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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, APRIL 18, 2002**

The Legislature convened at 5:18 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augostini, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Shafer).

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. Miller made a motion, seconded by Mr. O'Day, that the minutes of the Regular Session of March 21, 2002 and the Special Session of March 27, 2002 be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Shafer).

Mr. Schofield noted that the committee minutes for the period March 15, 2002 through April 11, 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. Seeing none, a motion to approve the committee minutes was made by Mr. Mather, seconded by Mr. Burger. **Carried**, Ayes-18, Nays-0, Absent-1 (Shafer).

**ANNOUNCEMENTS FROM THE CHAIR**

May 22, 2002 through May 25, 2002 were proclaimed by the Broome County Legislature as Odyssey of the Mind Recognition Days. The following Legislators recognized the participation of local students in the New York State Odyssey of the Mind Competition and their further participation in the World Finals to be held in Boulder, Colorado:

Legislators O'Day and Whalen presented a copy of the proclamation to the participants from Binghamton High School:

*Robert Vanderbles, Allison Azersky, Maureen Cahill, Vincent Grace, Toi Le, Jennie Stephens-Romero, and James Sullivan* coached by Madelyn and Michael Azersky, assisted by *Laurence Feltham, District Coordinator for Odyssey of the Mind*

Legislators Howard and Sweet presented a copy of the proclamation to the participants from Chenango Valley Middle/High School:

*Lee Penwell, Lindy Anderson, Katie Lowell, Carrie Klenovic, Benjamin Vail, Andrew Shaul, and Seth Mohny*, coached by *Rebecca and John Penwell*, assisted by *Cindy Gates, District Coordinator for Odyssey of the Mind*

Legislators Kavulich and Kolba presented a copy of the proclamation to the participants from Johnson City Senior High School:

*Amanda Feeney, Andy Pragacz, Bonnie Fuller, Laura Converse, Matt Schmitt, Meaghan Zurenda and Philip Hamzik* coached by *Donna Converse and Deb Melligan*

Legislators Holley and Mather presented a copy of the proclamation to the participants from Vestal Hills Elementary School:

*Kirby Lowenstein, Alicia Ciringione, Sarah Danelli, Anastasia Handwerk, Mattie Lanz, Ami Shin, and Solomia Zavalij*, coached by *Sally Lowenstein, Robyn Ogden and Dean Ogden*, assisted by *Nikki Corgel, District Coordinator for Odyssey of the Mind*

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Chairman Schofield presented a proclamation to **Stephanie Horiwitz**, in recognition of her dedication as Regional Coordinator of the BOCES Odyssey of the Mind Program.

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

Letters from the County Executive, Jeffrey P. Kraham:

- A. Appointments to Planning Advisory Board
- B. Appointment of David Nemecek as Probation Director III
- C. Implementation of Summer Hours for County employees, June 1 to August 30, 2002, 8:00 a.m. to 4:00 p.m.
- D. Appointments to the Central Library Board of Trustees

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

A. Petitions: None

B. Communications:

1. Minutes
  - a. Environmental Management Council
  - b. Association of Municipal Clerks
  - c. Association of Towns and Villages
  - d. Cornell Cooperative Extension
2. Personnel
  - a. Letter of Resignation from Max T. Raterman
  - b. 2002 Salary Schedule
3. Finance: 2001 Budget Transfers to Balance Accounts
4. Putnam County Legislature: Resolution 49-2002, opposing new unfunded State mandates
5. Hamilton County Legislature: Resolution 83-2002, opposing new unfunded State mandates.
6. Town of Triangle: Notice of Public Hearing imposing a 4-month moratorium on construction of cellular towers
7. Town of Maine: Cancellation of Public Hearings re: Horses in the Rural-Residential (RR) District, and Home Occupations
8. Letter from Senator Patricia McGee acknowledging receipt of Resolution 02-145 supporting funding for Interstate 86 projects
9. Letter from Assemblyman Robert Warner acknowledging receipt of Resolution 02-145 supporting funding for Interstate 86 projects.

C. Notices: None

D. Reports:

1. Personnel: Monthly Attrition, February 2002, March 2002
2. Broome Community College
  - a. Above Minimum Hires – February 2002
  - b. Budget Transfers – February 2002
3. Discovery Center of the Southern Tier: 2000 and 2001 Financial Statements
4. Semi-annual Mortgage Tax Receipts, October 1, 2001 – April 30, 2002
5. Audit and Control
  - a. Social Services Disbursement Controls Audit
  - b. Real Property Tax Service Payroll Audit
  - c. Accounts Receivable Aging Summary – 4<sup>th</sup> Quarter 2001
6. Cornell Cooperative Extension: 2002 Budget

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

Letters from the Chair, Daniel A. Schofield:

1. Appointing A. Nannery as voting representative for W. Howard on Tuesday, April 9, 2002 – Economic Development and Planning Committee, and Thursday, April 11, 2002 – County Administration and Finance Committees



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**RESOLUTION NO. 150**

By Education, Culture & Recreation and Finance Committees Seconded by Mr. O'Day  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH 10 GLENWOOD ASSOCIATES, LP FOR BROOME COUNTY PUBLIC LIBRARY BRANCH PREMISES AT FOUNDRY PLAZA FOR 2003-2007**

WHEREAS, this County Legislature, by Resolution 582 of 1997, as amended by Resolution 154 of 1998, authorized renewal of the agreement with 10 Glenwood Associates, LP for Broome County Library premises at the Foundry Plaza, total amount not to exceed \$37,512 per year, in addition to an amount of 3.8% per year of any increase in total cost for common area maintenance and/or real estate taxes should either exceed the 1997 total for said costs in any year during the period January 1, 1998 through December 31, 2002, and

WHEREAS, said services are necessary for the rental of space for the Foundry Plaza branch library, and

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2003 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with 10 Glenwood Associates, LP, 865 Providence Highway, Suite 202, Dedham, Massachusetts 02026-9998 for Broome County Public Library branch premises at the Foundry Plaza for the period January 1, 2003 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a base rent amount not to exceed \$37,512 per year for the term of the agreement, in addition to an amount of 3.8% per year of any increase in the total cost for common area maintenance and real estate taxes should either exceed the 1997 total for said costs in any year during the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 842005.4422.304258 (Building and Land 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-18, Nays-0, Absent-1 (Shafer).

