
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, JULY 17, 2003**

The Legislature convened at 4:02 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-16, Absent-3 (Howard, Hull, Lindsey).

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag.

Mr. Wike made a motion, seconded by Mr. Brunza, that the minutes of the June 19, 2003 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-16, Nays-3 (Howard, Hull, Lindsey).

ANNOUNCEMENTS FROM THE CHAIR

Chair Schofield read a proclamation honoring the **U-E High School Baseball Team State Champions** and named June 8, 2003 U-E High School Day in Broome County. A copy of the proclamation was presented to **Coach Ed Folli** and the following players: **Mike Alberti, Matt Burnett, Jim Coleman, Ian Christie, Chris Ciesla, Eric Mihele, Brian Doty, EJ Folli, Mike Folli, Matt Francovillo, Scott Osman, Nick Testa, Joey Welch and Chad Williams.**

Legislator Brian Brunza and Legislator Wanda Hudak read a proclamation honoring the members of the **Maine-Endwell High School Science Olympiad Team** and named July 21 through 27, 2003 as "Maine Endwell Science Olympiad Team Week". A copy of the proclamation was presented to the following team members: **Kattie Bespalko, Brendan Bunts, Diana Cheng, Mike Christofferson, Kyle Donahoe, Matthew Groff, Jason Jack, Sue Korba, Ashley McBride, Ken Moss, Steven Moss, Kishore Padmarajo, Kate Petkosky, Melissa Ratliff, Kyle Schwing, Oscar Sinclair, Andrew Tredo, Erik Weir, Ryan Yale, Val Yeager, David Zaslavsky**, and also to the following coaches: **Barbara Betza, Steven Betza, Annmarie Bunts, Pat Bunts, Tom Jones, Ed Lamoureux, Jeff Osovski, Mike Scarangella, John Seward, Kevin Tye and Richard Watson.**

Mr. Schofield noted that the committee minutes for the period June 19, 2003 through July 16, 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. Kolba, seconded by Mr. Kuzel. **Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

- A. Appointments to the Broome County Community Services Board

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
B. Communications:
1. Minutes:
a. Cornell Cooperative Extension Board of Directors 4/24/03
b. EMC Recycling & Waste Management Committee 4/29/03
c. Broome County Soil & Water Conservation District 6/3/03
d. Landfill Citizens Advisory Committee 6/16/03
e. EMC Environmental Management Council 6/5/03

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2. County Executive - Declaration of State of Emergency Flash Flood Occurrence in the Towns of Colesville and Sanford-dated 6/14/03
 3. Town of Windsor-Resolution regarding Workers' Compensation Insurance
 4. Seneca County Board of Supervisors-Resolution-"Supervisors Oppose Legislation Which Limits Eligibility Benefits Through Veterans Administration"
 5. Assemblyman Finch, Assemblyman Crouch, and NYSAC- Receipt of "Resolution Against Amending S11-0907 of Environmental Conservation Law in Relation to Hunting Deer and Bear in the Southern Tier" and "Resolution Supporting the Amendment to the New York Mental Hygiene Law Subsection 43.03 (c) relating to the Costs of Services for Court Ordered Patients at State Operated Mental Hygiene Facilities"
 6. Governor Pataki-Receipt of Resolution 03-238 Requesting the State of New York Amend the Social Services Law and Regulations

C. Notices:

1. Pubic Hearing- Early Intervention Program
2. Broome Tobacco Asset Securitization Corporation Annual Meeting
3. Town of Colesville-Public Hearing Amending the" Land Use Local Law "
4. Town of Colesville-Pubic Hearing Amending "Junk Yard Ordinance"
5. Special Finance Committee 6/16/03
6. Special Session 6/16/03
7. Special County Administration and Education, Culture & Recreation Committee 6/19/03

D. Reports:

1. Quarterly Medicaid Payments 2000-2003
2. BCC Recommended 2003-2004 Budget
3. Cornell Cooperative Extension 2002 Annual Report and Audited Financial Report
4. PROBE 2002 Annual Report
5. Broome County 2003 Salary Schedule
6. Broome County Office for Aging 2002 Annual Report
7. Broome County Clerk 2002 Annual Report
8. Audit & Control- Information Technology Payroll Audit 6/03
9. BCC-May 2003 Budget Transfers
10. Alcohol and Substance Abuse Public Forum 5/21/03
11. Municipal Electric & Gas Alliance -2001 & 2003 Audit
12. Department of Public Works 2002 Annual Report

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel A. Schofield:
1. Designations for W. Wike and V. Pasquale 6/16/03
 2. Designations for D. Reynolds 7/7/03-7/9/03
 3. Designations for B. Mather and J. Marinich 7/7/03-7/10/03
 4. Designation for C. Burger 7/10/03

Mr. Kuzel made a motion, seconded by Mr. Kolba, 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, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

Mr. Burger and Mr. Whalen 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 INTRODUCED AT THIS SESSION

RESOLUTION NO. 283

By Finance and Education, Culture & Recreation Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2002-2003 BROOME COMMUNITY COLLEGE BUDGET

WHEREAS, Broome Community College has proposed to amend its 2002-2003 operating budget to increase appropriations to accommodate the December 2002 New York State early retirement incentive, enrollment growth, classroom and instructional improvements, deferred maintenance and pavement projects, and

WHEREAS, the Broome Community College Board of Trustees and the Broome County Legislature are required to approve amendments to the College's annual operating budget, and

WHEREAS, the Broome Community College Board of Trustees recommended amending the 2002-2003 operating budget on May 22, 2003 to increase said appropriations by \$1,400,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the Broome Community College operating budget for the 2002-2003 fiscal year to increase appropriations by \$1,400,000 from \$34,857,143 to \$36,257,143, and be it

FURTHER RESOLVED, that this increase in appropriations will be funded by revenue increases of \$1,014,367 in tuition, \$490,452 in chargebacks to other counties, and \$100,000 in miscellaneous offset revenues, and be it

FURTHER RESOLVED, that the amended College operating budget as shown in Exhibit "A" is hereby approved for submittal to the State University of New York, and be it

FURTHER RESOLVED, 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.

