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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
TUESDAY, NOVEMBER 20, 2001**

The Legislature convened at 5:03 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 (Hull, Lindsey, 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. Mather made a motion, seconded by Mr. Burger, that the minutes of the October 18, 2001 Regular Session and the November 8, 2001 Special Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-16, Nays-0, Absent-3 (Hull, Lindsey, Miller).

Mr. Schofield noted that the committee minutes for the period October 12, 2001 through November 15, 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. Seeing none, a motion to approve the committee minutes was made by Mrs. Sweet, seconded by Mr. Wike. **Carried**, Ayes-16, Nays-0, Absent-3 (Hull, Lindsey, Miller).

**ANNOUNCEMENTS FROM THE CHAIR**

Deputy County Executive William M. Barber, on behalf of County Executive Jeffrey P. Kraham, presented a proclamation to James May, Director of the Broome County STOP-DWI Program in honor of the 20<sup>th</sup> Anniversary of the Program.

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

Letters from the County Executive, Jeffrey P. Kraham:

- A. Appointing Claudia Edwards as Director of Public Health

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

A. Petitions: None

B. Communications:

- 1. 2002 Town Budgets:
  - a. Conklin
  - b. Fenton
  - c. Kirkwood
  - d. Lisle
  - e. Maine
  - f. Sanford
- 2. Minutes:
  - a. Association of Towns and Villages
  - b. Nanticoke Landfill Advisory Committee
  - c. Environmental Management Council
  - d. Soil and Water Conservation District
  - e. Association of Municipal Clerks
- 3. Certified 2001 State Equalization Rates
- 4. Health Department memo re: potential threat of bio-terrorism
- 5. New York State Association of Counties 2001 Resolutions
- 6. 2002 STOP-DWI Program Plan
- 7. Orange County Resolution re: funding Local Law Electronic Filing Program

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8. Town of Kirkwood Resolution re: Exemption from Taxation within Designated Empire Zone
  9. Cooperative Extension Farmland Protection Plan
  10. Environmental Management Council By-Laws
  11. Transcript of 2002 Budget Public Hearing
  12. Letter from Governor Pataki re: receipt of Resolution No. 479
  13. Card from Mayor Giuliani re: September 11 attack on the World Trade Center
- C. Notices:
1. Finance Committee Special Meeting: November 1, 2001, 4:00 p.m., re: Budget Review
  2. Public Works Committee Special Meeting: October 23, 2001, 4:30 p.m., re: Update on Nanticoke Landfill Expansion
  3. Finance Committee Special Meeting: November 5, 2001, 5:00 p.m. re: Budget Deliberations
  4. County Administration & Finance Committees Joint Meeting, November 8, 2001, 4:45 p.m.
  5. Special Session, November 8, 2001, 5:00 p.m.
- D. Reports:
1. Personnel: Monthly Attrition, September & October 2001
  2. Broome Community College
  3. Above Minimum Hires, September & October 2001
  4. Budget Transfers, September 2001
  5. Public Works: Quarterly Report of Pending Projects
  6. Purchasing: 2001 Auction
  7. Finance
    - a. Third Quarterly Report of 2001 Sales Tax Collections
    - b. Semi-Annual Report of Mortgage Tax Receipts

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

Letters from the Chair, Daniel A. Schofield:

1. Appointing A. Kavulich as voting representative for B. Brunza, Transportation Committee, November 13, 2001
2. Appointing P. O'Day as voting representative for A. Shafer, Public Safety & Emergency Services, November 14, 2001
3. Appointing J. Sweet as Chair and A. Nannery as voting representative for B. Mather, Personnel Committee, November 13, 2001
4. Letter calling for Special Session, November 8, 2001
5. Appointing A. Nannery as voting representative for B. Mather, finance Committee, November 15, 2001

Mr. Holley made a motion, seconded by Mr. Howard, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 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 (Hull, Lindsey, Miller).

Mr. Brunza and Mr. Shafer were designated as participants with Chairman Schofield in the 'Short Roll Call'. Resolutions were acted upon out of order, but for clarity purposes they are presented here in numerical order. Mr. Whalen left the meeting at about 6:00 p.m.



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### RESOLUTION NO. 524

By Finance and Personnel Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AMENDING THE FLEXIBLE SPENDING ACCOUNT PLAN RULES**

WHEREAS, this County Legislature, by Resolution 442 of 1993, established a medical spending account for the benefit of all County employees, and

WHEREAS, said plan allows County employees to redirect a portion of their annual gross wages to an account for the purpose of reimbursement of certain qualified medical expenses, and

WHEREAS, it is desired at this time to increase the maximum amount that employees may redirect annually into the flexible medical spending account to \$5,000, now, therefore, be it

RESOLVED, that the maximum amount of gross wages that County employees may elect to redirect annually shall not exceed \$5,000, and be it

FURTHER RESOLVED, that the Flexible Spending Plan shall continue to be administered in accordance with Exhibit "A", and be it

FURTHER RESOLVED, that Resolution 442 of 1993, to the extent consistent herewith, shall remain in full force and effect.

Mr. Wike made a motion to call the question, seconded by Mr. O'Day. **Motion to call the question carried**, Ayes-13, Nays-3 (Brunza, Kavulich, Whalen), Absent-3 (Hull, Lindsey, Miller). **Resolution carried**, Ayes-16, Nays-0, Absent-3 (Hull, Lindsey, Miller).

### RESOLUTION NO. 525

By County Administration and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH APPLIED THEORY CORPORATION FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 230 of 2001, authorized an agreement with Applied Theory Corporation for software maintenance for the Division of Information Technology at a cost \$5,720, for the period July 1, 2001 through June 30, 2002, and

WHEREAS, said agreement provides maintenance of the software for the County's firewall software system for the Broome County Network connected to New York State networks and to enhance security of the State and County networks, and

WHEREAS, the cost of the existing contract was calculated using previous year rather than current year utilization data, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide an additional amount of \$560 to prevent the contract from expiring and causing a lapse in firewall security coverage, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Applied Theory Corporation, 224 Harrison Street, 8<sup>th</sup> Floor, Syracuse, New York 13202, for an additional \$560 for software maintenance for the Division of Information Technology for the period July 1, 2001 through June 30, 2002, and be it

FURTHER RESOLVED, that the County shall pay the Contractor a total amount not to exceed \$6,280 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 230 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 (Hull, Lindsey, Miller).

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### **RESOLUTION NO. 526**

By County Administration, Public Safety & Emergency Services and Finance Committees  
Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH NEW WORLD SYSTEMS FOR PROFESSIONAL SERVICES FOR THE OFFICE OF THE SHERIFF FOR 2001**

WHEREAS, this County Legislature, by Resolution 407 of 2001, authorized an agreement with New World Systems for professional services for the Office of the Sheriff for an estimated 160 hours at a rate of \$140 per hour, plus \$6,000 for travel expenses, total cost not to exceed \$28,400 for the period July 23, 2001 through December 31, 2001, and

WHEREAS, said agreement is necessary to provide for installation and training for Mobile computing implementation for the Office of the Sheriff and other participating agencies and are being funded by the COPS MORE 1998 Program Grant, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the agreement through December 31, 2002 at no additional cost to the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with New World Systems, 888 West Big Beaver Road, Suite 1100, Troy, Michigan 48084, to extend the agreement for professional services for the Division of Information Technology for the period July 23, 2001 through December 31, 2002, and be it

FURTHER RESOLVED, that Resolution 407 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 (Hull, Lindsey, Miller).

### **RESOLUTION NO. 527**

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SUSQUEHANNA REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL FOR OFFICE AND EQUIPMENT RENTAL IN THE OFFICE OF EMERGENCY SERVICES, PUBLIC SAFETY FACILITY, FOR 2002**

WHEREAS, this County Legislature, by Resolution 116 of 2001, authorized renewal of the agreement with Susquehanna Regional Emergency Medical Services Council for office space, furniture, copier access, telephone and fax service in the Office of Emergency Services at the Public Safety Facility for the period January 1, 2001 through December 31, 2001, with revenue to Broome County in the amount of \$3,222, plus telephone and fax charges, and

WHEREAS, said agreement expired by its terms on December 31, 2001 and it is desired at this time to renew said agreement on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Susquehanna Regional Emergency Medical Services Council, 897 Upper Front Street, Binghamton, New York 13905 for office space (Rooms 109, 117 and 118), copier access, telephone, fax and mail service in the Office of Emergency Services at the Public Safety Facility for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$6,444, plus telephone, fax and mail service, for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 460006.0068.101000 (Other Public Safety Departmental Income), 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 (Hull, Lindsey, Miller).

### **RESOLUTION NO. 528**

By County Administration and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING ACCEPTANCE OF LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND – ELECTRONIC DOCUMENT IMAGING PROGRAM GRANT FOR THE COUNTY CLERK AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, the County Clerk requests authorization to accept a Local Government Records Management Improvement Fund – Electronic Document Imaging Program Grant and adopt a program budget in the amount of \$74,825 for the period July 1, 2001 through June 30, 2002, and

WHEREAS, said grant provides funding to purchase an electronic document imaging system for the County Clerk's Records Management Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$74,825 from the New York State Education Department, Room 542EB, Albany, New York 12230 for the County Clerk's Local Government Records Management Improvement Fund – Electronic Document Imaging Program Grant for the period July 1, 2001 through June 30, 2002, 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 \$74,825, 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 (Hull, Lindsey, Miller).

### **RESOLUTION NO. 529**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF EMERGENCY MANAGEMENT PERFORMANCE GRANT (F/K/A EMERGENCY MANAGEMENT PROGRAM GRANT) FOR THE OFFICE OF EMERGENCY SERVICES FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 71 of 2001, authorized and approved the Emergency Management Program Grant for the Office of Emergency Services in the amount of \$35,626 for the period October 1, 2000 through September 30, 2001, and

WHEREAS, said grant program provides federal funds to offset costs for the Emergency Management Performance Program within Broome County, and

WHEREAS, it is desired to renew said grant program in the amount of \$33,280 for the period October 1, 2001 through September 30, 2002, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$33,280 from the New York State Emergency Management Office, 120 Washington Avenue, Building 22, Suite 101, Albany, New York 12226-2251, for the Office of Emergency Services' Emergency Management Performance Grant for the period October 1, 2001 through September 30, 2002, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 460006.0369.101000 (Civil Defense), 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 (Hull, Lindsey, Miller).**

### **RESOLUTION NO. 530**

By Economic Development & Planning, Personnel, County Administration and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING REVISION OF THE PY2001 WORKFORCE INVESTMENTS ACT DISLOCATED WORKER, ADULT AND YOUTH PROGRAM GRANTS FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING REVISED PROGRAM BUDGETS IN CONNECTION THEREWITH FOR 2001-2003**

WHEREAS, this County Legislature, by Resolution 328 of 2001, authorized the acceptance of the PY2001 Workforce Investment Act (WIA) Dislocated Worker, Adult, and Youth Program Grants for the Office of Employment and Training and adopted program budgets in connection therewith in the total amounts of \$835,651, \$577,128 and \$592,554, respectively, for the period July 1, 2001 through June 30, 2003 and \$771,851 for the PY2001 WIA Shared Cost Budget for the period July 1, 2001 through June 30, 2002, and

WHEREAS, said grant program provides customers with core employment services including job search assistance and labor market information as well as more intensive services including career training programs, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$18,419 in PY2001 Workforce Investment Act Youth Grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the PY2001 Workforce Investment Act Youth Grant to reflect an increase of \$18,419 for the period July 1, 2001 through June 30, 2003, 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 \$610,973, and be it

FURTHER RESOLVED, that Resolution 328 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 (Hull, Lindsey, Miller).**

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**RESOLUTION NO. 531**

By Public Works and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH UNITED HEALTH SERVICES FOR AUDIOMETRIC AND RESPIRATOR FIT EXAMINATIONS FOR THE DEPARTMENT OF PUBLIC WORKS, HIGHWAY DIVISION, FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 577 of 2000, authorized an agreement with United Health Services for audiometric and respirator fit examinations for the Department of Public Works, Highway Division, at a total amount not to exceed \$3,390, for the period October 1, 2000 through September 30, 2001, and

WHEREAS, such examinations are required by the New York State Department of Labor, and

WHEREAS, said agreement expires by its terms on September 30, 2001, and it is desired at this time to renew said agreement on similar terms and conditions, for an amount not to exceed \$2,523 for respirator fit examinations and for an amount not to exceed \$1,600 for audiometric examinations, for the period October 1, 2001 through September 30, 2002 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Business Direct, United Health Services, Corporate Offices, 10-42 Mitchell Avenue, Binghamton, New York 13903 for audiometric and respirator fit examinations for the Department of Public Works, Highway Division, for the period October 1, 2001 through September 30, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$87 per respirator fit examination, total amount not to exceed \$2,523, and \$16 per audiometric examination, total amount not to exceed \$1,600, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 030122.4715.301000 and 030148.4715.302000 (Other Health and Medical 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 (Hull, Lindsey, Miller).

