
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, JUNE 19, 2003**

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-19, Absent-0.

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

Mr. Miller made a motion, seconded by Mr. Wike, that the minutes of the May 22, 2003 Regular Session and the May 27, 2003, June 6, 2003 and June 12, 2003 Special Sessions be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the period May 22, 2003 through June 18, 2003 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. Brunza. **Carried.**

ANNOUNCEMENTS FROM THE CHAIR

Chair Schofield presented the Seal of the County to Dr. Donald Dellow upon his retirement as President of Broome Community College, recognizing his years of service to the College.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Jeffrey P. Kraham:
1. Appointing William M. Barber as Commissioner of Parks & Recreation

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
1. Minutes:
 - a. Broome County Soil and Water Conservation District 5/6/03
 - b. Broome County Association of Municipal Clerks 5/15/03
 - c. Broome County Association of Towns and Villages 5/29/03
 - d. EMC Environmental Management Council 6/5/03
 - e. EMC Natural Resources Committee 5/12/03
 2. Letters from area bar and restaurant owners-Re: "An Act to Amend the Public Health Law and the Education Law, in Relation to the Regulation of Smoking in Certain Public Areas."
 3. Letter from Environmental Health Services- Re: Correspondence regarding the amended NYS Clean Indoor Air Act.
 4. Memo from Public Works- Re: Solid Waste Tonnage
 5. Seneca County Board of Supervisors-Resolution Opposing Expansion of Unregulated, Commercial, Non-Charitable Gaming Within the State Of New York
 6. December 12, 2002 Budget Note Certification
 7. Assemblyman Warner-Receipt of Resolution Opposing Amending S11-0907 of the Environmental Conservation Law in Relation To Hunting Deer and Bear in the Southern Tier & Resolution Supporting the Amendment to the New York Mental Hygiene Law Relating to the Costs of Services for Court-Ordered Patients at State-Operated Mental Hygiene Facilities

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8. Broome Tobacco Asset Securitization Corporation-Written Consent of The Controlling Trustees of Broome TASC Residual Trust

C. Notices:

1. Special Economic, Development & Planning, County Administration and Finance Committee Meeting 5/22/03
2. Special Finance Committee Meeting 5/27/03
3. Special Session 5/27/03
4. Special Finance Committee Meeting 6/6/03
5. Special Session 6/6/03
6. Special Finance Committee Meeting 6/12/03
7. Special Session 6/12/03

D. Reports:

1. BCC April 2003 Budget Transfers
2. BCC Quarterly Income Statements ending May 30, 2003
3. BCC Above Minimum Hire 5/03
4. CASA 2002 Annual Report
5. Youth Bureau 2002 Annual Report
6. Unaudited Comprehensive Annual Financial Report 2002
7. Personnel Monthly Attrition 4/03

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel A. Schofield:
1. Recommending Jerry F. Marinich to the Broome County Law Library Board of Trustees
 2. Designations for Thomas Hull 6/5/03-6/11/03

Mr. Kuzel made a motion, seconded by Mr. Reynolds, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2003 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.

Carried.

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

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 190

(Held over by Ms. Hudak)

By Finance Committee

Seconded by Mr. Howard

RESOLUTION RESCINDING RESOLUTION 361 OF 1991 AUTHORIZING ALL COUNTY MUNICIPALITIES TO RETAIN THE INTEREST EARNED ON REAL PROPERTY TAX COLLECTION MONIES

Mr. Marinich made a motion, seconded by Mr. Shafer, to amend the resolution changing the first FURTHER RESOLVED to read "...shall take effect January 1, 2007, and be it"

Amendment carried, Ayes-18, Nays-1 (Wike). Resolution as amended carried.

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

Parcel ID: 110.07-1-40
Town/Village: Town of Maine
Owner: County of Broome
Amount to be Cancelled: \$81.40 plus penalties and interest
Reason: Wholly exempt

Carried.

RESOLUTION NO. 243

By Finance Committee

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON TAX ROLLS FOR THE TOWN OF SANFORD

WHEREAS, applications for Correction of Errors on Tax Rolls for Town of Sanford have been duly filed with the Director of Real Property Tax Service for the County of Broome, and

WHEREAS, the Director of Real Property Tax Service has filed a report pursuant to Section 554 of the Real Property Tax Law and certain claimed errors have been determined to exist that should be corrected, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the application for correction and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in accordance with the following list, pursuant to Section 554 of the Real Property Tax Law.

Town: Sanford
Tax Map No. 167.19-1-10
Owner: James Ficurilli

	<u>Incorrect Tax</u>	<u>Correct Tax</u>
Budget Note:	\$ 4.80	\$ 4.80
Medicaid Costs	35.05	35.05
County Services	10.28	10.28
Town	17.58	17.58
Highway	14.27	14.27
School Relevy	123.64	123.64
Village Relevy	62.61	-0-
Total	\$268.24	\$205.63

Town: Sanford
Tax Map No. 187.15-1-27
Owner: James Ficurilli

	<u>Incorrect Tax</u>	<u>Correct Tax</u>
Budget Note:	\$ 68.46	\$ 68.46
Medicaid Costs	498.65	498.65
County Services	146.22	146.22
Town	250.06	250.06
Highway	202.99	202.99
School Relevy	1,211.04	1,211.04
Village Relevy	876.43	-0-
Total	\$3,253.85	\$2,377.42

Carried.

