
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, JANUARY 17, 2002**

The Legislature convened at 5:02 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-19, Absent-0.

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. Wike made a motion, seconded by Mr. Pasquale, that the minutes of the December 20, 2001 and the December 27, 2001 Regular Sessions be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the period December 14, 2001 through January 10, 2002 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Mr. Brunza moved, seconded by Mr. Whalen, to remove the following paragraph from the minutes of the Transportation Committee dated January 7, 2002. "Mr. Whalen and Mr. Brunza arrived late for the meeting and were granted permission by the Acting Chair to vote on the resolutions." **Carried.** A motion to approve all committee minutes as amended was made by Mr. Mather, seconded by Mr. Burger. **Carried.**

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

- A. Appointing members to the Fire Advisory Board
- B. Appointing members to the Arena Board of Directors

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 - 1. Minutes:
 - a. Environmental Management Council
 - b. Soil and Water Conservation District
 - c. Association of Municipal Clerks
 - d. Association of Towns and Villages
 - e. Nanticoke Landfill Advisory Committee
 - 2. Deferred Compensation Plan
 - 3. Letter from the Office of the State Comptroller re: Audit of Sheriff's Department
 - 4. Letter from Audit & Control re: risk assessment of Departments
- C. Notices: None
- D. Reports:
 - 1. Ross Park Zoo: 2001 Use of Funds & 2002 Goals
 - 2. Legislature/Clerk of the Legislature: 2001 Annual Report

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

- 1. Letter appointing the following Legislators for W. Miller
 - a. Shafer as Chair, Transportation Committee, January 7, 2002
 - b. Mather as voting representative, Transportation Committee, January 7, 2002

Mr. Holley made a motion, seconded by Mr. Burger, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2002 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried.**

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

RESOLUTIONS RECALLED FROM PREVIOUS SESSION

Mr. Hull made a motion, seconded by Mr. Shafer, to recall Resolution 683 of 2001. **Motion to recall carried**, Ayes-16, Nays-3 (Kolba, Lindsey, Mather).

RESOLUTION NO. 683

By Personnel and Finance Committees Seconded by Mr. Miller
RESOLUTION AUTHORIZING REVISION OF HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES FOR 2002

WHEREAS, this County Legislature, by prior resolutions, authorized hourly rates for various non-union, temporary and seasonal employees, and

WHEREAS, it is desired at this time to amend the hourly rate schedule for 2002 for various positions as indicated on attached Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary and seasonal employees for 2002 for various positions as indicated on attached Exhibit "A".

2002 RECOMMENDED SALARY SCHEDULE

NON-UNION, HOURLY TEMPORARY, SEASONAL AND MISCELLANEOUS EMPLOYEES

The provisions of the Fair Labor Standards Act will apply to the Positions listed on the schedule. All rates are effective January 1, 2002 unless otherwise noted.

	Current 2001 Hrly Rate	January 1 2002 Hrly Rate
All Departments		
Seasonal Laborer	5.15	5.15
Student Assistant	5.15	5.15
Intern (High School)	5.15	5.15
Intern (College)	7.00	9.00
Intern (Legal)	7.50	10.00
Engineer Aide	6.89	6.89
Legal Associate	16.00	17.00
Aviation		
Airport Parking Lot Attendant		
Entry Level	5.15	5.15
After 6 months	5.62	5.62
After 12 months	5.94	5.94
After 24 months	6.26	6.26
Airport Maintenance	5.15	5.15

	Elections		
Election Clerk		8.00	9.25
County Custodian of Voting Machines (Per Election)		5.25	250.00
Election Night Data Entry Operators (Lump sum)		30.00	30.00
	Emergency Services		
Sr. Fire Investigator		10.00	10.50
Fire Investigator		8.00	8.40
Deputy Fire Coordinator		6.32	8.40
	Health		
Clinic Physician (STD)		39.00	39.00
TB Med Observer/Interpreter		12.00	12.00
	Highways		
Seasonal Motor Equipment		10.58	10.58
	Library		
Page		5.15	5.15
	Mental Health		
Medical Director (Part-time)		45.00	45.00
Staff Psychiatrist (Part-time)		45.00	45.00
Staff Psychiatrist (Full-time)		n/a	n/a
Psychology Assistant (Part-time)		12.40	12.40
	Office of Employment & Training		
Job Placement Trainee		5.15	5.15
Youth Aide Trainee		5.15	5.15
	Office for the Aging		
Senior Aide Trainee		5.15	5.15
	Parks & Recreation		
Arena Police		19.50	19.50
Receptionist/Typist		8.10	8.10
Waterfront Director (40)		8.10	8.10
Asst. Waterfront Director (40)		7.60	7.60
Boathouse Director (40)		6.85	6.85
Head Usher (40)		8.00	8.00
Lifeguard (40)		7.10	7.50
Recreation Specialist		6.35	6.35
Small Craft Instructor (40)		7.35	7.35
Skate Guard (40)		6.00	6.00
Laborer (40)		6.00	6.00
Attendant (40)		6.00	6.00
Boat Tender (40)		6.00	6.00
Clerk (40)		7.00	7.00
Usher (40)		7.00	7.00
Custodial Worker (40)		7.00	7.00
Naturalist (Seasonal)		n/a	12.00

All titles, except waterfront staff, will receive \$.10/hr for each certification in:

1. ARC Standard First Aid or Equivalent
2. ARC CPR-BLS or Equivalent
3. ARC Lifeguard Training or Equivalent (Boat Tenders only)
4. ARC Outboard Boating and Water Safety (Boat Tenders only)

*All Waterfront Directors, Asst. Waterfront Directors and Lifeguards will receive \$50.00 recertification allowance.

	Personnel		
Test Administrator		6.00	6.00
	Planning		
Traffic Counter		6.50	6.50
Engineering Aide		6.89	6.89
	Public Works (including Security)		
Court Attendant		6.90	7.15
Court Attendant (Family Court)		7.90	8.15
Senior Court Attendant		8.90	9.29
Security Officer (40)		8.75	9.00
	Sheriff		
Special Deputy		11.00	11.00
Chaplain 11.7048		11.70	13.70
	Solid Waste Management		
Recycling Dropoff Attendant		5.15	5.15
Laborer		6.00	6.00
	Willow Point Nursing Home		
Unit Aide		5.15	5.15
		\$.10 per hour increase for each year of service to start again after each minimum wage increase.	