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 284

By Finance and Education, Culture & Recreation Committees Seconded by Ms. Hudak
RESOLUTION ADOPTING THE BUDGET FOR BROOME COMMUNITY COLLEGE FOR 2003-2004

WHEREAS, the Broome County Legislature is required to approve the Broome Community College's annual unrestricted operating budget, and

WHEREAS, such approval must state the total unrestricted appropriations, sponsor contribution and fiscal year for which the operating budget is approved, and

WHEREAS, the Finance Committee of the County Legislature recommends approval of the total budget and sponsor contribution as presented, now, therefore, be it

RESOLVED, that the unrestricted operating budget for Broome Community College for the college fiscal year September 1, 2003 through August 31, 2004, in the sum of \$37,761,705 be approved, and be it

FURTHER RESOLVED, that the Sponsor Contribution for Broome Community College for the college fiscal year September 1, 2003 through August 31, 2004, in the sum of \$5,685,376 be approved, and be it

FURTHER RESOLVED, that the Broome Community College's operating budget be submitted to the State University Board of Trustees for approval.

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 285

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS PROVIDERS FOR THE MEDICAID MANAGED CARE (MAX) PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2003-2005

WHEREAS, this County Legislature, by Resolution 61 of 2001, authorized renewal of agreements with various providers in connection with the Department of Social Services Medicaid Managed Care (MAX) Program for the period January 1, 2000 through December 31, 2003, and

WHEREAS, MAX Program rates are subject to change, and

WHEREAS, Contracted Primary Care Physicians provide Medicaid MAX recipients primary care, medical care coordination and referral at an enhanced fee for service Medicaid rate (Preferred Physicians and Children's program) and billed through the New York State Department of Health, and

WHEREAS, by Resolution 188 of 1994, as revised and amended, this County Legislature authorized execution of agreements with various service providers in connection with the Broome MAX Program, and

WHEREAS, Health Insurance Portability and Accountability Act (HIPAA) of 1996 requires the Medicaid Program to comply with uniform National Coding Standards for medical payment, and

WHEREAS, the New York State Department of Health has created one weighted average rate for the Broome MAX Program of \$34.51 per visit, retroactive to July 1, 2003, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes execution of original agreements, renewals and amendments with various Primary Care Physicians and Corporate Care Management and such various vendors as may be necessary in connection with the Medicaid Managed Care (MAX) Program for the Department of Social Services, consistent with such rates and other criteria as may be approved by the New York State Department of Health for the period July 1, 2003 through December 31, 2005, and be it

FURTHER RESOLVED, for services rendered by Contracted Primary Care Physicians and Corporate Care Management under the Medicaid Managed Care (MAX) Program shall be paid from budget lines 670083.4568.103000 (MMIS Medical Assistance) and 670075.4567.103000 (Medical Assistance), and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 286

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENT WITH INTERACTIVE THERAPY GROUP TO PROVIDE SERVICES FOR THE DEPARTMENT OF HEALTH'S DIVISION OF MATERNAL CHILD HEALTH AND DEVELOPMENT PRESCHOOL EDUCATION PROGRAM FOR 2003-2004

WHEREAS, the Director of Public Health requests authorization for an agreement with Interactive Therapy Group to provide services for the Department of Health's Division of Maternal Child Health and Development Preschool Education Program at rates set by the Broome County Health Department and the New York State Education Department, for the period August 1, 2003 through June 30, 2004, and

WHEREAS, said agreement is necessary to increase capacity as well as continuity of services for children transitioning from Early Intervention to Preschool (3-5) Program and increase the capacity of providers with experience in working with children with pervasive disorders, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Interactive Therapy Group, 4615 North Street, Jamesville, New York 13078, to provide services for the Department of Health's Division of Maternal Child Health and Development Preschool Education Program for the period August 1, 2003 through June 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates set by the Broome County Health Department and the New York State Education Department as listed on "Exhibit A" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 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, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 287

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWNS OF KIRKWOOD AND NANTICOKE

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

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

Parcel ID: 146.03-3-24
Town/Village: Town of Kirkwood
Owner: Spalik
Amount to be Cancelled: \$124.98 plus penalties and interest
Reason: State taking the property

Parcel ID: 053.04-1-7
Town/Village: Town of Nanticoke
Owner: County of Broome
Amount to be Cancelled: \$645.22 plus penalties and interest
Reason: County owned

Parcel ID: 053.04-1-3
Town/Village: Town of Nanticoke
Owner: County of Broome
Amount to be Cancelled: \$20.82 plus penalties and interest
Reason: County owned

Parcel ID: 053.04-1-9
Town/Village: Town of Nanticoke
Owner: County of Broome
Amount to be Cancelled: \$455.78 plus penalties and interest
Reason: County owned

Parcel ID: 040.03-1-9-12
Town/Village: Town of Nanticoke
Owner: Town of Nanticoke
Amount to be Cancelled: \$1.03 plus penalties and interest
Reason: Town owned

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 288

By Education, Culture & Recreation and Public Works Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TOWN OF UNION FOR LEASE OF LITTLE CHOCONUT CREEK WATERSHED SITE NO. 2 IN THE TOWN OF UNION FOR 2003-2013.