RESOLUTION NO. 244

By Health & Human Services, Personnel and Finance Committees Seconded by Ms. Hudak
RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY FAMILY NEW YORK HOME VISITING PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING RENEWAL OF AGREEMENT WITH LOURDES HEALTH CARE SYSTEMS TO ADMINISTER SAID PROGRAM FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 280 of 2002, as amended by Resolution 210 of 2003, authorized and approved the Healthy Family New York Home Visiting Program Grant for the Department of Health, adopted a program budget in the amount of \$424,000, and authorized the agreement with Lourdes Health Care System to administer said program for the period July 1, 2002 through June 30, 2003, and

WHEREAS, said grant program provides home visiting services for the Healthy Family New York Home Visiting Program, and

WHEREAS, it is desired to renew said grant program in the amount of \$424,000, adopt a program budget and renew the agreement with Lourdes Health Care System to administer said program for the period July 1, 2003 through June 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$424,000 from the New York State Office of Children and Family Services, Development & Prevention Services, 52 Washington Street 3N, Rensselaer, New York 12144-2796 for the Broome County Health Department's Healthy Family New York Home Visiting Program Grant for the period July 1, 2003 through June 30, 2004, 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 \$424,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Lourdes Health Care System, 303 Main Street, Binghamton, New York 13905, to administer said program for the Department of Health for the period July 1, 2003 through June 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services the County shall pay the Contractor an amount not to exceed \$331,575 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104XXX (Subcontracted Program Expense), and be it

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

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

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

Carried.

RESOLUTION NO. 245

By Health & Human Services, Personnel and Finance Committees Seconded by Ms. Hudak
RESOLUTION AUTHORIZING REVISION OF THE TANF SERVICES BLOCK GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 578 of 2002, authorized the continued participation in the OTDA approved TANF Services Block Grant for the Department of Social Services and adopted a program budget in connection therewith in the total amount of \$860,864 for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said grant program is designed to assist TANF recipients to achieve self-sufficiency and transition from welfare to work and focuses on families, youth, domestic violence, and drug and alcohol screening rehabilitation, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$552,683 in grant appropriations and revenue and extend the period through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the OTDA approved TANF Services Block Grant to reflect an increase of \$552,683 for the period January 1, 2003 through March 31, 2004, 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 \$1,413,547, and be it

FURTHER RESOLVED, that Resolution 578 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.

RESOLUTION NO. 246

By Health & Human Services, Personnel and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING REVISION OF THE HIV CARE NETWORK GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 105 of 2003, authorized the continued participation in the HIV Care Network Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$95,583 for the period April 1, 2003 through March 31, 2004, and

WHEREAS, said grant program provides funding for the administration of the NY-Penn Region HIV Care Network, a local coalition responsible for defining the local HIV/AIDS epidemic, planning and coordination of services and raising public awareness, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$2,000 in grant appropriations which is being carried over into the current year from last year's budget at the request of the grantor agency, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the HIV Care Network Grant to reflect an increase of \$2,000 for the period April 1, 2003 through March 31, 2004, 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 \$97,583, and be it

FURTHER RESOLVED, that Resolution 105 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 247

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING RENEWAL OF THE HIV SEROPREVALENCE STUDY GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 279 of 2002, authorized continued participation in the HIV Seroprevalence Study Grant for the Department of Health and adopted a program budget in the amount of \$18,000 for the period July 1, 2002 through June 30, 2003, and

WHEREAS, said grant program allows the Broome County Department of Health STD Clinic to participate in a blinded HIV Seroprevalence Study in order to expand local knowledge of the nature and scope of the epidemic among Broome County's STD population and provide important information necessary to enhance local prevention strategies, and

WHEREAS, it is desired to renew said grant program in the amount of \$18,000 for the period July 1, 2003 through June 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$18,000 from the New York State Department of Health, Bureau of HIV/AIDS Epidemiology, Room 729, Corning Tower, Empire State Plaza, Albany, New York 12237, for the Department of Health's HIV Seroprevalence Study Grant for the period July 1, 2003 through June 30, 2004, 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 \$18,000, and be it

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

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

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

Carried.

RESOLUTION NO. 248

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING AGREEMENT WITH VARIOUS VENDORS FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM AND PRESCHOOL EDUCATION PROGRAM FOR 2003-2004

WHEREAS, the Director of Public Health requests authorization for an agreement with various vendors for services for the Department of Health's Early Intervention Program for the period July 1, 2003 through December 31, 2004 and the Preschool Education (3-5) Program for the period July 1, 2003 through June 30, 2004 at rates set by New York State Department of Health and the Broome County Health Department and the New York State Education Department, at a cost not to exceed budgeted appropriations, and

WHEREAS, said services are necessary to provide speech therapy and evaluation for Early Intervention and speech therapy for Preschool Education (3-5), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with various vendors, for services, for the Department of Health's Early Intervention Program for the period July 1, 2003 through December 31, 2004 and the Preschool Education (3-5) Program for the period July 1, 2003 through June 30, 2004 as follows:

Michelle D. Bryant,
21 McFall Road
Apalachin, New York 13732

Tishuba D. Guzyk
384 Prospect Street
Binghamton, New York 13905

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates set by the New York State Department of Health as shown on Exhibit "A" and the Broome County Health Department and the New York State Education Department as shown on Exhibit "B", total amount not to exceed budgeted appropriations, and be it

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

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

Carried.

RESOLUTION NO. 249

By Health & Human Services, Personnel, and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING RENEWAL OF THE DIABETES PREVENTION AND CONTROL GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 58 of 2002, authorized and approved the Diabetes Prevention and Control Grant for the Department of Health and adopted a program budget in the amount of \$50,000 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said grant program provides diabetes awareness, education and screening to targeted populations in a five county region which includes Broome, Tioga, Chenango, Delaware and Otsego Counties, and

WHEREAS, it is desired to renew said grant program in the amount of \$50,000 for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from New York State Department of Health, Room 780, Corning Tower, Empire State Plaza, Albany, New York 12237-0678, for the Department of Health's Diabetes Prevention and Control Grant program for the period April 1, 2003 through March 31, 2004, 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 \$50,000, and be it

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

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

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

Carried.