**RESOLUTION NO. 532**

By County Administration and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CBORD GROUP, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF CENTRAL FOODS FOR 2002**

WHEREAS, this County Legislature, by Resolution 719 of 2000, authorized renewal of an agreement with CBORD Group, Inc., for software maintenance for the Division of Central Foods at an amount not to exceed \$8,070.72 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to maintain the food service management system software, and

WHEREAS, said agreement expires by its terms on December 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 \$8,345.09 for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with CBORD Group, Inc., 61 Brown Road, Ithaca, New York 14850 for software maintenance for the Division of Central Foods for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$8,345.09, for the term of the agreement, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230045.4513.251000 (Software Maintenance), 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 (Hull, Lindsey, Miller).

### **RESOLUTION NO. 533**

By County Administration and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH NY-PENN NUTRITIONAL SERVICES, INC. FOR DIETICIAN CONSULTING SERVICES FOR THE DIVISION OF CENTRAL FOODS FOR 2002**

WHEREAS, this County Legislature, by Resolution 718 of 2000, authorized renewal of an agreement with NY-Penn Nutritional Services, Inc. for dietician consulting services for the Division of Central Foods at a rate of \$38 per hour plus professional liability insurance reimbursement of \$170, total amount not to exceed \$5,670, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary for dietician consulting services at the Broome County Public Safety Facility, and

WHEREAS, said agreement expires by its terms on December 31, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$42 per hour plus professional liability insurance reimbursement of \$155, total amount not to exceed \$7,071, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with NY-Penn Nutritional Services, Inc., 190 Matthews Street, Binghamton, New York 13905-2558 for dietician consulting services for the Division of Central Foods for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$42 per hour plus professional liability insurance reimbursement of \$155, total amount not to exceed \$7,071, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230045.4741.251000 (Dietary 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 (Hull, Lindsey, Miller).

### **RESOLUTION NO. 534**

By Personnel and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH EMPLOYEE NETWORK, INC. FOR THE DEVELOPMENT AND IMPLEMENTATION OF AN EMPLOYEE ASSISTANCE PROGRAM FOR THE DEPARTMENT OF PERSONNEL FOR 1998-2000**

WHEREAS, this County Legislature, by Resolution 89 of 1998, authorized an agreement with Employee Network, Inc. for the development and implementation of an employee assistance program for the Department of Personnel at an amount not to exceed \$16.83 per employee for 1998, \$22.50 per employee for 1999 and \$23.20 per employee for 2000, and

WHEREAS, said agreement provides for an Employee Assistance Program designed to prevent and alleviate employee's personnel problems such as alcoholism and drug abuse and marital and family difficulties, and



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**RESOLUTION NO. 536**

By County Administration, Health Services and Finance Committees      Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH QS TECHNOLOGIES, INC.  
FOR SOFTWARE MAINTENANCE FOR THE DEPARTMENT OF HEALTH'S CLINICS DIVISION  
FOR 2001**

WHEREAS, this County Legislature, by Resolution 520 of 2000, authorized renewal of the agreement with QS Technologies, Inc. for software maintenance for the Department of Health's Clinics Division at an amount not to exceed \$11,851.88, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary for maintenance of the Department of Health's Clinics Division AS/400 Patient Care Management System software, and

WHEREAS, said agreement expires by its terms on December 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 \$12,136.32, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with QS Technologies, Inc., Bank of America Plaza, Suite 1106, P.O. Box 847, Greenville, South Carolina 29602 for software maintenance for the Department of Health's Clinic Division AS/400 Patient Care Management System, for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,136.32 for the term of the agreement, and be it

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

FURTHER RESOLVED, that the County Executive or 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

**RESOLUTION NO. 537**

By County Administration and Finance Committees      Seconded by Mr. O'Day  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IBM FOR SOFTWARE  
SUPPORT SERVICES FOR INFORMATION TECHNOLOGY AND THE COUNTY CLERK FOR  
2002-2003**

WHEREAS, this County Legislature, by Resolution 28 of 2001, authorized renewal of the agreement with IBM for a software service contract for Information Technology and the County Clerk at an amount not to exceed \$11,161, for the period February 1, 2001 through January 31, 2002, and

WHEREAS, said services are necessary to provide a support line for three AS/400 systems 24 hours a day, seven days a week; a prime-shift only support line for the County Clerk's Image Plus System; ten hours of an AS/400 consultation time for prime shift; and five hours of an AS/400 consultation line for off-shift hours to be billed for only if used, and

WHEREAS, said agreement expires by its terms on January 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$3,156 from the County Clerk and an amount not to exceed \$9,252 from Information Technology, for a total amount not to exceed \$12,408 for the period February 1, 2002 through January 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with IBM, 1177 Beltline Road, Coppell, Texas 75019 for support services for Information Technology and the County Clerk for the period February 1, 2002 through January 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,156 from the County Clerk and an amount not to exceed \$9,252 from Information Technology, for a total amount not to exceed \$12,408 for the term of the agreement, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4513.101000 and 370007.4513.101000 (Software Maintenance), 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-13 (Brunza, Burger, Holley, Howard, Hudak, Kavulich, Kolba, Mather, Nannery, O'Day, Pasquale, Shafer, Sweet), Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen), Abstain-2 (Schofield, Wike).

#### **RESOLUTION NO. 538**

By Finance and Personnel Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SECURITY MUTUAL LIFE INSURANCE COMPANY OF NEW YORK FOR THE OFFICE OF RISK AND INSURANCE MANAGEMENT FOR SHORT TERM DISABILITY INSURANCE FOR 2002**

WHEREAS, this County Legislature, by Resolution 552 of 2000, authorized renewal of an agreement with Security Mutual Life Insurance Company of New York for claims administration of the CSEA employees' short-term disability insurance for the Office of Risk and Insurance Management at a rate of \$1.85 per month per covered employee, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said agreement expires by its terms on December 31, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at an increased rate of \$1.95 per employee per month, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Security Mutual Life Insurance Company of New York, P.O. Box 1625, Binghamton, New York 13902-1625 for claims administration of the CSEA employees' short-term disability insurance for the Office of Risk and Insurance Management for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$1.95 per employee per month for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4743.254000 (Claims Administration), 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 539**

By Finance and Personnel Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING AGREEMENT WITH THE GUARDIAN FOR LIFE INSURANCE FOR ELIGIBLE BROOME COUNTY EMPLOYEES FOR THE OFFICE OF RISK AND INSURANCE MANAGEMENT FOR 2001-2002**

WHEREAS, the Risk Manager requests authorization for an agreement with The Guardian for life insurance coverage for eligible Broome County employees at a rate of \$1.30 per enrollee per month, and \$.30 per enrollee per month for accidental death and dismemberment for the period December 1, 2001 through November 30, 2002, and

WHEREAS, said services are necessary to provide life insurance coverage for eligible Broome County employees, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Guardian, 3900 Burgess Place, Bethlehem, Pennsylvania 18017, for life insurance coverage for eligible Broome County employees, for the period December 1, 2001 through November 30, 2002, and be it

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FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$1.30 per enrollee per month for life insurance for eligible Broome County employees, and a rate of \$.30 per enrollee per month for accidental death and dismemberment for the term of the agreement, and be it

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

FURTHER RESOLVED, that the County Executive or 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 540**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Pasquale  
**RESOLUTION ADOPTING THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM PLAN FOR 2002**

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

WHEREAS, this County Legislature, by Resolution 587 of 2000, approved and adopted the 2001 Comprehensive Plan for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program, and

WHEREAS, the Broome County STOP-DWI Program has prepared a comprehensive plan for submission to the New York State Commissioner of Motor Vehicles for the Broome County STOP-DWI Program for 2002, a copy of said plan having been filed with the Clerk of the Legislature, and

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

RESOLVED, that this County Legislature hereby approves and adopts the 2002 Comprehensive Plan for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program, a copy of which has been filed with the Clerk of the Legislature, 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 541**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF FUNDING AGREEMENTS WITH THE OFFICE OF THE BROOME COUNTY SHERIFF AND VARIOUS BROOME COUNTY MUNICIPALITIES FOR THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM FOR 2002**

WHEREAS, this County Legislature, by Resolution 699 of 1999, authorized renewal of agreements with the City of Binghamton, Town of Vestal and the Villages of Endicott and Johnson City for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program in the total amount of \$252,000 for the period January 1, 2000 through December 31, 2002, and

WHEREAS, this County Legislature, by Resolution 699 of 1999 also authorized the renewal of agreements with the Office of the Broome County Sheriff, City of Binghamton, Town of Vestal, Villages of Deposit, Endicott, Johnson City and Port Dickinson, New York State Police, New York State Park Police and Binghamton University for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program in the total amount of \$50,000 for the period January 1, 2000 through December 31, 2000, now, therefore, be it



commencement of legal action and 35% for amounts recovered after commencement of legal action, not including recoupment amounts, for the period October 12, 2001 through October 11, 2002, with two options to renew, to provide for agreements through October 11, 2004, and be it

FURTHER RESOLVED, that said the payments hereinabove authorized shall be made from budget line 670081.4736.103000 (Legal Charges and Fees), and be it

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

**Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

**RESOLUTION NO. 543**

By Finance Committee

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE NEW YORK STATE TAX LAW**

WHEREAS, the County Clerk and the Commissioner of Finance have presented their report concerning mortgage tax receipts for the period April 2001 through September 2001, pursuant to Section 261 of the New York State Tax Law, and the same has been apportioned to the various municipalities thereto, now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay the Treasurer of the City of Binghamton and to respective Supervisors of the 23 Towns and Villages of Broome County, those accounts listed:

Semi-annual Mortgage Tax Distribution April 2001 through September 2001		
Dickinson	Village of Port Dickinson	\$ 3,662.65
	Outside	21,600.09
Lisle	Village of Lisle	424.74
	Outside	7,995.50
Sanford	Village of Deposit	994.83
	Outside	12,802.02
Triangle	Village of Whitney Point	2,183.12
	Outside	10,383.09
Union	Village of Johnson City	37,548.84
	Village of Endicott	35,580.65
	Outside	234,846.68
Windsor	Village of Windsor	1,815.65
	Outside	30,079.61
Barker		12,503.35
Binghamton (Town)		50,635.68
Chenango		102,457.35
Colesville		32,487.73
Conklin		26,194.41
Fenton		37,702.45
Kirkwood		65,980.72
Maine		26,430.63
Nanticoke		4,839.71
Vestal		248,574.78
City of Binghamton		169,416.49
Total		\$1,177,140.77

**Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

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### RESOLUTION NO. 544

By Personnel and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH EMPLOYEE NETWORK, INC. FOR THE COUNTY'S EMPLOYEE ASSISTANCE PROGRAM FOR THE DEPARTMENT OF PERSONNEL FOR 2002-2004**

WHEREAS, this County Legislature, by Resolution 89 of 1998, as amended by a companion resolution, authorized an agreement with Employee Network, Inc. for the development and implementation of an Employee Assistance Program for the Department of Personnel at an amount not to exceed \$16.83 per employee for 1998, \$22.50 per employee for 1999 and \$23.20 per employee for 2000 and 2001, for the period April 1, 1998 through December 31, 2001, and

WHEREAS, said services are necessary to provide counseling services to County employees and their families, and

WHEREAS, said agreement expires by its terms on December 31, 2001, and it is desired at this time to renew said agreement to provide counseling services to County employees and their families on substantially similar terms and conditions, for an amount not to exceed \$1.93 per employee per month for 2002, \$2.01 per employee per month for 2003 and 2004, for the period January 1, 2002 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Employee Network, Inc., 1040 Vestal Parkway East, Vestal, New York 13850-1713 for counseling services for the Department of Personnel for the period January 1, 2002 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1.93 per employee per month for 2002, \$2.01 per employee per month for 2003 and 2004, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4747.252000 (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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

### RESOLUTION NO. 545

By Finance Committee

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH KPMG PEAT MARWICK, FOR GASB 34 IMPLEMENTATION CONSULTING SERVICES FOR THE PERIOD DECEMBER 22, 2000 THROUGH DECEMBER 31, 2001**

WHEREAS, this County Legislature, by Resolution 733 of 2000, authorized an agreement with KPMG Peat Marwick for GASB 34 implementation consulting services for the Department of Finance at a cost not to exceed \$150,000, for the period December 22, 2000 through December 31, 2001, and

WHEREAS, said services are necessary to allow the County to conform to GASB 34 requirements, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the agreement through December 31, 2002, at a cost not to exceed \$75,000, and

WHEREAS, the Commissioner of Finance 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 KPMG Peat Marwick, 515 Broadway, Albany, New York 12207, to extend the term of the agreement to December 31, 2002, at a cost not to exceed \$75,000, to complete the GASB 34 implementation services for the Department of Finance, and be it

FURTHER RESOLVED, that the new term of the agreement shall be from December 22, 2000 through December 31, 2002, and be it

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FURTHER RESOLVED, that Resolution 733 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 546**

By Health Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF FAMILY RESOURCE AND SUPPORT GRANT PROGRAM FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 642 of 2000, authorized and approved the Family Resource and Support Grant Program for the Department of Health and adopted a program budget in the amount of \$22,350 for the period October 1, 2000 through September 30, 2001, and

WHEREAS, said grant program provides respite services for children (birth to three years old) and their families through the Department of Health's Early Intervention Program, and

WHEREAS, it is desired to renew said grant program in the amount of \$21,482 for the period October 1, 2001 through September 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$21,482 from the New York State Department of Health, Early Intervention Program, Corning Tower, Empire State Plaza, Albany, New York 12237-0657, for the Department of Health's Family Resource and Support Grant Program for the period October 1, 2001 through September 30, 2002, 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 \$21,482, 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 547**

By County Administration and Finance Committees Seconded by Mr. O'Day  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IBM CORPORATION FOR COMPUTER HARDWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2002**

WHEREAS, this County Legislature, by Resolution 606 of 2000, authorized renewal of the agreement with IBM Corporation for computer hardware maintenance for the Division of Information Technology at an amount not to exceed \$83,400 for the period January 1, 2001 through December 31, 2001, and

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WHEREAS, said services are necessary for maintaining the mainframe and AS400 equipment, including maintenance of any equipment added during the year, and

WHEREAS, said agreement expires by its terms on December 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 \$64,175.26, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with IBM Corporation, 27 Commerce Drive, Cranford, New Jersey 07016 for computer hardware maintenance for the Division of Information Technology for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$64,175.26 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4514.101000 (Hardware Maintenance), 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-13 (Brunza, Burger, Holley, Howard, Hudak, Kavulich, Kolba, Mather, Nannery, O'Day, Pasquale, Shafer, Sweet), Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen), Abstain-2 (Schofield, Wike).

### RESOLUTION NO. 548

By County Administration and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING RENEWAL OF THE DIVISION OF INFORMATION TECHNOLOGY'S AGREEMENT WITH IBM CORPORATION FOR COMPUTER HARDWARE MAINTENANCE FOR THE BROOME COUNTY CLERK'S OFFICE FOR 2002**

WHEREAS, this County Legislature, by Resolution 603 of 2000, authorized renewal of an agreement with IBM Corporation for computer hardware maintenance for the Broome County Clerk's Office at an amount not to exceed \$22,000, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said agreement provides for the maintenance of computer hardware equipment, including maintenance on any equipment added during the year, and

WHEREAS, said agreement expires by its terms on December 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 \$16,626.72 for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with IBM Corporation, 27 Commerce Drive, Cranford, New Jersey 07016 for computer hardware maintenance for the Broome County Clerk's Office for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$16,626.72 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4514.101000 (Hardware Maintenance), and be it

FURTHER RESOLVED, that the County Executive or 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-13 (Brunza, Burger, Holley, Howard, Hudak, Kavulich, Kolba, Mather, Nannery, O'Day, Pasquale, Shafer, Sweet), Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen), Abstain-2 (Schofield, Wike).



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**RESOLUTION NO. 550**

By Health Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER (STIC) FOR SIGN LANGUAGE INTERPRETATION SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH'S FAMILY FIRST PROGRAM FOR 2001**

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with Southern Tier Independence Center for sign language interpretation services for the Department of Mental Health's Family First Program at a rate of \$40 per hour, total amount not to exceed \$2,400, for the period September 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to serve clients with hearing disabilities, by coordinating with an interpreter to assist in confidential, qualified sign language, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Southern Tier Independence Center, 24 Prospect Avenue, Binghamton, New York 13901, for sign language interpretation services, for the Department of Mental Health's Family First Program for the period September 1, 2001 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$40 per hour, total amount not to exceed \$2,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470005.4747.101000 (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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

**RESOLUTION NO. 551**

By Community & Social Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS ORGANIZATIONS FOR LEASE OF SPACE FOR THE OFFICE FOR AGING'S NUTRITION PROGRAMS AND SENIOR CENTERS FOR 2002**

WHEREAS, The Board of Acquisition and Contract on May 23, 2001, by contract number CA# 292-350 and this County Legislature, by Resolution 601 of 2000, as amended by Resolution 44 of 2001, authorized agreements/renewal of the agreements with various property owners for lease of space for Senior Community Centers and Meals on Wheels programs for the period January 1, 2001 through December 31, 2001, and

WHEREAS, lease space is needed for the activities of the senior community and for the Meals on Wheels program so that meals can be delivered to central points where volunteers will pick up and deliver meals to residents of Broome County, and

WHEREAS, said agreements expire by their terms on December 31, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with various organizations as listed in Exhibits "A-G" for lease space for Senior Community Centers and Meals on Wheels sites for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors an amounts listed in Exhibits "A-G", for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines listed for each organization in Exhibits "A-G", and be it



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Office for Aging Congregate Nutrition Program, at an amount not to exceed \$20,165 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to manage the Senior Citizens Nutrition Program for Office for Aging's Congregate Nutrition Program at the Binghamton Southside Senior Community Center, and

WHEREAS, said agreement expires by its terms on December 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 \$21,165, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905, for the operation of a Senior Center in connection with the Office for Aging's Congregate Nutrition Program for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$21,165 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760736.4457.104591 (Subcontracted Program Expense), 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

### **RESOLUTION NO. 554**

By Community & Social Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE JOHNSON CITY SENIOR CITIZENS CENTER, INC., FOR THE OFFICE FOR AGING'S SENIOR CITIZENS NUTRITION PROGRAM FOR 2002**

WHEREAS, this County Legislature, by Resolution 597 of 2000, authorized renewal of the agreement with the Johnson City Senior Citizens Center, Inc. for the Office for Aging's Senior Citizen Nutrition Program at an amount not to exceed \$23,125, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to manage the Senior Citizen Nutrition Program, and WHEREAS, said agreement expires by its terms on December 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 \$23,125, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Johnson City Senior Citizen Center, Inc., 30 Brocton Avenue, Johnson City, New York 13790, for the Office for Aging's Senior Citizens Nutrition Program for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,125 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760736.4457.104591 (Subcontracted Program Expense), 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**





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WHEREAS, Broome County and the New York State Department of Transportation are entering into an agreement which authorizes the undertaking of the Project and payment of the federal share for the project, now, therefore, be it

RESOLVED, that the County Executive is authorized to act on behalf of the Broome County Legislature to sign the grant agreement to progress and complete the above-named project.

**Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### **RESOLUTION NO. 559**

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING REVISION OF HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 437 of 2001, authorized the continued participation in the Home Energy Assistance Program for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$10,000 for the period October 1, 2001 through September 30, 2002, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in grant appropriations in the amount of \$40,000 grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Home Energy Assistance Program Grant to reflect an increase of \$40,000 for the period October 1, 2001 through September 30, 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 \$50,000, and be it

FURTHER RESOLVED, that Resolution 437 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### **RESOLUTION NO. 560**

By Community & Social Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING AGREEMENT WITH GOLDEN DAYS ADULT DAY CARE FOR MEDICAL ADULT DAY CARE SERVICES FOR THE TITLE III-E CAREGIVER PROGRAM FOR OFFICE FOR AGING FOR 2001-2002**

WHEREAS, the Director of the Office For Aging requests authorization for an agreement with Golden Days Adult Day Care for medical adult day care services for the Title III-E Caregiver Program for the Office For Aging at a rate of \$70.55 per day with transportation, \$59.56 per day without transportation and an overtime rate of \$10 per hour after seven or more hours, total

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amount not to exceed budgeted appropriations, for the period December 1, 2001 through December 31, 2002, and

WHEREAS, said services are necessary for medical adult day care services for the Title III-E Caregiver Program, providing skilled nursing care and rehabilitative care as needed for senior citizens as well as socialization, activities and continual supervision for safety, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Golden Days Adult Day Care, 282 Riverside Drive, Johnson City, New York 13790 for medical adult day care services for the Title III-E Caregiver Program, for the Office For Aging for the period December 1, 2001 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$70.55 per day with transportation, \$59.56 per day without transportation and an overtime rate of \$10 per hour after seven or more hours, total amount not to exceed budgeted appropriations, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760967.4457.104594 (Subcontracted Program Expense), 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

### **RESOLUTION NO. 561**

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF THE INTEGRATED SOCIAL DAY CARE FOR THE ELDERLY GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002**

WHEREAS, this County Legislature, by Resolution 593 of 2000, authorized and approved the Integrated Social Day Care for the Elderly Grant for the Office for Aging and adopted a program budget in the amount of \$29,310 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said grant program provides a social day care setting for mentally-challenged individuals and other clients, and

WHEREAS, it is desired to renew said grant program in the amount of \$29,320 for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$12,700 from the New York State Office of Mental Retardation and Development Disabilities c/o Broome Developmental Services, 249 Glenwood Road, Binghamton, New York 13905-1695, for the Integrated Social Day Care for the Elderly Grant for the Office for Aging for the period January 1, 2002 through December 31, 2002, 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 \$29,320, 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



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Albany Street – from NYS Rte 369 to Canal Street, a distance of 0.04 miles  
Canal Street – from NYS Rte 7B to Park Street, a distance of 0.38 miles  
Park Street – from Int. 88 to Canal Street, a distance of 0.21 miles  
Portion of Old Rte 7 – from NYS Rte 7B south for 0.28 miles to the dead end

and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the amendment of the County Highway map so as to eliminate said sections of roads from said map, 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 as 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 this resolution shall take effect immediately.