WHEREAS, this County Legislature, by Resolution 112 of 1986, as amended by Resolution 308 of 1993 authorized an agreement with the Town of Union for the lease and development of the Little Choconut Creek Watershed Site No. 2 in the Town of Union, and

WHEREAS, said agreement allows the Town of Union to use the watershed property as a park and recreational facility, 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, at no cost to the County or to the Town of Union, for the period August 1, 2003 through July 31, 2013, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Town of Union for the lease of the Little Choconut Creek Watershed Site No. 2 in the Town of Union as a park and recreational facility for the period August 1, 2003 through July 31, 2013, and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 289

By Finance Committee Seconded by Mr. Shafer
BOND RESOLUTION DATED JULY 17, 2003
RESOLUTION AUTHORIZING THE ISSUANCE OF \$275,000 BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY THE COST OF ROAD RECONSTRUCTION/REHABILITATION PROJECT

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

Section 1. The following is the class of objects or purposes or specific object or purposes to be financed by the County of Broome, New York, pursuant to this resolution, the maximum estimated costs thereof, and the subdivisions of Section 11.00 (a) of the Local Finance Law and periods of probable usefulness applicable thereto:

<u>Project Name/P.P.U./L.F.L. Section 11.00</u>	<u>Maximum Estimated Cost</u>
Road Reconstruction/Rehabilitation (15 yrs, Sub 20 (c))	\$2,131,520

Section 2. SEQR DETERMINATION. It is hereby declared to be the intent of this County Legislature that the project listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act (SEQR), to the extent applicable, to ensure that said proposed project is in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process.

Section 3. The maximum estimated cost of the aforesaid class of objects or purposes or specific objects or purposes is \$2,131,520 and the plan for financing thereof is by the issuance of \$275,000 bonds of said county, hereby authorized to be issued therefore pursuant to the local Finance Law and by the application of \$1,856,520 monies to be received from the Tobacco Funds.

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

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

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

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

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

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

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

Section 10. The Commissioner of Finance is hereby authorized to make a short term non-interest bearing interfund loan from the General Fund and other Enterprise Funds to provide sufficient cash to proceed with these projects until the bonds authorized by this Resolution are sold.

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 290

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TIME WARNER CABLE, INC. FOR AN EASEMENT AT WILLOW POINT NURSING HOME FOR 2003-2006

WHEREAS, this County Legislature, by Resolution 523 of 2000, authorized an agreement with Time Warner Cable, Inc. for an easement running through land owned by Broome County at the Willow Point Nursing Home in the Town of Vestal for the period October 1, 2000 through September 30, 2003, and

WHEREAS, said agreement is necessary to allow Time Warner Cable, Inc. access to its systems, lines and equipment on the grounds of the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on September 30, 2003 and it is desired at this time to renew said agreement on substantially similar terms and conditions at no cost to Time Warner Cable, Inc. or the County for the period October 1, 2003 through September 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Time Warner Cable, Inc., 483 Plaza Drive, Vestal, New York 13850 for an easement running through land owned by Broome County at the Willow Point Nursing Home in the Town of Vestal for the period October 1, 2003 through September 30, 2006, and be it

FURTHER RESOLVED, that said easement shall be granted, without consideration, and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 291

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

Seconded by Mr. Mather

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

WHEREAS, this County Legislature, by Resolution 344 of 2002, as amended by Resolution 598 of 2002 and Resolution 194 of 2003, authorized an agreement with Delta Engineers, PC for consulting engineering and construction review services for the Broome County Veterans Memorial Arena Skybox Project for the Department of Public Works at a cost not to exceed \$226,760, for the period September 1, 2002 through December 31, 2003, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to provide supplemental professional services for an additional amount of \$11,268, 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 Delta Engineers, PC, 164 Court Street, Binghamton, New York 13901, to provide supplemental professional services for the Broome County Veterans Memorial Arena Skybox Project for the Department of Public Works for the period September 1, 2002 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$11,268, total amount not to exceed \$238,028, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Arena Capital Improvement Project (501378), and be it

FURTHER RESOLVED, that Resolutions 344 and 598 of 2002 and Resolution 194 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, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 292

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING REVISION OF THE FAMILY VIOLENCE PREVENTION COUNCIL GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 120 of 1985, as amended by subsequent resolutions, the last being Resolution 64 of 2003, authorized the continued participation in the Family Violence Prevention Council Grant Program and adopted a program budget in connection therewith in the total amount of \$162,098, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$3,000 in program revenue, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Family Violence Prevention Council Grant Program to reflect an increase of \$3,000, 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 \$165,098, and be it

FURTHER RESOLVED, that Resolution 120 of 1985, and all subsequent Resolutions, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 293

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) EARLY CHILDHOOD COALITION (ECC) PROJECT GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 642 of 2003, as amended by Resolution 204 of 2003, authorized and approved acceptance of the state-approved TANF Services Block Grant Funds through the Department of Social Services for the Department of Health's Early Childhood Coalition Project Grant and adopted a program budget in the amount of \$29,656 for the period January 1, 2003 through June 30, 2003, and

WHEREAS, said grant program improves birth outcomes, parenting skills and educational readiness of children ages birth to five years through coordination and development of community initiatives and programs serving these children and their families, and

WHEREAS, it is desired to renew said grant program in the amount of \$17,152 for the period July 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$17,152 from Broome County Department of Social Services, 36 Main Street, Binghamton, New York 13905, for the Department of Health's TANF Early Childhood Coalition Project Grant for the period July 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 \$17,152, and be it