Mr. Hull made a motion, seconded by Mr. Howard, to replace Exhibit A with a new Exhibit A, correcting the Mental Health Staff Psychologist salary to \$64.02 per hour, the BMTS Traffic Counter salary to \$7.50 per hour and revise the Parks and Recreation salaries as follows:

	Parks & Recreation		
Arena Police	19.50		19.50
Receptionist/Typist	8.10		8.10 8.25
Waterfront Director (40)	8.10		8.10 8.25
Asst. Waterfront Director (40)	7.60		7.60 7.75
Boathouse Director (40)	6.85		6.85 7.00
Head Usher (40)	8.00		8.00
Lifeguard (40)	7.10		7.50 7.25
Recreation Specialist	6.35		6.35 6.50
Small Craft Instructor (40)	7.35		7.35 7.50
Skate Guard (40)	6.00		6.00 6.15
Laborer (40)	6.00		6.00 6.15
Attendant (40)	6.00		6.00 6.15
Boat Tender (40)	6.00		6.00 6.15

Clerk (40)	7.00	7.00
Usher (40)	7.00	7.00
Custodial Worker (40)	7.00	7.00
Naturalist (Seasonal)	n/a	12.00

Mr. Mather then made a motion to amend the amendment, seconded by Mr. Shafer, to reflect a Lifeguard hourly salary of \$7.50. **Motion to amend the amendment carried**, Ayes-16, Nays-3 (Burger, Hull, Schofield). The **amendment as amended carried**, Ayes-14, Nays-5 (Brunza, Hull, Kavulich, Whalen, Schofield) . The **resolution as amended carried**, Ayes-14, Nays-5 (Brunza, Hull, Kavulich, Whalen, Schofield).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 1

By Health Services, Personnel and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING REVISION OF HIV/STD/TB OUTREACH AND EDUCATION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001

WHEREAS, this County Legislature, by Resolution 254 of 2000, authorized the continued participation in the HIV/STD/TB Outreach and Education Grant by the Department of Health and adopted a program budget in connection therewith in the total amount of \$51,200 for the period April 1, 2000 through March 31, 2001, and

WHEREAS, said grant program provides counseling, education and testing services to the community for HIV, sexually transmitted diseases and tuberculosis, and

WHEREAS, it is necessary at this time to revise said program to extend the time period until April 30, 2001 and reflect an increase of \$4,267 in grant appropriations to bridge the gap to the start of the new grant known as the HIVCTRPN Grant starting May 1, 2001, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the HIV/STD/TB Outreach and Education Grant to extend the time period until April 30, 2001 and to reflect an increase of \$4,267 for the period April 1, 2000 through April 30, 2001, 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 \$55,467, and be it

FURTHER RESOLVED, that Resolution 254 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 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.

RESOLUTION NO. 2

By Public Safety & Emergency Services Committee Seconded by Mr. O'Day
**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY
CRIMINAL JUSTICE ADVISORY BOARD (CJAB)**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 61 of 1985, has duly designated and appointed the following named individuals to membership on the Broome County Criminal Justice Advisory Board (CJAB), for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Ivan C. Moscrip 5411 Route 26 P.O. Box 703 Whitney Point, New York 13862	New Appointment Term Expires 12/31/03
Mike Husar 1239 Cornell Avenue Binghamton, New York 13901	New Appointment Term Expires 12/31/03

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 61 of 1985, hereby confirms the appointments of the above-named individuals to membership on the Broome County Criminal Justice Advisory Board (CJAB) for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 3

By Health Services Committee Seconded by Mr. O'Day
**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY
COMMUNITY ALTERNATIVES SYSTEMS AGENCY (CASA) BOARD**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 70 of 1984, has duly designated and appointed the following named individuals to membership on the Broome County Community Alternatives Systems Agency (CASA) Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Joy Earthdancer 210 Bevier Street Binghamton, New York 13904	Reappointment Term Expires 12/31/04
Jane Sweet 2 Alice Street Binghamton, New York 13901	Reappointment Term Expires 12/31/04
Linda Donlon 21 Exchange Street Binghamton, New York 13901	Reappointment Term Expires 12/31/04

Kathleen Rezeski 3 Terrace Drive Apalachin, New York 13732	Reappointment Term Expires 12/31/04
Susan Choi 513 Grand Avenue Johnson City, New York 13790	Reappointment Term Expires 12/31/04
Joan Mitchell 16 Sharon Drive Conklin, New York 13748	New Appointment Term Expires 12/31/04

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
 RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 70 of
 1984, hereby confirms the appointments of the above-named individuals to membership on the
 Broome County Community Alternatives Systems Agency (CASA) Board for the terms indicated,
 in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 4

By Community and Social Services Committee

Seconded by Mr. O'Day

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

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

<u>NAME</u>	<u>TERM EXPIRING</u>
David E. Harder State Line Road Binghamton, New York 13903	Reappointment Term Expires 12/31/04
Donna Rehak 612 Chenango Street Binghamton, New York 13901	Reappointment Term Expires 12/31/04
DeeDee Wendland 35 Moeller Street Binghamton, New York 13904	Reappointment Term Expires 12/31/04
Joseph Busch 912 River Road Binghamton, New York 13901	Reappointment Term Expires 12/31/04
Michelle Berry 1165 Reynolds Road Johnson City, New York 13790	Reappointment Term Expires 12/31/04
Lisa Bobby 2920 Northwood Drive Endwell, New York 13760	Reappointment Term Expires 12/31/04

Kathleen Bunnell 1112 Airport Road Binghamton, New York 13905	Reappointment Term Expires 12/31/04
Gayle Hujar RD #2 548A Cross Road Chenango Forks, New York 13746	Reappointment Term Expires 12/31/04
Nancy Kumrow Box 81K Donovan Road Brackney, PA 18812	Reappointment Term Expires 12/31/04
Patricia Ericksen Andrea Drive, 33P Vestal, New York 13850	New Appointment Term Expires 12/31/04
Sgt. Kelly Daley 7389 Coldbrook Road Homer, New York 13077	New Appointment Term Expires 12/31/04
Claudia Edwards 60 Dean Street Deposit, New York 13754	New Appointment Term Expires 12/31/04
David Tanenhaus 47 Lincoln Avenue Binghamton, New York 13905	New Appointment Term Expires 12/31/04
Scott Gallagher 122 North Arch Street Johnson City, New York 13790	New Appointment Term Expires 12/31/04
Darrell Newvine 596 County Road #32 Greene, New York 13778	New Appointment Term Expires 12/31/04
Renee DeMarco 278 Colesville Road Binghamton, New York 13904	New Appointment Term Expires 12/31/04
Nancy LaBare 709 Monforte Drive Endwell, New York 13760	New Appointment Term Expires 12/31/04

and

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

Carried.