Mr. Shafer made a motion, seconded by Mr. O'Day, to reword the Park Street definition to read "from NYS369 to the dead end, a distance of 0.21 miles" and remove references to the "Portion of Old Rte 7 – from NYS Rte 7B south for 0.28 miles to the dead end." **Amendment carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen). **Resolution as amended carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### RESOLUTION NO. 564

By Public Works Committee

Seconded by Mr. Pasquale

**RESOLUTION DESIGNATING COUNTY ROAD 70 THAT EXTENDS FROM THE INTERSECTION OF UPPER FRONT STREET TO THE BROOME COUNTY PUBLIC SAFETY FACILITY AS "VAN WINKLE DRIVE"**

WHEREAS, County Road 70 runs in a westerly direction from the intersection of Upper Front Street in the Town of Dickinson to the Broome County Public Safety Facility and has been unofficially referred to as South College Drive, and

WHEREAS, the location of the Public Safety Facility, which has an Upper Front Street address has been the source of some confusion on the location of the Public Safety Facility, and

WHEREAS, Lieutenant George C. Van Winkle served the residents of Broome County for more than 35 years as a member of the Office of the Broome County Sheriff, earning the respect of all who worked with and knew him, and

WHEREAS, this County Legislature believes that officially naming County Road 70 as "Van Winkle Drive" will help to clear up the confusion on the location of the Public Safety Facility and at the same time honor the person who has notably served this County as a member of the Office of the Sheriff, now, therefore, be

RESOLVED, that this County Legislature hereby authorizes the official name of County Road 70 that runs in a westerly direction from the intersection of Upper Front Street to the Broome County Public Safety Facility as "Van Winkle Drive" as illustrated in the attached Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such 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. Shafer made a motion, seconded by Mr. Burger, to amend County Road 70 as "Lt. Van Winkle Drive". **Motion to amend carried**, Ayes-16, Nays-0, Absent-3 (Hull, Lindsey, Miller). **Resolution as amended carried**, Ayes-16, Nays-0, Absent-3 (Hull, Lindsey, Miller).

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**RESOLUTION NO. 565**

By Public Works and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DELTA ENGINEERS, P.C. FOR STRUCTURAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2002**

WHEREAS, this County Legislature, by Resolution 243 of 2000, authorized an agreement with Delta Engineers, P.C. for structural engineering services for the Department of Public Works, payment in accordance with the rate schedule attached thereto as Exhibit "A", for a total cost not to exceed \$150,000, for the period September 1, 2000 through December 31, 2001, and

WHEREAS, said services are necessary to provide structural engineering services on projects for various Broome County departments, and

WHEREAS, said agreement expires by its terms on December 31, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions, and in accordance with the rate schedule attached hereto as Exhibit "A", total amount not to exceed \$150,000 for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Delta Engineers, P.C., 164 Court Street, Binghamton, New York 13901 for structural engineering for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor in accordance with the rate schedule attached hereto as Exhibit "A", total amount not to exceed \$150,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4746.various (Engineering and Architectural 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

**RESOLUTION NO. 566**

By Public Works and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH HAWK ENGINEERING, P.C. FOR LAND SURVEYING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2002**

WHEREAS, this County Legislature, by Resolution 69 of 2001, authorized an agreement with Hawk Engineering, P.C. for land surveying services for the Department of Public Works, payment in accordance with the rate schedule attached thereto as Exhibit "A", for a total cost not to exceed \$150,000, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide services County personnel are not licensed to perform and to provide such specialty services as aerial surveys, and

WHEREAS, said agreement expires by its terms on December 31, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions, and in accordance with the rate schedule attached hereto as Exhibit "A", total amount not to exceed \$150,000 for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Hawk Engineering, P.C., P.O. Box 427, Binghamton, New York 13901 for land surveying services for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor in accordance with the rate schedule attached hereto as Exhibit "A", total amount not to exceed \$150,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4746.various (Engineering and Architectural 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

**RESOLUTION NO. 567**

By Public Works and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH SHUMAKER CONSULTING ENGINEERS & LAND SURVEYORS, P.C. FOR LAND SURVEYING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2002**

WHEREAS, this County Legislature, by Resolution 68 of 2001, authorized an agreement with Shumaker Consulting Engineers & Land Surveyors, P.C. for land surveying services for the Department of Public Works at an amount not to exceed \$150,000 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide services County personnel are not licensed to perform and to provide such specialty services as aerial surveys, and

WHEREAS, said agreement expires by its terms on December 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 \$150,000, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Shumaker Consulting Engineering & Land Surveying, P.C., 320 North Jensen Road, Vestal, New York 13850-2150, for land surveying services for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor in accordance with the rate schedule attached hereto as Exhibit "A", total cost not to exceed \$150,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4746.various (Engineering and Architectural 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

**RESOLUTION NO. 568**

By Community & Social Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF THE NARCOTICS CONTROL PROGRAM GRANT FOR YOUTH COURTS OF BROOME COUNTY, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH JOHNSON CITY COMMUNITY ACTION TEAM, INC. TO ADMINISTER SAID PROGRAM FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 548 of 2000, authorized and approved the Narcotics Control Program Grant for Youth Courts of Broome County for the Youth Bureau, adopted a program budget in the amount of \$11,500 and authorized an agreement with Johnson City Community Action Team, Inc. to administer said program for the period October 1, 2000 through March 31, 2001, and

WHEREAS, said grant program provides for development of the Youth Courts of Broome County as an early intervention process for delinquent youth in an effort to prevent services in the juvenile justice system, and

WHEREAS, it is desired to renew said grant program in the amount of \$40,000, adopt a program budget and renew the agreement with Johnson City Community Action Team, Inc. to continue to administer said program for the period April 1, 2001 through September 30, 2002, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$40,000 from the New York State Division of Criminal Justice Services, for the Youth Bureau's Narcotics Control Program Grant for Youth Courts of Broome County for the period April 1, 2001 through September 30, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$40,000, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Johnson City Community Action Team, Inc., 67 Broad Street, Johnson City, New York 13790, for administration of the Youth Bureau's Narcotics Control Program Grant for the period April 1, 2001 through September 30, 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 640052.4457.104XXX (Subcontracted Program Expense), 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 569**

By Health Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH F. KEITH KENNEDY, M.D., P.C. FOR MEDICAL DIRECTOR SERVICES FOR WILLOW POINT NURSING HOME FOR 2002**

WHEREAS, this County Legislature, by Resolution 651 of 2000, authorized the renewal of an agreement with F. Keith Kennedy, M.D., P.C. for Medical Director Services for Willow Point Nursing Home at an amount not to exceed \$65,236, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary as New York State requires that a Medical Director be part of the medical staff at Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 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 \$65,236, for the period January 1, 2002 through December 31, 2002 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with F. Keith Kennedy, M.D., P.C., 21 Mitchell Avenue, Binghamton, New York 13903 for Medical Director Services for Willow Point Nursing Home for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$65,236 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160044.4712.204000 (Physician 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

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### RESOLUTION NO. 570

By Health Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER FOR DEAF INTERPRETER AND TRANSLATOR SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2002**

WHEREAS, this County Legislature, by Resolution 435 of 2001, authorized an agreement with Southern Tier Independence Center for interpreter and translator services for a resident at Willow Point Nursing Home at a rate of \$40 per hour for an interpreter and \$15 per hour for a translator to relay information interpreted to the staff, total amount not to exceed \$5,775 for the period September 14, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide deaf interpreter and translation services to a resident at the nursing home who has lost the cognitive ability to read lips, and

WHEREAS, said agreement expires by its terms on December 31, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$40 per hour for an interpreter and \$15 per hour for a translator, total amount not to exceed \$10,000, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Southern Tier Independence Center, 24 Prospect Avenue, Binghamton, New York 13901 for interpreter and translation services for a resident at the Willow Point Nursing Home for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$40 per hour for an interpreter and \$15 per hour for a translator to relay information interpreted to the staff, total amount not to exceed \$10,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160085.4707.204000 (Medical and Hospital 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

### RESOLUTION NO. 571

By Health Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH K & A RADIOLOGIC TECHNOLOGY, INC. FOR RADIOLOGIC SERVICES FOR WILLOW POINT NURSING HOME FOR 2002**

WHEREAS, this County Legislature, by Resolution 565 of 2000, authorized renewal of the agreement with K & A Radiologic Technology, Inc. to bill Willow Point Nursing Home directly for radiologic services for eligible Medicare Part A residents at an amount not to exceed \$30,000 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide radiologic services to residents at Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 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 \$36,000, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with K & A Radiologic Technology, Inc., 193 Riverside Drive, Johnson City, New York 13790, to bill Willow Point Nursing Home directly for radiologic services for eligible Medicare Part A residents for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$36,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4747.20400 (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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

**RESOLUTION NO. 572**

By Health Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR LAB TESTING FOR WILLOW POINT NURSING HOME FOR 2002**

WHEREAS, this County Legislature, by Resolution 566 of 2000, authorized renewal of the agreement with Our Lady of Lourdes Memorial Hospital for lab testing services for Willow Point Nursing Home at an amount not to exceed \$61,200 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary for lab testing services at Willow Point Nursing Home and direct billing to Medicare, and

WHEREAS, said agreement expires by its terms on December 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 \$48,000, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905 for lab testing services and direct billing to Medicare for Willow Point Nursing Home for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$48,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4747.20400 (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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

**RESOLUTION NO. 573**

By Health Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DENTSERV FOR DENTAL SERVICES FOR WILLOW POINT NURSING HOME FOR 2002**

WHEREAS, this County Legislature, by Resolution 650 of 2000, authorized renewal of the agreement with DentServ for dental services to residents at Willow Point Nursing Home at an amount not to exceed \$53,000 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide dental services to residents at Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2000 and it is desired at this time to renew said agreement on substantially similar terms and conditions, at an amount not to exceed \$53,000, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with DentServ, 15 Canal Road, Pelham Manor, New York 10803, for dental services for Willow Point Nursing Home residents for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$53,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160218.4712.204000 (Physicians Services), and be it



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RESOLVED, that this County Legislature hereby authorizes agreements with medical transportation providers for Broome County Medicaid recipients on an as needed basis for the period January 1, 2002 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at State-mandated rates, not to exceed budgeted appropriations, for the terms of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS/Medical Assistance), and 670075.4567.103000 (Medical Assistance), 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, as approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

### **RESOLUTION NO. 576**

By Health Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS VENDORS FOR PROSTHETICS AND ORTHOTICS SERVICES FOR THE DEPARTMENT OF HEALTH'S PHYSICALLY HANDICAPPED CHILDREN'S PROGRAM FOR 2002**

WHEREAS, this County Legislature, by Resolution 39 and Resolution 41 of 2001, authorized agreements with Klemmt Orthopaedic Services and Hanger Prosthetics and Orthotics for services for the Department of Health's Physically Handicapped Children's Program for an amount not to exceed \$6,000 per vendor (paid at the Medicaid rate), for the period January 1, 2001 through December 31, 2001, and