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

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 294

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BESSE MEDICAL SUPPLY FOR THE PURCHASE OF 4000 PRE-FILLED SYRINGES OF SPLIT CELL FLU VACCINE FOR THE DEPARTMENT OF HEALTH'S IMMUNIZATION CLINICS FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 334 of 2002, authorized an agreement with Besse Medical Supply for the purchase of 4,000 pre-filled syringes of split-cell flu vaccine for the Department of Health's Immunization Clinics for the period of September 1, 2002 through August 31, 2003, at a cost not to exceed \$36,560, with an option for two one-year renewals at the sole discretion of the County, and

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

WHEREAS, said agreement expires by its terms on August 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at an increased cost not to exceed \$40,110, for the period September 1, 2003 through August 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Besse Medical Supply, 11930 Hemper Springs Drive, Cincinnati, Ohio 45240-4121, for the purchase of 4,200 pre-filled syringes of split-cell flu vaccine for the Department of Health's Immunization Clinics for the period of September 1, 2003 through August 31, 2004, with an option for two one-year renewals, at the same cost and on the same terms and conditions, at the sole discretion of the County, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$9.55 for each pre-filled syringe, or dose, for an amount not to exceed \$40,110 for the term of the agreement, and be it

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 295

By Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF REAL PROPERTY TAX SERVICES

RESOLVED, that in accordance with a request from the Director of Real Property as contained in PCR#03-329, this County Legislature hereby authorizes the creation of (1) Real Property Tax Services Specialist (40 hr/wk), Full Time, at budget line 630004.1000.101000, minimum salary of \$32,715, Grade 16, CSEA, and the abolishment of (1) Principal Account Clerk (40 hr/wk), Full Time, at budget line 630004.1000.101000, minimum salary of \$28,147, Grade 13, CSEA, effective date 8/4/03, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Real Property as contained in PCR#03-328, this County Legislature hereby authorizes the creation of (1) Tax Map Technician (40 hr/wk), Full Time, at budget line 630004.1000.101000, minimum salary of \$36,201, Grade 18, CSEA, and the abolishment of (1) Senior Tax Map Technician (40 hrs/wk), Full Time, at budget line 630004.1000.101000, minimum salary of \$31,111, Grade 15, CSEA, effective date 8/4/03, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Real Property as contained in PCR#03-327, this County Legislature hereby authorizes the abolishment of (1) Tax Map Technician (40 hr/wk), Full Time, at budget line 630004.1000.101000, minimum salary of \$26,775, Grade 12, CSEA, effective date 8/4/03, 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.

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 296

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH ROYAL CARE PHARMACY FOR UNIT DOSE MEDICATION AND INTRAVENOUS PHARMACY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 235 of 2002, authorized renewal of an agreement with Royal Care Pharmacy for unit dose medication and intravenous pharmacy services for the Willow Point Nursing Home at an amount not to exceed \$1,200,000 for the period August 1, 2002 through July 31, 2003, and

WHEREAS, said services are necessary to provide unit dose medication and intravenous pharmacy services to Willow Point Nursing Home residents, 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, for an increased amount not to exceed \$1,300,000, 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 Royal Care Pharmacy, 100 Saratoga Village Boulevard, P.O. Box 2469, Malta, New York 12020-8469 for unit dose medication and intravenous pharmacy services for the Willow Point Nursing Home for the period August 1, 2003 through July 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,300,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160200.4367.204000 (Unit Dosage SNF), and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 297

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE JUVENILE ACCOUNTABILITY INCENTIVE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 313 of 2002, authorized and approved the Juvenile Accountability Incentive Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$27,662 and authorized an agreement with Our Lady of Lourdes Hospital to administer said program for the period September 1, 2002 through September 30, 2003, and

WHEREAS, said grant program's focus is to hold juveniles and their families accountable for abusive behaviors. The objectives are to reduce new offenses and court involvement by program participants who have successfully completed the family accountability program as well as reduce placements in non-secure detention facilities, and

WHEREAS, it is desired to renew said grant program in the amount of \$24,358, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period October 1, 2003 through September 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$24,358 from the State of New York, Division of Criminal Justice Services, Four Tower Place, Albany, New York 12203-3764, for the Department of Mental Health's Juvenile Accountability Incentive Program Grant for the period October 1, 2003 through September 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 \$24,358, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 to administer said program grant for the period October 1, 2003 through September 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$24,358 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4718.104XXX (Contracted Services-Lourdes Hospital), and be it

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

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 298

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING REVISION OF THE DAY CARE HOMES REGISTRATION PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 316 of 2002, authorized the continued participation in the Day care Homes Registration Program Grant for the Department of Social Services and adopted a program budget in connection therewith in the total amount of \$186,000 for the period August 1, 2002 through July 31, 2003, and

WHEREAS, said grant program provides registration and inspection, including investigations and enforcement referrals, of family day care homes and school-age child care programs on the local level, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$49,871 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Day Care Homes Registration Program Grant to reflect an increase of \$49,871 for the period August 1, 2002 through July 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 \$235,871, and be it

FURTHER RESOLVED, that Resolution 316 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 299

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING RENEWAL OF THE DAY CARE REGISTRATION PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 316 of 2002, as amended by companion resolution, authorized the continued participation in the Day Care Homes Registration Grant for the Department of Social Services and adopted a program budget in the amount of \$235,871 for the period August 1, 2002 through July 31, 2003, and

WHEREAS, said grant program provides registration and inspection, including investigations and enforcement referrals, of family day care homes and school-age child care programs on the local level, and