RESOLUTION NO. 5

By County Administration Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY BOARD OF ETHICS

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 109 of 1971 has duly designated and appointed the following named individuals to membership on the Broome County Board of Ethics, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Mark H. Young 13 Crestmont Road Binghamton, New York 13905	Reappointment Term Expires 12/31/04
Catherine Schaewe 805 Annabelle Street Binghamton, New York 13904	Reappointment Term Expires 12/31/04
Joseph A. Griffin 394 Johnson Road Kirkwood, New York 13795	Reappointment Term Expires 12/31/04

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 109 of 1971, hereby confirms the appointment of the above-named individuals to membership on the Broome County Board of Ethics for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 6

By Transportation Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BINGHAMTON REGIONAL AIRPORT ADVISORY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 195 of 1987 as amended by Resolution 89 of 1999, has duly designated and appointed the following named individuals to membership on the Binghamton Regional Airport Advisory Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Dennis Moulton 8 Maple Avenue Windsor, New York 13865	Reappointment Term Expires 12/31/04
Thomas Sullivan 3390 Hance Road Binghamton, New York 13903	Reappointment Term Expires 12/31/04

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 195 of 1987 as amended by Resolution 89 of 1999, hereby confirms the appointments of the above-named individuals to membership on the Binghamton Regional Airport Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 7

By Public Safety and Emergency Services Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY STOP-DWI ADVISORY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 492 of 1981, has duly designated and appointed the following named individuals to membership on the Broome County STOP-DWI Advisory Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Chief Gary F. O'Neill 1456 Miner Circle Endicott, New York 13760	Reappointment Term Expires 12/31/03
Hon. Gerald F. Mollen, Esq. 4209 Emerson Place Vestal, New York 13850	Reappointment Term Expires 12/31/03
Douglas Stento 32 Rosedale Drive Binghamton, New York 13905	Reappointment Term Expires 12/31/03
David Whalen 26 Oakridge Drive Binghamton, New York 13903	Reappointment Term Expires 12/31/03
Leonard G. Pasquale 610 Valley View Drive Endwell, New York 13760	Reappointment Term Expires 12/31/03
Linda S. Salomons 3109 Sarasota Avenue Vestal, New York 13850	Reappointment Term Expires 12/31/03
Captain Eric C. Janis New York State Police 515 Twist Run Road Endwell, New York 13760	New Appointment Term Expires 12/31/03
Hon. Andrew M. Kavulich 261 N. Baldwin Street Johnson City, New York 13790	Reappointment Ex-Officio Term Expires 12/31/03
Diane Herz 15 Crary Avenue Binghamton, New York 13905	Reappointment Ex-Officio Term Expires 12/31/03

Mary Davis
1633 New York Route 11
Kirkwood, New York 13795

Reappointment
Ex-Officio
Term Expires 12/31/03

Lynn Giacobbe
2661 Grandview Place
Endicott, New York 13760

Reappointment
Ex-Officio
Term Expires 12/31/03

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 492 of
1981, hereby confirms the appointments of the above-named individuals to membership on the
Broome County STOP-DWI Advisory Board for the terms indicated, in accordance with their
appointment by the County Executive.

Carried.

RESOLUTION NO. 8

By Community and Social Services Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY YOUTH BUREAU ADVISORY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority
vested in him by Resolution 163 of 1971 as amended by Resolution 133 of 1976, has duly
designated and appointed the following named individuals to membership on the Broome
County Youth Bureau Advisory Board, for the terms indicated, subject to confirmation by this
County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Richard Lindhorst 129 Murphy Lane Newark Valley, New York 13811	New Appointment Term Expires 12/31/04
Janette Cyganovich Brush 22 Sherwood Avenue Binghamton, New York 13903	New Appointment Term Expires 12/31/04
Thomas Augostini 70 Martin Avenue Johnson City, New York 13790	Reappointment Term Expires 12/31/04
Kathleen House 1985 Montrose Avenue Binghamton, New York 13903	Reappointment Term Expires 12/31/04
Dorothy Marinaccio 21 Pleasant Court Binghamton, New York 13905	Reappointment Term Expires 12/31/04
David Nemec 627 Chenango Street Binghamton, New York 13901	Reappointment Term Expires 12/31/04

Paula Nickerson
917 Prescott Avenue
Endicott, New York 13760

Reappointment
Ex-Officio
Term Expires 12/31/04

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 163 of
1971 as amended by Resolution 133 of 1976, hereby confirms the appointments of the above-
named individuals to membership on the Broome Bureau County Youth Advisory Board for the
terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 9

By County Administration and Finance Committees

Seconded by Mr. Hull

RESOLUTION AUTHORIZING AGREEMENT WITH IBM CORPORATION FOR A SOFTWARE SUBSCRIPTION LEASE FOR THE AS/400 OPERATING SYSTEM FOR DIVISION OF INFORMATION TECHNOLOGY FOR 2002-2005

WHEREAS, the Director of Information Technology requests authorization for an
agreement with the IBM Corporation for a software subscription lease for the AS/400 Operating
System for the Division of Information Technology at a cost not to exceed \$15,919.20, for the
period January 12, 2002 through January 11, 2005, and

WHEREAS, said services are necessary to provide the operating system support for the
Viking AS/400, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the IBM
Corporation, IBM Customer Support Operations, 1605 LBJ Freeway, Mail Code 4127, Dallas,
Texas 75234, for a software subscription lease for the AS/400 Operating System, for the
Division of Information Technology for the period January 12, 2002 through January 11, 2005,
and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the
Contractor an amount not to exceed \$15,919.20 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from
budget line 370007.4515.101000 (Software 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-17, Nays-0, Abstain-2 (Schofield, Wike).