WHEREAS, the Board of Acquisition and Contract authorized an agreement with Creative Orthotics and Prosthetics for the same program for an amount not to exceed \$6,000 (paid at the Medicaid rate) for the period October 1, 2000 through December 31, 2001

WHEREAS, said services are necessary to provide measurement, molds and fittings for prosthetic and orthotic devices to children with handicapping conditions, and

WHEREAS, said agreements expire by their terms on December 31, 2001, and it is desired at this time to renew said agreements on substantially similar terms and conditions, for an amount not to exceed \$6,000 per vendor (paid at the Medicaid rate), for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various vendors as shown below for orthotic and prosthetic services for the Department of Health's Physically Handicapped Children's Program, for the period January 1, 2002 through December 31, 2002,

Hanger Prosthetics and Orthotics  
655 Main Street  
Johnson City, NY 13790

Creative Orthotics and Prosthetics  
33 Mitchell Avenue  
Binghamton, New York 13903

Klemmt Orthopaedics  
220 Front Street  
Vestal, New York 13850

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors an amount not to exceed \$6,000 per vendor (paid at the Medicaid rate) for the terms of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.4707.101000 (Medical and Hospital Services), and be it



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WHEREAS, the funding stream for said grants has been combined by the New York State Department of Health, and

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

WHEREAS, the Acting Public Health Director requests authorization to accept an Early Intervention Administration/Child Find Program Grant and adopt a program budget in the amount of \$129,450 for the period October 1, 2001 through September 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$129,450 from the New York State Department of Health, Division of Family and Local Health, Corning Tower, Empire State Plaza, Albany, New York 12237-0657 for the Department of Health's Early Intervention Administration/Child Find Program Grant for the period October 1, 2001 through September 30, 2002, 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 \$129,450, 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

#### **RESOLUTION NO. 579**

By Health Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION ESTABLISHING A CLINIC FEE SCHEDULE FOR THE DEPARTMENT OF HEALTH**

WHEREAS, the Acting Director of Public Health requests authorization to establish a Clinic Fee Schedule for the Department of Health, and

WHEREAS, said fee schedule reflects the current Medicare reimbursement rates for the services provided, now, therefore, be it

RESOLVED, that the fee schedule attached hereto as Exhibit "A" is hereby authorized and adopted for the services provided by the Department of Health's Clinic.

#### **EXHIBIT "A"**

<b>Visit Type</b>	<b>2002 Fee</b>
Extended Initial Pre-employment Physical Examination, TB MD Visit or STD Screen (MD/Clinician)	\$110
<b>Intermediate New Patient</b>	
Travel Immunization-First Visit	80
Employee Health Services (MD/Clinician) (Section 72)	
<b>Limited-New Patient/Established</b>	
TB Repeat MD Visit, HIV Counseling and Testing (HIV Test) or EKG Evaluation	50



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Corning Tower, Empire State Plaza, Albany, New York 12237-0657 for the Department of Health's Children with Special Health Care Needs Program Grant for the period October 1, 2001 through September 30, 2002, 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 \$20,000, 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### **RESOLUTION NO. 581**

By County Administration and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH COMPUTER ASSOCIATES FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 591 of 1998, authorized renewal of an agreement with Computer Associates International, Inc. for VSE software maintenance for the Division of Information Technology at an amount not to exceed \$57,069 (\$19,023 per year), for the period January 1, 1999 through December 31, 2001, and

WHEREAS, said agreement expires by its terms on December 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 \$29,770 (\$14,885 per year), for the period January 1, 2002 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Computer Associates International, Inc., One Computer Associates Plaza, Islandia, New York 11788-7002 for software maintenance for the Division of Information Technology for the period January 1, 2002 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$29,770 (\$14,885 per year) for the term of the agreement, and be it

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

FURTHER RESOLVED, that the County Executive or 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

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### **RESOLUTION NO. 582**

By Public Works and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH STEARNS & WHELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 395 of 2000, as amended by Resolution 52 of 2001, authorized an agreement with Stearns & Wheler, LLC for professional engineering services for the Department of Public Works at a cost not to exceed \$1,016,100, for the period August 1, 2000 through December 31, 2001, and

WHEREAS, said agreement provides services necessary for the design of the Nanticoke Landfill Section IV Expansion to be in compliance with an FAA notice to construct a landfill facility beyond 10,000 feet from the runway at the Binghamton Regional Airport, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term to December 31, 2002 and to provide for additional work to include a new Dunham Hill Road access evaluation and design, a supplemental environmental impact statement for the new Dunham Hill Road Access, determine wetland delineations and determinations and upgrading the Supervisory Control and Data Acquisition system for the leachate pretreatment facility, resulting in a savings of approximately \$2,000,000 in project costs, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035, for additional professional engineering services for the Section IV expansion at the Nanticoke Landfill for the period August 1, 2000 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$120,000, total cost not to exceed \$1,136,100, for the extended term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235044.4545.502286 (Contracted Services), and be it

FURTHER RESOLVED, that Resolutions 395 of 2000 and 52 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### **RESOLUTION NO. 583**

By Public Works and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH STEARNS & WHELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 15 of 2000 and BAC approval on January 18, 2001, authorized renewal of an agreement with Stearns & Wheler, LLC for professional engineering services at a cost of \$29,000 for the period January 1, 2000 through March 31, 2001, and

WHEREAS, said services are necessary to assist in the leachate treatment plant operations, restarting anaerobic reactor, proper operation of sludge maintenance, trouble shooting operations and plant maintenance issues at the County's leachate treatment facility at the Nanticoke Sanitary Landfill, and

WHEREAS, said agreement expired by its terms on March 31, 2001, and it is desired at this time to renew said agreement for the period April 1, 2001 through August 31, 2002 on substantially similar terms and conditions, now, therefore, be it





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12229, for the Department of Mental Health's Mental Health Caseworker Grant for the period January 1, 2002 through December 31, 2002, 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 \$37,525, 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### **RESOLUTION NO. 587**

By Health Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF THE 2002 FORENSIC PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002**

WHEREAS, this County Legislature, authorized and approved, Resolutions 692, 698 and 707 of 2000, the Adult Forensic Case Management Grant, the Transitional Management Services Program Grant and the Forensic Outreach Project Grant, and adopted program budgets in the amount of \$40,793, \$34,020 and \$50,164, respectively, for the Department of Mental Health, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, it is desired at this time to consolidate the three grants into one, and

WHEREAS, said combined grant program provides mental health services to clients in the legal system and helps minimize the need for hospitalization by providing a more intensive program for those inmates, and

WHEREAS, the Commissioner of Mental Health requests authorization to accept a 2002 Forensic Program Grant for the Department of Mental Health in the amount of \$148,987 for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$148,987 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's 2002 Forensic Program Grant for the period January 1, 2002 through December 31, 002, 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 \$148,987, 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

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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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

### **RESOLUTION NO. 588**

By Health Services and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IVAN FRAS FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2002**

WHEREAS, this County Legislature, by Resolution 527 of 2000, authorized an agreement with Ivan Fras for psychiatric services for the Department of Mental Health at a rate of \$76 per hour, total amount not to exceed \$73,500, for the period November 1, 2000 through December 31, 2001, and

WHEREAS, said services are necessary to provide forensic and child psychiatric services to clients of the Department of Mental Health, and

WHEREAS, said agreement expires by its terms on December 31, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$78 per hour, total amount not to exceed \$60,840, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ivan Fras, 33 Avon Road, Binghamton, New York 13905, for psychiatric services for the Department of Mental Health, for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$78 per hour, total amount not to exceed \$60,840 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

FURTHER RESOLVED, that the County Executive or 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-14, Nays-1 (Hudak), Absent-4 (Hull, Lindsey, Miller, Whalen).**

### **RESOLUTION NO. 589**

By Health Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING AGREEMENT WITH UNI/CARE SYSTEMS, INC. FOR SOFTWARE MAINTENANCE FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2002**

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with UNI/CARE SYSTEMS, INC. for software maintenance for the Department of Mental Health at a cost not to exceed \$15,600, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary for software maintenance fees, telephone support and training, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with UNI/CARE SYSTEMS, INC, 150 Preston Executive Drive, Suite 202, Cary, North Carolina 27513, for software maintenance, telephone support, and training, for the Department of Mental Health for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,600 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 590**

By Health Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH REPORTERS TRANSCRIPTION CENTER FOR TRANSCRIPTION SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2002**

WHEREAS, this County Legislature, by Resolution 405 of 2001, authorized an agreement with Reporters Transcription Center for transcription services for the Department of Mental Health at an amount not to exceed \$20,000 for the period August 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide transcription services via the telephone system as well as taped dictation with a guaranteed turnaround time of 24-36 hours, and

WHEREAS, said agreement expires by its terms on December 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 \$20,000, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Reporters Transcription Center, 71 State Street, Binghamton, New York 13901 for transcription services for the Department of Mental Health for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

FURTHER RESOLVED, that the County Executive or 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 591**

By Health Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE RESEARCH FOUNDATION AT BINGHAMTON UNIVERSITY FOR GRADUATE STUDENT TRAINING IN THE DEPARTMENT OF MENTAL HEALTH FOR 2002**

WHEREAS, this County Legislature, by Resolution 700 of 2000, authorized renewal of an agreement with The Research Foundation at Binghamton University for graduate student training in the Department of Mental Health at an amount \$24,850, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said agreement is sponsored by Broome County to provide graduate psychology students with clinical training in the Broome County community, and

WHEREAS, said agreement expires by its terms on December 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 \$24,852, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Research Foundation at Binghamton University, Office of Research and Sponsored Programs, P.O. Box 6000, Binghamton, New York 13902 for graduate student training in the Department of Mental Health for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$24,852 for the term of the agreement, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

FURTHER RESOLVED, that the County Executive or 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### **RESOLUTION NO. 592**

By Transportation and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING AGREEMENTS WITH NATIONAL CAR RENTAL SYSTEMS, INC. AND AVIS RENT-A-CAR SYSTEM, INC. FOR LEASE OF THE CAR WASH FACILITY AT BINGHAMTON REGIONAL AIRPORT FOR 2001-2004**

WHEREAS, the Commissioner of Aviation requests authorization for agreements with National Car Rental Systems, Inc. and Avis Rent-A-Car Systems, Inc. for lease of the car wash facility at the Binghamton Regional Airport, with revenue to Broome County of \$809.22 per company per month, total revenue amount from both companies of \$63,119.16 for the period October 1, 2001 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with National Car Rental Systems, Inc., 200 South Andrews Avenue, 8<sup>th</sup> Floor, Fort Lauderdale, Florida 33301 and Avis Rent-A-Car System, Inc., 900 Old Country Road, Garden City, New York 11530, for lease of the car wash facility at the Binghamton Regional Airport for the period October 1, 2001 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractors shall pay the County an amount not to exceed \$809.22 per company per month, total revenue to the County of \$63,119.16 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenues shall be credited to budget line 210120.0122.207000 (Service Center, Storage, Washrack Rental), 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### **RESOLUTION NO. 593**

By Transportation and Finance Committees

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS TO ACCEPT CONTRIBUTION OF FUNDS FROM PUBLIC AND PRIVATE ORGANIZATIONS FOR THE OPERATION OF THE UNITED STATES CUSTOMS SERVICE OFFICE AT THE BINGHAMTON REGIONAL AIRPORT FOR 2000-2004**

