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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, DECEMBER 16, 2004**

The Legislature convened at 5:03 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Whalen).

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. Burger made a motion, seconded by Mr. Miller, that the minutes of the November 18, 2004 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Whalen).

Mr. Schofield noted that the committee minutes for the period November 18, 2004 through December 15, 2004 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Mather, seconded by Mr. Kolba. **Carried**, Ayes-18, Nays-0, Absent-1 (Whalen).

**ANNOUNCEMENTS FROM THE CHAIR**

Chair Schofield called Legislators Chris W. Burger, Wanda A. Hudak, George M. Kolba, Jr., Vincent A. Pasquale and William T. Wike up to the podium. After thanking them for their years of dedication and service to their constituents and Broome County, he presented them with a plaque showing their years of service.

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

- A. Letters from the County Executive, Jeffrey P. Kraham:
1. Appointment to the Broome County Criminal Justice Advisory Board (CJAB)
  2. Appointments to the Broome County Community Alternatives Systems Agency (CASA) Board
  3. Appointment to the Broome County Family Violence Prevention Council
  4. Appointments to the Willow Point Nursing Home Board of Directors

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

- A. Petitions: None
- B. Communications:
1. Board of Elections County Proposal One Results
  2. Board of Elections County Proposal Two Results
  3. EMC Recruitment of EMC Volunteers
  4. Office of the Sheriff-National Commission on Correctional Health Care Accreditation
  5. New York State Office for Technology-Draft Generic Environmental Impact Statement for the Statewide Wireless Network
  6. Town of Lisle Resolution Asking Broome County to Reinstate the Previous Sales Tax Distribution Formula
  7. Town of Dickinson Resolution Requesting Broome County to Reinstate the Previous Sales Tax Distribution Formula
  8. Town of Fenton Resolution Requesting Broome County to Reinstate the Sales Tax Distribution Formula
  9. Broome County Republican Committee-Certificate of Recommendation of Catherine C. Schaewe as Election Commissioner

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10. Essex County Resolution Opposing the Cost Shifting of Mental Hygiene State Aid Dollars to Funding by Medicaid
  11. Office of the Sheriff Letter to Catherine Schaewe Regarding Village of Windsor Patrols
  12. Letter from Catherine Schaewe Regarding Extra Police Patrols for the Village of Windsor
  13. Office of the Sheriff Letter to Catherine Schaewe Regarding Additional Patrols for the Village of Windsor
  14. Letter to the County Executive-Re: Changes to the Proposed 2005 Broome County Budget
  15. Broome County Environmental Management Council Minutes 11/4/04
  16. Joint Landfill Citizens Advisory Committee and EMC Recycling & Waste Management Committee Minutes 10/25/04
  17. Broome County Soil and Water Conservation District Directors' Meeting Minutes 11/8/04
  18. Broome County Association of Municipal Clerks Meeting Minutes 11/18/04
  19. Broome County Fire Advisory Board Minutes 9/23/04
  20. Cornell Cooperative Extension of Broome County Board of Directors Minutes 10/21/04

C. Notices: None

D. Reports:

1. Town of Binghamton 2005 Budget
2. Town of Windsor 2005 Budget
3. Town of Lisle 2005 Budget
4. Town of Conklin 2005 Budget
5. Town of Sanford 2005 Budget
6. Town of Chenango 2005 Budget
7. Town of Vestal 2005 Budget
8. Town of Nanticoke 2005 Budget
9. Broome County STOP-DWI 2005 Program Plan
10. Broome County Office for Aging Plan for Services 2005-2008
11. BCC Quarterly Income Statement 11/30/04
12. BCC Budget Transfers 10/04 and 11/04
13. BCC Above Minimum Hire 10/04
14. Town of Kirkwood 2005 Water & Sewer District Budget

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

A. Letters from the Chair, Daniel A. Schofield

1. Designation for Mr. Hull 12/6/04
2. Designation for Mr. Wike 12/9/04

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 2004 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-18, Nays-0, Absent-1 (Whalen).

Mr. Pasquale and Mr. Shafer 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.

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**RESOLUTIONS TABLED AT A PRIOR SESSION**

**RESOLUTION NO. 337**

By County Administration Committee

Seconded by Mr. Kuzel

**RESOLUTION AMENDING THE 2003-2004 RULES OF ORDER**

**Failed**, Ayes-5 (Brunza, Hutchings, Kuzel, Pasquale, Reynolds), Nays-13 (Burger, Howard, Hudak, Hull, Kolba, Lindsey, Marinich, Mather, Miller, Nannery, Shafer, Wike, Schofield), Absent-1 (Whalen).

