
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, AUGUST 22, 2002**

The Legislature convened at 4:04 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-18, Absent-1 (Brunza).

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

Mr. Mather made a motion, seconded by Mr. Kolba, that the minutes of the Regular Session of July 18, 2002 be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Brunza).

Mr. Schofield noted that the committee minutes for the period July 12, 2002 through August 15, 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. Burger, seconded by Mr. Miller. **Carried**, Ayes-18, Nays-0, Absent-1 (Brunza).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

1. Appointments to the Environmental Management Council

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. Petitions: None

B. Communications:

1. Broome County Democratic Committee: recommending appointment of Charlene Harvilla to fill a vacancy in the Legislature's 12th District
2. New York State Board of Real Property Services: 2002 State Equalization Rates
3. Governor Pataki: letter indicating receipt of Resolution No. 207, adopted May 16, 2002
4. Environmental Management Council: letter indicating open comment period re: Voluntary Cleanup Program Guide: policies and procedures
5. County Attorney:
 - a. Copy of agreement with Roberson Museum and Science Center for loan of Abraham Lincoln artifacts
 - b. Statement of Legal Services provided to the Legislature, 2nd quarter 2002
6. Broome Community College
 - a. Minutes of Public Hearing held on July 11, 2002 re: 2002-2003 Budget
 - b. Adopted Budget for 2002-2003
7. Minutes:
 - a. Environmental Management Council
 - b. Association of Towns and Villages
 - c. Association of Clerks of County Legislative Boards
8. Resolutions in support of Landfill Host Communities re: construction of an over/underpass on Dunham Hill Road
 - a. Town of Barker
 - b. Town of Binghamton
 - c. Town of Chenango
 - d. Town of Colesville

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- e. Town of Kirkwood
 - f. Town of Lisle
 - g. Town of Union
 - h. Town of Windsor
 - i. Village of Port Dickinson
- C. Notices:
- 1. Temporary closure of Dunham Hill Road between Perry and Knapp Roads, August 12-25, 2002
 - 2. Special Joint meeting, Finance and Public Safety and Emergency Services Committees, July 30, 2002, 4:00 p.m., to receive presentations for medical contracts at the Public Safety Facility
 - 3. Special Joint meeting of the Education, Culture and Recreation, Finance, and County Administration Committees, July 18, 2002, 3:30 p.m., to authorize use of Otsiningo Park for the 2002 Spiedie Fest/Balloon Rally
 - 4. Town of Triangle: Notice of Public Hearing re: siting of wireless telecommunications facilities
- D. Reports:
- 1. 2001 Annual Reports:
 - a. County Attorney's Office
 - b. Information Technology
 - c. Mental Health Department
 - d. Planning and Economic Development
 - 2. Public Works: Quarterly Report of Pending Projects
 - 3. Broome Community College: June 2002 Budget Transfers
 - 4. Finance: Second Quarterly Report of 2002 Sales Tax Collections
 - 5. Personnel: Monthly Attrition, June 2002

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

- 1. Appointing the following Legislators for Patrick O'Day:
 - a. W. Miller as voting representative, Education, Culture and Recreation Committee, August 12, 2002
 - b. D. Lindsey as voting representative, Transportation Committee, August 12, 2002
 - c. J. Holley as voting representative, Community and Social Services Committee, August 14, 2002
- 2. Appointing the following Legislators for Thomas Hull:
 - a. D. Lindsey as Chair, A. Shafer as voting representative, Education, Culture and Recreation Committee, August 12, 2002
 - b. A. Nannery as voting representative, Personnel Committee, August 13, 2002
 - c. G. Kolba as voting representative, Community and Social Services Committee, August 14, 2002
 - d. A. Nannery as voting representative, Intergovernmental Relations Committee, August 15, 2002
 - e. C. Burger as voting representative, Intergovernmental Relations Committee, August 15, 2002 (replacing A. Nannery)
- 3. Appointing W. Miller as voting representative for A. Shafer, July 30, 2002, special joint meeting of Finance and Public Safety and Emergency Services Committees
- 4. Appointing the following Legislators for Wayne Howard:
 - a. B. Mather as voting representative, County Administration Committee, August 15, 2002
 - b. J. Holley as voting representative, Finance Committee, August 15, 2002

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 XIV of the
Broome County Charter and Administrative Code, hereby confirms the appointment of the
above-named individuals to membership on the Willow Point Nursing Home Board of Directors,
for the terms indicated, in accordance with their appointment by the County Executive.
Carried, Ayes-18, Nays-0, Absent-1 (Brunza).

RESOLUTION NO. 332

By Finance Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES, PENALTIES AND INTEREST ON A PARCEL OF REAL PROPERTY IN THE TOWN OF LISLE

WHEREAS, it is necessary to cancel 2002 taxes, interest and penalties on a parcel of real
property in the Town of Lisle by virtue of the reason stated below, now, therefore, be it

RESOLVED, that taxes, interest and penalties will be cancelled on the following parcel of
real property in the Town of Lisle:

Town:	Lisle
Tax Map No.:	005.02-1-35
Account No.:	36000011859
Parcel Location:	110 River Road
Owner:	Brown, Harold E.
Total Cancellation:	\$104.04
Reason:	Parcel Non-Existent

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

RESOLUTION NO. 333

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002

WHEREAS, this County Legislature, by Resolution 49 of 2002, authorized the continued
participation in the Selective Traffic Enforcement Program (Step) Grant by the Office of the
Sheriff and adopted a program budget in connection therewith in the total amount of \$9,554 for
the period October 1, 2001 through September 30, 2002, and

WHEREAS, said grant program provides assistance in reducing aggressive driving,
speeding and impaired driving related motor vehicle crashes, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase of
\$2,656 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Selective
Traffic Enforcement Program (Step) Grant to reflect an increase of \$2,656 in grant
appropriations for the period October 1, 2001 through September 30, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the
revised program budget annexed hereto as Exhibit "A" in the total amount of \$12,210, and be it

FURTHER RESOLVED, that Resolution 49 of 2002, 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 (Brunza).

RESOLUTION NO. 334

By Health Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BESSE MEDICAL SUPPLY FOR THE PURCHASE OF 4000 PRE-FILLED SYRINGES OF SPLIT CELL FLU VACCINE FOR THE DEPARTMENT OF HEALTH'S IMMUNIZATION CLINICS FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 342 of 2001, authorized an agreement with Besse Medical Supply for the purchase of 5000 pre-filled syringes of split-cell flu vaccine for the Department of Health's Immunization Clinics for the period of June 1, 2001 through May 31, 2002, at a cost not to exceed \$42,250, with an option for two one-year renewals at the sole discretion of the County, and

WHEREAS, said services are necessary to supply the immunization clinics with an adequate supply of split-cell flu vaccine, and

WHEREAS, said agreement expired 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 \$36,560, for the period September 1, 2002 through August 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Besse Medical Supply, 11930 Hemper Springs Drive, Cincinnati, Ohio 45240-4121, for the purchase of 4,000 pre-filled syringes of split-cell flu vaccine for the Department of Health's Immunization Clinics for the period of September 1, 2002 through August 31, 2003, with an option for two one-year renewals on the same terms and conditions, at the sole discretion of the County, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$9.14 for each pre-filled syringe, or dose, for an amount not to exceed \$36,560 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4363.101000 (Medical, Lab and Clinic Supplies), and be it

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

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

RESOLUTION NO. 335

By Finance, Health Services Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR THE DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request from the Director of Health, in order to maximize expenditures for the WIC grant as requested in BF# 003816 and 003818, 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:	480301	1500	104580	Salaries – Part Time	1,197
	480301	4319	104580	Office Supplies	446
	480301	4411	104580	Postage and Freight	601
	480301	4419	104580	General Office Expense	767

WHEREAS, said grant program provides full wage subsidy paid summer employment to youth (ages 14-19) participants from income-eligible families in Broome and Tioga Counties, and WHEREAS, it is necessary at this time to revise said program to reflect a decrease of \$38,622 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the PY2001 TANF Summer Youth Employment Program Grant to reflect a decrease of \$38,622 for the period April 1, 2001 through September 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 \$167,728, and be it

FURTHER RESOLVED, that Resolution 329 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 (Brunza).