WHEREAS, this County Legislature, by Resolution 573 of 1999, authorized agreements with Corning, Inc., The Raymond Corporation, Corporate Wings (d/b/a as Miller Aviation) and Chemung County to accept funds totaling \$80,000 for the operation of the United States Customs Service Office at the Binghamton Regional Airport for the period September 1, 1999 through August 31, 2000, and

WHEREAS, said funds are necessary to maintain a partnership between public and private organizations to offset the operating cost of the United States Customs Service Office at the Binghamton Regional Airport, and

WHEREAS, said agreements expired by their terms on August 31, 2000, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at the amounts listed below for a total amount not to exceed \$168,900, for the period September 1, 2000 through August 31, 2002, with authorization for three one-year renewals at the discretion of the County, contingent on the same rate of commission and terms and conditions, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes an agreement with the following organizations for the amounts listed, for the period September 1, 2000 through August 31, 2002:

Chemung County  
Elmira-Corning Regional Airport  
Suite 1, 276 Sing Sing Road  
Horseheads, New York 14845  
Contribution: \$16,500

Corning, Inc.  
Aviation Department  
348 Sing Sing Road  
Horseheads, New York 14845  
Contribution: \$66,100

Flight Options, Inc.  
(DBA Miller Aviation)  
2522 Airport Road  
Johnson City, New York 13790  
Contribution: \$29,200

The Raymond Corp.  
Corporate Headquarters  
Greene, New York, 13778-0130  
Contribution: \$57,100

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be deposited to budget line 210054.0492.207000 (Miscellaneous Administration and Other Income), and be it

FURTHER RESOLVED, that this Legislature hereby authorizes three (3) one-year renewals, at the discretion of the County, contingent on the same rate of commission and terms and conditions hereinabove authorized, 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-15, Absent-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 594**

By County Administration, Transportation and Finance Committees      Seconded by Mr. O'Day  
**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 11, 2001 ENTITLED "A LOCAL LAW AMENDING FEES FOR THE BINGHAMTON REGIONAL AIRPORT"**

RESOLVED, that Local Law Intro. No. 11, 2001 entitled "A Local Law Amending Fees For the Binghamton Regional Airport", be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

#### **LOCAL LAW INTRO. 11, 2001**

##### **A Local Law Amending Fees For the Binghamton Regional Airport**

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

SECTION 3 Section 84-4(B) and (C) of the Broome County Charter and Code shall be amended to read as follows:

B. Fuel Flowage Fee

1. A fee of [seven cents (\$.07)] eight cents (\$.08) per gallon shall be assessed and collected for fuel storage.

C. T-Hangar Storage

1. A fee of [one hundred fifteen dollars (\$115. 00)] one hundred and thirty-five dollars (\$135) per month shall be assessed and collected for hangar storage.

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SECTION 4. This Local Law shall take effect following a public hearing before and approved by the County Executive, in the manner prescribed by law and after filing with the Secretary of State.

Material in [brackets] deleted

Material underlined is added

**Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 595**

By County Administration and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING AGREEMENT WITH IMAGEWORK FOR THE PURCHASE, INSTALLATION AND INTEGRATION OF COMPUTER SOFTWARE FOR THE OFFICE OF THE COUNTY CLERK**

WHEREAS, the Broome County Clerk requests authorization for an agreement with ImageWork for the purchase, installation and integration of computer software at a cost not to exceed \$8,500, and

WHEREAS, said agreement is necessary for the license, installation and integration of the required software for a Bell & Howell 2000D FB Duplex Scanner to store Deeds and Mortgage Information in an electronic database, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with ImageWork, 235 Main Street, Fourth Floor, White Plains, New York 10601 for purchase, installation and integration of computer software for the Office of the County Clerk, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$8,500 (License: \$3,500, Installation and Integration: \$5,000) for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4359.101000 (Computer Software and Supplies), 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 596**

By Community & Social Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF THE DSS/BCC ASSOCIATE DEGREE AND CONTINUING EDUCATION PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 574 of 2000, authorized and approved continued participation in the DSS/BCC Associate Degree and Continuing Education Program for the Department of Social Services and adopted a program budget in the amount of \$55,000 for the period September 1, 2000 through August 31, 2001, and

WHEREAS, said grant program provides Department of Social Services employees with educational opportunities to enhance their skills on the job and prepare them for promotional opportunities within the department, and

WHEREAS, it is desired to renew said grant program in the amount of \$47,919 for the period September 1, 2001 through August 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$47,919 from the New York State Office of Children and Family Services, 40 N. Pearl Street, 11-B, Albany, New York 12243, for the Department of Social Services' DSS/BCC Associate Degree and Continuing Education Program Grant for the period September 1, 2001 through August 31, 2002, and be it



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### RESOLUTION NO. 598

By Community & Social Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH METRO INTERFAITH HOUSING MANAGEMENT CORPORATION FOR THE OFFICE FOR AGING'S CONGREGATE MEAL PROGRAM at 110 CHENANGO STREET FOR 2002**

WHEREAS, this County Legislature, by Resolution 598 of 2000, authorized renewal of an agreement with Metro Interfaith Housing Management Corporation for a congregate meal program for residents at 110 Chenango Street, Binghamton, New York with revenue to Broome County in the amount of \$29,400 (\$2.80 per meal), for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary for the provision of meals to enriched housing clients, and

WHEREAS, said agreement expires by its terms on December 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 30,450 (\$2.90 per meal), for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Metro Interfaith Housing Management Corp., 21 New Street, Binghamton, New York 13903 to provide meals to residents at 110 Chenango Street, Binghamton, New York in the congregate meal program for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$2.90 per meal, total amount not to exceed \$30,450, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760736.0628.104591 (Contracted Meals), 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

### RESOLUTION NO. 599

By Health Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING RENEWAL OF THE CHILDHOOD LEAD POISONING PREVENTION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002**

WHEREAS, this County Legislature, by Resolution 608 of 2000, authorized and approved continued participation in the Childhood Lead Poisoning Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$73,317 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said grant program supports the Broome County Health Department Childhood Lead Poisoning Prevention Program, and

WHEREAS, it is desired to renew said grant program in the amount of \$73,317 for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$73,217 from the Childhood Lead Poisoning Prevention Program, Bureau of Child & Adolescent Health, New York State Department of Health, Tower Building, Empire State Plaza, Albany, New York 12237, for the Department of Health's Childhood Lead Poisoning Prevention Program Grant for the period January 1, 2002 through December 31, 2002, 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 \$73,317, 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

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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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### **RESOLUTION NO. 600**

By County Administration and Finance Committees

Seconded by Mr. O'Day

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 9, 2001, ENTITLED: "A LOCAL LAW AUTHORIZING A SALARY INCREASE FOR THE BROOME COUNTY SHERIFF."**

WHEREAS, this County Legislature has determined that the average annual salary of Sheriff's of comparable counties is in excess of \$70,000, and

WHEREAS, this County Legislature desires to increase the salary of the Sheriff to bring it closer to the average salary of his counterparts in comparable counties throughout the State of New York, now, therefore, be it

RESOLVED, that Local Law Intro. No. 9, 2001, entitled: "A LOCAL LAW AUTHORIZING A SALARY INCREASE FOR THE BROOME COUNTY SHERIFF," be and the same hereby is adopted and approved in accordance with the Broome County Charter and all applicable statutes and laws pertaining thereto.

### **LOCAL LAW INTRO. NO. 9, 2001**

#### **A Local Law Authorizing a Salary Increase For the Broome County Sheriff**

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

SECTION 1. The annual salary of the following elected official of the County of Broome shall be increased according to the following schedule effective January 1, 2002:

<u>Elected Office</u>	<u>2001 Present Salary</u>	<u>Proposed Salary</u>
Sheriff	\$60,239	\$68,800

SECTION 2. For years commencing on January 1, 2003 and annually thereafter the salary the Broome County Sheriff shall be increased by the percentage of increase, if any, of the CPI (Urban Wage Earners, U.S. City Average, Northeast Urban Cities 50,000 to 500,000 or equivalent) for the period January 1st through December 31st of the year immediately preceding with an annual cap not to exceed 5%.

SECTION 3. This local law is subject to a permissive referendum pursuant to Section 24(2)(h) of the Municipal Home Rule Law and shall take effect not less than forty-five (45) days after its adoption and after a public hearing before and approval by the County Executive and filing with the New York State Secretary of State.

**Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

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**RESOLUTION NO. 601**

By Health Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SOUTHERN TIER  
TRANSCRIBERS, INC. FOR MEDICAL TRANSCRIPTION SERVICES FOR WILLOW POINT  
NURSING HOME FOR 2002**

WHEREAS, the Board of Acquisition and Control, by CA# 17-338, authorized an agreement with Southern Tier Transcribers, Inc. for medical transcription services for Willow Point Nursing Home at an amount not to exceed \$13,120, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary for medical transcription of resident medical information, and

WHEREAS, said agreement expires by its terms on December 31, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rates indicated on attached Exhibit "A", total amount not to exceed \$15,000, for the period January 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Southern Tier Transcribers, Inc., 355 Riverside Drive, Johnson City, New York 13790 for medical transcription services for Willow Point Nursing Home for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates indicated on attached Exhibit "A", total amount not to exceed \$15,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160036.4747.204000 (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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

**RESOLUTION NO. 602**

By Health Services and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING RENEWAL OF THE YOUTH TOBACCO ENFORCEMENT AND  
PREVENTION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM  
BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 481 of 2000, as amended by Resolution 92 of 2001, authorized and approved the Youth Tobacco Enforcement and Prevention Grant for the Department of Health and adopted a program budget in the amount of \$33,794 for the period October 1, 2000 through September 30, 2001, and

WHEREAS, said grant program supports the Department of Health's activities in youth tobacco use enforcement and prevention, and

WHEREAS, it is desired to renew said grant program in the amount of \$32,289 for the period October 1, 2001 through September 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$32,289 from the Bureau of Community Sanitation and Food Protection, New York State Department of Health Center for Environmental Health, Flanigan Square, 547 River Street, Room 515, Troy, New York 12180, for the Department of Health's Youth Tobacco Enforcement and Prevention Grant for the period October 1, 2001 through September 30, 2002, 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 \$32,289, 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

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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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

### **RESOLUTION NO. 603**

By Health Services and Finance Committees

Seconded by Mr. Pasquale

#### **RESOLUTION AUTHORIZING THE CHARGE STRUCTURE FOR RESIDENTS OF WILLOW POINT NURSING HOME**

WHEREAS, this County Legislature, by Resolution 395 of 1997, as amended by Resolutions 620 of 1998, 662 of 1999 and 558 of 2000, authorized a charge structure for services provided to the residents of Willow Point Nursing Home, and

WHEREAS, it is necessary to change the charge structure to reflect a \$5.00 increase in Room and Board to \$175.00 per day for a semi-private room, \$180.00 per day for a private room, and modify the charge for Physical Therapy, Occupational Therapy and Speech Therapy to "per Medicare Fee Schedule", effective January 1, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the change of the charge structure for residents of Willow Point Nursing Home effective January 1, 2002 as follows:

- |    |                             |                                       |
|----|-----------------------------|---------------------------------------|
| a. | Semi-Private Room and Board | \$175.00 per day                      |
| b. | Private Room and Board      | \$180.00 per day                      |
| c. | Physical Therapy            | Per Medicare Fee Schedule             |
| d. | Occupational Therapy        | Per Medicare Fee Schedule             |
| e. | Speech Therapy              | Per Medicare Fee Schedule             |
| f. | Prescription Medications    | \$cost plus 20% markup                |
| g. | Lab and X-rays              | \$cost plus 20% administrative markup |

and be it

FURTHER RESOLVED, that said charge structure shall remain in effect until such time as changes are required, 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 Comptroller and the Commissioner of Finance are hereby authorized within the restraints of this Resolution to make any necessary adjustments to implement the intent and purpose of this Resolution.