RESOLUTION NO. 250

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH'S DIABETES PREVENTION AND CONTROL GRANT FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 59 of 2002, as amended by Resolution 390 of 2002, authorized renewal of agreements with various vendors for professional services for the Department of Health's Diabetes Prevention and Control Grant Program at a total cost not to exceed \$35,000, for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said grant program provides project coordination, diabetes awareness, education and screening to targeted populations in a five-county region which includes Broome, Tioga, Chenango, Delaware and Otsego Counties, and

WHEREAS, the Director of Public Health requests authorization to renew said agreements, as approved by the Department of Law, with the various vendors listed in Exhibit "A", at a total cost not to exceed \$33,880 for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various vendors for professional services for the Department of Health's Diabetes Prevention and Control Grant Program for the period April 1, 2003 through March 31, 2004 at a cost not to exceed the amounts listed in Exhibit "A" for each vendor, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104XXX (Subcontracted Program Expense), and be it

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

Carried.

RESOLUTION NO. 251

By Health & Human Services, Personnel and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING ACCEPTANCE OF A HEPATITIS C EDUCATIONAL WORKSHOP GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, the Director of Public Health requests authorization to accept a Hepatitis C Educational Workshop Grant and adopt a program budget in the amount of \$10,000 for the period May 14, 2003 through October 31, 2003, and

WHEREAS, said grant program will allow a one-day conference on Hepatitis C for HIV providers and for several one-hour training sessions at correctional facilities, drug and alcohol rehabilitation centers and other community programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,000 from the National Association of County & City Health Officials, 1100 17th Street NW, 2nd Floor, Washington, DC 20036 for the Department of Health's Hepatitis C Educational Workshop Grant for the period May 14, 2003 through October 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 \$10,000, and be it

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

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

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

Carried.

RESOLUTION NO. 252

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH LOURDES YOUTH SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2003

WHEREAS, this County Legislature, by Resolution 135 of 2003, authorized an agreement with Lourdes Youth Services to implement the Reconnecting Youth Program through the Department of Mental Health's State Incentive Cooperative Agreement (SICA) Grant at a cost not to exceed \$22,000 for the period January 1, 2003 through July 14, 2003, and

WHEREAS, said agreement provides funding for a Reconnecting Youth Counselor for two groups at Johnson City High School for high-risk youth in grades 9 through 12, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the amount of the contract by \$15,000, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Lourdes Youth Services, 303 Main Street, Binghamton, New York 13905, to increase the amount of the contract by \$15,000 to implement the Reconnection Youth Program through the Department of Mental Health's State Incentive Cooperative Agreement (SICA) Grant for the period January 1, 2003 through July 14, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$15,000, total amount not to exceed \$37,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4747.104673 (Other Fees for Services), and be it

FURTHER RESOLVED, that Resolution 135 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 253

By Economic Development & Planning and Finance Committees Seconded by Ms. Hudak
RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENTS WITH THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR FUNDING VARIOUS PROGRAMS FOR 2003

WHEREAS, pursuant to Resolution 98 of 2000, Broome County entered into an agreement with the Broome County Industrial Development Agency (IDA) dated May 31, 2000 whereby the IDA agreed to administer Broome County's Economic Development Program in consideration of the payment by Broome County to the IDA of the sum of \$52,374.00 annually during the term of the agreement which expires December 31, 2004; and

WHEREAS, pursuant to Resolution 559 of 2000, Broome County entered into an agreement with the Broome County Industrial Development Agency dated December 18, 2000 whereby the IDA agreed to administer the County's Revolving Loan Fund and Promotion and Advertising Budget as budgeted for 2000 and 2001, and

WHEREAS, pursuant to Resolution 387 of 2001 and Resolution 226 of 2002, the December 18, 2000 agreement was amended to provide for budgeted funds in 2002, and

WHEREAS, it is desired to further amend the May 31, 2000 and December 19, 2000 agreement with the IDA to provide for the payment to the IDA pursuant to the May 31, 2000 agreement the sum of \$50,000 for administering the County's Economic Development Program during 2003 and amend the December 18, 2000 agreement with the IDA to provide for the payment of \$200,000 for Advertising and Marketing during 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the May 31, 2000 agreement with the Broome County Industrial Development Agency, as previously amended, to provide that the consideration for administering the County's Economic Development Program shall be \$50,000 for calendar year 2003 to be paid for from budget line 441001.5077.101000 (Industrial Development Agency), and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the December 18, 2000 agreement with the Broome County Economic Development Agency, as previously amended, to provide that the IDA shall administer the Economic Development Marketing and Promotion Program for calendar year 2003 as the only authorized program for 2003 in consideration of the payment by the County to the IDA of the sum of \$200,000, said payment to be made from budget line 441001.4448.101000 (Advertising and Promotion Expenses), and be it

FURTHER RESOLVED, that the agreements herein authorized to be amended shall continue in full force and effect as amended, and be it

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

Carried.

RESOLUTION NO. 254

By Economic Development & Planning and Finance Committees Seconded by Ms. Hudak
RESOLUTION AUTHORIZING REVISION OF PY2002 WORKFORCE INVESTMENT ACT ADULT PROGRAM GRANT FOR THE DEPARTMENT OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002

WHEREAS, this County Legislature, by Resolution 278 of 2002, authorized the PY2002 Workforce Investment Act (WIA) Dislocated Worker, Adult, Youth and Shared Cost Program Grants for the Department of Employment and Training and adopted program budgets in connection therewith in the total amount of \$2,274,986, the PY2002 WIA Adult Program Grant representing \$484,257 of said total amount, for the period July 1, 2002 through June 30, 2004, and

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

WHEREAS, it is necessary at this time to revise the PY2002 WIA Adult Program Grant to reflect a decrease in grant appropriations of \$2,358, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the PY2002 WIA Adult Program Grant to reflect a \$2,358 decrease in grant appropriations for the period July 1, 2002 through June 30, 2004, 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 \$481,899, and be it

FURTHER RESOLVED, that Resolution 278 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.