RESOLUTION NO. 337

By Finance and Intergovernmental Relations Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN BROOME COUNTY AND THE TOWN OF DICKINSON FOR THE COLLECTION OF REAL PROPERTY TAXES

WHEREAS, the Town of Dickinson currently collects Town and County taxes through an elected Receiver of Taxes, and

WHEREAS, a study performed by Broome County and the Town of Dickinson indicates that there are savings and economies to be gained by having the tax collection performed by Broome County rather than the Town's elected Receiver of Taxes, and

WHEREAS, on August 13, 2001 the Town of Dickinson Town Board unanimously passed Resolution No. 2001-20, also known as Local Law No. 2001-5 which called for the abolishment of the position of Receiver of Taxes to be put before the voters of the Town at the General Election in November 2001, and

WHEREAS, at the aforementioned General Election a majority of the voters of the Town of Dickinson voted in favor of abolishing the elected position of Receiver of Taxes and also in favor of Broome County performing the function of collecting Town and County taxes in the Town, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes the Broome County Real Property Tax Service to perform those functions necessary to collect taxes in the Town of Dickinson for the period January 1, 2003 through December 31, 2003, and be it,

FURTHER RESOLVED, that this agreement shall be automatically renewed annually, unless either party shall notify the other, no later than 30 days prior to the end of the term, of its election not to renew, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreement, 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 (Brunza).

RESOLUTION NO. 338

By Transportation and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH A. NELESSEN ASSOCIATES, INC., FOR CONSULTANT SERVICES FOR BMTS FOR 2002-2003

WHEREAS, the Director of the Binghamton Metropolitan Transportation Study (BMTS) requests authorization for an agreement with A. Nelessen Associates, Inc., for consultant services for BMTS at a cost not to exceed \$31,406, for the period September 1, 2002 through March 31, 2003, and

WHEREAS, said services are necessary to conduct a visual preference survey in conjunction with the BMTS 2002-2003 Unified Planning Work Program, the scope of services to include taking photographs of Court Street, Front Street and Washington Street, developing photo-simulations of alternative street designs and adjacent land uses, providing assistance in conducting a survey of the public, and analyzing resultant survey data, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with A. Nelessen Associates, Inc., 134 Nassau Street, Princeton, New Jersey 08542, for consulting services, for BMTS for the period September 1, 2002 through March 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$31,406 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440115.4747.104658 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 339

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF FOOD STAMP EMPLOYMENT & TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002

WHEREAS, this County Legislature, by Resolution 450 of 2001, authorized the continued participation in the Food Stamp Employment and Training Grant by the Department of Social Services and adopted a program budget in connection therewith in the total amount of \$62,628 for the period October 1, 2001 through September 30, 2002, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$110,098 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Food Stamp Employment and Training Grant to reflect an increase of \$110,098 for the period October 1, 2001 through September 30, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$172,726, and be it

FURTHER RESOLVED, that Resolution 450 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 (Brunza).

RESOLUTION NO. 340

By Finance Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING SUSPENSION OF INTEREST AND PENALTIES ON TAXES OWED ON PARCELS IN THE TOWNS OF KIRKWOOD AND COLESVILLE AND MOVE TO EXEMPT STATUS

WHEREAS, 1998, 1999, 2000 and 2001 taxes, interest and penalties are owed on the following properties:

Parcel ID:	162.05-2-19
Town/Village:	Kirkwood
Owner:	Robert W. Lechner
Amount Owed:	\$48,203.90

Parcel ID:	114-11-1-11
Town/Village:	Colesville
Owner:	Robert W. Lechner
Amount Owed:	\$13,828.34

and

WHEREAS, said parcels are gas stations that have been identified as having serious environmental problems, and

WHEREAS, the Director of Real Property recommends that it is in the best interest of the County to suspend accrual of interest and penalties on taxes owed, effective July 31, 2002, to enter into an installment agreement with the owner to pay on the balance due the County at a rate of \$500 per month until the debt is satisfied, and to move said parcels to exempt status temporarily in order to provide the owner with time to resolve the environmental concerns, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes the suspension of accrual of interest and penalties on taxes owed on parcel 162.05-2-19 in the Town of Kirkwood and parcel 114.11-1-11 in the Town of Colesville, effective July 31, 2002, authorizes an agreement with the owner to pay on the balance due the County at a rate of \$500 per month until the debt is satisfied, and authorizes moving said parcels to exempt status temporarily in order to provide the owner with time to resolve the environmental concerns, 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 (Brunza).

RESOLUTION NO. 341

By County Administration and Finance Committees

Seconded by Mr. Wike

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

WHEREAS, this County Legislature, by Resolution 12 of 2002, authorized 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 agreement was necessary to install a new software package (Track-IT 4.0) to replace the current Helpdesk software and also provide combined databases for Information Technology's separate hardware, software, inventory and purchase tracking databases, and

WHEREAS, it is necessary to authorize an amendment to said agreement to provide an additional \$1,192.65 to cover travel and expenses which were agreed to in the service contract, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Blue Ocean Software, Inc., 15310 Amberly Drive, Suite 370, Tampa, Florida 33647, increasing the amount by \$1,192.65 for travel and expenses 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 additional \$1,192.65, total amount of agreement not to exceed \$13,531.40 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 12 of 2002, 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 (Brunza).

RESOLUTION NO. 342

By Health Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH ONEONTA SURGICAL GROUP FOR SCREENING AND EDUCATION SERVICES FOR THE DEPARTMENT OF HEALTH'S COLORECTAL CANCER SCREENING AND PROSTATE CANCER EDUCATION PROGRAM GRANT FOR 2002-2003

WHEREAS, the Director of Health requests authorization for an agreement with Oneonta Surgical Group for screening and education services for the Department of Health's Colorectal Cancer Screening and Prostate Cancer Education Program Grant at rates not to exceed those listed on Exhibit "A" according to the New York State Department of Health Fee Schedule for the period August 26, 2002 through March 31, 2003, and

WHEREAS, said agreement is necessary to provide screenings, education, follow-up and diagnostic services for the Department of Health's Colorectal Cancer Screening and Prostate Cancer Education Program Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Oneonta Surgical Group, 449 Main Street, Oneonta, New York 13802, for screening and education services for the Department of Health's Colorectal Cancer Screening and Prostate Cancer Education Program Grant for the period August 26, 2002 through March 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates not to exceed those listed on Exhibit "A" according to the New York State Department of Health Fee Schedule for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4707.104649 (Medical and Hospital Services), and be it

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

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

RESOLUTION NO. 343

By Health Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF WOMEN, INFANTS AND CHILDREN (WIC) PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 451 of 2001, authorized and approved the renewal of the Women, Infants and Children (WIC) Program Grant for the Department of Health and adopted a program budget in the amount of \$714,658 for the period October 1, 2001 through September 30, 2002, and

WHEREAS, said grant program is a special supplemental food program for an assigned caseload of 4,704 women, infants and children, and

WHEREAS, it is desired to renew said grant program in the amount of \$749,047 for the period October 1, 2002 through September 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$749,047 from the New York State Department of Health-WIC Program, 217 South Salina Street, Syracuse, New York 13202 for the Department of Health's Women, Infants and Children (WIC) Program Grant for the period October 1, 2002 through September 30, 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 \$749,047, 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 (Brunza).