RESOLUTION NO. 10

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH WEILER MAPPING, INC. FOR THE CONVERSION OF COUNTY TAX MAPS TO AUTOCAD FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) APPLICATIONS FOR REAL PROPERTY TAX SERVICE FOR 2001

WHEREAS, this County Legislature, by Resolution 32 of 2001, authorized an agreement
with Weiler Mapping, Inc. for the conversion of County tax maps to AutoCAD for Geographic
Information System (GIS) applications for Real Property at a cost of \$57,630 for the period
January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to convert the County tax maps to AutoCAD for
Geographic Information System (GIS) applications, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the
term of the agreement to June 30, 2002 at no additional cost to the County, and

WHEREAS, the Director of Real Property 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 Weiler Mapping, Inc., 111 North Main Street, Elmira, New York 14901 to extend the term of the agreement to June 30, 2002 at no additional cost to the County, for the conversion of the County tax maps to AutoCAD for Real Property Tax Service for the period January 1, 2001 through June 30, 2002, and be it

FURTHER RESOLVED, that Resolution 32 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.

RESOLUTION NO. 11

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PATRICIA SALMON FOR PHARMACY CONSULTANT SERVICES FOR WILLOW POINT NURSING HOME FOR 2002

WHEREAS, this County Legislature, by Resolution 550 of 2000, authorized renewal of the agreement with Patricia Monzo-Salmon for Pharmacy consultant services for Willow Point Nursing Home at a rate of \$33.00 per hour, total amount not to exceed \$41,184, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary for pharmacy consultant services at the Willow Point Nursing Home, 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, at a rate of \$34.00 per hour total amount not to exceed \$42,432, 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 Patricia Salmon, 98 Moore Avenue, Binghamton, New York 13903 for pharmacy consultant 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 a rate of \$34.00 per hour, total amount not to exceed \$42,432, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 101200.4747.204000 (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.

RESOLUTION NO. 12

By County Administration and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH BLUE OCEAN SOFTWARE, INC. FOR A SOFTWARE INSTALLATION AND MAINTENANCE SERVICES AGREEMENT FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2002-2003

WHEREAS, the Director of Information Technology requests authorization for an agreement with Blue Ocean Software, Inc. for software installation and a maintenance services agreement for the Division of Information Technology at a cost not to exceed \$4,838.75 for software maintenance and \$7,500 for software installation and training, total cost not to exceed \$12,338.75, for the period January 17, 2002 through January 31, 2003, and

WHEREAS, said services are necessary to install a new software package (Track-IT 4.0) to replace the current Helpdesk software and also provides combined databases for Information Technology's separate hardware, software, inventory and purchase tracking databases, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Blue Ocean Software, Inc., 15310 Amberly Drive, Suite 370, Tampa, Florida 33647, for the installation of a new software package (Track-IT 4.0) that includes set-up, training and maintenance support services that includes one-year telephone maintenance and free software upgrades, for the Division of Information Technology for the period January 17, 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 \$4,838.75 for software maintenance and \$7,500 for software installation and training, total cost not to exceed \$12,338.75 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4513/4726.101000 (Software Maintenance/Contracted Data Processing 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.

RESOLUTION NO. 13

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC SOCIAL SERVICES OF BROOME COUNTY, INC. FOR COUNSELING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES ADOLESCENT PREVENTIVE SERVICES FOR 2002

WHEREAS, this County Legislature, by Resolution 16 of 2001, authorized renewal of the agreement with Catholic Social Services of Broome County, Inc. for intensive counseling services in connection with the Department of Social Services Adolescent Preventive Services at a cost not to exceed \$306,958 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide short and long term counseling to PINS youth and families at risk of court involvement and placement, 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, for an amount not to exceed \$317,702, 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 Catholic Social Services of Broome County, Inc., 232 Main Street, Binghamton, New York 13905 for counseling services in connection with the Department of Social Services' Adolescent Preventive 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 an amount not to exceed \$317,702 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

RESOLUTION NO. 14

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CRIME VICTIMS ASSISTANCE CENTER, INC. FOR SUPPORT SERVICES FOR VICTIMS OF CHILD ABUSE AND CHILD SEXUAL ABUSE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2002

WHEREAS, this County Legislature, by Resolution 23 of 2001, authorized renewal of the agreement with Crime Victims Assistance Center, Inc. for support services for victims of child abuse and child sexual abuse at a cost not to exceed \$28,115, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, the Child Advocacy Center provides a neutral setting and support for victims of abuse in which to collaboratively conduct investigations and provides services, 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, for an amount not to exceed \$29,099, 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 Crime Victims Assistance Center, Inc., 377 Robinson Street, P.O. Box 836, Binghamton, New York 13902 for support services for victims of child abuse and child sexual abuse for the Department of Social 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 an amount not to exceed \$29,099 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

RESOLUTION NO. 15

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC CHARITIES FOR SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES COORDINATED CHILDREN'S SERVICES INITIATIVE PROGRAM FOR 2002

WHEREAS, this County Legislature, by Resolution 22 of 2001, authorized renewal of the agreement with Catholic Charities for services for the Coordinated Children's Services Initiative Program at a cost not to exceed \$65,000, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are designed to reduce residential placement of children and to provide respite services, 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, for an amount not to exceed \$65,000, 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 Catholic Charities, 232 Main Street, Binghamton, New York 13905 for services to children and families in order to reduce the need for residential placement and to provide respite services for the Department of Social 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 an amount not to exceed \$65,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

RESOLUTION NO. 16

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CHILDREN'S HOME OF WYOMING CONFERENCE FOR NON-SECURE DETENTION AT HASKINS NON-SECURE DETENTION FACILITY FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2002

WHEREAS, this County Legislature, by Resolution 21 of 2001, authorized renewal of the agreement with The Children's Home of Wyoming Conference for non-secure detention at Haskins for court ordered persons in need of supervision, juvenile delinquents and related detention services for the Department of Social Services at an amount not to exceed \$617,520, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide non-secure detention at Haskins for court ordered persons in need of supervision, juvenile delinquents and related detention services, 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, for an amount not to exceed \$629,595, 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 Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901-1696 for non-secure detention at Haskins for court ordered persons in need of supervision, juvenile delinquents and related detention services for the Department of Social 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 an amount not to exceed \$629,595 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670117.4581.103000 (Foster Care NS DET-Haskins), 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.

