), to extend the term of the agreement to include the period January 1, 2001 through September 30, 2001 and to provide that the total cost shall not exceed \$25,000 (including the original amount of \$10,000) for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 176 of 2000, to the extent consistent herewith, shall remain in full force and effect, and be it

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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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

### RESOLUTION NO. 221

By Finance and Public Works Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING THE RE-PAYMENT OF THE TIPPING FEE AT THE NANTICOKE LANDFILL FOR CONTAMINATED SOIL DELIVERED TO THE LANDFILL FROM THE CITY OF BINGHAMTON'S FIRE TRAINING CENTER**

WHEREAS, the City of Binghamton Fire Department has developed a comprehensive fire training center at 1 Belden Street, and

WHEREAS, the City of Binghamton has allocated \$40,000 and the State of New York, through Senator Thomas W. Libous, has awarded \$100,000 to this project, and

WHEREAS, various local businesses and organized labor unions have donated hundreds of hours of their time for the development of this fire training facility that can be used by fire departments throughout the County, and

WHEREAS, the fire training project is an excellent example of what can be accomplished through a public-private partnership, and

WHEREAS, during the excavation phase of the project to install water and sewer lines, soil contaminated by diesel fuel was discovered despite earlier clearances obtained from the New York State Department of Environmental Conservation (NYSDEC), and

WHEREAS, the contaminated soil was shipped to the Broome County Nanticoke Landfill in accordance with NYSDEC regulations, incurring a tipping fee of \$8,628 which was paid by the City of Binghamton, and

WHEREAS, this County Legislature is desirous of participating in this public-private partnership for the development of this fire training facility by providing the necessary funds for the disposal of the contaminated soil at the Nanticoke Landfill, now, therefore, be

RESOLVED, that this County Legislature hereby authorizes the Division of Solid Waste Management to refund to the City of Binghamton an amount not to exceed \$8,628 paid by the City for the disposal of contaminated soil from the City's Fire Training Facility at the Nanticoke Landfill, and be it

FURTHER RESOLVED, that in order to provide funds for this Resolution, the Budget Director and the Commissioner of Finance are hereby authorized to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title of Account</u>	<u>Amount of Transfer</u>
From	900084	4752	101000	Contingency	\$8,628
To	230086	4767	206000	Other Gov't. Payments	\$8,628

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.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller).

Mr. Pasquale made a motion to adjourn, seconded by Mr. Shafer. **Motion to adjourn carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Miller). The meeting was adjourned at 5:28 p.m.

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