RESOLUTION NO. 344

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

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH DELTA ENGINEERS, PC FOR ENGINEERING AND CONSTRUCTION REVIEW SERVICES FOR THE BROOME COUNTY VETERANS MEMORIAL ARENA SKYBOX PROJECT FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2002-2003

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Delta Engineers, PC for consulting engineering and construction review services for the Broome County Veterans Memorial Arena Skybox Project for the Department of Public Works at a cost not to exceed \$154,800, for the period September 1, 2002 through December 31, 2003, and

WHEREAS, said services are necessary for design and construction review services for the new skyboxes at the Broome County Veterans Memorial Arena, and

WHEREAS, it is necessary to waive the normal procurement process to retain said firm due to the time constraints required to design, bid and construct the skyboxes before the start of the 2003 hockey season, now, therefore, be it

RESOLVED, that this County Legislature hereby waives the normal procurement process for engineering services and authorizes an agreement with Delta Engineers, PC, 164 Court Street, Binghamton, New York 13901-3514, for the design and construction review services for the new skyboxes at the Broome County Veterans Memorial Arena, for the Department of Public Works for the period September 1, 2002 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$154,800 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Arena Renovations Capital Improvement Project, 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 (Brunza).

RESOLUTION NO. 345

By County Administration, Public Works and Finance Committees

Seconded by Mr. Miller

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 7, 2002 ENTITLED "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, REGARDING LANDFILL FEES"

RESOLVED, that Local Law Intro. No. 7, 2002, entitled: "A Local Law Amending Chapter 179 of the Broome County Charter and Code, as amended, regarding landfill fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 7, 2002

"A Local Law Amending Chapter 179 of the Broome County Charter and Code, as Amended, Regarding Landfill Fees"

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

Section 1. Chapter 179-9 A (3) (a), (b) and (6) of the Broome County Charter and Code, as amended, be and hereby is amended to read as follows:

Section 179-9 Fees and Charges:

- (3) (a) Construction/demolition waste, nonfriable asbestos, bulk metals and pallets: \$45 per ton
 - [1] Friable asbestos and other similar particulate material: \$100 per ton
- (b) Tires
 - [1] With rim size up to and including 16 inches: \$1.25 per tire; bulk loads: [~~\$85~~] \$95 per ton. Rims need not be removed.
 - [2] Larger sizes up to and including 42 inches in outside diameter: [~~\$2.50~~] \$6.00 per tire. Bulk loads: [~~\$85~~] \$95 per ton. Rims need not be removed.
- (6) Commencing August 26, 2002, the following separate charges shall apply at the Nanticoke landfill:
 - (a) Ash (i.e., bottom ash), suitable for daily cover: \$12.50 per ton

Section 2. Section 179-35 of the Broome County Charter and Code, as amended, be and hereby is amended to read as follows:

"Upon payment of any tipping fee imposed by the County, the County shall accept any materials source-separated pursuant to this article at a designated solid waste management facility or through special collections, including but not limited to household hazardous wastes. The tipping fee imposed shall be [~~\$70~~] \$38.80 per ton, adjusted annually based on the Consumer Price Index for the Northeast, provided, however, that the tipping fee shall be waived for participating haulers.

Section 3. Except as herein above amended, Chapter 179 of the Broome County Charter and Code, as amended, shall remain in full force and effect.

Section 4. This Local Law shall become effective upon filing with the Secretary of State.

Material in [brackets] deleted
Material underlined added

Following a poll of the prime committee, **Resolution 345 was withdrawn.**

RESOLUTION NO. 346

By Public Works, Intergovernmental Relations and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF CHENANGO FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2002-2004

WHEREAS, this County Legislature, by Resolution 505 of 2001, authorized an agreement with the Town of Chenango for the final treatment of effluent from the County leachate treatment facility at the Nanticoke Landfill at a cost not to exceed \$11 per 1,000 gallons of leachate, total cost not to exceed \$250,000, for the period July 5, 2001 through July 4, 2002, and

WHEREAS, said services are necessary to dispose of effluent from the County leachate treatment facility at an approved wastewater treatment plant, and

WHEREAS, said agreement expired by its terms on July 4, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an increase in

cost not to exceed \$13 per 1,000 gallons of leachate, total cost not to exceed \$250,000, for the period July 5, 2002 through July 4, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Chenango, 1137 Front Street, Binghamton, New York 13905, for treatment of effluent from the County leachate treatment facility at the Nanticoke Landfill, for the Division of Solid Waste Management for the period July 5, 2002 through July 4, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$13 per 1,000 gallons of leachate, total cost not to exceed \$250,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4457.206000 (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 (Brunza).

RESOLUTION NO. 347

By Public Works, Intergovernmental Relations and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE VILLAGE OF ENDICOTT FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2002-2005

WHEREAS, this County Legislature, by Resolution 411 of 2000, authorized an agreement with the Village of Endicott for the final treatment of effluent from the County leachate treatment facility at the Nanticoke Landfill at a cost not to exceed \$12 per 1,000 gallons of leachate, total cost not to exceed \$250,000, plus the necessary lab analysis fees, for the period August 21, 2000 through August 20, 2002, and

WHEREAS, said services are necessary to dispose of effluent from the County leachate treatment facility at an approved wastewater treatment plant, and

WHEREAS, said agreement expires by its terms on August 20, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an increase in cost based on the following formulas, total cost not to exceed \$90,000 per year, total amount not to exceed \$270,000 for the period August 21, 2002 through August 20, 2005:

1. \$12 per 1,000 gallons for those discharges to the Endicott facility in excess of 70 per cent of the total monthly leachate production from the Nanticoke Landfill
2. \$13 per 1,000 gallons for those discharges to the Endicott facility greater than 50 per cent, but less than 70 per cent of the total monthly leachate production from the Nanticoke Landfill
3. \$14 per 1,000 gallons for those discharges to the Endicott facility greater than 30 per cent but less than 50 per cent of the total monthly leachate production from the Nanticoke Landfill
4. \$15 per 1,000 gallons for those discharges to the Endicott facility less than 30 per cent of the total monthly leachate production from the Nanticoke Landfill.

and

WHEREAS, laboratory expenditures incurred as a result of leachate disposal and treatment shall be paid by Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Village of Endicott, 1009 East Main Street, Endicott, New York 13760, for treatment of effluent from the County leachate treatment facility at the Nanticoke Landfill, for the Division of Solid Waste Management for the period August 21, 2002 through August 20, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount based on the above formulas, plus necessary lab analysis fees, total cost not to exceed \$90,000 per year, total amount not to exceed \$270,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4457.206000 (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 (Brunza).