WHEREAS, it is desired to renew said grant program in the amount of \$269,695 for the period August 1, 2003 through July 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$269,695 from the New York State Office of Children and Family Services, Bureau of Early Childhood Services, 52 Washington Street, Riverview Center, 6th Floor, Rensselaer, New York 12144, for the Department of Social Services Day Care Registration Grant for the period August 1, 2003 through July 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 \$269,695, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to

form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 300

By Health & Human Services, and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE DSS/BCC CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 430 of 2002, authorized and approved the continued participation in the DSS/BCC Associate Degree and Continuing Education Program Grant for the Department of Social Services and adopted a program budget in the amount of \$34,143 for the period September 1, 2002 through August 31, 2003, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$21,595 for the period August 1, 2003 through July 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$21,595 from the New York State Office of Children and Family Services, 40 N. Pearl Street, 11-B, Albany, New York 12243, for the Department of Social Services' DSS/BCC Credit and Non-Credit Training Program Grant for the period August 1, 2003 through July 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 \$21,595, and be it

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

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 301

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

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

WHEREAS, this County Legislature, by Resolution 395 of 1997, as amended by Resolutions 620 of 1998, 662 of 1999, 558 of 2000, 603 of 2001, 146 and 659 of 2002, authorized a charge structure for services provided to the residents of Willow Point Nursing Home, and

WHEREAS, it is necessary to change the charge structure to \$189.26 for Semi-Private Room and Board and \$194.67 for Private Room and Board, reflecting a 1% decrease in said room rates, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the change of the charge structure for residents of Willow Point Nursing Home effective September 1, 2003 as follows:

- | | |
|--------------------------------|---------------------------------------|
| a. Semi-Private Room and Board | \$189.26 per day |
| b. Private Room and Board | \$194.67 per day |
| c. Physical Therapy | Per Medicare Fee Schedule |
| d. Occupational Therapy | Per Medicare Fee Schedule |
| e. Speech Therapy | Per Medicare Fee Schedule |
| f. Prescription Medications | \$cost plus 20% markup |
| g. Lab and X-rays | \$cost plus 20% administrative markup |

and be it

FURTHER RESOLVED, that said charge structure shall remain in effect until such time as changes are required, and be it

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

FURTHER RESOLVED, that the County Comptroller and the Commissioner of Finance are hereby authorized within the restraints of this Resolution to make any necessary adjustments to implement the intent and purpose of this Resolution.

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 302

By County Administration and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING A SOFTWARE LICENSE AND MAINTENANCE AGREEMENT WITH ASAP SOFTWARE, INC. FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2003-2004

WHEREAS, the Director of Information Technology requests authorization for a software license and maintenance agreement with ASAP Software, Inc., total amount not to exceed \$11,178 for the Division of Information Technology for the period August 1, 2003 through July 31, 2004, and

WHEREAS, said agreement is necessary to protect the County e-mail, network and computer systems from viruses, trojan horses and worms, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a software license and maintenance agreement with ASAP Software, Inc., 850 Asbury Drive, Buffalo Grove, Illinois 60089, for the Division of Information Technology for the period August 1, 2003 through July 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$11,178 for the term of the agreement, and be it

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 303

By Public Works and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY FUNDS FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Commissioner of Public Works requests authorization to accept New York State Energy Research and Development Authority (NYSERDA) funds in the amount of \$25,000, and

WHEREAS, said funding serves as a reimbursement of funds expended from the operating budget for the development of an energy performance monitoring system using web-enabled advanced on-line techniques to evaluate NYSEG electric energy bills at selected County facilities via the Internet over two years, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$25,000 from the New York State Energy Research and Development Authority, Corporate Plaza West, 286 Washington Avenue Extension, Albany, New York 12203-6399, and be it

FURTHER RESOLVED, said funds are to be credited to budget line 030015.0460.101000 (Other State Aid), and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 304

By Public Works Committee

Seconded by Mr. Mather

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BROOME COUNTY LANDFILL TIPPING FEES AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to amend the Broome County Charter and Code with respect to the tipping fee for the disposal of contaminated soil at the Broome County Landfill, and

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

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

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

WHEREAS, said Project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the modification of tipping fees at the Broome County Landfill for the disposal of contaminated soil, and be it

FURTHER RESOLVED, that this County Legislature, based on the Short Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that said modification will not have a significant effect on the environment, and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 307

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING A BUDGET TRANSFER FOR THE DEPARTMENT OF PLANNING

RESOLVED, that in accordance with a request from the Commissioner of Planning and Economic Development to cover the cost of an agreement authorized in Resolution 44 of 2000 between Broome County and the Towns of Dickinson, Union, and Vestal to reimburse for the cost of additional lighting along Route 17 for a 10-year period beginning January 1, 2002, as requested in BF# 007296, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds for 2003:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
From:	900084	4752	101000	Contingency	73,000
To:	440016	4545	101000	Contracted Services	73,000

and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 308

By County Administration, Public Works and Finance Committees

Seconded by Mr. Miller

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4, 2003 ENTITLED "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, REGARDING LANDFILL FEES"

RESOLVED, that Local Law Intro. No. 4, 2003, entitled: "A Local Law Amending Chapter 179 of the Broome County Charter and Code, as amended, regarding landfill fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 4, 2003

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

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

Section 1. Chapter 179-9(A)(4)(a) of the Broome County Charter and Code, as amended, be and hereby is amended to read as follows:

Section 179-9 Fees and Charges:

(4) Commencing [April] [1994] August 1, 2003, the following separate charges shall apply at the [Nanticoke] Broome County Landfill:

(a) Contaminated soils which can be accepted for disposal at the [Nanticoke] Broome County Landfill: [\$30.05] \$27.00 per ton. [The Division of Solid Waste Management shall prepare appropriate regulations to implement the intent of this subsection, which regulations shall be filed with the Clerk of the Legislature.] Such soils shall be either buried or used as an alternative daily cover, as appropriate, to ensure environmental health and safety.