RESOLUTION NO. 17

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR HOMEMAKER AND PARENT AIDE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2002

WHEREAS, this County Legislature, by Resolution 20 of 2001, authorized renewal of the agreement with Family and Children's Society of Broome County, Inc. for homemaker and parent aide services for the Department of Social Services at an amount not to exceed \$237,728, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services provide homemaker and parent aide services for at-risk families and adults, 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, for an amount not to exceed \$248,573, 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 Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for homemaker and parent aide services for the Department of Social 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 an amount not to exceed \$248,573 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

RESOLUTION NO. 18

By Community & Social Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES' SEXUAL ABUSE PROJECT FOR 2002

WHEREAS, this County Legislature, by Resolution 19 of 2001, authorized renewal of the agreement with Family and Children's Society of Broome County, Inc. for counseling services for the Department of Social Services' Sexual Abuse Project at an amount not to exceed \$460,158, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said agreement provides assessment, treatment and counseling services to sexually abused children and their families and treatment of juvenile sex offenders, 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, for an amount not to exceed \$476,264, 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 Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for counseling services for the Department of Social Services' Sexual Abuse Project 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 \$476,264 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

RESOLUTION NO. 19

By Community & Social Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CHILDREN'S HOME OF WYOMING CONFERENCE FOR COUNSELING SERVICES FOR THE THERAPEUTIC AFTER-SCHOOL PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2002

WHEREAS, this County Legislature, by Resolution 17 of 2001, authorized renewal of an agreement with The Children's Home of Wyoming Conference for counseling services in connection with the Department of Social Services' Therapeutic After-School Program at a cost not to exceed \$498,691, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to avert institutional placement, 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, for an amount not to exceed \$516,145 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 Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901-1696 for intensive counseling services in connection with the Department of Social Services' Therapeutic After-School 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 \$516,145 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

RESOLUTION NO. 20

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SOS SHELTER, INC. FOR NON-RESIDENTIAL SERVICES TO VICTIMS OF DOMESTIC VIOLENCE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2002

WHEREAS, this County Legislature, by Resolution 18 of 2001, authorized renewal of an agreement with SOS Shelter, Inc. for non-residential services to victims of domestic violence at a cost not to exceed \$77,682 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services include a 24-hour hotline, information and referral, advocacy, counseling, education and outreach, 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, at a cost not to exceed \$80,401, 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 SOS Shelter, Inc., P.O. Box 393, Endicott, New York 13761 to provide non-residential services to victims of domestic violence for the Department of Social 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 an amount not to exceed \$80,401 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

RESOLUTION NO. 21

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH YOUTH ADVOCATE PROGRAMS, INC. FOR SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2002

WHEREAS, this County Legislature, by Resolution 453 of 2001, authorized an agreement with Youth Advocate Programs, Inc. for services for the Department of Social Services at an amount not to exceed \$67,518, for the period October 1, 2001 through December 31, 2001, and

WHEREAS, said agreement will provide a highly successful, research based, program that should significantly reduce foster care placement costs, and provide successful outcomes for high risk children by providing a preventive and aftercare program that offers wraparound services to children who are at high risk of residential placement or are returning home from residential placements, 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, for an amount not to exceed \$313,073, 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 Youth Advocate Programs, Inc., 2007 North Third Street, Harrisburg, Pennsylvania 17102 for services for the Department of Social 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 an amount not to exceed \$313,073 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

RESOLUTION NO. 22

By Health Services Committee

Seconded by Mr. O'Day

RESOLUTION SUPPORTING THE REINSTATEMENT OF STATE FUNDS TO SUPPORT THE SHARED STAFF AGREEMENTS BETWEEN THE COUNTIES AND NEW YORK STATE

WHEREAS, the number of seriously mentally ill patients at the Binghamton Psychiatric Center has been reduced to 170 patients today from 1,929 patients thirty years ago, and

WHEREAS, 1,079 seriously mentally ill patients were transferred from the Binghamton State Hospital to community based programs in Broome County between 1969 and 1979, and

WHEREAS, the New York State Office of Mental Health entered into "Shared Staff Agreements" with Broome County agencies in 1980 in lieu of providing state aid to the County for the care of these seriously mentally ill citizens, and

WHEREAS, these "Shared Staff Agreements" represent a partnership between the State and the County that enabled the County for almost 20 years to provide the necessary emergency and clinical care to seriously mentally ill citizens in community settings, and

WHEREAS, the withdrawal of these shared staff represents a breach of the partnership to serve the mentally ill, and

WHEREAS, the elimination of current and future vacant positions will cripple the County's ability to provide for the emergency and clinical needs of the mentally ill, now, therefore, be it

RESOLVED, that this County Legislature hereby urges the Governor and the New York State Legislature to find non-reinvestment funds to restore the shared staff and to continue the partnership between the Counties and the State to serve the mentally ill, 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, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, Senator Thomas W. Libous, Assemblyman Jay J. Dinga, Assemblyman Robert J. Warner and the New York State Association of Counties.

Carried.

RESOLUTION NO. 23

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH EPIXTECH, INC. FOR MAINTENANCE OF DYNIX LIBRARY SYSTEM FOR THE BROOME COUNTY CENTRAL LIBRARY FOR 2002

WHEREAS, this County Legislature, by Resolution 75 of 2001, authorized renewal of the agreement with Epixtech, Inc. for maintenance of the DYNIX library system for the Broome County Central Library at an amount not to exceed \$23,104.22, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary for continued software, hardware and 60/40 peripheral maintenance, 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 \$27,702.32, 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 Epixtech, Inc., 400 West 5050 North, Provo, Utah, 84604-5650 for maintenance of the

DYNIX library system for the Broome County Central Library 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 \$27,702.32 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 841007.4359.304111 and 842005.4359.304211 (Computer Software and Supplies) and 841007.4514.304111 and 842005.4514.304211 (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.

Held over 'under the rules' by Mr. Brunza,

RESOLUTION NO. 24

By Finance and County Administration Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENT WITH IBM GLOBAL FINANCE FOR A FINANCIAL SERVICES AGREEMENT FOR A DATA STORAGE SYSTEM FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2002-2006

WHEREAS, the Director of Information Technology requests authorization for an agreement with IBM Global Finance for financial services for the purchase, installation, maintenance and software lease of the Shark Enterprise Data Storage System for the Division of Information Technology at a cost not to exceed \$16,130 per month for 60 months, total cost not to exceed \$967,800, for the period January 19, 2002 through December 31, 2006, and

WHEREAS, said services are necessary to finance the purchase, installation, maintenance and software lease of the Shark Enterprise Data Storage System, and

WHEREAS, the County, by companion resolution, will contract with Mainline Information Services to perform the necessary services to install the Shark Enterprise Data Storage System and to provide the maintenance services for the term of this agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with IBM Global Finance, 1140 Milton Hall Place, Charlotte, North Carolina 28270, for financial services relative to the acquisition of the Shark Enterprise Data Storage System, for the Division of Information Technology for the period January 19, 2002 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$16,130 per month for 60 months, total cost not to exceed \$967,800 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4516.101000 (Hardware 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-17, Nays-0, Abstain-2 (Schofield, Wike).