RESOLUTION NO. 348

By Public Works and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH STEARNS & WHELER, LLC FOR ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2001-2003

WHEREAS, this County Legislature, by Resolution 675 of 2001, authorized an agreement with Stearns & Wheler, LLC for construction review engineering services for the Division of Solid Waste Management, at a cost not to exceed \$751,000, for the period December 1, 2001 through December 31, 2003, and

WHEREAS, said services are necessary to oversee the construction of the Nanticoke Landfill Expansion project, and

WHEREAS, it is necessary to authorize an amendment to said agreement to provide frost protection for the landfill liner and for the redesign of the electrical system to adjust for NYSEG's decision to run three-phase lines instead of the original single-phase, and

WHEREAS, the frost protection, a requirement of the landfill's operating permit, will use an innovative plan to use tire shreds, which was approved by the New York State Department of Environmental Conservation, and will require an additional \$18,000 in engineering services that will result in a savings of \$300,000 for the County, and

WHEREAS, the redesign of the entire electrical system is required at an additional cost of \$5,000 because of the NYSEG decision to change the power supply to the project from single-phase to three-phase after the final design of the project was completed, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035, for additional engineering services for frost protection and a redesign of the electrical system for the Nanticoke Landfill Expansion project, for the Division of Solid Waste Management for the period December 1, 2001 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$23,000, total amount not to exceed \$774,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501367 (Contracted 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 (Brunza).

RESOLUTION NO. 349

By Public Works and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH STEARNS & WHELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 583 of 2001, authorized renewal of the agreement with Stearns & Wheeler, LLC for professional engineering services for the Division of Solid Waste Management at a cost of \$29,000, for the period April 1, 2001 through August 31, 2002, and

WHEREAS, said services are necessary to assist the leachate treatment plant operations staff with anaerobic reactor operations, evaluation of chemical usage, trouble shooting operations issues and plant maintenance and repair issues at the County's leachate treatment facility at the Nanticoke Sanitary Landfill, and

WHEREAS, said agreement expires by its terms on August 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 \$15,000, for the period September 1, 2002 through August 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Stearns & Wheeler, LLC, 1 Remington Park Drive, Cazenovia, New York 13035 for professional engineering services for the Division of Solid Waste Management for the period September 1, 2002 through August 31, 2003, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4457.206000 (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 (Brunza).**

RESOLUTION NO. 350

By Community & Social Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FIRST WARD ACTION COUNCIL FOR THE OFFICE FOR AGING'S HOME REPAIR SERVICES PROGRAM FOR SENIOR CITIZENS IN BROOME COUNTY FOR 2002

WHEREAS, this County Legislature, by Resolution 669 of 2000, authorized renewal of agreement with First Ward Action Council for home repair services for senior citizens of Broome County at an amount not to exceed \$12,000, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said agreement is necessary to provide home repairs for low income senior citizens in Broome County to enable these individuals to remain in their homes, 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 \$4,000, for the period September 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with First Ward Action Council, 165-169 Clinton Street, Binghamton, New York 13905 for home repair services for low income senior citizens of Broome County for the period September 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 \$4,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760751.4457.104590, 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 (Brunza).

RESOLUTION NO. 351

By Community & Social Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH METRO INTERFAITH HOUSING MANAGEMENT CORPORATION FOR THE OFFICE FOR AGING'S CONGREGATE MEAL PROGRAM AT 110 CHENANGO STREET FOR 2002

WHEREAS, this County Legislature, by Resolution 598 of 2001, authorized renewal of the agreement with Metro Interfaith Housing Management Corporation for a congregate meal program for residents at 110 Chenango Street, Binghamton, New York with revenue to Broome County in the amount of \$30,450 (\$2.90 per meal), for the period January 1, 2002 through December 31, 2002, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to include residents at Lincoln Court Senior Housing Centers, and

WHEREAS, the Director of Office for Aging 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 Metro Interfaith Housing Management Corporation, 21 New Street, Binghamton, New York 13903, to provide meals to residents at Lincoln Court Senior Housing Center, Binghamton, New York, in the Congregate Meal Program for the period January 1, 2002 through December, 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$2.90 per meal, total amount not to exceed \$34,148, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760736.0628.104591 (Contracted Meals), and be it

FURTHER RESOLVED, that Resolution 598 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 (Brunza).

RESOLUTION NO. 352

By Community & Social Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF HEALTH INSURANCE INFORMATION AND COUNSELING ASSISTANCE PROGRAM (HIICAP) GRANT FOR OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. TO ADMINISTER SAID PROGRAM FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 445 of 2001, authorized and approved renewal of the Health Insurance Information and Counseling Assistance Program (HIICAP) Grant for the Office for Aging, adopted a program budget in the amount of \$2,350 and authorized an agreement with Action for Older Persons, Inc. to administer said program for the period March 16, 2001 through March 31, 2002, and

WHEREAS, said grant program provides for recruitment and training of volunteers for health insurance counseling, and

WHEREAS, it is desired to renew said grant program in the amount of \$2,350, adopt a program budget and renew the agreement with Action for Older Persons, Inc. to continue to administer said program for the period April 1, 2002 through March 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,350 from New York State Office for Aging, for the Office for Aging's Health Insurance Information and Counseling Assistance Program Grant for the period April 1, 2002 through March 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 \$2,350, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, 30 West State Street, Binghamton, New York 13901 to administer said program grant for the Office for Aging for the period April 1, 2002 through March 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,350 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760850.4457.104680 (Subcontracted Program Expense), and be it

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

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

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

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

RESOLUTION NO. 353

By County Administration and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH SOUTHERN TIER COPY PRODUCTS d/b/a CMS IMAGING SOLUTIONS FOR LEASE AND RELATED SERVICE AGREEMENT FOR A CANON IMAGE RUNNER 5000 DIGITAL COPY MACHINE FOR THE DEPARTMENT OF TRANSPORTATION FOR 2002-2007

WHEREAS, the Director of Purchasing has advertised and received bids for lease and related service agreements for the placement of digital copy machines in various County departments, and the County Legislature by Resolution 113 of 2002 has made an award based on the bids received, and

WHEREAS, County Departments may participate in leasing machines from this bid anytime through October of 2002, and

WHEREAS, the Commissioner of Public Transportation requests authorization for an agreement with Southern Tier Copy Products d/b/a CMS Imaging for a lease and related service agreement for a Canon Image Runner 5000 digital copy machine for the Department of Public Transportation at a cost of \$255.95 per month for 18,000 copies, plus an overage rate of .005 per copy when applicable, total amount not to exceed \$15,357 for the period September 1, 2002 through August 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Southern Tier Copy Products d/b/a CMS Imaging, 1 Lewis Street, Binghamton, New York 13901 for a lease and related service agreement for a Canon Image Runner 5000 digital copy machine for

the Department of Public Transportation for the period September 1, 2002 through August 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$255.95 per month, total amount not to exceed \$15,357 for the term of the agreement, plus and overage rate of .005 per copy, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 220004.4419.203110 (General Office 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 (Brunza).

RESOLUTION NO. 354

By Health Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF TUBERCULOSIS ELIMINATION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 80 of 2002, authorized the continued participation in the Tuberculosis Elimination Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$55,880 for the period February 1, 2002 through January 31, 2003, and

WHEREAS, said grant program provides enhanced screening, diagnosis, treatment and follow-up for tuberculosis to high risk target groups, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$20,000 in grant appropriations to provide targeted testing services to foreign-born students at Binghamton University, who comprise 20 per cent of the positive tuberculosis visits evaluated by the Department of Health, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Tuberculosis Elimination Grant to reflect an increase of \$20,000 for the period February 1, 2002 through January 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$75,880, and be it

FURTHER RESOLVED, that Resolution 80 of 2002, 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 (Brunza).