**RESOLUTION NO. 151**

By Public Safety & Emergency Services Committee Seconded by Mr. O'Day  
**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY EMERGENCY MEDICAL SERVICES ADVISORY BOARD**

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article XXIV, Section 2410 of the Broome County Charter and Code, has duly designated and appointed the following named individuals to membership on Broome County Emergency Medical Services Advisory Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Thomas Pudish 2534 Airport Road Binghamton, New York 13905	New Appointment Term Expires 12/31/03
Michael Washington 25 Floral Avenue Binghamton, New York 13905	New Appointment Term Expires 12/31/03

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Glenn Roberts 610 Milan Avenue Endicott, New York 13760	New Appointment Term Expires 12/31/02
Lisa Siebert P.O. Box 599 11 Water Street Binghamton, New York 13902	New Appointment Term Expires 12/31/03
Robert Warner 788 Knapp Hill Road Castle Creek, New York 13744	New Appointment Term Expires 12/31/03
Wilson Starr 27 Palmer Road Binghamton, New York 13901	New Appointment Term Expires 12/31/03
Donald O'Dell 45 Park Street Binghamton, New York 13905	New Appointment Term Expires 12/31/03
Sally Merritt 117 Oak Grove Drive Chenango Forks, New York 13746	New Appointment Term Expires 12/31/03
Joseph Ferraro 1203 Middle Stella Ireland Road Binghamton, New York 13905	New Appointment Term Expires 12/31/03
Bradford McAvoy P.O. Box 149 Harpurville, New York 13787	New Appointment Term Expires 12/31/03
Randall Hartz 130 Second Street Deposit, New York 13754	New Appointment Term Expires 12/31/03
Nancy Ford 773 East Maine Road Johnson City, New York 13790	New Appointment Term Expires 12/31/03
Susan Carter 16 Pendell Hill Road Whitney Point, New York 13862	New Appointment Term Expires 12/31/03
Richard Judd 178 Crocker Hill Road Binghamton, New York 13904	New Appointment Term Expires 12/31/03
Kenneth Roe 40 Weymouth Street Johnson City, New York 13790	New Appointment Term Expires 12/31/03

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Catherine Schuldt 109 Main Street Kirkwood, New York 13795	New Appointment Term Expires 12/31/03
Karen Dunham 9723 NY Rte. 79 Richford, New York 13835	New Appointment Term Expires 12/31/03
Gwen Ellis 402 Nanticoke Road Maine, New York 13802	New Appointment Term Expires 12/31/03
Scott Ellis 472 Cherry Valley Hill Road Maine, New York 13802	New Appointment Term Expires 12/31/03
Thomas Fletcher 42 Hawkins Hill Road Port Crane, New York 13833	New Appointment Term Expires 12/31/03
Donna Church 44 Cafferty Hill Road Harpursville, New York 13787	New Appointment Term Expires 12/31/03
Martin Delaney, Jr. 45 Exchange Street Binghamton, New York 13901	New Appointment Term Expires 12/31/03
Robert Bealo 1702 Witherill Street Endicott, New York 13760	New Appointment Term Expires 12/31/03
Glenn Roberts 610 Milan Avenue Endicott, New York 13760	New Appointment Term Expires 12/31/03
Mike Wheeler Box 319 Woodland Drive Binghamton, New York 13901	New Appointment Term Expires 12/31/03
Mark Tomko 904 Imperial Woods Drive Vestal, New York 13850	New Appointment Term Expires 12/31/03
Helen Lampman 1469 Colesville Road Harpursville, New York 13787	New Appointment Term Expires 12/31/03
Joseph Wychules 1492 Sandra Drive Endicott, New York 13760	New Appointment Term Expires 12/31/03

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Nancy L. Dutcher  
105 Bell Road  
Windsor, New York 13865

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 Article XXIV,  
Section 2410 of the Broome County Charter and Code, confirms the appointments of the above-  
named individuals to membership on the Broome county Emergency Medical Services Advisory  
Board for the terms indicated, in accordance with their appointment by the County Executive.  
**Carried**, Ayes-18, Nays-0, Absent-1 (Shafer).

### **RESOLUTION NO. 152**

By Public Works and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC. FOR ENVIRONMENTAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000-2002**

WHEREAS, this County Legislature, by Resolution 408 of 2000, authorized an agreement with O'Brien & Gere Engineers, Inc. for environmental services for the Department of Public Works at a cost not to exceed \$300,000, for the period July 1, 2000 through June 30, 2002, and

WHEREAS, said services are necessary to provide environmental engineering services on an "as needed" basis for projects by various Broome County departments, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide an increase of \$80,000 to address anticipated increases in architectural/engineering design costs associated with the enhanced Courthouse Court Room historical renovation requested by the Sixth Judicial District for the Department of Public Works, 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 O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York 13850, for an increase of \$80,000, total amount not to exceed \$380,000, for architectural/engineering services for the Department of Public Works for the period July 1, 2000 through June 30, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$380,000, 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 Resolution 408 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-18, Nays-0, Absent-1 (Shafer).

### **RESOLUTION NO. 153**

By Health Services, Public Works and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH FONTANESE, FOLTS, AUBRECHT, ERNST, BAMMEL, ARCHITECTS, P.C. FOR ENGINEERING/ARCHITECTURAL SERVICES AT THE WILLOW POINT NURSING HOME FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 167 of 2001, authorized an agreement with Fontanese, Folts, Aubrecht, Ernst, Bammel, Architects, P.C. for engineering/architectural

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services for the Willow Point Nursing Home at a cost not to exceed \$109,510, for the period March 1, 2001 through February 28, 2002, and

WHEREAS, said services are necessary to assist in determining the engineering/architectural feasibility of retaining the present Willow Point Nursing Home building or to build a new nursing home, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the contract to February 28, 2003 at no additional cost to allow for completion of the Feasibility Study, including the site selection process and issuance of the Department of Health Certificate of Need, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Fontanese, Folts, Aubrecht, Ernst, Bammel, Architects, P.C., 666 Main Street, East Aurora, New York 14052-2492, to extend the term of the contract one year to allow for completion of the Feasibility Study, including the site selection process and issuance of the Department of Health Certificate of Need, for Willow Point Nursing Home for the period March 1, 2001 through February 28, 2003 at no additional cost, and be it

FURTHER RESOLVED, that Resolution 167 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-18, Nays-0, Absent-1 (Shafer).**

#### **RESOLUTION NO. 154**

By Transportation and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH URBITRAN FOR A RURAL PARATRANSIT SERVICE ANALYSIS FOR THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 363 of 2001, authorized an agreement with Urbitran for a Rural Paratransit Service Analysis for the Binghamton Metropolitan Transportation Study (BMTS) at a cost not to exceed \$57,144 for the period July 1, 2001 through March 31, 2002, and