RESOLUTION NO. 25

By County Administration and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH MAINLINE INFORMATION SERVICES FOR THE INSTALLATION AND MAINTENANCE OF A DATA STORAGE SYSTEM FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2001-2006

WHEREAS, the Director of Information Technology requests authorization for an agreement with Mainline Information Services for the installation and maintenance of the Shark Enterprise Data Storage System for the Division of Information Technology at a cost to be financed through IBM Global Finance, for the period January 19, 2002 through December 31, 2006, and

WHEREAS, said services are necessary to replace Information Technology's existing data storage system with the Shark Enterprise Data Storage System, and

WHEREAS, the County, by companion resolution, will finance the hardware purchase and maintenance, software lease and maintenance, the installation of the software and hardware and the migration from the old system to the new Shark system through IBM Global Finance, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mainline Information Services, 1700 Summit Lake Drive, Tallahassee, Florida 32311, for the installation and maintenance of the hardware and software for the Shark Enterprise Data Storage System, for the Division of Information Technology for the period January 19, 2002 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall finance the cost of this project through IBM Global Finance at the rate of \$16,130 per month for 60 months, total cost not to exceed \$967,800, for the term of the agreement, 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.

RESOLUTION NO. 26

By Education, Culture and Recreation Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY ARENA BOARD OF DIRECTORS

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article XXIV, Section 2408 of the Broome County Charter and Code, has duly designated and appointed the following named individuals to membership on Broome County Arena Board of Directors, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Robin Alpaugh 940 River Road Chenango Bridge, New York 13901	Reappointment Term Expires 12/31/04
Joseph McCann 56 Clifton Boulevard Binghamton, New York 13903	Reappointment Term Expires 12/31/04
William Miller 1997 New York Route 12 Binghamton, New York 13901	Reappointment Term Expires 12/31/04
Norman Shaddock, Jr. 71 Bigelow Street Binghamton, New York 13904	Reappointment Term Expires 12/31/04
Rose Sotak 333 Hillside Terrace Endwell, New York 13760	Reappointment Term Expires 12/31/04

Leonard Starzynski
3208 Verdun Avenue
Endwell, New York 13760

New Appointment
Term Expires 12/31/04

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV,
Section 2408 of the Broome County Charter and Code, confirms the appointments of the above-
named individuals to membership on the Broome County Arena Board of Directors for the terms
indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 27

By Public Safety & Emergency Services Committee

Seconded by Ms. Hudak

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FIRE ADVISORY BOARD

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority
vested in him by Article XIX of the Broome County Charter and Code, has duly designated and
appointed the following named individuals to membership on Broome County Fire Advisory
Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
George Seltzer 32 North Parsons Road Whitney Point, New York 13862	Reappointment Term Expires 12/31/02
Elwyn Eaton P.O. Box 68 Castle Creek, New York 13744	Reappointment Term Expires 12/31/02
Fred Canniff 18 Sandy Brook Lane Castle Creek, New York 13744	Reappointment Term Expires 12/31/02
David Rickard 24 Riverview Road Kirkwood, New York 13795	Reappointment Term Expires 12/31/02
James Mitrowitz 217 Dorman Road Binghamton, New York 13902	Reappointment Term Expires 12/31/02
Martin Tillapaugh 232 Stella Ireland Road Binghamton, New York 13905	Reappointment Term Expires 12/31/02
Christopher Lupold 15 Knight Road Vestal, New York 13850	Reappointment Term Expires 12/31/02
Irving Soden 113 Baker Road Windsor, New York 13865	Reappointment Term Expires 12/31/02

Robert Brady 3114 Andover Road Endwell, New York 13760	Reappointment Term Expires 12/31/02
Larry Vesley 3217 Wayne Street Endwell, New York 13760	New Appointment Term Expires 12/31/02
Peter Scarantino 3370 Jackson Road Binghamton, New York 13903	Reappointment Term Expires 12/31/02
Wesley Tyler 2127 NY Route 26 Endicott, New York 13760	Reappointment Term Expires 12/31/02
Joan Bennett P.O. Box 1131 Binghamton, New York 13902	Reappointment Term Expires 12/31/02
Ellwyn VanVorce 839 Park Avenue Binghamton, New York 13903	Reappointment Term Expires 12/31/02
Alice Fiacco 3605 Royal Road Endwell, New York 13760	Reappointment Term Expires 12/31/02
Alan Bennett P.O. Box 1131 Binghamton, New York 13902	Reappointment Term Expires 12/31/02
James Cummings 964 East Maine Road Apt. 3 Johnson City, New York 13790	New Appointment Term Expires 12/31/02
Byron Reed 1208 Nanticoke Drive Endicott, New York 13760	Re-Appointment Term Expires 12/31/02
Arthur J. Shafer 64 Main Street Kirkwood, New York 13795	Legislative Appointment Term Expires 12/31/02

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
 RESOLVED, that this County Legislature, pursuant to the provisions of Article XIX of the
 Broome County Charter and Code confirms the appointments of the above-named individuals to
 membership on the Broome County Fire Advisory Board for the terms indicated, in accordance
 with their appointment by the County Executive.

Mr. Shafer made a motion with the concurrence of the County Executive, seconded by Mr. Pasquale, to remove Arthur J. Shafer, Legislative Appointment, and add the following three Legislative appointees:

Brian K. Mather
301 Vandervort Avenue
Vestal, New York 13850
Legislative Appointment
Term Expires 12/31/02

David L. Lindsey
12 Mulberry Street
Binghamton, New York 13901
Legislative Appointment
Term Expires 12/31/02

Andrew M. Kavulich
261 N. Baldwin Street
Johnson City, New York 13790
Legislative Appointment
Term Expires 12/31/02

Motion to amend carried. Resolution as amended carried.