**RESOLUTION NO. 345**

By County Administration Committee

Seconded by Mr. Whalen

**RESOLUTION AMENDING THE 2003-2004 RULES OF ORDER**

Mr. Hutchings requested that this resolution be pulled. After Mr. Kolba polled the County Administration Committee, the resolution was **withdrawn**.

**RESOLUTIONS HELD OVER FROM PREVIOUS SESSION**

**RESOLUTION NO. 570**

(Held over by Mr. Pasquale)

By Personnel and Health & Human Services

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF SOCIAL SERVICES**

**Carried**, Ayes-16, Nays-2 (Howard, Lindsey), Absent-1 (Whalen).

**RESOLUTION NO. 571**

(Held over by Mr. Brunza)

By County Administration, Personnel and Finance Committees

Seconded by Mr. Howard

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 17, 2004, ENTITLED: "A LOCAL LAW AMENDING LOCAL LAW PERMANENT NO. 4 OF 1999, AUTHORIZING SALARY INCREASES FOR THE BROOME COUNTY EXECUTIVE, BROOME COUNTY SHERIFF AND BROOME COUNTY CLERK."**

**Carried**, Ayes-11 (Burger, Howard, Hull, Kolba, Kuzel, Lindsey, Marinich, Mather, Nannery, Shafer, Schofield), Nays-7 (Brunza, Hudak, Hutchings, Miller, Pasquale, Reynolds, Wike), Absent-1 (Whalen).

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 574**

By County Administration Committee

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING THE APPOINTMENT OF JOSEPH SLUZAR AS BROOME COUNTY COMMISSIONER OF ELECTIONS FOR THE TERM JANUARY 1, 2005 THROUGH DECEMBER 31, 2008**

WHEREAS, the Chair of the Democratic party has filed with the Clerk of this Legislature, on behalf of the Broome County Democratic Committee and in compliance with the appropriate provisions of law, the required certificate recommending the appointment of Joseph Sluzar to serve as a Commissioner of Elections for Broome County, now, therefore, be it

RESOLVED, that in accordance with the appropriate provisions of law, the Broome County Charter and Administrative Code, Joseph Sluzar, residing at 408 Mersereau Avenue, Endicott, New York 13760 be and hereby is appointed Democratic Election Commissioner of Broome County, New York for a term commencing January 1, 2005 through December 31, 2008.

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

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### **RESOLUTION NO. 575**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY, INC. FOR DRUG TESTING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2005**

WHEREAS, this County Legislature, by Resolution 542 of 2003, authorized renewal of agreement with The Addiction Center of Broome County, Inc. for drug testing services for the Department of Social Services at a cost of \$5 per test, total amount not to exceed \$8,000 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to perform specific drug testing that includes monitored urine screen testing performed at the request of the Department of social Services Child Protective Services, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a cost of \$5 per test, total amount not to exceed \$8,500, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Addiction Center of Broome County, Inc., 30 West State Street, Binghamton, New York 13901, for specific drug testing services for the Department of Social Services for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount of \$5 per test, total amount not to exceed \$8,500, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670059.4701.103000 (Medical and Physical Exams), and be it

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

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

### **RESOLUTION NO. 576**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR HOMEMAKER AND PARENT AIDE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2005**

WHEREAS, this County Legislature, by Resolution 548 of 2004, authorized renewal of the agreement with Family and Children's Society of Broome County, Inc. for homemaker and parent aide services for the Department of Social Services at an amount not to exceed \$243,228, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement provides homemaker and parent aide services for at- risk families and adults, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$250,525, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for homemaker and parent aide services for the Department of Social Services for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$250,525 for the term of the agreement, and be it



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RESOLVED, that this County Legislature hereby authorizes a revision of the Employment Retention and Advancement (ERA) Temporary Assistance to Needy Families (TANF) Enhancement Grant to reflect an increase of \$3,753 for the period January 1, 2005 through December 31, 2005, 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 \$61,083, and be it

FURTHER RESOLVED, that Resolution 397 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

### **RESOLUTION NO. 579**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF THE COMMUNITY RESIDENTIAL AND OUTPATIENT TREATMENT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005**

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Community Residential and Outpatient Treatment Program Grant and adopt a program budget in the amount of \$100,000 for the period January 1, 2004 through December 31, 2005, and

WHEREAS, said grant program is an extension to the Road to Recovery Program which provides non-violent felony offenders with a history of drug and alcohol abuse a treatment alternative to incarceration, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$100,000 from the New York State Office of Alcoholism and Substance Abuse Services, Finger Lakes Field Office, 109 S. Union Street, Room 400, Rochester, New York 14607-1826 for the Department of Mental Health's Community Residential and Outpatient Treatment Program Grant for the period January 1, 2004 through December 31, 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 \$100,00, 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, 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