WHEREAS, said services are necessary to perform a Rural Paratransit Service Analysis to identify areas for improvement of general public transportation, and

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

WHEREAS, the Director of the Binghamton Metropolitan Transportation Study (BMTS) 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 Urbitran, 71 West 23<sup>rd</sup> Street, New York, New York 10010, to extend the term of the agreement to July 31, 2002, at no additional cost to the County for a Rural Paratransit Service Analysis for the Binghamton Metropolitan Transportation Study (BMTS) for the period July 1, 2001 through July 31, 2002, and be it

FURTHER RESOLVED, that Resolution 363 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-18, Nays-0, Absent-1 (Shafer).**

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**RESOLUTION NO. 155**

By Economic Development & Planning Committee

Seconded by Mr. O'Day

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE ENVIRONMENTAL MANAGEMENT COUNCIL**

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980, has duly designated and appointed the following named individuals to membership on the Environmental Management Council, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Susan Cowing 24 Edgewood Road Binghamton, NY 13903	Reappointment Term Expires 12/31/03
Wayne Jennings PO Box 831 Binghamton, NY 13902	Reappointment Term Expires 12/31/03
Kenneth Kamlet 405 Colgate Street Vestal, NY 13850	Reappointment Term Expires 12/31/03
Jason Price 52 Palmer Hill Road Port Crane, NY 13833	Reappointment Term Expires 12/31/03
Joseph Graney 208 S. Jensen Road Vestal, NY 13850	Reappointment Term Expires 12/31/03
Max Raterman PO Box 448 Whitney Point, NY 13862	Reappointment Term Expires 12/31/03
Louis Alexander 516 Overlook Terrace Endicott, NY 13760	Reappointment Term Expires 12/31/03
Paul Thompson 185 West End Avenue Binghamton, NY 13905	New Appointment Term Expires 12/31/03
Andre LaClair 131 Ballyhack Road Port Crane, NY 13833	New Appointment Term Expires 12/31/03
Tony Lubzanski 1403 Oakdale Road Johnson City, NY 13790	New Appointment Term Expires 12/31/03

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David Weitzman  
700 Rano Boulevard  
Vestal, NY 13850

New Appointment  
Term Expires 12/31/02

Terry Woodnorth  
510 W. Wendell Street  
Endicott, NY 13760

New Appointment  
Term Expires 12/31/02

Binghamton University Student Representative

Melissa Yaun  
56 Beethoven Street  
Binghamton, NY 13905

New Appointment  
Term Expires 7/31/02

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 Resolution 277 of  
1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980, confirms the  
appointments of the above-named individuals to membership on the Environmental  
Management Council for the terms indicated, in accordance with their appointment by the  
County Executive.

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

#### **RESOLUTION NO. 156**

By Personnel and Public Safety & Emergency Services Committees      Seconded by Mr. O'Day  
**RESOLUTION CONFIRMING THE APPOINTMENT OF DAVID S. NEMEC AS BROOME  
COUNTY PROBATION DIRECTOR III**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority  
vested in by Article XXIV, Section 2402 of the Broome County Charter and Code, has duly  
designated and appointed, pending confirmation by this Legislature, David S. Nemec, 627  
Chenango Street, Binghamton, New York 13901 as Probation Director III, at the annual  
minimum salary of \$62,300 (Grade G), effective April 18, 2002, and

WHEREAS, David S. Nemec is fully qualified to fill the position of Probation Director III,  
and

WHEREAS, it is desired at this time, pursuant to the provisions of Article XXIV, Section  
2402 of the Broome County Charter and Code to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, confirms the appointment of David S. Nemec as  
Broome County Probation Director III, effective April 18 2002, in accordance with his  
appointment by the County Executive.

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

#### **RESOLUTION NO. 157**

By Public Works Committee      Seconded by Mr. O'Day  
**RESOLUTION IN SUPPORT OF ESTABLISHING IMPROVEMENTS ON NEW YORK STATE  
ROUTE 12 BETWEEN THE CITIES OF UTICA AND BINGHAMTON, NEW YORK**

WHEREAS, the continued economic recovery of the Counties of Oneida, Madison,  
Chenango and Broome is of critical importance to the well-being of the residents within those  
Counties, the region and the State of New York, and

WHEREAS, the economic prosperity of this broad region of the State encompassing four  
counties and over 580,000 people have been impacted by the limitations of the existing north-  
south highway, restricting the flow of goods and services and people into and out of the region,  
and



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<u>NAME</u>	<u>TERM EXPIRING</u>
Alison Grace 36 James Street Binghamton, NY 13903	New Appointment Term Expires 12/31/04
Clarence Megwa 55 St. John Avenue Binghamton, NY 13905	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 No. 163 of 1971 and Resolution No. 133 of 1976, confirms the appointments of the above-named individuals to membership on the Youth Bureau Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.

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

### **RESOLUTION NO. 160**

By County Administration and Finance Committees Seconded by Mr. O'Day  
**RESOLUTION AUTHORIZING AN INCREASE TO THE PETTY CASH FUND FOR THE OFFICE OF THE COUNTY CLERK**

WHEREAS, this County Legislature has, by Resolutions 514 of 1987, 176 of 1989, 7 of 1995 and 67 of 1997, authorized and approved increases to the petty cash fund for the Office of the County Clerk, bringing the total amount to \$1,375, and

WHEREAS, the County Clerk has the authority to disburse said funds as needed throughout the divisions of her department, and

WHEREAS, said department's petty cash fund is inadequate for its current needs, and

WHEREAS, the County Clerk has requested an increase of \$150 of said fund in order to have sufficient cash on hand to meet its daily needs, and

WHEREAS, the Commissioner of Finance has determined that the petty cash fund should be increased by \$150, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and increases the petty cash fund for the Office of the County Clerk by \$150, bringing the total amount to \$1,525, and further authorizes the Commissioner of Finance to transfer \$150 to the petty cash fund previously established, and be it

FURTHER RESOLVED, that the administration of said funds shall be in accordance with those rules and procedures governing the use of petty cash funds created by the County Comptroller including, but not limited to, the requirement that at all times the petty cash allowance be fully accounted for in the form of cash on hand, receipts and records.