RESOLUTION NO. 28

By Transportation and Finance Committees

Seconded by Mr. Miller

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANTS FOR VARIOUS CAPITAL PROJECTS AT THE BINGHAMTON REGIONAL AIRPORT

WHEREAS, the Commissioner of Aviation requests authorization to accept New York State Department of Transportation grants in the total amount of \$489,650 for various capital projects at the Binghamton Regional Airport, and

WHEREAS, said grants provide for funds for various capital projects at the Broome County Airport, including Runway 16-34 Safety Area Improvements (\$406,939), acquisition of Airport Emergency Vehicles/Equipment (\$26,934) and a Snow Removal Equipment Building (\$55,777), and

WHEREAS, the total budget amount for each of these projects shall be shared between the County, Federal and State governments with the Federal share at 90 per cent, the State share at 5 per cent and the County's share at 5 per cent, now, therefore, be it,

RESOLVED, that the County Legislature hereby authorizes and approves acceptance of New York State Department of Transportation grants in the total amount of \$489,650 for various capital projects at the Binghamton Regional Airport, including Runway 16-34 Safety Area Improvements (\$406,939), acquisition of Airport Emergency Vehicles/Equipment (\$26,934) and a Snow Removal Equipment Building (\$55,777), 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 are hereby authorized (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

Mr. Howard asked to abstain due to the fact that his company is involved in the project and receives some of the grant monies. **Carried**, Ayes-18, Nays-0, Abstain-1 (Howard).

RESOLUTION NO. 29

By Finance, Public Works and Community & Social Services Committees Seconded by Mr. Miller
RESOLUTION AMENDING THE 2000 AND 2001 CAPITAL IMPROVEMENT PROGRAMS

RESOLVED, that the 2000 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	Estimated Construction Cost:				
		<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>	
502342	Northern Broome Senior Center	590,000	0	590,000	0	
		Local Finance Law Section 11			How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>Subd.</u>	<u>Bond</u>	<u>Current Revenue</u>		
2000	20	11	0	0		

TO:

<u>Code</u>	<u>Project Name</u>	Estimated Construction Cost:				
		<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>	
502342	Northern Broome Senior Center	780,000	0	780,000*	0	
		Local Finance Law Section 11			How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>Subd.</u>	<u>Bond</u>	<u>Current Revenue</u>		
2000	20	11	0	0		

*\$590,000 Federal Aid, \$190,000 tobacco funds transferred from CIP 502357 – Senior Centers

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

FROM:

<u>Code</u>	<u>Project Name</u>	Estimated Construction Cost:				
		<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>	
502357	Senior Citizen Centers	1,000,000	0	1,000,000	0	
		Local Finance Law Section 11			How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>Subd.</u>	<u>Bond</u>	<u>Current Revenue</u>		
2001	15	11	0	0		

TO:

<u>Code</u>	<u>Project Name</u>	Estimated Construction Cost:				
		<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>	
502357	Western Broome Senior Citizens Center	1,010,000	0	810,000**	200,000	
		Local Finance Law Section 11			How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>Subd.</u>	<u>Bond</u>	<u>Current Revenue</u>		
2001	20	11	200,000	0		

**\$810,000 Tobacco Funds

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

Compensation Plan (the Plan) for adoption by municipalities within the State of New York that offer employees a Deferred Compensation Plan, and

WHEREAS, this County Legislature, pursuant to Resolution 238 of 1984, in accordance with Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Broome County, and

WHEREAS, the Board has from time to time amended and restated the Model Plan so as to conform with Internal Revenue Code changes and to clarify various provisions of the Plan, the last amended and restated Plan having been promulgated, effective January 1, 2000, and

WHEREAS, this County Legislature, by Resolution 284 of 2000, adopted the amended and restated Model Deferred Compensation Plan promulgated by the Board, effective January 1, 2000, and

WHEREAS, effective January 1, 2002, the Board again amended and restated the Model Plan in the form set forth in the copy on file with the Clerk of the Legislature to adopt provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA") as they apply to the Model Plan and to adopt modifications that update certain administrative provisions to accommodate prospective state-of-the-art methods and procedures, and

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Plan sponsored by a local employer in accordance with the Regulations, and

WHEREAS, upon due deliberation and having received the recommendation of the Deferred Compensation Committee, this County Legislature has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Broome County by adopting the amended and restated Model Plan promulgated by the Board, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the Deferred Compensation Plan for Employees of Broome County, effective February 1, 2002, by adopting the amended and restated Model Plan promulgated by the New York State Deferred Compensation Board, effective January 1, 2002, in the form on file with the Clerk of the Legislature, and be it

FURTHER RESOLVED, that the Deferred Compensation Committee is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried.

RESOLUTION NO. 32

By Finance and Personnel Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT WITH SIEBA, LTD. TO EXTEND THE TERM UNTIL APRIL 30, 2002

WHEREAS, this County Legislature, by Resolution 475 of 2001 authorized an Agreement with SIEBA, Ltd., whereby SIEBA would provide transition services in connection with the change in plan administrators of the county's health and flexible benefits plans during the period January 1, 2002 through February 28, 2002, and

WHEREAS, in order to process the flexible benefit plan run out, the Risk Manager has requested authorization to amend the agreement with SIEBA in order to extend the term of the agreement to April 30, 2002 at no additional cost to the county, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with SIEBA, Ltd., 111 Grant Avenue, Endicott, N.Y. 13760 previously authorized by Resolution 475 of 2001 to provide for extending the term until April 30, 2002 at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 475 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.

RESOLUTION NO. 33

By Finance, Health Services, Public Works and Education, Culture & Recreation Committees
Seconded by Mr. O'Day

RESOLUTION AUTHORIZING THE BUDGET TRANSFERS FOR THE DEPARTMENTS OF HEALTH, PUBLIC WORKS - HIGHWAYS AND PARKS AND RECREATION

RESOLVED, that in accordance with a request from the Director of Health, in order to provide funds to support emergency preparedness activities as requested in BF# 003381, 003382 and 003383, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds for 2002:

	<u>Index code</u>	<u>Subject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingency	68,216
TO:	480012	1600	101000	Salaries temp	16,637
	480012	8010	101000	State Retirement	316
	480012	8030	101000	Social Security	1,273
	480012	8040	101000	Workers' Comp	216
	480012	8050	101000	Life Insurance	12
	480012	8060	101000	Health Insurance	3,675
	480012	8063	101000	Disability Insurance	70
	480228	1600	101000	Salaries temp	15,814
	480228	8010	101000	State Retirement	300
	480228	8030	101000	Social Security	1,210
	480228	8040	101000	Workers' Comp	206
	480228	8050	101000	Life Insurance	12
	480228	8060	101000	Health Insurance	3,675
	480228	8063	101000	Disability Insurance	70
	480137	1600	101000	Salaries temp	13,598
	480137	8010	101000	State Retirement	258
	480137	8030	101000	Social Security	1,040
	480137	8040	101000	Workers' Comp	177
	480137	8050	101000	Life Insurance	12
	480137	8060	101000	Health Insurance	3,675
	480137	8063	101000	Disability Insurance	70
	480137	4362	101000	EH Supplies	2,000
	480012	4349	101000	Misc. Op Supplies	3,900