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authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 580**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF THE JUVENILE JUSTICE PROGRAM GRANT FOR 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 2005**

WHEREAS, this County Legislature, by Resolution 500 of 2003, as amended by Resolution 111 of 2004, authorized and approved the continued participation in the Juvenile Justice Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$106,250 and authorized renewal of agreement with Our Lady of Lourdes Hospital to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides for closer working relationships between the Probation Department and the Mental Health Clinic staff and will facilitate diversion of children who are in need of mental health and/or alcohol and substance abuse services by linking them to these services at the earliest opportunity while such children are under the supervision of the Probation Department, and

WHEREAS, it is desired to renew said grant program in the amount of \$106,250, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$106,250 from the New York State Office of Children and Family Services, for the Department of Mental Health's Juvenile Justice Program Grant for the period January 1, 2005 through December 31, 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 \$106,250, 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, for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$106,250 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4457.104XXX (Subcontracted Program), and be it

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

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

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

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

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### RESOLUTION NO. 581

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF QUALITY ASSURANCE AND ACCOUNTABILITY PROJECT GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH COORDINATED CARE SERVICES, INC. TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 514 of 2003, as amended by Resolution 404 of 2004, authorized and approved the Quality Assurance and Accountability Project Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$303,915 and authorized an agreement with Coordinated Care Services, Inc. to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides stronger management and quality assurance capabilities as well as monitoring performance expectations, and

WHEREAS, it is desired to renew said grant program in the amount of \$303,915, adopt a program budget and renew the agreement with Coordinated Care Services, Inc. to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$232,396 from New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Quality Assurance and Accountability Project Program Grant for the period January 1, 2005 through December 31, 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 \$303,915, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Coordinated Care Services, Inc., 1099 Jay Street, Rochester, New York 14611, to administer said program grant for a total amount not to exceed \$290,262, for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4747.104XXX (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, and be it

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

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

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

### RESOLUTION NO. 582

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF THE ASSOCIATION FOR RETARDED CITIZENS PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH THE ASSOCIATION FOR RETARDED CITIZENS TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 575 of 2003, authorized and approved the Association for Retarded Citizens Program Grant for the Department of Mental Health,

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adopted a program budget in the amount of \$789,868 and authorized an agreement with the Association for Retarded Citizens to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides a comprehensive continuum of services, offering a full range of day, residential, family support and summer camp programs to nearly 500 individuals and their families as well as provide a supported work program for job placement, and

WHEREAS, it is desired to renew said grant program in the amount of \$766,491, adopt a program budget and renew the agreement with the Association for Retarded Citizens to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,286 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 and \$537,662 for the Office of Mental Retardation and Developmental Disabilities, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Association for Retarded Citizens Program Grant for the period January 1, 2005 through December 31, 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 \$766,491, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Association for Retarded Citizens, 125 Cutler Pond Road, Binghamton, New York 13905 to administer said program grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$766,491 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5023.104XXX (Contracted Services-ARC), and be it

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

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

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

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

### **RESOLUTION NO. 583**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF THE ADDICTION CENTER OF BROOME COUNTY PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY, INC. TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 573 of 2003, authorized and approved the Addiction Center of Broome County Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$256,697 and authorized an agreement with The Addiction Center of Broome County, Inc. to administer said program for the period January 1, 2004 through December 31, 2004, and

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WHEREAS, said grant program provides outpatient counseling services to individuals 18 and older, including specialty services for felony DWI offenders, relapse-prone individuals, co-dependent individuals and mentally ill substance abusers, and

WHEREAS, it is desired to renew said grant program in the amount of \$118,719, adopt a program budget and renew the agreement with The Addiction Center of Broome County, Inc. to continue to administer said program for the period January 1, 2005 through December 1, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Addiction Center of Broome County Program Grant for the period January 1, 2005 through December 31, 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 \$118,719, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Addiction Center of Broome County, Inc., 30 W. State Street, Binghamton, New York 13901 to administer said program for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$118,719 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5021.104XXX (Contracted Services-ACBC), and be it

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

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

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

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

#### **RESOLUTION NO. 584**

By Health & Human Services, County Administration and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH UNI/CARE SYSTEMS, INC. FOR SOFTWARE MAINTENANCE FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2005**

WHEREAS, this County Legislature, by Resolution 537 of 2003, authorized renewal of an agreement with UNI/CARE SYSTEMS, INC. for software maintenance for the Department of Mental Health at a cost not to exceed \$21,571, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary for software maintenance fees and telephone support, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$22,410, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with UNI/CARE SYSTEMS, INC., 540 North Tamiami Trail, Sarasota, Florida 34236 for software