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

### **RESOLUTION NO. 161**

By County Administration and Finance Committees Seconded by Mr. O'Day  
**RESOLUTION AUTHORIZING AGREEMENT WITH MPR TECHNOLOGIES, INC. FOR NETWORK SUPPORT SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2002**

WHEREAS, the Director of Information Technology requests authorization for an agreement with MPR Technologies, Inc. for network support services for the Division of Information Technology for 30 hours of service at \$140 per hour, total cost not to exceed \$4,200, for the period May 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide general network support, including but not limited to network problem determination, network software support, hardware support and firewall support, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes an agreement with MPR Technologies, Inc., 5010 Campuswood Drive, E. Syracuse, New York 13057 for network support services for the Division of Information Technology for the period May 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor for 30 hours of service at \$140 per hour, total amount not to exceed \$4,200, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4726.101000 (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,** Ayes-18, Nays-0, Absent-1 (Shafer).

### **RESOLUTION NO. 162**

By Economic Development & Planning and Finance Committees

Seconded by Mr. O'Day

#### **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, as amended by Resolution 530 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 \$610,973, 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, 2003, and

WHEREAS, said grant programs provide 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 programs to reflect a transfer in the amount of \$100,000 from the PY2001 Workforce Investment Act Dislocated Worker Grant to the PY2001 Workforce Investment Act Adult Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the PY2001 Workforce Investment Act Youth Grant to reflect a transfer of \$100,000 from the PY2001 Workforce Investment Act Dislocated Worker Grant to the PY2001 Workforce Investment Act Adult Grant 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 budgets annexed hereto as Exhibit "A" to reflect said transfer, and be it

FURTHER RESOLVED, that Resolutions 328 and 530 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

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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-18, Nays-0, Absent-1 (Shafer).

### **RESOLUTION NO. 163**

By Public Safety & Emergency Services, Intergovernmental Relations and Finance Committees  
Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING THE OFFICE OF EMERGENCY SERVICES TO PROVIDE EMERGENCY DISPATCH SERVICES TO THE VILLAGE OF DEPOSIT POLICE DEPARTMENT**

WHEREAS, the Director of Emergency Services requests authority to provide dispatch services to the Village of Deposit Police Department, effective July 1, 2002, and

WHEREAS, the providing of emergency services dispatch services for the Village of Deposit Police Department will advance the cause of increased consolidation of municipal services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Office of Emergency Services to provide emergency dispatch services for the Village of Deposit Police Department for an indefinite period, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Village of Deposit to provide such service without charge to the Village of Deposit, 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-18, Nays-0, Absent-1 (Shafer).

### **RESOLUTION NO. 164**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BROOME COUNTY COUNCIL OF CHURCHES FOR RELIGIOUS SERVICES FOR INMATES OF THE BROOME COUNTY PUBLIC SAFETY FACILITY FOR 2002**

WHEREAS, this County Legislature, by Resolution 623 of 1999, authorized an agreement with Broome County Council of Churches for religious services for inmates confined in the Broome County Public Safety Facility at a cost \$41,200 for Chaplaincy Services and \$15,300 for Pre-Release Services, total amount not to exceed \$56,500 for the period January 1, 2000 through December 31, 2000, with the option to renew through the Board of Acquisition and Contract for three additional consecutive years, and

WHEREAS, said agreement was renewed at a cost of \$56,500 for the period January 1, 2001 through December 31, 2001 by said Board on January 31, 2001, and

WHEREAS, said services are necessary for compliance with the Minimum Standards promulgated by the New York State Commissioner of Correction applicable to the Broome County Public Safety Facility, and

WHEREAS, it is desired at this time to renew the agreement with Broome County Council of Churches at a total amount of \$59,326 for the period January 1, 2002 through December 31, 2002, with the option to renew for three additional consecutive years under the same terms and conditions, through the Board of Acquisition and Contract and without further authorization by this Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Broome County Council of Churches, 81 Main Street, Binghamton, New York 13905 for religious services for inmates confined in the Broome County Public Safety Facility including full time (40 hours per week) religious services to all inmates housed in the County's Public Safety Facility to be

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provided by a duly ordained minister of a recognized religious sect, religious counseling for all inmates whose denominations are affiliated with the Council of Churches, arrangements for religious counseling of all inmates whose denominations are not affiliated with the Council, provision of 24 hours on-call emergency services available seven (7) days per week, visitation of inmates and the coordination of all religious 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 \$43,260 for Chaplaincy Services and \$16,066 for Pre-Release Services, for a total amount of \$59,326, for the term of the agreement, and be it

FURTHER RESOLVED, that this contract may be renewed at the option of the Broome County Sheriff and subject to the approval of the Broome County Board of Acquisition and Contract without further authorization by this Legislature for three additional consecutive one-year terms, at an annual cost for each such term not to exceed \$59,326, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4437.101000 (Religious Expenses), 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-18, Nays-0, Absent-1 (Shafer).**

### **RESOLUTION NO. 165**

By Health Services, Personnel and Finance Committee

Seconded by Mr. Wike

#### **RESOLUTION AUTHORIZING RENEWAL OF THE COMPREHENSIVE COMMUNITY-BASED TOBACCO CONTROL AND PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH TIOGA COUNTY HEALTH DEPARTMENT FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 245 of 2001, authorized and approved continued participation in the Comprehensive Community-Based Tobacco Control and Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$238,329 for the period June 1, 2001 through May 31, 2002, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$238,329 for the period June 1, 2002 through May 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$238,329 from the New York State Department of Health, Tobacco Control Program, Corning Tower, Room 710, Empire State Plaza, Albany, New York 12237-0678, for the Department of Health's Comprehensive Community-Based Tobacco Control and Prevention Program Grant for the period June 1, 2002 through May 31, 2003, 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 \$238,329, and be it

FURTHER RESOLVED, that this County Legislature authorizes an agreement with the Tioga County Health Department to assist in the administration of said program grant for a total amount not to exceed \$30,000 for the period June 1, 2002 through May 31, 2003, 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

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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-17, Nays-1 (Hudak), Absent-1 (Shafer).

#### **RESOLUTION NO. 166**

By Health Services and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MCCUE ADVERTISING AND PUBLIC RELATIONS, INC. FOR AN ANTI-SMOKING ADVERTISING CAMPAIGN FOR THE DEPARTMENT OF HEALTH FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 277 of 2001, authorized an agreement with McCue Advertising and Public Relations, Inc. for an anti-smoking advertising campaign for the Department of Health's Comprehensive Community-Based Tobacco Control and Prevention Program Grant at an amount not to exceed \$150,724, for the period June 1, 2001 through May 31, 2002, and

WHEREAS, said agreement expires by its terms on May 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 \$146,000, for the period June 1, 2002 through May 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with McCue Advertising and Public Relations, Inc., 91 Riverside Drive, Binghamton, New York 13905 for an anti-smoking advertising campaign for the Department of Health's Comprehensive Community-Based Tobacco Control and Prevention Program Grant for the period June 1, 2002 through May 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$146,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4458.104XXX (Other Program Expenses), 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-1 (Hudak), Absent-1 (Shafer).