RESOLUTION NO. 255

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH METRO INTERFAITH HOUSING MANAGEMENT CORP. FOR PERSONAL CARE/HOMEMAKER SERVICES FOR THE OFFICE FOR AGING'S EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 72 of 2003, authorized agreements with various vendors for personal care/homemaker services for the Office for Aging's Expanded In-Home Services for the Elderly Program at the approved State Medicaid rates indicated in Exhibit "A" of said resolution for the period April 1, 2003 through March 31, 2004, and

WHEREAS, it is necessary to authorize an amendment to the Metro Interfaith Housing Management Corp. agreement, changing the Personal Care/Homemaker rate of reimbursement from \$13.25 to \$13.75/hour, and

WHEREAS, the Director of the 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 Corp., 21 New Street, Binghamton, NY 13903, changing the rate of reimbursement from \$13.25 to \$13.75 per hour for the Personal Care/Homemaker Services for the Office for Aging's Expanded In-Home Services for the Elderly Program for the period April 1, 2003 through March 31, 2004, and be it

FURTHER RESOLVED, that Resolution 72 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 256

By Health & Human Services, Personnel and Finance Committees Seconded by Ms. Hudak
RESOLUTION AUTHORIZING REVISION OF THE FOSTER GRANDPARENTS PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 637 of 2002, authorized the continued participation in the Foster Grandparents Program Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$329,270 for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said grant program is an intergenerational program that matches low-income elderly with special needs children to share experiences and offer support, and

WHEREAS, it is necessary at this time to revise said program to revise grant appropriations and revenue, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Foster Grandparents Program Grant to reflect a decrease of \$20,873 for the period January 1, 2003 through December 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 \$308,397, and be it

FURTHER RESOLVED, that Resolution 637 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.

RESOLUTION NO. 257

By Health & Human Services and Finance Committees Seconded by Mr. Hull
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENTS WITH VARIOUS VENDORS FOR IN-HOME RESPITE SERVICES FOR THE OFFICE FOR AGING'S TITLE III-E FAMILY CAREGIVER GRANT FOR 2003

WHEREAS, this County Legislature, by Resolution 552 of 2002, authorized renewal of agreements with various vendors for in-home respite services for the Office for Aging's Title III-E Family Caregiver Grant at a rate of \$13.25 per hour for respite services and the current Medicaid rate for nurse supervisors for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to provide in-home respite care to caregivers in Broome County, and

WHEREAS, it is necessary to authorize the amendment of said agreements to increase the rate \$.50 per hour for respite services, 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 the amendment to the agreements with the following vendors to increase the rate \$.50, total rate of \$13.75 per hour for in-home respite services for the Office for Aging for the period April 1, 2003 through December 31, 2003:

Stafkings Healthcare Systems P.O. Box 1015 Binghamton, New York 13902-1015	Family & Children's Society of Broome County 257 Main Street Binghamton, New York 13905
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Interim Healthcare Systems 38 Front Street, Suite D Binghamton, New York 13905	Homemakers of Broome County d/b/a Caregivers 189 Riverside Drive Johnson City, New York 13790
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and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at a rate of \$13.75 per hour for respite services, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760967.4457.104694 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 552 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.

RESOLUTION NO. 258

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING REVISION OF THE TITLE VII ELDER ABUSE PREVENTION PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AMENDING THE AGREEMENT WITH ACTION FOR OLDER PERSONS, INC TO ADMINISTER SAID PROGRAM FOR 2003

WHEREAS, this County Legislature, by Resolution 546 of 2002, authorized and approved the Title VII Elder Abuse Prevention Program Grant for the Office for Aging, adopted a program budget in the amount of \$8,400 and authorized an agreement with Action for Older Persons, Inc. to administer said program for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said grant program provides recruitment and training of volunteers for the Elder Abuse Prevention Program, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$1,346 in grant appropriations and amend said agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title VII Elder Abuse Prevention Program Grant to reflect an increase of \$1,346 for the period January 1, 2003 through December 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 \$9,746, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Action for Older Persons, Inc., 30 West State street, Binghamton, New York

13901, to reflect an increase of \$1,346, for recruitment and training of volunteers for the Office for Aging for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that Resolution 546 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 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.

RESOLUTION NO. 259

By Health & Human Services, Personnel and Finance Committees Seconded by Ms. Hudak
RESOLUTION AUTHORIZING REVISION OF THE NATIONAL COUNCIL ON AGING (NCOA) SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 263 of 2002, authorized the continued participation in the Nation Council on Aging (NCOA) Senior Community Service Employment Program (SCSEP) Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$215,600 for the period July 1, 2002 through June 30, 2003, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged 55 and older, including part-time jobs for applicants in not-for-profit agencies, classroom training, on-the-job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$5,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the National Council on Aging (NCOA) Senior Community Service Employment Program (SCSEP) Grant to reflect an increase of \$5,000 for the period July 1, 2002 through June 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 \$220,600, and be it

FURTHER RESOLVED, that Resolution 263 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.

RESOLUTION NO. 260

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC. AND OFFICE FOR AGING FOR SOCIAL DAY CARE SERVICES FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 268 of 2002, authorized renewal of the agreement with Ideal Senior Living Center, Inc. and the Office for Aging for social day care services to Long Term Home Health clients with revenue to the County at a rate of \$32 per client per day for the period August 1, 2002 through December 31, 2002 and a rate of \$34 per client per day for the period January 1, 2003 through July 31, 2003, and

WHEREAS, said services are necessary to provide social day care to Ideal Living Center Long Term Home Health Care clients, and

WHEREAS, said agreement expires by its terms on July 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to Broome County of \$34 per client per day for the period August 1, 2003 through July 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Ideal Senior Living Center, 600 High Street, Endicott, New York 13760 and the Office for Aging for social day care services to Long Term Home Health clients for the period August 1, 2003 through July 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County at a rate of \$34 per client per day for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760983.0538.104756 (Long Term Home Health Care Fees), and be it

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

Carried.