Section 2. This Local Law shall become effective upon filing with the Secretary of State.

Material in [brackets] deleted; Material underlined added

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 309

By Public Works and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ARCADIS G&M, INC. FOR PROFESSIONAL ENGINEERING SERVICES AT THE COLESVILLE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2003-2005

WHEREAS, this County Legislature, by Resolution 118 of 2003, as amended by Resolution 193 of 2003, authorized an agreement with Arcadis G&M, Inc. for professional engineering services at the Colesville Landfill for the Division of Solid Waste Management at a cost not to exceed \$497,000 for the period March 1, 2003 through February 28, 2005, and

WHEREAS, said agreement provides for engineering services for the groundwater treatment facility at the Colesville Landfill, including operation and maintenance, groundwater monitoring, reporting of long-term monitoring results, investigation and remedial planning/design related to the springs and project management, and

WHEREAS, it is necessary to authorize an amendment to said agreement for the design and construction of the spring water remediation systems, maintaining and monitoring the systems and performing the additional reporting requirements at the Colesville Landfill as required by the United States Environmental Protection Agency (USEPA) and the New York State Department of Environmental Conservation (NYSDEC) for an additional amount not to exceed \$326,100, 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 the amendment to the agreement with Arcadis G&M, Inc., 88 Duryea Road, Melville, New York 11747, for the design and construction of the spring water remediation systems, maintaining and monitoring the systems and performing the additional reporting requirements at the Colesville Landfill, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$326,100, total amount not to exceed \$823,100, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 235036.4545.501128/501262 (Contracted Services), and be it

FURTHER RESOLVED, that Resolutions 118 and 193 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, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 310

By Public Works Committee

Seconded by Mr. Mather

RESOLUTION RENDERING "POSITIVE DECLARATION" WITH RESPECT TO THE ENVIRONMENTAL REVIEW FOR THE PROPOSED BROOME COUNTY LANDFILL 6NYCRR PART 360 SOLID WASTE MANAGEMENT PERMIT MODIFICATION

WHEREAS, it is necessary to conduct an environmental review to modify the Broome County Landfill 6NYCRR Part 360 Solid Waste Management Permit, and

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

WHEREAS, this County Legislature, by Resolution 280 of 2003, declared its intention to seek "Lead Agency" status with respect to the environmental review of the proposed modifications to the Broome County Landfill 6NYCR Solid Waste Management Permit, and

WHEREAS, this County Legislature has obtained "Lead Agency" designation status after receiving concurrence from other involved agencies, and

WHEREAS, this project is a Type 1 action as defined in 6 NYCRR 617.6(a)(iv) and the proposed action may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature, based on the Full Environmental Assessment Form attached hereto as Exhibit "A", hereby determines and declares that modifications to the Broome County Landfill 6NYCRR Part 360 Solid Waste Management Permit may have a significant impact on the environment, and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 311

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE DSS/BU CREDIT AND NON-CREDIT TRAINING GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 429 of 2002, authorized and approved the continued participation in the DSS/BU Bachelor of Arts Degree Program Grant for the Department of Social Services and adopted a program budget in the amount of \$169,265 for the period September 1, 2002 through August 31, 2003, and

WHEREAS, said grant program provides for selected Department of Social Services employees with education opportunities and workshops geared toward enhancing their skills on the job and preparing them for promotional opportunities, and

WHEREAS, it is desired to renew said grant program in the amount of \$120,039 for the period August 1, 2003 through July 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$120,039 from the New York State Office of Children and Family Services, 40 N. Pearl Street, 11-B, Albany, New York 12243 for the DSS/BU Credit and Non-Credit Training Program Grant for the Department of Social Services for the period August 1, 2003 through July 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 \$120,039, and be it

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

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 312

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING REVISION OF THE HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2004

WHEREAS, this County Legislature, by Resolution 562 of 2000, as amended by Resolution 395 of 2001 and Resolution 363 of 2002, authorized the continued participation in the

Hazardous Materials Emergency Preparedness Grant by the Office of Emergency Services and adopted a program budget in connection therewith in the total amount of \$5,000 for the period April 1, 2000 through March 31, 2003, and

WHEREAS, said grant program provides support of ongoing development of hazardous materials response plans as developed by the Local Emergency Planning Committee, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$1,500 in grant appropriations and extend the period to March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Hazardous Materials Emergency Preparedness Grant to reflect an increase in grant appropriations of \$1,500 and extend the period to April 1, 2000 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 \$6,500, and be it

FURTHER RESOLVED, that Resolution 562 of 2000, Resolution 395 of 2001 and Resolution 363 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 313

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING ACCEPTANCE OF A 2003 SICA II PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, the Commissioner of Mental Health requests authorization to accept a 2003 SICA II Program Grant and adopt a program budget in the amount of \$25,930 for the period July 15, 2003 through December 31, 2003, and

WHEREAS, said grant program provides an effective system that changes conditions that contribute to the use of alcohol and substances by young people between the ages of 12 and 17, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$25,930 from the New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203 for the Department of Mental Health's 2003 SICA II Program Grant for the period July 15, 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 \$25,930, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the

grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 314

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

RESOLUTION AUTHORIZING ACCEPTANCE OF A 'CATS' PROJECT GRANT FOR THE DPW DIVISION OF SECURITY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2005