#### **RESOLUTION NO. 167**

By Health Services and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH KINNALLY JOHN & ASSOCIATES, INC. FOR CONSULTING SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 572 of 2000, authorized an agreement with Kinnally John & Associates, Inc. for consulting services for the Willow Point Nursing Home at an amount not to exceed \$52,000, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to complete a cost report and analyze the cost structure to maximize reimbursement, 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 \$30,000, for the period May 1, 2002 through April 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Kinnally John & Associates, Inc., Karner Woods, 453 New Karner Road, Albany, New York 12205 for consulting services for the Willow Point Nursing Home for the period May 1, 2002 through April 30, 2003, and be it

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

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010.4725.204000 (Other Financial 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-18, Nays-0, Absent-1 (Shafer).

**RESOLUTION NO. 168**

By Economic Development & Planning and Finance Committees                      Seconded by Mr. O'Day  
**RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENTS WITH THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY IN CONNECTION WITH THE BROOME CORPORATE PARK TO MODIFY THE TERMS OF REPAYMENT**

WHEREAS, this County Legislature since 1987 has authorized agreements with the Broome County Industrial Development Agency (IDA) whereby the IDA agreed to provide assistance in infrastructure design and construction and right-of-way acquisition in connection with the design, acquisition and construction of the Broome Corporate Park, and

WHEREAS, as consideration for these services the County agreed to pay the IDA as follows:

1987	\$284,971
1988	287,161
1989	269,000
1990	228,650
1991	142,348
1992	80,520
1993	40,260

Total Amount Paid	<u>\$1,332,190</u>
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and

WHEREAS, the various agreements provided that the consideration paid by the County was to be a loan to the IDA to be repaid, commencing in 1988, and

WHEREAS, the agreements provided that in any calendar year in which gross revenues to the IDA arising out of the sale of land in the Broome Corporate Park exceed Park expenses paid by the IDA in said calendar year, the IDA shall pay to the County 50% of that revenue, and

WHEREAS, to date the loan balance is \$1,332,190 and the IDA requests that the repayment schedule be modified to provide that no loan payments shall be made until the IDA shall have received income from all sales of land in the Broome Corporate Park equal to the aggregate of all expenses incurred by the IDA in connection with the Broome Corporate Park. Expenses shall be defined to include debt service payments, mortgage payments, payments for infrastructure improvements, marketing expenses, and general operating expenses, provide all such expenses are directly related to the Broome Corporate Park. Income shall be deemed to mean only cash actually received. On or before April 1st of any calendar year in which during the preceding year there remain no accrued unpaid expenses, 50% of the income from the sale of land in the Park during that year shall be paid to the County to be applied to the reduction of the loan balance, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes amendments to the various agreements with the Broome County Industrial Development Agency, entered into from 1987 through 1993 in connection with the development of the Broome Corporate Park in the Town of Conklin to provide that the repayment of the loan amounts pursuant to said agreements in the aggregate sum of \$1,332,190 be made in the following manner:

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1. No loan payments shall be made until the IDA shall have received income from all sales of land in the Broome Corporate Park equal to the aggregate of all expenses incurred by the IDA in connection with the Broome Corporate Park. Expenses shall be defined to include debt service payments, mortgage payments, payments for infrastructure improvements, marketing expenses, and general operating expenses, provided all such expenses are directly related to the Broome Corporate Park. Income shall be deemed to mean cash actually received from land sales at the Broome Corporate Park.
  2. On or before April 1st of any calendar year in which during the preceding year there is a cumulative excess of cash collections from land sales over expenses as defined above, 50% of the excess during that year shall be paid to the County to be applied to the reduction of the loan balance, and be it

FURTHER RESOLVED, that in all other respects not herein modified, the said agreements between the Broome County IDA and Broome County 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-18, Nays-0, Absent-1 (Shafer).**

**RESOLUTION NO. 169**

By County Administration, Economic Development & Planning Committees  
 Seconded by Mr. O'Day

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY PLANNING ADVISORY BOARD**

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Michael McGowan 1404 River Road Binghamton, New York 13901	Reappointment Term Expires 12/31/05
Edward Farrell 3646 George F. Highway Endwell, New York 13760	Reappointment Term Expires 12/31/05
Francis Grubham 205 Main Street Kirkwood, New York 13795	Reappointment Term Expires 12/31/05

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 VX of the Broome County Charter and Code, confirms the appointments of the above-named individuals to membership on the Broome County Planning Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.

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

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**RESOLUTION NO. 170**

By Public Works and Finance Committees

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INC. FOR PROFESSIONAL LABORATORY SERVICES AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 303 of 2001, authorized renewal of agreement with Buck Environmental Laboratories, Inc. for professional laboratory services at the Nanticoke Landfill at a cost not to exceed \$50,000, for the period March 1, 2001 through February 28, 2002, and

WHEREAS, said services are necessary for environmental monitoring and site analysis, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide an additional amount of \$16,738.20 for additional monitoring services as required by NYDEC, and

WHEREAS, the Director of Solid Waste 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 Buck Environmental Laboratories, Inc., 3821 Buck Drive, P.O. Box 5150, Cortland, New York 13045, for additional monitoring services as required by NYDEC for the Division of Solid Waste Management for the period March 1, 2001 through February 28, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$16,738.20, total amount not to exceed \$66,738.20 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4545.206000 (Contracted Services), and be it

FURTHER RESOLVED, that Resolution 303 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-18, Nays-0, Absent-1 (Shafer).