FURTHER RESOLVED, that in accordance with a request from the County Executive, in order to reduce estimated revenue and appropriations to reflect the loss of NYS Consolidated Highway Aid budgeted for 2002 as requested in BF# 002575, this County Legislature hereby authorizes the Commissioner of Finance to make the following budget adjustment for 2002:

	<u>Index code</u>	<u>Subject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
Revenue	030106	0294	301000	Con. Highway Aid	363,903
Reduction:					
Appropriation	030122	4300	301000	Materials & Supplies	363,903
Reduction:					

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Parks, in order to better utilize funds for maintenance help as requested in BF# 003520, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds for 2002:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	655027	4429	306000	Bldg. and Grounds Exp.	10,000
TO:	655027	1600	306000	Salaries temp	10,000

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

Carried.

RESOLUTION NO. 34

By Personnel, Health Services, Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR MENTAL HEALTH AND OFFICE FOR AGING

RESOLVED, that in accordance with a request from the Commissioner of Mental Health as contained in PCR#02-03, this County Legislature hereby authorizes the abolishment of (1) Intensive Case Manager position, Full Time, at budget line 470138.1000.104501, minimum salary of \$33,273, Grade 18, CSEA, and the creation of (1) Clinical Social Worker position, Full Time, at budget line 470138.1000.104501, minimum salary of \$38,763, Grade 21, CSEA, effective date 1/1/02, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Office For Aging as contained in PCR#01-285, this County Legislature hereby authorizes the Title Change only of (1) Foster Grandparent Program Field Supervisor position, Full Time, at budget line 760835.1000.104468, minimum salary of \$23,778, Grade 12, CSEA, to (1) Field Supervisor position, Full Time, at budget line 760835.1000.104468, minimum salary of \$23,778, Grade 12, CSEA, effective date 1/1/02.

Carried.

RESOLUTION NO. 35

By Finance and County Administration Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING A HOME RULE REQUEST REGARDING AN AMENDMENT TO THE REAL PROPERTY TAX LAW TO PROVIDE VOLUNTEER FIREMEN AND EMERGENCY MEDICAL SERVICE PERSONNEL IN BROOME COUNTY WITH A PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION

WHEREAS, this Legislature previously adopted Resolution 343 of 2000 requesting the New York State Legislature adopt an amendment to Section 466-a of the Real Property Tax Law adding Broome County and the villages and towns located in Broome County as municipal sub-divisions empowered to offer the Real Property Tax Exemption enumerated therein, and

WHEREAS, Assembly Bill A4877-B and Senate Bill S2533-B have been introduced into the New York State Assembly and Senate, respectively, to amend Section 466-a of Real Property Tax Law adding Broome County and the villages and towns located in Broome County as municipal sub-divisions empowered to offer the Real Property Tax Exemption enumerated therein, and

WHEREAS, pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for the purpose of said legislation, now, therefore, be it

RESOLVED, that this County Legislature hereby urges and approves the adoption and passage of said Assembly Bill A4877-B and Senate Bill S2533-B entitled "An Act to Amend the Real Property Tax Law, in relation to the Real Property Tax Exemption for Volunteer Firefighters," and hereby declares that a necessity exists for the passage of such bill and that the local Legislative Body of the County of Broome does not have the power to enact such legislation by local law, and be it

FURTHER RESOLVED, that a Home Rule Request be submitted to the Senate and Assembly of the New York State Legislature indicating the necessity exists for the enactment of said legislation.

Carried.

RESOLUTION NO. 36

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION 347 OF 1999

WHEREAS, this County Legislature, by Resolution 347 of 1999, authorized a Voluntary Cleanup Agreement (VCA) with The New York State Department of Environmental Conservation (NYSDEC) for environmental cleanup of the former Sheriff's Firing Range, and

WHEREAS, said resolution authorized the County to pay NYSDEC administrative costs in connection with site investigation and administration of the VCA not to exceed \$5,000.00, and

WHEREAS, the Commissioner of Public Works has received information that the estimated NYSDEC administrative charges will be in excess of \$6,800 and now requests authorization to amend Resolution 347 of 1999 to provide for the payment of the NYSDEC administrative fees in an amount not to exceed \$10,000, now, therefore, be it

RESOLVED, that this County Legislature hereby amends Resolution 347 of 1999 to provide for the payment by the County to the New York State Department of Environmental Conservation for administrative fees not to exceed \$10,000 in connection with the Voluntary Cleanup Agreement authorized by Resolution 347 of 1999, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035121.4746.501234 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 347 of 1999, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 37

By Finance Committee

Seconded by Ms. Hudak

BOND RESOLUTION DATED JANUARY 17, 2002

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY THE COST OF THE WESTERN BROOME SENIOR CITIZEN CENTER

BE IT RESOLVED, by the County Legislature of the County of Broome, New York, as follows:

Section 1. The following is the specific object or purpose to be financed by the County of Broome, New York, pursuant to this resolution, the maximum estimated cost thereof, and the subdivision of Section 11.00(a) of the Local Finance Law and period of probable usefulness applicable thereto:

<u>Project Name</u>	<u>PPU/L.F.L. Sect 11</u>	<u>Estimated Maximum Cost</u>
Western Broome Senior Citizen Center	20/11	\$1,010,000
Total		\$1,010,000

Section 2. SEQR DETERMINATION. It is hereby declared to be the intent of this County Legislature that the project listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act (SEQR), to the extent applicable, to ensure that said proposed project is in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations

which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process.

Section 3. The aggregate maximum estimated cost of the aforesaid specific object or purpose is \$1,010,000 and the plan for the financing thereof is by the issuance of \$200,000 bonds of said County, hereby authorized to be issued therefor pursuant to the Local Finance Law, and by the application of \$810,000 in County funds.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest of such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1. such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2. the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried.

Mr. Shafer made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried.** The meeting was adjourned at 5:42 p.m.

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