WHEREAS, the Director of Security requests authorization to accept a 'CATS' (Computer Analysis and Technical Services) Project Grant and adopt a program budget in the amount of \$314,840 for the period August 1, 2003 through February 1, 2005, and

WHEREAS, said grant program provides funding for computer and video forensic needs of all law enforcement agencies and departments in Broome County, with said funding being used to reduce case backlog, provide state of the art training for examiners and develop and present educational programs for law enforcement and the community with regard to internet safety and identity theft, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of 314,840 from the United States Department of Justice – O.J.P., Bureau of Justice Assistance/National Institute of Justice, 810 7th Street, NW, Washington, DC 20531 for the DPW Division of Security's CATS Project Grant for the period August 1, 2003 through February 1, 2005, 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 \$314,840, and be it

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

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 315

By Education, Culture & Recreation and Finance

Seconded by Mr. Mather

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A TRUST ACCOUNT TO BE KNOWN AS THE BROOME COUNTY ALL WARS MEMORIAL FUND

WHEREAS, this County Legislature by Resolution No. 89 of 2002 has endorsed and supports the construction of an all wars memorial to be located on county owned property adjacent to the Broome County Veterans Memorial Arena using funds contributed by members of the community, and

WHEREAS, a committee consisting of members from various segments of the community known as the "All Wars Memorial Fund Advisors" (the Committee) has been formed to oversee the design and construction of the memorial and to solicit funds to be used for the construction of the memorial, and

WHEREAS, the Committee is working with the Community Foundation for South Central N.Y. to solicit donations to be used for the design, construction and maintenance of the said war memorial, and

WHEREAS, the Committee has agreed upon a design for the memorial, and

WHEREAS, the Committee has requested that Broome County receive the donated funds held by the Community Foundation for South Central, N.Y. to be held in trust and used for the design, construction and maintenance of the memorial, and

WHEREAS, the Commissioner of Parks and Recreation and the Commissioner of Finance concur with said request, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment of a trust account to be known as the Broome County All Wars Memorial Fund to receive funds from the Community Foundation of South Central N.Y. to be used to pay for the construction and maintenance of the Broome County All Wars Memorial to be erected on county owned land adjacent to the Broome County Veterans Memorial Arena, and be it

FURTHER RESOLVED, that the Commissioner of Parks and Recreation is hereby authorized to expend said funds in accordance with the provisions of State and Local laws and the use of these funds shall be solely restricted to pay for the design, construction and maintenance of the Broome County All Wars Memorial including costs incurred to date, and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to enter into contracts for the design and construction of said war memorial subject to the approval of the Committee provided that the amount of the contract shall not exceed the available funds in the trust account hereby established, and be it

FURTHER RESOLVED, that upon completion of the memorial any funds remaining in the trust account hereby established shall be used for the maintenance of said war memorial, and be it

FURTHER RESOLVED, that the Commissioner of Finance, Director of Budget, County Comptroller, and the Commissioner of Parks and Recreation are hereby authorized and directed to take any and all necessary steps required to effectuate the intent and purpose of this resolution.

Ms. Nannery made a motion, seconded by Mr. Shafer, to amend this resolution replacing the third WHEREAS paragraph with the following:

WHEREAS, the Committee is soliciting donations to be used for the design, construction and maintenance of the said war memorial and is working with the Community Foundation for South Central N.Y. to receive said donations for ultimate payment into the trust fund newly created, and

Amendment carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey). Resolution as amended carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 316

By County Administration, Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION RESCINDING IN ITS ENTIRETY RESOLUTION NUMBER 215 OF 2003 AND SUBSTITUTING THE FOLLOWING RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH FIBERTECH NETWORKS, LLC TO PROVIDE AND INSTALL HIGH SPEED DARK FIBER CABLE TO REMOTE COUNTY LOCATIONS FOR INFORMATION TECHNOLOGY FOR THE PERIOD 2003-2013

WHEREAS, this County Legislature by Resolution Number 215 of 2003 authorized a lease agreement with Fibertech Networks, LLC to provide and install high speed dark fiber cable to remote county locations for Information Technology at a cost not to exceed \$217,000 for the

period commencing April 1, 2003 and continuing for ten years commencing on the first day of the month following completion of installation and the system is operative, and

WHEREAS, the New York State contribution has increased necessitating the total revision of the funding of said lease, now, therefore, be it

RESOLVED, that Resolution Number 215 adopted on May 22, 2003 be and the same hereby is rescinded in its entirety and the following Resolution be substituted in place and instead of Resolution Number 215 of 2003:

WHEREAS, the Director of Information Technology requests authorization for a lease agreement with Fibertech Networks, LLC to provide and install high speed dark fiber cable to remote county locations for Information Technology at a cost not to exceed \$190,000, for the period commencing April 1, 2003 and continuing for ten years commencing on the first day of the month following completion of installation and the system is operative, and

WHEREAS, said services are necessary to provide and install high speed dark fiber cable to the remote County locations, including the Department of Social Services, the Department of Health and the Office of Employment and Training, and

WHEREAS, the fiber cable project will provide faster and more stable connectivity between the County office building and the remote sites, better back-up of data from the remote sites, a direct connection between the County network and the New York State network, and