**RESOLUTION NO. 171**

By Public Works Committee

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING THE ABANDONMENT OF A PRIOR EASEMENT AND THE ACQUISITION OF TWO NEW EASEMENTS IN THE TOWN OF MAINE**

WHEREAS, the Commissioner of Public Works has requested that a prior easement in the Town of Maine be abandoned and two new easements be acquired for a drainage project associated with the Landfill Waterline Project, and

WHEREAS, the permanent easement to be abandoned is shown on Map No. 15A, Parcel 13A and the new easements to be acquired are shown on Map No. MA 328, Parcels 1 and 2, attached hereto as Exhibits "A" and "B," respectively, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the abandonment of the permanent easement as shown on Map No. 15A, Parcel 13A, attached hereto as Exhibit "A", to McKilligan Industrial Supply, 435 Main Street, Johnson City, New York 13790, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the acquisition of the new easements as shown on Map No. MA 328, Parcels 1 and 2, attached hereto as Exhibit "B", from McKilligan Industrial Supply, 435 Main Street, Johnson City, New York 13790, and be it

FURTHER RESOLVED, that the abandonment of said easement and the acquisition of said easements shall be at no cost to the County, 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-18, Nays-0, Absent-1 (Shafer).**

#### **RESOLUTION NO. 172**

By Health Services Committee

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING AGREEMENT WITH CHE SENIOR PSYCHOLOGICAL SERVICES FOR PSYCHOLOGICAL THERAPY SERVICES FOR WILLOW POINT NURSING HOME FOR 2002**

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with CHE Senior Psychological Services to provide psychological therapy for Willow Point Nursing Home residents at no cost to the County, for the period May 1, 2002 through December 31, 2002 with an option for three one-year renewals at the sole discretion of the County, and

WHEREAS, said services are necessary to provide both individual and group psychological therapy sessions for Willow Point Nursing Home residents, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with CHE Senior Psychological Services, Corporate Headquarters, 5110 Twelfth Avenue, Brooklyn, New York 11219, for psychological therapy services, for residents of Willow Point Nursing Home for the period May 1, 2002 through December 31, 2002 with an option for three one-year renewals on the same terms and conditions at the sole discretion of the County, and be it

FURTHER RESOLVED, that said services shall be at no cost to the County as the vendor will bill Medicare, Medicaid and private insurances directly, 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-18, Nays-0, Absent-1 (Shafer).**

#### **RESOLUTION NO. 173**

By Health Services and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR OUTREACH AND EDUCATION SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP BREAST AND CERVICAL CANCER SCREENING PROGRAM FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 336 of 2001, authorized agreements with various vendors for outreach and education services for the Department of Health's Healthy Living Partnership Breast and Cervical Cancer Screening Program, total amount not to exceed \$49,926 for the period April 1, 2001 through March 31, 2002, and

WHEREAS, said services are necessary to provide breast and cervical cancer outreach and education activities for financially eligible women in a five-county region that includes Broome, Tioga, Chenango, Otsego and Delaware Counties, and

WHEREAS, said agreements expired by their terms on March 31, 2002, and it is desired at this time to renew agreements with Tioga Opportunities Program for an amount not to exceed \$17,975, YWCA, for an amount not to exceed \$20,606 and Planned Parenthood South Central NY, Inc. for an amount not to exceed \$5,262, on substantially similar terms and conditions, for the period April 1, 2002 through March 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with the agencies listed below for outreach and education services for the Department of Health's Healthy Living Partnership Breast and Cervical Cancer Screening Program Grant for the period April 1, 2002 through March 31, 2003:

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Tioga Opportunities Program 110 Central Avenue Owego, New York 13827	\$17,975
YWCA 80 Hawley Street Binghamton, New York 13901	\$20,606
Planned Parenthood South Central NY, Inc. 37 Dietz Street Oneonta, New York 13820-1805	\$5,262

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay each Contractor a total amount not to exceed the amounts listed above, for the term of each agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104647 (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-18, Nays-0, Absent-1 (Shafer).

#### **RESOLUTION NO. 174**

By Health Services and Finance Committees

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING ESTABLISHMENT AND/OR RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR OUTREACH AND EDUCATION SERVICES FOR THE DEPARTMENT OF HEALTH'S COLORECTAL CANCER SCREENING AND PROSTATE CANCER EDUCATION INITIATIVE GRANT FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 337 of 2001, authorized agreements with various vendors for professional services for the Department of Health's Colorectal Cancer Screening and Prostate Cancer Education Initiative Grant, total amount not to exceed \$28,400, for the period April 1, 2001 through March 31, 2002, and

WHEREAS, said services are necessary to provide colorectal cancer screening and prostate cancer education to uninsured or underinsured men and women over fifty years of age in five counties which include Broome, Tioga, Chenango, Otsego and Delaware, and

WHEREAS, said agreements expired by their terms on March 31, 2002, and it is desired at this time to renew agreements with the YWCA for an amount not to exceed \$4,898 and the Planned Parenthood South Central NY, Inc. for an amount not to exceed \$2,293, on substantially similar terms and conditions, for the period April 1, 2002 through March 31, 2003, and

WHEREAS, it is also desired at this time to establish a new agreement with Tioga Opportunities Program for an amount not to exceed \$13,661, for the period April 1, 2002 through March 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the agencies listed below for outreach and education services for the Department of Health's Colorectal Cancer Screening and Prostate Cancer Education Initiative Grant for the period April 1, 2002 through March 31, 2003:

YWCA 80 Hawley Street Binghamton, New York 13901	\$4,898
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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-18, Nays-0, Absent-1 (Shafer).

### **RESOLUTION NO. 178**

By Health Services, Personnel and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH ADMINISTRATIVE SUPPORT GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002**

WHEREAS, this County Legislature, by Resolution 252 of 2001, authorized and approved the Mental Health Administrative Support Grant for the Department of Mental Health and adopted a program budget in the amount of \$36,092 for the period June 1, 2001 through May 31, 2002, and

WHEREAS, said grant program provides funding for a Principal Account Clerk responsible for monitoring the Office of Mental Health regulations and Broome County procedures, and

WHEREAS, it is desired to renew said grant program in the amount of \$29,466 for the period June 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$29,466 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Mental Health Administrative Support Grant for the period June 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 \$29,466, and be it

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

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

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

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

### **RESOLUTION NO. 179**

By Finance Committee

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN VARIOUS MUNICIPALITIES**

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

RESOLVED, that taxes will be cancelled on the parcels of real property shown on Exhibit "A".

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

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### RESOLUTION NO. 180

By Public Works and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING THE DIVISION OF SOLID WASTE MANAGEMENT TO AUCTION STRUCTURES ON LANDFILL BUFFER PROPERTIES**

WHEREAS, properties purchased as part of the landfill buffer zone currently have structures on them, and

WHEREAS, the Commissioner of Public Works has deemed that said structures are of no value to Broome County, and

WHEREAS, the Commissioner of Public Works is requesting authorization to list said structures at the Broome County Real Property Tax Auction for purchase and removal by the highest bidder, and

WHEREAS, said sales would eliminate the liability to Broome County of removing the structures from the property and generate revenue for the Division of Solid Waste Management now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves listing the structures that currently exist on various landfill buffer zone properties at the Real Property Tax Auction, and be it

FURTHER RESOLVED, that revenues from the sale of said structures be credited to budget line 230086.0622.206000 (Miscellaneous Service), 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-18, Nays-0, Absent-1 (Shafer).