**Carried, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

### **RESOLUTION NO. 604**

By County Administration and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 10, 2001, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 158 OF THE BROOME COUNTY CHARTER AND CODE."**

RESOLVED, that Local Law Intro. No. 10, 2001, entitled: "A LOCAL LAW AMENDING CHAPTER 158 OF THE BROOME COUNTY CHARTER AND CODE" be and the same hereby is adopted and approved in accordance with the Broome County Charter and all applicable statutes and laws pertaining thereto.

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**LOCAL LAW INTRO. NO. 10, 2001**

**A Local Law Amending Chapter 158  
Of the Broome County Charter and Code**

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

SECTION 1. Certain definitions as set forth in Section 158-2 of the Broome County Charter and Code are hereby amended to read:

“LEISURE FACILITY – The Broome County Veterans Memorial Arena and Broome County Forum.”

“PARK – Any and all land and/or physical structures owned or controlled by the County of Broome and administered by its Department of Parks and Recreation. These shall include areas designated as parks, campgrounds, picnic areas, ice rinks, nature reserves, [THE] the Arena, Forum and other special use areas, as designated by the Department of Parks and Recreation.”

SECTION 2. Section 158-4 (D) of the Broome County Charter and Code is hereby amended to read:

D. Boat rental. (For purposes of marketing the boating concessions and increasing boating awareness, one-dollar numbered boating coupons for rowboat and canoe rentals may be given away to park patrons. These will not exceed 25 coupons per day per park.)

<b>Type</b>	<b>Deposit</b>	<b>Per Hour</b>	<b>Per day</b>
Canoes	\$10.00	2.00	10.00
Rowboats	10.00	2.00	10.00
Senior citizens (Monday through Friday, excluding holidays)	5.00	1.00	5.00
Paddleboats/aqua bikes <u>and other watercraft</u>	10.00	6.00	not available
Sailboats	25.00	6.00	25.00

SECTION 3. Section 158.4 (G) of the Broome County Charter and Code is hereby amended to read:

G. Ice facility rental (ice functions available mid-November to mid-March).

<b>Type</b>	<b>Fee</b>
Short-term rental, prime time (9:00 a.m. through 10:00 p.m. on weekends) (6:00 p.m. through 10:00 p.m. on weekdays)	\$100.00 per hour
Non-prime time (all other times)	\$ 90.00 per hour
Long-term rental	\$ 90.00 per hour

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Non-ice functions	[\$300.00]	\$310.00 per weekday
(available May to September)*	[\$500.00]	\$560.00 per weekend day
* includes small shelter rental		and holiday

SECTION 4. Section 158-4 (K) of the Broome County Charter and Code is hereby amended to read:

K. Sailing lessons: thirty dollars (\$30) per lesson, plus American Red Cross certification fee and textbook costs.

SECTION 5. Section 158-4 (M) of the Broome County Charter and Code is hereby amended to read:

M. Skate sharpening: three dollars (\$3) per pair. [coupon for ten (10) skate sharpenings: twenty-five dollars (\$25.)]

SECTION 6. Effective Date.

This local law shall take effect on May 1, 2002 after a public hearing before and approval by the County Executive and filing with the New York State Secretary of State.

Material in [brackets] deleted  
 Material underlined is added  
**Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

**RESOLUTION NO. 605**

By Personnel, Transportation, Health Services and Finance Committees  
 Seconded by Mr. O'Day  
**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR AVIATION AND MENTAL HEALTH**

RESOLVED, that in accordance with a request from the Commissioner of Aviation as contained in PCR#01-289, this County Legislature hereby authorizes the Title Change of (1) Airport Automotive Mechanic position, Full Time, at budget line 210203.1000.207000, minimum salary of \$29,406, Grade 14, Union CSEA, to (1) Airport Equipment Mechanic position, Full Time, at budget line 210203.1000.207000, minimum salary of \$29,406, Grade 14, Union CSEA, effective date 11/20/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health as contained in PCR#01-275, this County Legislature hereby authorizes the abolishment of (1) Mental Health Program Coordinator position, Full Time, at budget line 470138.1000.104508, minimum salary of \$43,838, Grade 23, Union BAPA, and the creation of (1) Intensive Case Manager position, Full Time, at budget line 470138.1000.104508, minimum salary of \$32,148, Grade 18, Union CSEA, effective date 11/20/01.  
**Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

**RESOLUTION NO. 606**

By Finance, County Administration and Health Services Committees  
 Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING THE BUDGET TRANSFERS FOR ELECTIONS AND MENTAL HEALTH**

RESOLVED, that in accordance with a request from the Commissioners of Elections, in order to transfer funds to cover contractual expenses as requested in BF#0000983, 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:	410001	1600	101000	Salaries – Temp. Help	27,359
TO:	410001	4318	101000	Printing	24,000
	410001	4319	101000	Office Supply	1,000
	410001	4359	101000	Computer Software	743
	410001	4419	101000	Gen. Office Expense	1,616

and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health, in order to meet revised OASAS requirements for “Life Skills Training” as requested in BF#002767, 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>
FROM:	470138	1000	104549	Salaries – Full Time	5,000
TO:	470138	4747	104549	Other Fees for Services	5,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health, in order to accept additional state aid funding for the Addiction Center of Broome County as requested in BF#002796, 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>
INCREASE:	470039	5021	101000	Contract Expense (ACBC)	70,000
INCREASE:	470039	0283	101000	State Aid	70,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health in order to accept additional state aid funding for Lourdes Hospital, as requested in BF# 002797, 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>Amt.</u>
INCREASE:	470039	4718	101000	Contract Expense (Lourdes)	20,000
INCREASE :	470039	0633	101000	State Aid	20,000

**Carried, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).**

### **RESOLUTION NO. 607**

By Personnel and Finance Committees Seconded by Mr. Pasquale  
**RESOLUTION AUTHORIZING AGREEMENT WITH AMTEK MANAGEMENT SERVICES CORPORATION FOR DEVELOPMENT AND PRODUCTION OF EMPLOYEE HANDBOOK AND PERSONNEL POLICY AND PROCEDURE MANUAL**

WHEREAS, this County Legislature, by Resolution 188 of 2001, authorized an agreement with AMTEK Management Services Corporation to conduct a human resource analysis for the Personnel Department, and

WHEREAS, this analysis has been completed with the recommendation that the Employee Handbook and Personnel Policy and Procedure Manual be developed, updated and produced, and

WHEREAS, the Personnel Officer has received a proposal from AMTEK Management Services Corporation whereby the corporation would develop and produce a Broome County

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Employee Handbook and Personnel Policy and Procedure Manual for the sum of \$14,500 plus out of pocket expenses for mileage, and

WHEREAS, since AMTEK Management Services Corporation is familiar with the County's Personnel Department as a result of the analysis previously completed and upon the recommendation of the Personnel Officer, 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 to develop and produce an Employee Handbook and Personnel Policy and Procedure Manual during the period December 1, 2001 through November 30, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,500 plus out-of-pocket expenses for mileage not to exceed \$1,500, total amount not to exceed \$16,000 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-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### **RESOLUTION NO. 608**

By County Administration and Finance Committees

Seconded by Mr. O'Day

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 12, 2001, ENTITLED: "A LOCAL LAW CONTINUING THE TAX ON THE OCCUPANCY OF HOTEL OR MOTEL ROOMS IN BROOME COUNTY"**

WHEREAS, this County Legislature, by Local Law No. 15 of 1998 authorized the tax on the occupancy of hotel or motel rooms in Broome County for a three year period, expiring December 31, 2001, and

WHEREAS, it is desired at this time to extend the hotel and motel occupancy tax for an additional three years, now, therefore, be it

RESOLVED, that Local Law Intro. No. 12, 2001, entitled: "A Local Law Continuing the Tax on the Occupancy of Hotel or Motel Rooms in Broome County", be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

### **LOCAL LAW INTRO. NO. 12, 2001**

#### **A Local Law Continuing the Tax on the Occupancy of Hotel Or Motel Rooms in Broome County**

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

SECTION 1. Section 185-30 of the Broome County Charter and Code, as amended, be and hereby is amended to read as follows:

Section 185-30. When effective

The tax herein imposed shall be effective for the period of three (3) years and shall expire on December 31, [2001] 2004 unless further extended by subsequent action of the Broome County Legislature.

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SECTION 2. This local law shall become effective following a public hearing to be held before the County Executive in a manner provided by law.

Changes or additions are indicated by underline.

Deletions are indicated by [brackets]

**Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

### **RESOLUTION NO. 609**

By Finance and Personnel Committees

Seconded by Mr. Mather

#### **RESOLUTION AMENDING THE UNIFORM RETIREE AND VESTED FORMER EMPLOYEE/SURVIVING SPOUSE HEALTH PLAN RULES**

WHEREAS, this County Legislature established, by Resolution 354 of 2000, Uniform Retiree and Vested Former Employee/Surviving Spouse Health Plan Rules, and

WHEREAS, it is desired at this time to amend said rules to better protect low-income participants, provide an alternative benefit to future Retirees, and make certain technical amendments to said plan, now, therefore, be it

RESOLVED, that Resolution 354 of 2000 is amended as follows:

#### I. Definitions

"Retired Employee" or "Retiree" means any former Broome County employee, Broome County Library employee, Broome Community College employee or elected Broome County official that has ten years of full-time equivalent employment or service in office with the County, who is not entitled to health benefits pursuant to a collective bargaining agreement and who is receiving a benefit from the New York State Employees Retirement System or in the case of a former Broome Community College employee, the TIAA-CREF or Teacher's Retirement Systems.

"Elected Official" means the County Executive, a County Legislator, County Clerk, District Attorney, and Sheriff.

"Surviving Spouse" means the widow or widower of a deceased Retired Employee.

"Vested Former Employee" means any former employee or elected official of Broome County, with ten years of full-time equivalent service, who is not receiving a benefit from the New York State Employees Retirement System.

"Health benefits" shall mean any of the health insurance plans currently offered by the County to any of its active employees.

"Contribution" shall mean the annual amount that a Retiree is billed for health benefits.

"Co-pay" shall mean the amount that a Retiree is required to pay for a retail prescription medication supply of 35 or fewer days.

"Medicare credit" shall mean the \$28.60 per Medicare enrollee per month partial reimbursement for the Medicare Part B premium that the County pays to Retirees and their spouses from County service before January 1, 1996.

"Gross Household Income" means social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment, all as reported on the applicant's income tax return for the calendar year ending prior to the date of the application but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-

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employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income for all household members.

## II. Retiree Health Plan

Retired Employees are entitled to receive health benefits for their natural life (subject to the provisions of Part VI below), provided that the Retired Employee maintains coverage continuously with one of the Broome County health benefits plans from the date of retirement, and further provided that the Retiree has at least two years of qualified participation in a health benefits plan.

Effective January 1, 2002, the Retiree's annual contribution shall be 10% of the premium charged to Broome County by third party providers, or in the case of the Broome County Self-Insured Health Benefits Plan, the premium equivalent amount as determined by the Broome County Risk and Insurance Manager. The contribution shall be payable in equal bi-monthly installments. The amount of the Medicare credit, if any, shall first be deducted from the bi-monthly installment and the Retiree shall be billed only for the balance due. In the event that the amount of the Medicare credit exceeds the bi-monthly installment due, a check for the balance shall be issued to the Retiree.