RESOLUTION NO. 261

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC. AND THE OFFICE FOR AGING FOR THE MEALS ON WHEELS AND CONGREGATE MEALS PROGRAMS FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 267 of 2002, authorized renewal of the agreement with Ideal Senior Living Center, Inc. and the Office for Aging for services to Long Term Home Health clients with revenue to the County at a rate of \$8 per day for each long term client served home delivered meals and \$3.00 per day for each congregate meal served for the period August 1, 2002 through December 31, 2002 and a rate of \$8.50 per day for each long-term client served home-delivered meals and \$3.25 per day for each congregate meal served for the period January 1, 2003 through July 31, 2003, and

WHEREAS, said agreement expires by its terms on July 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to Broome County of a rate of \$8.50 per day for each long-term client served home-delivered meals and \$3.25 per day for each congregate meal served for the period August 1, 2003 through July 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Ideal Senior Living Center, 600 High Street, Endicott, New York 13760 and the Office for Aging for

home delivered meal and congregate meal services for Long Term Home Health clients for the period August 1, 2003 through July 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County at a rate of \$8.50 per day for each long-term client served home-delivered meals and \$3.25 per day for each congregate meal served for the term of the agreement, and be it

FURTHER RESOLVED, that the payments from home delivered meals shall be credited to budget line 760983.0538.104692 (Long Term Home Health Care Fees) and payments from the congregate meals shall be credited to 760736.0142.104691 (OFA Fees), and be it

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

RESOLUTION NO. 262

By Health & Human Services and Finance Committee

Seconded by Ms. Hudak

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 2003-2004

WHEREAS, this County Legislature, by Resolution 352 of 2002, authorized and approved renewal of the Health Insurance Information and Counseling Assistance Program (HIICAP) 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 April 1, 2002 through March 31, 2003, 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, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,350 from the 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, 2003 through March 31, 2004, 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

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 to administer said program grant for the Office for Aging for the period April 1, 2003 through March 31, 2004, 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 760850.4457.104783 (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.

RESOLUTION NO. 263

By Health & Human Services, Personnel and Finance Committees Seconded by Ms. Hudak
RESOLUTION AUTHORIZING RENEWAL OF THE NEW YORK STATE OFFICE FOR AGING (SOFA) SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 262 of 2002, as amended by Resolution 152 of 2003, authorized and approved the New York State Office for Aging (SOFA) Senior Community Service Employment Program (SCSEP) Grant for the Office for Aging and adopted a program budget in the amount of \$73,621 for the period July 1, 2002 through June 30, 2003, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged 55 and older, including part-time jobs for applicants in not-for-profit agencies, classroom training, on-the-job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is desired to renew said grant program in the amount of \$61,228 for the period July 1, 2003 through June 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$61,228 from the New York State Office for Aging, Empire State Plaza, Building 2, Albany, New York 12223-0001, for the New York State Office for Aging (SOFA) Senior Community Service Employment Program (SCSEP) Grant, for the period July 1, 2003 through June 30, 2004, 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 \$61,228, 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.

RESOLUTION NO. 264

By Health & Human Services, Personnel and Finance Committees Seconded by Ms. Hudak
RESOLUTION AUTHORIZING RENEWAL OF THE NATIONAL COUNCIL ON AGING (NCOA) SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 263 of 2002, as amended by companion resolution, authorized and approved the National Council on Aging (NCOA) Senior Community Service Employment Program (SCSEP) Grant for the Office for Aging and adopted a program budget in the amount of \$220,600 for the period July 1, 2002 through June 30, 2003, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged 55 and older, including part-time jobs for applicants in not-for-profit agencies, classroom training, on-the-job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is desired to renew said grant program in the amount of \$215,600 for the period July 1, 2003 through June 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$215,600 from The National Council on Aging, 409 Third Street, SW, Suite 200, Washington, DC 20024, for the Office for Aging's Senior Community Service Employment Program (SCSEP) Grant for the period July 1, 2003 through June 30, 2004, 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 \$215,600, 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.

RESOLUTION NO. 265

By Health & Human Services, Personnel and Finance Committees Seconded by Ms. Hudak
RESOLUTION AUTHORIZING RENEWAL OF THE ADMINISTRATION BUDGET FOR THE OFFICE FOR AGING'S SENIOR OPPORTUNITIES PROGRAM GRANTS AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 261 of 2002, as amended by Resolution 153 of 2003, authorized and approved the Senior Community Service Employment Program (SCSEP) Administration Grants for the Office for Aging and adopted a program budget in the amount of \$139,209 for the period July 1, 2002 through June 30, 2003, and

WHEREAS, said grant program provides for chargebacks and payments of all Office for Aging employment program staff for administration expenses involved in all Office for Aging grants, and

WHEREAS, it is desired to renew said grant program in the amount of \$215,821 for the period July 1, 2003 through June 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Administration Budget of \$215,821 for the Office for Aging's Senior Opportunities Program Grants for the period July 1, 2003 through June 30, 2004, 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 \$215,821, 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.

RESOLUTION NO. 266

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. FOR SUPPORT SERVICES FOR THE OFFICE FOR AGING'S FUTURES II PROJECT FOR 2003-2004

WHEREAS, the Director of Office for Aging requests authorization for an agreement with Action for Older Persons, Inc. for support services for the Office for Aging's Futures II Project at a cost not to exceed \$4,686, for the period July 1, 2003 through January 31, 2004, and

WHEREAS, said agreement is necessary to provide technical writing support that will help towards completion of workgroup reports and written materials that promote understanding of Aging Futures II Project strategies and local community needs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton New York 13901, for support services for the Office for Aging's Futures II Project for the period July 1, 2003 through January 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,686 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760850.4457.104679 (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.