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WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$82 per hour, total amount not to exceed \$59,023, for the period January, 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Dr. Chong Taek Lee, M.D., 4529 Salem Drive, Vestal, New York 13850 for psychiatric services for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$82 per hour, total amount not to exceed \$59,023, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

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

### **RESOLUTION NO. 587**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DR. IVAN FRAS, M.D., FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2005**

WHEREAS, this County Legislature, by Resolution 506 of 2003, authorized renewal of agreement with Dr. Ivan Fras, M.D., for psychiatric services for the Department of Mental Health at a rate of \$82 per hour, total amount not to exceed \$42,640 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement is necessary to provide psychiatric services to children with serious emotional problems, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$82 per hour, total amount not to exceed \$36,888, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Dr. Ivan Fras, M.D., 33 Avon Road, Binghamton, New York 13905 for psychiatric services for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$82 per hour, total amount not to exceed \$36,888 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

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

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### RESOLUTION NO. 588

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH UNITED HEALTH SERVICES FOR DIAGNOSTIC SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2005-2007**

WHEREAS, this County Legislature, by Resolution 620 of 2002 authorized renewal of agreement with United Health Services for diagnostic services for the Department of Health, at an amount not to exceed \$5,000, for the period January 1, 2003 through December 31, 2004, and

WHEREAS, said agreement provides diagnostic services for chest x-rays, hepatic panels, SGOT tests and other TB related services, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount based on Medicaid rates, \$2,500 per year, total amount not to exceed \$7,500, for the period January 1, 2005 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with United Health Services, 10-42 Mitchell Avenue, Binghamton, New York 13903 for diagnostic services at the Medicaid rates for the Department of Health for the period January 1, 2005 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount based on Medicaid rates, \$2,500 per year, total amount not to exceed \$7,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4434.101056 (Medical, Hospital and Lab), and be it

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

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

### RESOLUTION NO. 589

By Health & Human Services Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE BROOME COUNTY HEALTH DEPARTMENT AND THE TIOGA COUNTY HEALTH DEPARTMENT TO PROVIDE MUTUAL AID IN THE EVENT OF A DISASTER**

WHEREAS, the Director of Public Health requests authorization for an agreement between the Broome County Health Department and the Tioga County Health Department to provide mutual aid in the event of a disaster, at no cost to either County, and

WHEREAS, said agreement is necessary to respond to a natural or manmade disaster, widespread outbreak of a communicable disease, mass casualty incident or terrorist attack, and

WHEREAS, such mutual aid may take the form of providing prophylaxis medication or vaccination to non-residents for Broome County who are temporarily visiting or residing in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes between the Broome County Health Department and the Tioga County Health Department to provide mutual aid in the event of a disaster, at no cost to either County, and be it

FURTHER RESOLVED, that each Department shall hold harmless and defend the other department from and against all claims and liability for loss, damage, or injury or death of third parties, caused by or attributable to its own employee, agent or officer engaged in activities related to this agreement, and be it

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

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

#### **RESOLUTION NO. 590**

By Health & Human Services Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE BROOME COUNTY HEALTH DEPARTMENT AND THE CHENANGO COUNTY HEALTH DEPARTMENT TO PROVIDE MUTUAL AID IN THE EVENT OF A DISASTER**

WHEREAS, the Director of Public Health requests authorization for an agreement between the Broome County Health Department and the Chenango County Health Department to provide mutual aid in the event of a disaster, at no cost to either County, and

WHEREAS, said agreement is necessary to respond to a natural or manmade disaster, widespread outbreak of a communicable disease, mass casualty incident or terrorist attack, and

WHEREAS, such mutual aid may take the form of providing prophylaxis medication or vaccination to non-residents for Broome County who are temporarily visiting or residing in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes between the Broome County Health Department and the Chenango County Health Department to provide mutual aid in the event of a disaster, at no cost to either County, and be it

FURTHER RESOLVED, that each Department shall hold harmless and defend the other department from and against all claims and liability for loss, damage, or injury or death of third parties, caused by or attributable to its own employee, agent or officer engaged in activities related to this agreement, and be it

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

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

#### **RESOLUTION NO. 591**

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM AID-ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT IN RELATION TO THE LESTER AVENUE PROJECT AND APPROPRIATING FUNDS THEREFOR**

WHEREAS, a project for Lester Avenue over Little Choconut Creek (BIN 3349840) in the Village of Johnson City, Broome County, PIN 9752.69 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Broome desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the Construction and Construction Supervision and Inspection work, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the above-subject project, and be it