## III. Vested Former Employee and Surviving Spouse Benefit

Vested Former Employees and Elected Officials are entitled to receive health benefits, if they so elect, for their natural life (subject to the provisions of Part VI below), provided that the Vested Former Employee or Elected Official maintains coverage continuously with one of the Broome County health benefits plans from the date of his or her termination of employment with Broome County and provided further that the Vested Former Employee has at least two years of qualified participation in a Health Benefits Plan as of the separation from service date. Exception: a former employee with ten years of qualified service shall not be entitled to purchase or maintain any such health benefits if that employee was terminated for gross misconduct.

A Surviving Spouse is entitled to receive individual health benefits, if he or she so elects, for his or her natural life (subject to the provisions of Part VI below), provided that the Surviving Spouse maintains coverage continuously with one of the Broome County health benefits plans from the date of death of his or her spouse and provided further that his or her spouse maintained health coverage continuously from the date of his or her separation from service with Broome County.

A Surviving Spouse may continue family health benefits for the dependent children of his/her deceased spouse, subject to the ordinary health plan rules regarding dependent coverage.

The Surviving Spouse's and Vested Former Employee's annual contribution to the cost of health benefits shall be 100% of the premium charged to Broome County by third party providers, or in the case of the Broome County Self-Insured Health Benefits Plan, the premium equivalent amount as determined by the Broome County Risk and Insurance Manager. The annual contribution shall be payable in bi-monthly installments.

## IV. Annual Contribution Waiver or Reduction

Any Retiree whose gross household income is less than the amount of the senior citizens tax exemption income limit fixed by the Broome County Legislature pursuant to Section 185-31(A) of the Broome County Charter and Code shall be entitled to a waiver of the annual contribution. Application for the annual contribution waiver shall be made on a form prescribed by the Office of Risk and Insurance and subscribed to by the Retiree or the Retiree's legal representative. The Office of Risk and Insurance may require any reasonable proof of income to be attached to

the waiver application. All annual contribution waiver applications shall be made no later than April 1<sup>st</sup> of the current plan year. Approved waivers shall be effective for the period from May 1<sup>st</sup> through April 30<sup>th</sup> of the following year. A waiver must be approved annually and will not continue in effect in the subsequent plan year beyond April 30<sup>th</sup>.

The Surviving Spouse of a former County employee that retired prior to January 1, 2002 whose gross household income is less than the amount of the senior citizens tax exemption income limit fixed by the Broome County Legislature pursuant to Section 185-31(A) of the Broome County Charter and Code shall be charged 50% of the annual contribution. Application for the annual contribution reduction shall be made on a form prescribed by the Office of Risk and Insurance and subscribed to by the Surviving Spouse or the Surviving Spouse's legal representative. The Office of Risk and Insurance may require any reasonable proof of income to be attached to the application for reduction. All annual contribution reduction applications shall be made no later than April 1<sup>st</sup> of the current plan year. Approved reductions shall be effective for the period from May 1<sup>st</sup> through April 30<sup>th</sup> of the following year. A reduction must be approved annually and will not continue in effect in the subsequent plan year beyond April 30<sup>th</sup>.

The Office of Risk & Insurance shall notify all Retirees and Surviving Spouses via written communication of the availability of the contribution waiver or reduction. Such written correspondence must be included with the billing for the first bi-monthly installment or via a first class mailing mailed within 15 days of the first bi-monthly billing statement.

Notwithstanding paragraph 1 of Part IV hereof, the Risk and Insurance Manager is authorized to issue an immediate waiver or reduction of contribution for the balance of the current plan year, at any time during the plan year, whenever the Retiree or his legal representative can show that he has experienced an unforeseen economic hardship. Any such emergency waiver by the Risk and Insurance Manager shall be issued in writing.

V. Drug Co-Pay Provisions

Category	Retail		Mail Order (90 day supply)	
	Generic & "DAW"	Brand Name	Generic & "DAW"	Brand Name
Waiver or reduction qualified	\$2	\$5	\$4	\$10
Ordinary plan	\$5	\$10	\$10	\$20
Joint Survivor	\$7	\$15	\$14	\$30

VI. Coordination with Medicare

In order to qualify or remain qualified for health benefits, Retired Employees, Vested Former Employees and Surviving Spouses, upon becoming Medicare Eligible, must enroll in both Parts A and B of the Medicare Program and remain enrolled for so long as they receive health benefits.

VII. Joint Survivor Benefit

Effective January 1, 2002, in lieu of the annual contribution amount defined in Part II Paragraph 2, a Retired Employee, upon termination of eligible service from Broome County, may make a one time irrevocable election for a joint survivor benefit as follows:

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The amount of the annual contribution shall be 25% of premium charged to Broome County by third party providers, or in the case of the Broome County Self-Insured Health Benefits Plan, the premium equivalent amount as determined by the Broome County Risk and Insurance Manager. If the former employee's spouse predeceases the former employee, then the former employee shall be charged in accordance with Part II Paragraph 2.

Upon the death of the Retiree, the Surviving Spouse, shall be charged an annual contribution of 25% of the premium charged to Broome County by third party providers, or in the case of the Broome County Self-Insured Health Benefits Plan, the premium equivalent amount as determined by the Broome County Risk and Insurance Manager.

VIII. Annual & Lifetime Major Medical Limits

The annual major medical coverage cap shall be \$50,000 per participant. The Lifetime Major Medical cap shall be \$500,000 participant.

Annual Deductible

The annual deductible for major medical shall be as follows:

Category	Annual Deductible per person
Waiver or reduction qualified	\$75
Ordinary plan	\$100
Joint Survivor	\$125

Commercial Insurance Products

Any health benefit product offered by Broome County to Retirees or Vested Former Employees, other than the Broome County Self-Insured Health Plan, is offered subject to all the rules of the issuing carrier.

Eligibility Interpretation

The Risk and Insurance Manager and Personnel Officer shall jointly decide on the eligibility for coverage under this plan consistent with the intent and purpose of this resolution. In the event that the Risk and Insurance Manager and Personnel Officer cannot agree on the eligibility of a person that has applied for coverage pursuant to this plan, the County Executive or his designee shall determine the eligibility after due consideration of all of the facts, circumstances and controlling laws.

**Held over 'under the rules'** by Mrs. Sweet.

**RESOLUTION NO. 610**

By Public Works and Finance Committees

Seconded by Mr. Kolba

**AUTHORIZATION TO ENTER INTO A LETTER AGREEMENT WITH NYSEG IN CONNECTION WITH THE GENERATION OF ELECTRICITY AS A RESULT OF THE LANDFILL WASTE-TO-ENERGY PROJECT**

WHEREAS, this County Legislature, by Resolution 614 of 1996, authorized the construction of a methane gas collection system at the Nanticoke Landfill to comply with Federal and State clean air statutes and regulations, and

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WHEREAS, once the gas was collected it was to be used to provide fuel for engines that would propel generators that, in turn, would generate electricity, and

WHEREAS, the gas collection system is in place and the generators are ready to go online and it is necessary to construct an interconnection to allow for the distribution of the generated electricity, and

WHEREAS, New York State Electric and Gas Corporation (NYSEG) has offered to provide technical assistance with the design and construction of the required interconnection, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a Letter Agreement with New York State Electric and Gas Corporation (NYSEG), Corporate Drive, Kirkwood Industrial Park, P.O. Box 5229, Binghamton, NY 13902-529 whereby NYSEG will assist with the design and construction of the electrical interconnection at the Nanticoke Landfill and agree to enter into negotiations with Broome Energy Resources, LLC for the purchase of the electricity to be generated by Broome Energy Resources pursuant to Resolution 614 of 1996, and be it

FURTHER RESOLVED, that this Letter Agreement shall require no payments by Broome County to NYSEG, and be it

FURTHER RESOLVED, that this Letter Agreement shall terminate upon NYSEG entering into a power purchase agreement with Broome Energy Resources, LLC or July 1, 2002, whichever shall occur first, and be it

FURTHER RESOLVED, that because of the ongoing negotiations with Broome Energy Resources, LLC and the proprietary nature of the contents, the Letter Agreement authorized herein shall be confidential, 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-15, Nays-1 (Brunza), Absent-3 (Hull, Lindsey, Miller).

#### **RESOLUTION NO. 611**

By Personnel, Health Services and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION CONFIRMING THE APPOINTMENT OF CLAUDIA A. EDWARDS AS BROOME COUNTY PUBLIC HEALTH DIRECTOR**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article VII, Section 701 of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, Claudia A. Edwards, 60 Dean Street, Deposit, New York 13754 as Broome County Public Health Director, at the minimum annual salary of \$69,175 (Admin II-Grade J), effective November 20, 2001, and

WHEREAS, Claudia A. Edwards is fully qualified to fill the position of Public Health Director, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article VII, Section 701 of the Broome County Charter to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, confirms the appointment of Claudia A. Edwards as Broome County Public Health Director, effective November 20, 2001, in accordance with her appointment by the County Executive.

**Carried,** Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

#### **RESOLUTION NO. 612**

By Public Works Committee

Seconded by Mr. O'Day

#### **RESOLUTION URGING NEW YORK STATE LAWMAKERS TO INCLUDE THE ENVIRONMENTAL PROTECTION FUND IN THE NEW YORK STATE BUDGET**

WHEREAS, the Environmental Protection Fund has not been included in the current New York State budget, and

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WHEREAS, the Environmental Protection Fund provides funding to Soil and Water Conservation Districts and allows municipalities to seek funding through the agricultural and nonagricultural pollution grant programs, and

WHEREAS, the Broome County Soil and Water Conservation District stands to lose a staff position if the funding is not secured, and

WHEREAS, Broome County has benefited from grant funding through the Environmental Protection Fund and still has many projects anticipating funding from the Environmental Protection Fund, now, therefore, be it

RESOLVED, that the Broome County Legislature urges the Governor, the Senate and the Assembly to include the Environmental Protection Fund in the New York State Budget, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to send a copy of this Resolution to Governor George E. Pataki, Senator Thomas W. Libous, Assemblyman Jay J. Dinga, and Assemblyman Robert J. Warner.

**Carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).

Mr. Shafer made a motion to suspend the rules in order to act on Resolution No. 613. Mr. Wike seconded the motion. **Motion to suspend the rules carried**, Ayes-16, Nays-0, Absent-3 (Hull, Lindsey, Miller).

### **RESOLUTION NO. 613**

By Public Safety & Emergency Services Transportation and Finance Committees

Seconded by Ms. Hudak

#### **RESOLUTION AUTHORIZING AGREEMENT WITH THE DOT/FEDERAL AVIATION ADMINISTRATION FOR SECURITY SERVICES AT THE CONTROL TOWER OF THE BINGHAMTON REGIONAL AIRPORT FOR 2001-2002**

WHEREAS, the Director of Security requests authorization for an agreement with DOT/Federal Aviation Administration to accept funds for security services at the control tower of the Binghamton Regional Airport for a total amount not to exceed \$128,000 for the period November 28, 2001 through May 31, 2002, and

WHEREAS, said services are necessary to provide security for air traffic controllers working at the Binghamton Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with DOT/Federal Aviation Administration, Contracts Branch, AEA-55, 1 Aviation Plaza, Jamaica, New York 11434-4809, for security services at the control tower of the Binghamton Regional Airport for the period November 28, 2001 through May 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the DOT/FAA shall pay the County an amount not to exceed \$128,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to revenue line 030080.0580.101000 (Airport Security/Federal), 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 (Hull, Lindsey, Miller).

Mr. Howard made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried**, Ayes-15, Nays-0, Absent-4 (Hull, Lindsey, Miller, Whalen).. The meeting was adjourned at 6:38 p.m.

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