RESOLUTION NO. 267

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING RENEWAL OF THE CONGREGATE SERVICES INITIATIVE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 111 of 2002, as amended by Resolution 392 of 2002, authorized the continued participation in the Congregate Services Initiative Program Grant for the Office for Aging and adopted a program budget in the amount of \$22,309 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said grant program provides funding for various congregate center activities including meal enhancement and testing, transportation, health/wellness and computer equipment, and

WHEREAS, it is desired to renew said grant program in the amount of \$15,770 for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,185 from New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Congregate Services Initiative Program Grant for the period April 1, 2003 through March 31, 2004, 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 \$15,770, 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.

RESOLUTION NO. 268

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING AGREEMENT WITH NATIONAL HEALTH PROMOTION ASSOCIATES, INC. FOR THE DEPARTMENT OF MENTAL HEALTH'S STATE INCENTIVE COOPERATIVE AGREEMENT GRANT FOR 2003

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with the National Health Promotion Associates, Inc. for training expenses for the Department of Mental Health's State Incentive Cooperative Agreement Grant at a cost not to exceed \$23,580, for the period January 1, 2003 through July 14, 2003, and

WHEREAS, said agreement is necessary to provide training and materials to students participating in the Lifeskills Program, funded through the State Incentive Cooperative Agreement Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with National Health Promotion Associates, Inc., 771 Westchester Avenue, White Plains, New York 10604, for training expenses for the Department of Mental Health's State Incentive Cooperative Agreement Grant for the period January 1, 2003 through July 14, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,580 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4747.104673 (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.

Ms. Hudak made a motion, seconded by Mr. Shafer, to add an agreement with Princeton Health Press, Inc. to this resolution. The changes are as follows: (underlined is added).

RESOLUTION AUTHORIZING AGREEMENT WITH NATIONAL HEALTH PROMOTION ASSOCIATES, INC. AND PRINCETON HEALTH PRESS, INC. FOR THE DEPARTMENT OF MENTAL HEALTH'S STATE INCENTIVE COOPERATIVE AGREEMENT GRANT FOR 2003

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with the National Health Promotion Associates, Inc. and Princeton Health Press, Inc. for training expenses for the Department of Mental Health's State Incentive Cooperative Agreement Grant at a cost not to exceed \$23,580, for the period January 1, 2003 through July 14, 2003, and

WHEREAS, said agreement is necessary to provide training and materials to students participating in the Lifeskills Program, funded through the State Incentive Cooperative Agreement Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with National Health Promotion Associates, Inc., and Princeton Health Press, Inc., both of 711 Westchester Avenue, White Plains, New York 10604, for training expenses for the Department of Mental Health's State Incentive Cooperative Agreement Grant for the period January 1, 2003 through July 14, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay National Health Promotion Associates, Inc. an amount not to exceed \$1,005 for training expenses and Princeton Health Press, Inc. an amount not to exceed \$22,575 for training materials, total amount not to exceed \$23,580 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4747.104673 (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.

Amendment carried. Resolution as amended carried.

RESOLUTION NO. 269

By County Administration Committee

Seconded by Mr. Shafer

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 3 OF 2003, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 85 OF THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, MODIFYING REGULATIONS FOR GROUND TRANSPORTATION SERVICES AT THE GREATER BINGHAMTON AIRPORT"

WHEREAS, this County Legislature, by Resolution No. 628 of 2000, as amended by Resolution No. 283 of 2002, established Chapter 85 of the Broome County Charter and Code "Regulations for Ground Transportation Services Provided at the Binghamton Regional Airport", and

WHEREAS, it is necessary to revise Chapter 85 of the Broome County Charter and Code to reflect a reduction of the minimum limit for automobile liability from \$100,000.00 to \$30,000.00, and to allow for future discretionary adjustments in coverage limits by the Broome County Office of Risk and Insurance based upon periodic review and evaluation of fluctuations and trends in the insurance market for the commercial ground transportation industry, and

WHEREAS, the Commissioner of Aviation has requested authorization for said revisions as approved by the Department of Law, now, therefore, be it

RESOLVED, that Local Law Intro. No. 3 of 2003, entitled "A Local Law Amending Chapter 85 of the Broome County Charter and Code, as Amended, Modifying Regulations of the Ground Transportation Services at the Greater Binghamton Airport," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code, the Municipal Home Rule Law and all the applicable statutes and law pertaining thereto.

“A Local Law Amending Chapter 85 of the Broome County Charter and Code, as Amended, Modifying Ground Transportation Services at the Greater Binghamton Airport”

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

SECTION 1. Chapter 85-34 of the Broome County Charter and Code, as amended, modifying the Ground Transportation Services guidelines, be and hereby is amended to read as follows:

§ 85-34. Required insurance; minimum coverage types and amounts.

- A. Coverage type/minimum limits.
- (1) Automobile liability: \$30,000 [~~\$100,000~~] (combined single limit); comprehensive form; must cover owned, non-owned and hired vehicles.
 - (2) Workers' comprehensive and employer's liability: \$100,000 (statutory amount). In lieu of a worker's compensation policy, a waiver issued by the New York State Workers' Compensation Board may be submitted.
 - (3) The foregoing insurance requirements may be adjusted by Broome County and its Office of Risk and Insurance to reflect market trends based upon periodic evaluations of the status of the insurance market for the commercial ground transportation industry.
- B. The certificate face shall:
- (1) Indicate coverages and minimum amounts required in §85-34A.
 - (2) Provide that the coverages shall not be cancelled, terminated or materially changed (including reduction of coverage amounts) until at least 30 days' prior written notice has been given to the Broome County Office of Risk and Insurance.
- C. The certificate holder should read:
Broome County Office of Risk and Insurance
P.O. Box 1766
Binghamton, NY 13902

SECTION 2. This local law shall take effect upon filing with the State.