RESOLUTION NO. 355

By Health Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH THE RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF NEW YORK ON BEHALF OF THE CLINICAL CAMPUS AT THE BINGHAMTON COMMUNITY FREE CLINIC FOR THE DEPARTMENT OF HEALTH FOR 2002

WHEREAS, the Director of Public Health requests authorization for an agreement with the Research Foundation of the State University of New York on behalf of the Clinical Campus at the Binghamton Community Free Clinic for enhanced medical and dental services for the Department of Health at a cost not to exceed \$100,000, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide enhanced medical and dental services to the uninsured through the Community Free Clinic, to enable a core staff of physicians to be regularly present and to expand the volunteer base, thereby assuring consistency in the provision of medical care, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Research Foundation of the State University of New York on behalf of the Clinical Campus at the Binghamton Community Free Clinic, for enhanced medical and dental services, for the Department of Health for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$100,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4457.101000 (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 (Brunza).

RESOLUTION NO. 356

By Health Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING ACCEPTANCE OF PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, the Director of Public Health requests authorization to accept a Public Health Preparedness and Response to Bioterrorism Grant and adopt a program budget in the amount of \$200,536 for the period May 1, 2002 through August 31, 2003, and

WHEREAS, said grant program provides the means to develop response plans to address all forms of communicable disease outbreaks and terrorist threats, including biological, chemical and radiological, and includes staffing and development of a redundant communication and technology infrastructure, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$200,536 from Health Research Incorporated, One University Place, Rensselaer, New York 12144-3455 for the Department of Health's Public Health Preparedness and Response to Bioterrorism Grant for the period May 1, 2002 through August 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 \$200,536, 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 (Brunza).

RESOLUTION NO. 357

By Health Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE TRAFFIC SAFETY AWARENESS PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 463 of 2001, authorized and approved continued participation in the Traffic Safety Awareness Program Grant for the Department of Health and adopted a program budget in the amount of \$53,450 for the period October 1, 2001 through September 30, 2002, and

WHEREAS, said grant program supports local programs, public education events and activities designed to reduce mortality and morbidity related to traffic accidents, and

WHEREAS, it is desired to renew said grant program in the amount of \$61,508 for the period October 1, 2002 through September 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$61,508 from the Governor's Traffic Safety Committee, Department of Motor Vehicles, Empire State Plaza, Albany, New York 12228, for the Department of Health's Traffic Safety Awareness Program Grant for the period October 1, 2002 through September 30, 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 \$61,508, 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 (Brunza).

RESOLUTION NO. 358

By Health Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF YOUTH TOBACCO ENFORCEMENT AND PREVENTION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 602 of 2001, authorized and approved continued participation in the Youth Tobacco Enforcement and Prevention Grant for the Department of Health and adopted a program budget in the amount of \$32,289 for the period October 1, 2001 through September 30, 2002, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$32,289 for the period October 1, 2002 through September 30, 2003, now, therefore, be it

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

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

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 (Brunza).

RESOLUTION NO. 359

By Economic Development & Planning, Intergovernmental Relations and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TOWN OF TRIANGLE WHEREBY THE BROOME COUNTY DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT WILL PROVIDE ASSISTANCE TO THE TOWN OF TRIANGLE IN DEVELOPING A TOWN COMPREHENSIVE PLAN

WHEREAS, the Town of Triangle is desirous of developing a town comprehensive plan and has asked the Broome County Department of Planning and Economic Development for assistance, and

WHEREAS, the Department of Planning and Economic Development has the expertise and ability to provide consulting services to the Town of Triangle in conjunction with the development of said comprehensive plan, and

WHEREAS, the Commissioner of Planning and Economic Development has requested authorization to enter into an agreement with the Town of Triangle whereby in consideration of the sum of \$3,000 paid by the Town of Triangle to the County of Broome, the Broome County Department of Planning and Economic Development will provide the Town with up to thirty hours of consulting service, now therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Triangle whereby in consideration of the sum of \$3,000 to be paid to the County by the Town of Triangle, the Department of Planning and Economic Development will provide up to thirty hours of consulting service to assist the Town of Triangle in developing a comprehensive plan by:

- Meeting with the Town Board to assist the Board in surveying current land uses within the Town and producing a map delineating said land uses within the Town

WHEREAS, an application was submitted to New York State by the Village of Johnson City, the City of Binghamton, the Village of Endicott, the Town of Union and Broome County in 1994 for the designation of an EDZ, and

WHEREAS, the application was approved and an EDZ was created covering an area of two (2) square miles divided among the Village of Johnson City, the City of Binghamton, the Village of Endicott and the Town of Union and was known as the Triple Cities Economic Development Zone (EDZ), and

WHEREAS, in 1998 a second EDZ in Broome County was designated to include portions of the Town of Kirkwood and the City of Binghamton and was known as the Broome County Economic Development Zone, and

WHEREAS, a local Zone Administrative Board was established as the entity that is responsible for monitoring, evaluating and coordinating Zone benefits on behalf of the Zone. The Board must consist of a representative from a local business, organized labor, a community organization, a financial institution, a local education institution and Zone resident; the Zone certifying officer is a Broome County Industrial Development Agency employee, and

WHEREAS, in 1999, additional properties in the City of Binghamton, the Village of Endicott and the Town of Union were added to the Zone and certain properties were removed from the Zone with the approval of the New York State Commissioner of Economic Development, and

WHEREAS, in 2000, New York State passed legislation transforming the State's Economic Development Zones into Empire Zones as of January 1, 2001 and adding a State tax reduction tax credit, a state real property tax credit, as well as a sales tax exemption on personal tangible property, and

WHEREAS, in 2001, additional properties in the City of Binghamton, the Town of Union, the Village of Endicott and the Village of Johnson City were added to the Zone and certain properties were removed from the Zone with the approval of the New York State Commissioner of Economic Development, and

WHEREAS, various parcels of land in the Town of Union portion of the Triple Cities Empire Zone, including the entire campus of IBM Endicott, Airport Corporate Center, the Tri-Cities Airport Industrial Park, portions of the former IBM Heritage and IBM Homestead sites, and the Celestica site, are well suited for industrial and commercial development and are not currently in the Empire Zone, and

WHEREAS, various parcels of land in the City of Binghamton, such as a portion of a commercial plaza located at 435 West State Street, Southern Tier Medi-Van, Cook Brothers Truck Parts, Enviro Testing, NET2000 Computers, J & K Plumbing and Heating, and a portion of the former Binghamton Psychiatric Center, are well sited for industrial and commercial development and are not currently in the Empire Zone, and

WHEREAS, in order to include these properties, it is necessary to remove other properties so that the total square mileage of the Triple Cities Empire Zone will not exceed two (2) square miles, and

WHEREAS, the properties proposed for removal from the Town of Union, Village of Johnson City and Village of Endicott in the Zone include public right-of-ways, residential property, municipally owned facilities, churches and other undevelopable land, and

WHEREAS, the properties proposed for removal from the Zone in the City of Binghamton include public right-of-ways, property owned by the Broome County Library, church property and property owned by the Volunteers of America, and

WHEREAS, the legislatures of Broome County, the City of Binghamton, the Village of Johnson City, the Village of Endicott and the Town of Union must agree to any amendments to the Triple Cities Empire Zone for the same to take effect, and

WHEREAS, public notice of the proposed boundary amendments must be given and a public hearing held, now, therefore, be it

RESOLVED, that Local Law Intro. No. 8, 2002, entitled: "A Local Law Revising The Boundaries Of The Triple Cities Empire Zone," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 8, 2002

“A Local Law Revising the Boundaries of the Triple Cities Empire Zone”

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

Section 1: The County Legislature hereby requests approval from the New York State Commissioner of Economic Development to amend the boundaries of the Triple Cities Empire Zone as attached hereto as Exhibit “A” and made a part thereof.

Section 2. That copies of this resolution shall be forwarded to the Village of Johnson City, the Village of Endicott, the Town of Union, the City of Binghamton, and Empire State Development in Albany.