### RESOLUTION NO. 181

By Finance and Public Works Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING AN AGREEMENT FOR THE PURCHASE OF REAL PROPERTY ON DUNHAM HILL ROAD IN THE TOWN OF BARKER**

WHEREAS, the County is interested in purchasing areas around the Nanticoke Landfill for use as a buffer zone and for the Landfill Expansion Project, and

WHEREAS, the properties at 1282 and 1288 Dunham Hill Road are adjacent to the Nanticoke Landfill and suitable for use as a buffer zone and for the Landfill Expansion Project, and

WHEREAS, the owner of these properties has agreed to sell said properties to the County of Broome, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mr. Roger Vroman, 1282 Dunham Hill Road, Binghamton, New York 13905 for the purchase of real property located at 1282 Dunham Hill Road, Town of Barker, Tax Map No. 053.04-1-7 and real property located at 1288 Dunham Hill Road, Town of Barker, Tax Map No. 053.04-1-3, and be it

FURTHER RESOLVED, that in consideration of said purchases, the County shall pay Mr. Roger Vroman an amount not to exceed \$70,500 for said properties, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235044.2001.502269 (Original Acquisition), 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-18, Nays-0, Absent-1 (Shafer).

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### RESOLUTION NO. 182

By Economic Development & Planning, Personnel and Finance Committees

Seconded by Mr. O'Day

#### **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, as amended by Resolution 530 of 2001 and by companion resolution, authorized the acceptance of the Office of Employment and Training's PY2001 Workforce Investment Act (WIA) Dislocated Worker Grant for a total amount of \$735,651, WIA Adult Grant for a total amount of \$677,128 and WIA Youth Grant for a total amount of \$610,973, 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 programs provide customers with core employment services including job search assistance and labor market information as well as more intensive services including career training program, and

WHEREAS, it is necessary at this time to revise said programs to reflect decreases in grant appropriations of \$7,104 in the WIA Dislocated Workers Grant and \$7,105 in the WIA Adults Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes revision of the WIA Dislocated Workers Grant to reflect a decrease of \$7,104 and revision of the WIA Adults Grant to reflect a decrease of \$7,105 for the period July 1, 2001 through June 30, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts revised program budgets annexed hereto as Exhibit "A" in the total amount of \$728,547 for the WIA Dislocated Workers Grant and \$670,023 for the WIA Adults Grant, and be it

FURTHER RESOLVED, that Resolutions 328 and 530 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-18, Nays-0, Absent-1 (Shafer).**

### RESOLUTION NO. 183

By Health Services and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH NEW YORK STATE CATHOLIC HEALTH PLAN, INC., D/B/A FIDELIS CARE NEW YORK FOR BEHAVIOR HEALTH SERVICES PROVIDED BY THE DEPARTMENT OF MENTAL HEALTH FOR 2002-2005**

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, to allow the Department of Mental Health to provide behavioral health services to clients who have Fidelis Care New York coverage, for the period January 1, 2002 through December 31, 2005, and

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WHEREAS, said agreement is necessary for the Department of Mental Health to provide behavioral health services that includes initial evaluation, individual therapy, group therapy, family therapy and medication management to the Catholic Health Plan enrollees, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York, 8 Southwoods Boulevard, Albany, New York 12211 to allow the Department of Mental Health to provide behavioral health services to clients who have Fidelis Care New York coverage for the period January 1, 2002 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County will receive a fee for services at the rates shown in Exhibit "A" for the term of this agreement, and be it

FURTHER RESOLVED, that the Commissioner of Mental Health is authorized to approve any and all rate changes as warranted for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 470013.0077.101000 (Mental Health Fees), 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-18, Nays-0, Absent-1 (Shafer).

#### **RESOLUTION NO. 184**

By Health Services and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION ESTABLISHING A SLIDING FEE SCHEDULE FOR CLINICAL SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH**

WHEREAS, the Commissioner of Mental Health requests authorization to establish a sliding fee schedule for clinical services to self-pay clients for the Department of Mental Health, effective January 1, 2002, and

WHEREAS, said fee schedule ranges from \$5 to \$95, depending on family income and family size, now, therefore, be it

RESOLVED, that the sliding fee schedule attached hereto as Exhibit "A" is hereby authorized and adopted for the clinical services to self-pay clients provided by the Department of Mental Health, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 470013.0077.101000 (Mental Health Fees), 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-18, Nays-0, Absent-1 (Shafer).

#### **RESOLUTION NO. 185**

By Economic Development & Planning and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING AGREEMENT WITH CHRISTOPHER P. POWERS FOR PROFESSIONAL SERVICES FOR THE DIVISION OF ECONOMIC DEVELOPMENT FOR 2001-2002**

WHEREAS, the Executive Director of the Workforce Development Board requests authorization for an agreement with Christopher P. Powers for professional services for the Division of Economic Development's Local Skills Assessment Grant at a cost not to exceed \$7,500, for the period December 1, 2001 through June 30, 2002, and

WHEREAS, said services are necessary to conduct a local skills shortages assessment for the Broome-Tioga region, now, therefore, be it



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WHEREAS, the participants in the center together with representatives from the Broome County Office for Aging have investigated various sites including the proposed site on Wayne Street and recommend that the Wayne Street site be purchased, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Cerasaro, Cerasaro and Roma, LLC, P.O. Box 237, Endicott, New York 13761-00237 to purchase real property located at 2801 Wayne Street, Endwell, New York, consisting of approximately 1.25 acres improved by a 13,650 sq. ft. building and 36,000 sq. ft. paved parking area for use as a senior center serving the residents of Western Broome County, and be it

FURTHER RESOLVED, that Broome County shall pay to Cerasaro, Cerasaro and Roma, LLC the sum of \$900,000 to be paid at the closing of title, and be it

FURTHER RESOLVED, that the purchase price shall be paid from Capital Project 760439.2009.502357 (Buildings-CIP), and be it

FURTHER RESOLVED that the agreement authorized herein shall be contingent upon compliance with the Environmental Quality Review Act, inspection by the County code enforcement officer and the issuance of a certificate of occupancy/compliance showing the building to be in compliance with all applicable building and fire prevention codes necessary in order to obtain a certificate of occupancy for use as a senior center and an environmental audit using due diligence to determine that the site is not contaminated with hazardous materials, and the delivery of an abstract of title and deed showing good and marketable title to the premises to be conveyed, 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-18, Nays-0, Absent-1 (Shafer).