Material in [brackets] deleted
Material underlined added

Held over 'under the rules' by Mr. Mather.

RESOLUTION NO. 270

By Transportation, Public Works and Finance Committees Seconded by Mr. Miller
RESOLUTION AUTHORIZING AGREEMENT WITH C & S ENGINEERS, INC. FOR DESIGN SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2003

WHEREAS, the Commissioner of Transportation requests authorization for an agreement with C & S Engineers, Inc. for design services for the Department of Aviation at a cost not to exceed \$127,848, for the period June 20, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to provide design services for the rehabilitation of the Aircraft Rescue and Fire Fighting (ARFF) Building, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with C & S Engineers, Inc., 499 Colonel Eileen Collins Boulevard, Syracuse, New York 13212, for design services, for the Department of Aviation for the period June 20, 2003 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 \$127,848 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211011.4746.501379 (Engineering and Architectural Services), and be it

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

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

RESOLUTION NO. 271

By Transportation and Finance Committees Seconded by Ms. Hudak
RESOLUTION AUTHORIZING AGREEMENT WITH MARSH USA, INC. FOR INSURANCE FOR AIR SHOW/AVIATION DAY AT THE GREATER BINGHAMTON AIRPORT FOR 2003

WHEREAS, Broome County will be conducting an Air Show/Aviation Day 2003 at the Greater Binghamton Airport on July 13, 2003, and

WHEREAS, the purpose of this event is to promote community awareness in connection with the airport and is part of the community relations program, and

WHEREAS, in order to satisfy the necessary insurance needs of hosting the Air Show/Aviation Day 2003 event, the Commissioner of Aviation requests authorization for an agreement with Marsh USA, Inc. for the period July 1, 2003 to July 31, 2003 at a cost not to exceed \$5,230, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Marsh USA, Inc., 300 South State Street, Syracuse, New York 13221, for insurance for Air Show/Aviation Day 2003 for the period July 1, 2003 to July 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$5,230 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Aviation Day Trust Fund (Fund 60, GL 525, Subsidiary 525052), and be it

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

Carried.

RESOLUTION NO. 272

By Health & Human Services, Public Works and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BEARSCH, COMPEAU, KNUDSON ARCHITECTS AND ENGINEERS, PC FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE CONSTRUCTION OF THE NORTHERN BROOME SENIOR CITIZENS CENTER

WHEREAS, this County Legislature, by Resolution 625 of 2000, authorized an agreement with Bearsch, Compeau, Knudson Architects and Engineers, PC for architectural services in connection with the construction of the Northern Broome Senior Citizens Center for the Office for Aging at a cost not to exceed \$42,500, and

WHEREAS, said agreement provides for the design, bid document preparation and construction review services for the Northern Broome Senior Citizens Center, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect an increase in cost totaling \$4,410.38 to cover reimbursable expenses incurred by Bearsch, Compeau, Knudson, total cost not to exceed \$46,910.38, and

WHEREAS, the Director of the 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 Bearsch, Compeau, Knudson Architects and Engineers, PC, 41 Chenango Street, Binghamton, New York 13901-1956 to reflect an increase in cost of \$4,410.38, total amount not to exceed \$46,910.38, to cover reimbursable expenses related to the design, bid document preparation and construction review services for the Northern Broome Senior Citizens Center, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$4,410.38, total cost not to exceed \$46,910.38, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760439.4545.502342 (Contracted Services), and be it

FURTHER RESOLVED, that Resolution 625 of 2000, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 273

By Public Safety & Emergency Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING AN AGREEMENT WITH BSB BANK AND TRUST FOR CREDIT CARD SERVICES FOR STOP-DWI EVENTS FOR 2003-2004

WHEREAS, the STOP-DWI Coordinator requests authorization for an agreement with BSB Bank & Trust for credit card services for STOP-DWI events at a cost of \$50 one time only setup fee and \$5 per month statement fee, for the period July 1, 2003 through June 30, 2004, and

WHEREAS, said agreement will allow for acceptance of Visa and Mastercard entry fee payments for various STOP-DWI events and allow website visitors to register directly on-line for various events and seminars, as well as provide an ATM on site the day of the event for those who wish to pay by credit card, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with BSB Bank & Trust, 58-68 Exchange Street, P.O. Box 1056, Binghamton, New York 13902-1056, for credit card services for STOP-DWI events for the period July 1, 2003 through June 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a \$50 one-time-only setup fee and a \$5 per month statement fee, and be it

FURTHER RESOLVED, the discount fee of 2.45% on the amount of the transaction and the per item fee of \$.20 for payments made on the internet, by phone or mail will be paid by the user, and said fees on payments made the day of the event will be paid by Broome County, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 820001.4419.101051 (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.

RESOLUTION NO. 274

By Transportation and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING CANCELLATION OF UNCOLLECTIBLE ACCOUNTS FROM THE DEPARTMENT OF AVIATION'S AGING REPORT

WHEREAS, the Commissioner of Aviation has advised that a certain amount owed to the Department of Aviation as shown in "Exhibit A" currently remains unpaid and uncollected, and

WHEREAS, the Commissioner has made provisions for these uncollectible accounts and is seeking the authority to eliminate said balances, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation and charge off of the uncollectible accounts and balances as shown on "Exhibit A" attached hereto, and be it

FURTHER RESOLVED, that the Commissioner of Finance and the Comptroller are hereby authorized to make the necessary accounting entries to implement the intent and purpose of this Resolution.

Carried.