Section 3. That this local law shall take effect upon filing with the Secretary of State.

Carried, Ayes-17, Nays-0, Absent-1 (Brunza), Abstain-1 (Wike).

RESOLUTION NO. 362

By County Administration and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AN AMENDMENT TO THE LEASE AGREEMENT WITH JMAG ASSOCIATES, LLC FOR WAREHOUSE AND OFFICE SPACE FOR THE COUNTY CLERK FOR 2002-2012

WHEREAS, this County Legislature, by Resolution 284 of 2001, authorized an agreement with JMAG Associates, LLC for a lease agreement for 6,134 square feet of warehouse and office space located at 161 Jensen Road, Town of Vestal, for the Broome County Clerk’s Office at a cost not to exceed \$199,355, for the period August 1, 2001 through July 31, 2006, and included a five-year renewal provision, at Broome County’s option, at a total cost not to exceed \$214,935.36 for the period August 1, 2006 through July 31, 2011, and

WHEREAS, The County Clerk requests that Resolution 284 of 2001 be amended, as approved by the Department of Law, and

WHEREAS, the County Clerk requests authorization to enter into a new agreement with JMAG Associates, LLC, for a lease agreement for 6,500 square feet of warehouse and office space located at 161 Jensen Road, Town of Vestal, for the Broome County Clerk’s Office at a cost not to exceed \$452,388.17 for the period August 1, 2001 through July 31, 2012, and

WHEREAS, said agreement provides for the off-site storage of County records, and

WHEREAS, the cost of said lease agreement includes renovations to the site, loading and receiving area, property security and parking area, but does not include the cost of utilities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes Resolution 284 of 2001 to be amended, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the agreement with JMAG Associates, LLC, 201 Robinson Street, Binghamton, New York 13904, for the lease of 6,500 square feet of warehouse and office space located at 161 Jensen Road, Town of Vestal for the Broome County Clerk’s Office for the period August 1, 2001 through July 31, 2012, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a flat fee of \$13,506.17 for the period of August 1, 2001 to July 31, 2002; \$6.50 per square foot for 6,500 square feet at the rate of \$3,520.83 per month, \$42,250 per year, total amount not to exceed \$211,250 for the period of August 1, 2002 to July 31, 2007, and increase by 2 ½% per year for the period of August 1, 2007 through July 31, 2012, total cost not to exceed \$452,388.17 for the term of the agreement, and be it

WHEREAS, said services are necessary to provide various services, including speech therapy, preschool evaluations and classrooms and related services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the various providers as listed on the attached Exhibit "A", for services for the Preschool Education Program, for the Department of Health for the period September 8, 2002 through June 30, 2004, as per the rate sheet attached hereto as Exhibit "B" and tuition rates as established by the New York State Department of Education, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the rates set by the Broome County Department of Health and the New York State Department of Education as per the attached Exhibit "B" for the period September 8, 2002 through June 30, 2004, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.4706.101081 and 480293.various.101081 (Rehab & Therapy Services/Other Health and Medical Services), and be it

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

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

RESOLUTION NO. 365

By Transportation and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE IMPLEMENTATION OF A CUSTOMER LOYALTY REWARDS PROGRAM AT THE BINGHAMTON REGIONAL AIRPORT

WHEREAS, due to the current nationwide economic and travel industry climate, airports and other modes of transportation are fiercely competing for business-related travelers, and

WHEREAS, airports are experiencing a sizeable decrease in business travel activity, and

WHEREAS, as part of a marketing strategy the Commissioner of Aviation is requesting authorization to implement a Customer Loyalty Rewards Program which would include limited parking benefits for program participants, and

WHEREAS, said program is similar to an airline frequent flier program in that it would progressively reward customers for using the Binghamton Regional Airport, thereby helping to increase the competitive position and value of the Airport, which in turn would further strengthen all airport services for the community, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves implementation of a customer loyalty rewards program, which includes the waiving of parking fees for program participants who have attained the following annual program levels for 365 days from the first date of membership:

- After Parking 20 Days 1 Coupon Good for 1 Free Day of Parking
- After Parking 50 Days 2 Coupons Good for 2 Free Days of Parking
- After Parking 75 Days 3 Coupons Good for 3 Free Days OF Parking

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 (Brunza).

RESOLUTION NO. 366

By Community & Social Services and Finance Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT TO THE APPLICATION FOR STATE AID AND EXECUTION OF CONTRACTS FOR THE YOUTH BUREAU DEVELOPMENT/DELINQUENCY PREVENTION PROGRAMS (YDDP) FOR 2002

WHEREAS, this County Legislature, by Resolution 78 of 2002, authorized the Youth Bureau State Aid Applications and established appropriations for the 2002 Youth Bureau Development/Delinquency Prevention Program, and

WHEREAS, said applications provide various youth and family services programs, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase various revenue amounts and to add a new program, and

WHEREAS, the Director of the Youth Bureau 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 various local Youth Service Program Agencies listed on Exhibit "A" attached hereto, to increase various revenue amounts and to add a new program (YWCA) to the Youth Bureau Development/Delinquency Prevention Program for the period July 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that Resolution 78 of 2002, 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, and be it

FURTHER RESOLVED, that the County Comptroller and the Commissioner of Finance are hereby authorized to establish any additional accounts or supplemental accounts in connection with said Youth Service and Recreation Programs, and to make such other necessary bookkeeping accounting entries, adjustments and transfer as may be needed to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the programs described more fully in the documents on file with the Clerk of the Legislature are hereby approved and subcontracts with the appropriate agencies are hereby authorized and approved.

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

RESOLUTION NO. 367

By Public Works, Intergovernmental Relations and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BINGHAMTON/JOHNSON CITY JOINT SEWAGE BOARD FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL FOR 2002-2005

WHEREAS, this County Legislature, by Resolution 384 of 1999, authorized renewal of the agreement with the Binghamton/Johnson City Joint Sewage Treatment Plant for treatment of leachate from the Nanticoke Landfill at a cost not to exceed \$20 per 1,000 gallons of leachate treated, with the total yearly cost not to exceed \$40,000, for the period August 18, 1999 through August 17, 2002, and

WHEREAS, said services are necessary to serve as emergency backup for the treatment of leachate as provided by the Village of Endicott and the Town of Chenango, and

WHEREAS, said agreement expires by its terms on August 17, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$20 per 1,000 gallons of leachate treated, total yearly amount not to exceed \$40,000, total amount not to exceed \$120,000 for the period August 18, 2002 through August 17, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Binghamton/Johnson City Joint Sewage Board, 4480 Old Vestal Road, Vestal, New York 13850 for treatment of leachate from the Nanticoke Landfill for the period August 18, 2002 through August 17, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20 per 1,000 gallons of leachate treated, total yearly amount not to exceed \$40,000, total amount not exceed \$120,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4457.206000 (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 (Brunza).**

RESOLUTION NO. 368

By Finance, Personnel and Community & Social Services Committees
Seconded by Mr. Wike

RESOLUTION AUTHORIZING A BUDGET TRANSFER AND POSITION CHANGE REQUEST FOR THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that in accordance with a request from the Commissioner of Social Services to move funding in order to create a Human Services Program Coordinator II position, as requested in BF# 003678 and 003679, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	670455	4319	104654	Office Supplies	969
	670455	4462	104654	Travel/hotel/meals	500
	670455	4463	104654	Training and Education	1,500
	670455	4617	104654	Dupl. And Printing	2,500
	670455	8050	104654	Life Insurance	4
	670455	8060	104654	Health Insurance	5,436
	670455	8063	104654	Unemployment Insurance	24
TO:	670455	1000	104654	Salaries – Full Time	8,077
	670455	4614	104654	Other CB Expenses	2,000
	670455	8010	104654	State Retirement	147
	670455	8030	104654	Social Security	563
	670455	8040	104654	Workers' Comp	73
	670455	8070	104654	Unemployment Insurance	73

and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Social Services as contained in PCR#02-295, this County Legislature hereby authorizes the creation of (1) Human Services Program Coordinator II position, Full Time, at budget line 670455.1000.104654, minimum salary of \$36,834, Grade 20, Union CSEA, effective date 9/2/02, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Social Services as contained in PCR#02-296, this County Legislature hereby authorizes the abolishment of (1) Community Service Worker position, Full Time, at budget line 670455.1000.104654, minimum salary of \$20,203, Grade 8, Union CSEA, effective date 9/2/02.