#### **RESOLUTION NO. 188**

By Public Works Committee

Seconded by Mr. O'Day

#### **RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE PURCHASE OF 2801 WAYNE STREET IN THE TOWN OF UNION FOR USE AS A SENIOR CENTER**

WHEREAS, this County Legislature has authorized an agreement with Cerasaro, Cerasaro and Roma, LLC to purchase from them real property known as 2801 Wayne Street in the Town of Union for use as a senior center (the "proposed action"), and

WHEREAS, it has been determined that such proposed action is subject to the requirements of the State Environmental Quality Review Act, and it is therefore necessary to initiate procedures with respect thereto, and

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the purchase of 2801 Wayne Street in the Town of Union for use as a senior center and directs the Department of Planning and Economic Development to coordinate review of the proposed action with the other involved agency, the Town of Union.

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

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**RESOLUTION NO. 189**

By Public Safety & Emergency Services, Transportation, and Finance Committees  
Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION (ACTING ON BEHALF OF THE US DOT/TRANSPORTATION SECURITY ADMINISTRATION) FOR SECURITY SERVICES AT THE SCREENING POINT OF THE BINGHAMTON REGIONAL AIRPORT FOR 2002-2003**

WHEREAS, the Director of Security requests authorization for an agreement with Federal Aviation Administration (acting on behalf of the United States Department of Transportation/ Transportation Security Administration (TSA)) for security services at the screening point of the Binghamton Regional Airport at reimbursement to the County not to exceed \$349,247 for the period May 1, 2002 through December 1, 2003, with the option to extend the term of said agreement at the TSA's sole discretion, for up to an additional 90 days beyond the stated completion date, and

WHEREAS, said services are necessary to provide security at the screening point of the Binghamton Regional Airport, and

WHEREAS, the Director of Security requests authorization for a 2002 transfer of funds to increase revenues and appropriations in the budget to reflect the additional services being provided and reimbursed, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Federal Aviation Administration (acting on behalf of the DOT/Transportation Security Administration), 800 Independence Avenue, SW, Washington, DC 20591, for security services at the screening point of the Binghamton Regional Airport, for the period May 1, 2002 through December 1, 2003, with the option to extend the term of said agreement at the TSA's sole discretion, for up to an additional 90 days beyond the stated completion date, and be it

FURTHER RESOLVED, that in consideration of said services, the FAA/DOT shall pay the County an amount not to exceed \$349,247 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be recorded to budget line 030080.0584.101000 (Public Safety Grant – Federal), and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Security in order to provide funds to cover additional Aviation Security for 2002 as requested in BF# 003545, 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>
Revenue:	030080	0584	101000	Public Safety Grant– Federal	147,454
Appro- priations:	030080	1600	101000	Salaries – Temporary	89,662
	030080	4349	101000	Misc. Operating Supplies	26,193
	030080	8030	101000	FICA	6,900
	030080	8060	101000	Health Insurance	24,699

and be it

FURTHER RESOLVED, that the funding for the 2003 portion of this contract will be addressed in the 2003 operating budget, 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-18, Nays-0, Absent-1 (Shafer).**

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**RESOLUTION NO. 190**

By Finance and County Administration Committees Seconded by Mr. O'Day  
**RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR COUNTY CLERK**

RESOLVED, that in accordance with a request from the County Clerk, in order to provide funds to cover additional hours for staffing at DMV-Endicott for Saturday hours as requested in BF# 003732, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds for 2002:

	<u>Index code</u>	<u>Subsubject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingency Fund	5,000
TO:	300020	1700	101000	Overtime	3,000
	300020	1500	101000	Salaries – Part Time	2,000

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

**RESOLUTION NO. 191**

By Transportation and Finance Committees Seconded by Mr. O'Day  
**RESOLUTION AUTHORIZING ACCEPTANCE OF A FEDERAL AVIATION ADMINISTRATION GRANT FOR COMPENSATION FOR AIRPORT SECURITY REQUIREMENTS IMPOSED ON OR AFTER SEPTEMBER 11, 2001**

WHEREAS, the Commissioner of Aviation requests authorization to accept a Federal Aviation Administration Grant in the amount of \$174,639 for the security requirements imposed on or after September 11, 2001 at the Binghamton Regional airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$174,639 from the Federal Aviation Administration for the security requirements imposed on or after September 11, 2001 at the Binghamton Regional Airport, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 210195.0584.207000 (Public Safety Grants - 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, and be it

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

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

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

**RESOLUTION NO. 192**

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. O'Day  
**RESOLUTION AUTHORIZING ACCEPTANCE OF A GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT FOR THE STOP-DWI PROGRAM, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH VARIOUS MUNICIPALITIES TO ADMINISTER SAID PROGRAM FOR 2002**

WHEREAS, the Coordinator of the STOP-DWI Program requests authorization to accept a Governor's Traffic Safety Grant, to adopt a program budget in the amount of \$22,000 and to enter into an agreement with various Broome County police agencies to administer said program for the period January 1, 2002 through September 30, 2002, and

WHEREAS, said grant program is necessary to enhance STOP-DWI enforcement and public awareness initiatives, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$22,000 from the Governor's Traffic Safety Committee, Department of Motor Vehicles, 6 Empire State Plaza, Albany, New York 12228 for the STOP-DWI Program Grant for the period January 1, 2002 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 \$22,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with various Broome County police agencies annexed hereto as exhibit "B" to administer said program grant for a total amount of \$22,000 for the period January 1, 2002 through September 30, 2002, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 820027.4457.104XXX (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) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### RESOLUTION NO. 193

By Finance and Public Works Committees

#### RESOLUTION AMENDING THE 1999 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 1999 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501345	1999 Landfill Public Water Supply	6,200,000	1,525,000	0	4,675,000
			<u>How Financed:</u>		
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		1999	40	6,200,000	0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501345	1999 Landfill Public Water Supply	8,900,000	0	0	8,900,000
			<u>How Financed:</u>		
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		1999	40	8,900,000	0

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Comments: The original estimate of \$6,200,000 was provided by the consulting engineer in 1998. This estimate was incorrect. The updated cost based on current consultant estimates is \$9,954,461. The actual low bids received including design and construction supervision total \$8,854,461. In addition, the State funding was not received.

Mr. Hull made a motion to call the question. **Motion to call of the question failed** due to lack of a second. **Resolution carried**, Ayes-14, Nays-3 (Pasquale, Sweet, Whalen), Absent-2 (Mather, Shafer).

Mr. O'Day made a motion to adjourn, seconded by Mr. O'Day. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Shafer). The meeting was adjourned at 6:28 p.m.

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