RESOLUTION NO. 275

By Health & Human Services and Finance Committees

Seconded by Ms. Hudak

RESOLUTION AUTHORIZING REVISION OF THE SUPPORTED EMPLOYMENT GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH AND AMENDING AGREEMENT WITH THE SOUTHERN TIER INDEPENDENCE CENTER TO ADMINISTER SAID PROGRAM FOR 2003

WHEREAS, this County Legislature, by Resolution 472 of 2002, authorized and approved renewal of the Supported Employment Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$20,240 and authorized an agreement with Southern Tier Independence Center (STIC) to administer said program for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said grant program provides vocational evaluation, counseling and training programs, sheltered employment and vocational guidance to help individuals with disabilities improve their quality of life through productive employment, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$472 in grant appropriations and amend said agreement increasing it by the same amount, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Supported Employment Program Grant to reflect an increase of \$472 for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that the payments hereinabove shall be made from budget line 470138.5079.104714 (Contracted Services-STIC), and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$20,812, and be it

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

Mr. Burger made a motion, seconded by Mr. Shafer, to amend the RESOLVED paragraph to read "...during the festival up to a maximum value of \$25,000, ...". **Amendment carried, Ayes-17, Nays-2 (Pasquale, Reynolds). Resolution as amended carried.**

RESOLUTION NO. 277

By Personnel, County Administration & Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE COUNTY CLERK

RESOLVED, that in accordance with a request from the County Clerk as contained in PCR#03-319, this County Legislature hereby authorizes the creation of (1) Records Clerk position, Full Time (80 hrs), at budget line 300004.1000.101000, minimum salary of \$20,933, Grade 07, CSEA, effective date 7/1/03, and be it

FURTHER RESOLVED, that in accordance with a request from the County Clerk as contained in PCR#03-320, this County Legislature hereby authorizes the creation of (1) Senior Records Clerk position, Full Time (80 hrs), at budget line 300004.1000.101000, minimum salary of \$23,086, Grade 09, CSEA, effective date 7/1/03, and be it

FURTHER RESOLVED, that in accordance with a request from the County Clerk as contained in PCR#03-321, this County Legislature hereby authorizes the creation of (1) Records Clerk position, Full Time (80 hrs.), at budget line 300004.1000.101000, minimum salary of \$20,933, Grade 07, CSEA, and the abolishment of (1) Clerk position, Full Time, at budget line 300004.1000.101000, minimum salary of \$19,940, Grade 06, CSEA, effective date 7/1/03, 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.

Held over 'under the rules' by Mr. Burger.

RESOLUTION NO. 278

By Personnel, Education, Culture & Recreation and Finance Committees

Seconded by Mr. Shafer

RESOLUTION CONFIRMING APPOINTMENT OF WILLIAM M. BARBER AS COMMISSIONER OF PARKS AND RECREATION

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article XI, Section 1101 of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, William M. Barber, 60 Audubon Avenue, Binghamton, New York 13903 as Commissioner of Parks and Recreation, in addition to his present duties as Commissioner of Public Works, at a combined annual salary for both positions in the amount of \$79,300.00 which is \$52,300 less than the total salary for both positions, and

WHEREAS, the County Executive certifies that Mr. Barber is fully qualified to fill the position of Commissioner of Parks and Recreation, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XI, Section 1101 of the Broome County Charter and Code, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of William M. Barber as Commissioner of Parks and Recreation in addition to his present duties as Commissioner of Public Works at a combined annual salary of \$79,300.00, effective June 23, 2003, in accordance with his appointment by the County Executive.

Carried, Ayes-17, Nays-2 (Hudak, Kuzel).

RESOLUTION NO. 281

By Public Works and Finance Committees

Seconded by Ms. Hudak

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

WHEREAS, this County Legislature, by Resolutions 675 of 2001 and 348 of 2002, authorized an agreement with Stearns & Wheeler, LLC for engineering services for the Division of Solid Waste Management, at a cost not to exceed \$774,000, 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 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, it is necessary to authorize the amendment of said agreement to include services related to the modification of the Broome County Landfill Permit, focusing on the use of the remaining capacity of Section III before the operation start-up of Section IV, and to prepare an environmental impact statement to address potential changes, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheeler, LLC, One Remington Park Drive, Cazenovia, New York 13035, for additional engineering services for modification of the Broome County Landfill Permit, 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 \$95,700, total amount not to exceed \$869,700 for the term of the agreement, and be it

FURTHER RESOLVED, that the additional payments hereinabove authorized shall be made from budget line 230086.4457.206000 (Contracted Program Services), and be it

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

Carried.

RESOLUTION NO. 282

By Education, Culture and Recreation Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AN EASEMENT AGREEMENT WITH NEW YORK STATE ELECTRIC AND GAS CORPORATION ON COUNTY-OWNED LAND IN THE TOWN OF UNION

WHEREAS, New York State Electric and Gas Corporation has requested an easement through land owned by Broome County located in the Town of Union and more fully described in the easement document and map attached hereto as Exhibit "A", and

WHEREAS, this easement is necessary for the purpose of constructing, operating and maintaining new electric facilities to provide service, specifically necessary utilities to the restrooms, on park land located at the base of the Patterson Creek Dam on Struble Road in the Town of Union, which is owned by Broome County but leased to and maintained by the Town of Union for parks and recreation purposes, and

WHEREAS, the Department of Parks and Recreation has determined that granting this easement would not interfere with the existing land use, now, therefore, be it

RESOLVED, that this County Legislature hereby grants New York State Electric and Gas Corporation an easement running through land owned by Broome County in the Town of Union, as more fully described in the easement document and map attached hereto as Exhibit "A," and be it

FURTHER RESOLVED, that in consideration of the aforesaid easement, New York State Electric and Gas Corporation will pay Broome County the sum of \$1.00, 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.

Mr. Howard made a motion to adjourn, seconded by Mr. Whalen. **Motion to adjourn carried.** The meeting was adjourned at 4:38 p.m.