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

RESOLUTION NO. 369

By Personnel, Public Works and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF PUBLIC WORKS

RESOLVED, that in accordance with a request from the Commissioner of Public Works as contained in PCR#02-314, this County Legislature hereby authorizes abolishment of (1) Sr. Maintenance Mechanic position, Full Time, at budget line 030031.1000.101000, minimum salary of \$13.25 per hour, Union AFSCME, and the creation of (1) Maintenance Worker position, Full Time, at budget line 030031.1000.101000, minimum salary of \$11.42 per hour, Union AFSCME, effective date 8/22/02.

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

RESOLUTION NO. 370

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE TO MAKE SHORT TERM INTER-FUND LOANS TO MEET CASH FLOW NEEDS

WHEREAS, the Solid Waste Management Enterprise Fund is a dedicated fund created pursuant to Article 14-C of the General Municipal Law and §226-b of the County Law, and

WHEREAS, the Solid Waste Management Enterprise Fund has a cash balance of \$13,211,615, and

WHEREAS, although §266 of the County Law and §412 of the General Municipal Law prohibits the transfer of the Solid Waste cash balance to the General Fund, §9-a of the General Municipal Law permits the temporary advancement of moneys held in any fund of the municipality to any other fund of the municipality pursuant to resolution of the governing body provided that said advance is repaid prior to the close of the fiscal year in which the advance was made, and

WHEREAS, the Commissioner of Finance has indicated that the cash balance in the General Fund at the beginning of the current fiscal year was insufficient to support the revolving cash flow requirements of the General Fund during fiscal year 2002 and the Fleet Management Fund has a current cash deficit of \$140,000, the Central Food Fund has a cash deficit of \$225,000, the Employment and Training Grant Fund has a cash deficit of \$550,000 and historically the Public Transportation Fund has cash deficits prior to the close of the fiscal year, and

WHEREAS, the cash deficits in the Central Food Fund and Fleet Management Fund are the result of charge-back timing and the cash deficits in the Employment and Training Grant Fund and Public Transportation Fund result from funding sources requiring expenditures prior to reimbursement, and

WHEREAS, the Commissioner of Finance has requested authorization to temporarily advance money from the Solid Waste Management Fund to the General Fund, Fleet Management Fund, Central Food Fund, Employment and Training Grant Fund and Public Transportation Fund to provide needed cash to allow said funds to continue operation until anticipated revenue is received, and

WHEREAS, §9-a of the General Municipal Law requires that the temporary advancement be repaid before the end of the fiscal year in which it was made, now, therefore, be it

RESOLVED, that this County Legislature, in order to provide needed cash to pay for the day to day operations of the following funds, pending receipt of anticipated revenue, hereby authorizes the Commissioner of Finance to make temporary advances from the Solid Waste Management Enterprise Fund during the balance of fiscal year 2002 to the following funds of the County up to the maximum amount indicated provided that any such temporary advances made pursuant to this resolution are repaid to the Solid Waste Management Enterprise Fund prior to the end of fiscal year 2002:

General Fund	\$8,000,000.00
Fleet Management Fund	250,000.00
Central Foods Fund	250,000.00
Employment & Training Grant Fund	750,000.00
Public Transportation Fund	750,000.00

and, be it

FURTHER RESOLVED, that the Commissioner of Finance, the Budget Director and/or the Comptroller are hereby authorized to make necessary journal entries to effectuate the intent of the resolution as to any temporary advances to be made from the Solid Waster Management Enterprise Fund.

Carried, Ayes-15, Nays-3 (Kolba, Sweet, Whalen), Absent-1 (Brunza).

RESOLUTION NO. 371

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING TAX ANTICIPATION NOTE

WHEREAS, in anticipation of year end cash flow needs, the Commissioner of Finance has requested authorization to issue a Tax Anticipation Note in connection with taxes to be levied and assessed for fiscal year 2003, now, therefore, be it

RESOLVED, that the Commissioner of Finance is hereby authorized to issue Tax Anticipation Notes pursuant to §24 of the Local Finance Law in anticipation of the receipt of taxes to be levied and assessed during fiscal year 2003 in an amount not to exceed \$10,000,000, and be it

FURTHER RESOLVED, that any such Tax Anticipation Notes are issued in anticipation of the collection of real estate taxes or assessments to be levied for fiscal year 2003, and be it

FURTHER RESOLVED, that any such Tax Anticipation Notes issued shall mature within one year from the date of their issue provided that they may be renewed for one additional year, and be it

FURTHER RESOLVED, the County Executive and the Commissioner of Finance are hereby authorized to execute, on behalf of the County, any and all documents necessary in connection with the issuance of tax anticipation notes as authorized by this Resolution.

Carried, Ayes-16, Nays-2 (Kolba, Sweet), Absent-1 (Brunza).

RESOLUTION NO. 372

By Health Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ZIMMET-SOLOMON HEALTHCARE CONSULTING, LLC FOR REVENUE CYCLE AUDIT SERVICES FOR WILLOW POINT NURSING HOME FOR 2002

WHEREAS, this County Legislature, by Resolution 304 of 2002, authorized an agreement with Zimmet-Solomon Healthcare Consulting, LLC for revenue cycle audit services for Willow Point Nursing Home at a cost not to exceed \$17,500, for the period July 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to verify the accuracy of all claims submitted by Willow Point Nursing Home to public and private health insurance programs, and

WHEREAS, it is necessary to authorize the amendment of said agreement to add the cost of expenses, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Zimmet-Solomon Healthcare Consulting, LLC, 4006 Route 9 South, Morganville, New Jersey 07751, to add the cost of expenses, for revenue cycle audit services for the Willow Point Nursing Home for the period July 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes agreements with various vendors as listed on Exhibit "B" to administer said program for the amounts indicated for the period August 1, 2002 through January 31, 2004, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760850.4457.103679 (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.