WHEREAS, the total cost of said project is \$355,000 with New York State paying \$165,000 directly to Fibertech Networks, LLC and the County paying the remaining \$190,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with Fibertech Networks, LLC, 140 Allens Creek Road, Rochester, New York 14618, to provide and install high speed dark fiber cable to remote county locations for Information Technology, for the period commencing April 1, 2003 and continuing for ten years commencing on the first day of the month following completion of installation and the system is operative, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$190,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines:

Down Payment on Signing Lease:

Health Department	\$25,000	480301.2460.104687 (Communications Equipment)
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Payment Years (1-5) Commencing the First Day of the Month following completion of installation and the system is operative:

Health Department	\$36,000 (\$600 per month)	480301.4516.104687 (Hardware Lease)
Information Technology	\$12,000 (\$200 per month)	370056.4516.101000 (Hardware Lease)
OET	\$27,000 (\$450 per month)	720730.4516.308120 720730.4516.308118 (Hardware Lease)
DSS	\$27,000 (\$450.00 per month)	670018.4419.103000 (General Office Expenses)

Total payment (for years 1-5) \$1,700 per month multiplied by sixty months = \$102,000

<u>Payment Years (6-10):</u>		
Health Department	\$27,000 (\$450 per month)	480301.4516.104687 (Hardware Lease)
Information Technology	\$-0-	370056.4516.101000 (Hardware Lease)
OET	\$18,000 (\$300 per month)	720730.4516.308120 720730.4516.308118 (Hardware Lease)
DSS	\$18,000 (\$300 per month)	670018.4419.103000 (General Office Expenses)

Total payment (for years 6-10) \$1,050 per month multiplied by sixty months = \$63,000

and be it

FURTHER RESOLVED, that the payment budget lines shall be revised annually to reflect then current grants and other funding sources; and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 317

By Finance Committee

Seconded by Mr. Mather

RESOLUTION APPROVING SALE OF COUNTY-OWNED PROPERTY IN VARIOUS TOWNS AND VILLAGES IN BROOME COUNTY

WHEREAS, the County of Broome now owns certain parcels of real property as listed on Exhibit "A", and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said properties to the individuals listed on Exhibit "A", now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County property as indicated on Exhibit "A" attached herewith, and be it

FURTHER RESOLVED, that the payments hereinabove referenced shall be credited to budget line 630004.0212.101000 (Sale of Real Property), and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 318

See Special Session held immediately preceding this session for Resolution No. 318.

RESOLUTION NO. 319

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ROD STONE FOR DATA PROCESSING SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2003

WHEREAS, this County Legislature, by Resolution 671 of 2002, authorized an agreement with Rod Stone for data processing services for the Division of Information Technology at a rate of \$50 per hour, total cost not to exceed \$62,000, for the period January 1, 2003 through July 31, 2003, and

WHEREAS, said services are necessary to provide data processing services for payroll (MSA) expansion, changes to the County's W-2 Program and a major upgrade to the newest version of Real Property software, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide additional and continued data processing services for the payroll (MSA) expansion, changes to the County's W-2 Program and a major upgrade to the newest version of Real Property software and to extend the term of the agreement to September 30, 2003, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Rod Stone, RR#1, Box 1820, Friendsville, Pennsylvania 18818 for additional data processing services for the Division of Information Technology and to extend the term of the agreement from January 1, 2003 through September 30, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$50 per hour for an additional amount not to exceed \$18,000, total amount not to exceed \$80,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370032.4726.502363 (Contracted Data Processing Services), and be it

FURTHER RESOLVED, that Resolution 671 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

RESOLUTION NO. 320

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING THE BROOME COUNTY CHAMBER OF COMMERCE TO ACT AS THE AGENCY IN BROOME COUNTY FOR TOURISM AND CONVENTION PROMOTION FOR 2004

WHEREAS, this County Legislature, by Resolution Number 387 of 2002, authorized the Broome County Chamber of Commerce to act as the agency in Broome County for tourism and convention promotion for the period January 1, 2003 through December 31, 2003, and

WHEREAS, it is desired at this time to authorize the Broome County Chamber of Commerce to be the tourism and convention promoter for Broome County for the period January 1, 2004 through December 31, 2004 so that appropriate applications may be timely filed for New York State grant monies, now, therefore, be it

RESOLVED, that this County Legislature hereby names and authorizes the Broome County Chamber of Commerce to be the tourism and convention promoter for Broome County for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that the Broome County Chamber of Commerce is hereby authorized to make application for any grants from the State of New York for tourism and convention promotion in Broome County, and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to enter into agreement(s) with the Broome County Chamber of Commerce to provide tourism and convention promotion in Broome County, subject to funding sources and matching funds by the Broome County Chamber of Commerce, and be it

FURTHER RESOLVED, that the Broome County Chamber of Commerce shall submit a quarterly written report to this Legislature as to the disposition of said grant monies.

Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey).

LEGISLATORS COMMENTS

Mr. Mather made a motion, seconded by Mr. Miller, that due to personal and community events scheduled on August 21, 2003, that the Regular Session scheduled for that date be changed to Wednesday, August 20, 2003 at 4:00 p.m. **Carried**, Ayes-15, Nays-1 (Hutchings), Absent-3 (Howard, Hull, Lindsey).

Ms. Hudak announced that there would be a Special Meeting of the Health and Human Services Committee on Wednesday, August 20, 2003 at 3:00 p.m. at which time Robert Denz of the Environmental Health Division of the Health Department will give an update on the Endicott Hazardous Waste Spill.

Mr. Pasquale made a motion to adjourn, seconded by Mr. Shafer. **Motion to adjourn** carried, Ayes-16, Nays-0, Absent-3 (Howard, Hull, Lindsey). The meeting was adjourned at 4:58 p.m.