EXHIBIT "B"

VENDOR	SERVICES	AMOUNT
Action for Older Persons, Inc 30 W. State Street Binghamton, New York 13901	Compilation of an inventory of community services for the elderly	\$14,661
Visions, Inc., 17 Spring Valley Road Arlington, MA 02476	Consulting Services for data collection design, sampling methodologies, data analysis and interpretation	\$5,000
Binghamton University Research Foundation P.O. Box 6000 Binghamton, New York 13902-6000	Conduct census analysis and service utilization geographic mapping and trends analysis	\$15,030
Binghamton university Research Foundation P.O. Box 6000 Binghamton, New York 13902-6000	Conduct focus groups	\$15,121
Louise Stein, Ph.D 56 Centennial Avenue Brockport, New York 14420	Semi-structured interviews of people who are functionally limited	\$13,682

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

RESOLUTION NO. 375

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

RESOLUTION AUTHORIZING AGREEMENT WITH WEST GROUP (WESTLAW) FOR LEGAL RESEARCH FOR THE BROOME COUNTY PUBLIC DEFENDER FOR 2002-2003

WHEREAS, the Broome County Public Defender is eligible to participate in the West Group (Westlaw) State Contract pricing for computerized legal research, and

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

WHEREAS, said West Group State Contract pricing is a significant savings over the present legal research contract, and

WHEREAS, the Public Defender is requesting authorization to enter into an agreement with West Group (Westlaw) in order to participate in the State Contract pricing for computerized legal research at a rate of \$79 per month per user (10 users for a total of \$790 per month), for the period July 1, 2002 through June 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Public Defender to participate in the West Group (Westlaw) New York State Office of General Services Combined Usage Service Agreement Contract Number CMS0362, and be it

FURTHER RESOLVED, that pursuant to said State Contract pricing, this County Legislature authorizes an agreement with the West Publishing Company, 50 West Kellogg Boulevard, P.O. Box 3526, Saint Paul, Minnesota 55165, for computerized legal research services for the period July 1, 2002 through June 30, 2003, and be it

FURTHER RESOLVED, that in consideration for said services, the County shall pay the Contractor at a rate of \$79 per month per user (10 users for a total of \$790 per month), total amount not to exceed \$9,480 for the term of the agreement, and be it

FURTHER RESOLVED, that that payments hereinabove authorized shall be made from budget line 530006.4311.101000 (Books and Subscriptions), 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 (Brunza).

RESOLUTION NO. 376

By Finance and Education, Culture & Recreation Committees Seconded by Mather
RESOLUTION AMENDING THE 2002 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2002 Capital Improvement Program is hereby amended as follows:

CREATE:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	
TBA	Arena Renovations	340,000	0	0	340,000
		<u>Local Finance Law Sec. 11</u>		<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>Subd.</u>	<u>Bond</u>	<u>Current Revenue</u>	
2002	5	35	340,000*	340,000	

Description: General renovations to the Arena. Including but not limited to engineering and design, locker room renovations, and sound systems upgrade.

*Authority to bond is granted as a contingency in the event the transfer to capital herein authorized does not take place prior to the date the funds are needed for the capital project, and be it

FURTHER RESOLVED, that the General Fund is amended as follows:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
Increase Revenue:	541003	0618	101000	State Aid - Culture and Recreation	340,000
Increase Appropriation:	541003	9004	101000	Transfer to Capital	340,000

and, be it

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

Carried, Ayes-15, Nays-3 (Hudak, Sweet, Whalen), Absent-1 (Brunza).

RESOLUTION NO. 377

By Education, Culture & Recreation and Finance Committee Seconded by Mr. Wike
RESOLUTION AUTHORIZING ACCEPTANCE OF GRANTS FROM THE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR GENERAL OPERATING SUPPORT OF THE DEPARTMENT OF PARKS AND RECREATION FOR 2002-2003

WHEREAS, the Commissioner of Parks and Recreation has been notified that Broome County has been selected to receive three grants from the New York State Office of Parks, Recreation and Historic Preservation totaling in the aggregate \$340,000 to provide general operating support for the Broome County Department of Parks and Recreation during the period April 1, 2002 through March 31, 2003, and

WHEREAS, the Commissioner of Parks and Recreation has requested authority to accept said grants and enter into documents necessary in connection with said grants, now, therefore, be it

RESOLVED, that this County Legislature hereby accepts the following grants from the New York State Office of Parks, Recreation and Historic Preservation for general operating support of the Broome County Department of Parks and Recreation for the period April 1, 2002 through March 31, 2003:

- \$ 40,000 (PKS-02-CE-027)
- \$ 50,000 (PKS-02-CE-026)
- \$250,000 (PKS-02-CE-028)

and be it

FURTHER RESOLVED, that upon receipt of said grants the proceeds shall be credited to budget line 541033.0618.10100 (State Aid – Culture and Recreation), 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 granting 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 execute any budget 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 (Brunza).

RESOLUTION NO. 378

By Finance Committee

Seconded by Mr. Shafer

BOND RESOLUTION DATED AUGUST 22, 2002

RESOLUTION AUTHORIZING THE ISSUANCE OF \$340,000 BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY THE COST OF GENERAL RENOVATIONS TO THE BROOME COUNTY VETERANS MEMORIAL ARENA

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/P.P.U/L.F.L. Section 11.00</u>	Maximum Estimated Cost
Arena Renovations (5 years, sub 11(35))	\$340,000

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 \$340,000 and the plan for the financing thereof is by the issuance of \$340,000 bonds of said County hereby authorized to be issued therefor pursuant to the Local Finance Law.

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 provision 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.
and be it,

FURTHER RESOLVED, that the Commissioner of Finance is authorized to advance this capital project a short term interfund loan (at 0% interest) from the General Fund to provide sufficient cash until the bond anticipation notes are sold.

Carried, Ayes-15, Nays-3 (Hudak, Sweet, Whalen), Absent-1 (Brunza).

RESOLUTION NO. 379

By Finance Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES FROM THE 2002 TAX SALE AUCTION

WHEREAS, the County of Broome owns certain parcels of real property as a result of in rem foreclosures, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 2002 was held and all bids submitted were tabulated, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 2002 Broome County tax sale as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that this County Legislature hereby rejects the bids as indicated on the attached Exhibit "B", and be it,

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

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

RESOLUTION NO. 380

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING AGREEMENT WITH CORRECTIONAL MEDICAL SERVICES, INC. FOR MEDICAL SERVICES AT THE BROOME COUNTY JAIL FOR THE OFFICE OF THE SHERIFF FOR 2002-2003

WHEREAS, the Office of the Sheriff requests authorization for an agreement with Correctional Medical Services, Inc. for medical, dental and related health care and administrative services, at the Broome County Jail for the Office of the Sheriff at a cost not to exceed \$1,379,784, for the period October 1, 2002 through September 30, 2003, with the option of four additional one year renewal terms on substantially similar terms and conditions and a Consumer Price Index increase, and

WHEREAS, said services are necessary to provide medical, dental and related health care and administrative services for the Broome County Jail and to comply with the minimum standards for such services prescribed by law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Correctional Medical Services, Inc., 12647 Olive Boulevard, Saint Louis, Missouri, 63141, for medical, dental and related health care and administrative services, for the Office of the Sheriff for the period October 1, 2002 through September 30, 2003, with the option of four additional one year renewal terms on substantially similar terms and conditions and a Consumer Price Index increase, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,379,784 for the term of the agreement, and be it

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

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

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

RESOLUTION NO. 381

By Public Works Committee Seconded by Mr. Shafer
RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE REVISION OF THE BOUNDARIES OF THE TRIPLE CITIES EMPIRE ZONE IN THE TOWN OF UNION, VILLAGES OF ENDICOTT AND JOHNSON CITY AND THE CITY OF BINGHAMTON AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to revise the boundaries of the Triple Cities Empire Zone in the Town of Union, Villages of Endicott and Johnson City and the City of Binghamton to stimulate economic growth, and

WHEREAS, it has been determined that such revision 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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned revisions, and

WHEREAS, said revisions may have an impact on the environment, now, therefore, be it
RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of revisions to the Triple Cities Empire Zone in the Town of Union, the Villages of Endicott and Johnson City and the City of Binghamton, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that the revisions of the Triple Cities Empire Zone will not have a significant effect on the environment, and be it

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

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

Mr. Howard made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Brunza). The meeting was adjourned at 4:47 p.m.

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