FURTHER RESOLVED, that the Broome County Commissioner of Finance is authorized to pay in the first instance 100% of the Federal and non-Federal share of the Construction and Construction Supervision and Inspection work for the Project or portions thereof, and be it

FURTHER RESOLVED, that the sum of \$717,000, as previously appropriated pursuant to the 2000 C.I.P., Project 501358 (Highways/Engineering/Bridges), is made available to cover the cost of participation in the above phase of the Project, and be it

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FURTHER RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, this County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by NYSDOT thereof, and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal-Aid and/or Marchiselli-aid on behalf of the County of Broome with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

### **RESOLUTION NO. 592**

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM AID-ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT IN RELATION TO THE LESTER AVENUE PROJECT AND APPROPRIATING FUNDS THEREFOR**

WHEREAS, a project for Lester Avenue over Little Choconut Creek (BIN 3349840) in the Village of Johnson City, Broome County, PIN 9752.69 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Broome desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the Right-of-Way Acquisition work, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the above-subject project, and be it

FURTHER RESOLVED, that the Broome County Commissioner of Finance is authorized to pay in the first instance 100% of the Federal and non-Federal share of the Right-of-Way Acquisition work for the Project or portions thereof, and be it

FURTHER RESOLVED, that the sum of \$10,119, as previously appropriated pursuant to the 2000 C.I.P., Project 501358 (Highways/Engineering/Bridges), is made available to cover the cost of participation in the above phase of the Project, and be it

FURTHER RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, this County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by NYSDOT thereof, and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal-Aid and/or Marchiselli-aid on behalf of the County of Broome with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

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### **RESOLUTION NO. 593**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT, FOR COURT SECURITY SERVICES FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 324 of 2003, authorized renewal of the agreement with the Unified Court System of New York State, Sixth Judicial District, for court security services with revenue to the County in the amount of \$803,800, for the period April 1, 2003 through March 31, 2004, and

WHEREAS, said services are necessary for maintaining security in Supreme Court, County Court, Family Court and Binghamton City Court, and

WHEREAS, said agreement expired by its terms on March 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$880,000, for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Unified Court System of the State of New York, Sixth Judicial District, State Office Building, 44 Hawley Street, Binghamton, New York 13901 for court security services for the period April 1, 2004 through March 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the Unified Court System of the State of New York, Sixth Judicial District, shall pay to the County of Broome the sum of \$880,000 for reimbursement of allowable costs incurred by the County of Broome in providing the services required under the terms of this agreement, and be it

FURTHER RESOLVED, that the revenue realized pursuant to such agreement shall be credited to budget line 031450.0038.101000 (Security Services), and be it

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

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

### **RESOLUTION NO. 594**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MARK SILVERIO, DVM, CHENANGO ANIMAL HOSPITAL, FOR VETERINARIAN SERVICES AND MEDICAL SUPPLIES FOR THE BROOME COUNTY ANIMAL SHELTER FOR 2005**

WHEREAS, this County Legislature, by Resolution 415 of 2003, authorized renewal of the agreement with Mark Silverio, DVM, Chenango Animal Hospital, for veterinarian services and medical supplies for the Broome County Animal Shelter at an amount not to exceed \$25,380, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to comply with State law that requires animals to be vaccinated against rabies prior to release from an animal shelter and to provide the animal shelter with the necessary medical supplies for sick and injured animals under the care of the shelter throughout the year, provide veterinarian services and medical supplies to the Office of the Sheriff's canines and provide reimbursement to the Broome County Health Department for rabies vaccines, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$25,380, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Mark J. Silverio, DVM, Chenango Animal Hospital, 1445 Front Street, Binghamton, New York 13901 for veterinarian and medical supplies for the Broome County Animal Shelter, for the

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Office of the Sheriff's canines and to provide reimbursement to the Broome County Health Department for rabies vaccines for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$25,380 for the term of the agreement, to be paid as follows:

NTE \$18,000 031476.4742.101000 (Veterinarian Services)  
NTE \$ 2,500 450049.4742.101000 (Veterinarian Services)  
NTE \$ 4,880 480137.4742.101000 (Veterinarian Services)

and be it

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

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

### **RESOLUTION NO. 595**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE SOS SHELTER, INC. FOR PET BOARDING AT THE BROOME COUNTY DOG SHELTER FOR 2005**

WHEREAS, this County Legislature, by Resolution 438 of 2003, authorized renewal of agreement with the SOS Shelter, Inc. to provide pet boarding services for those families in need, at no cost to the County or the pet owner, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to provide boarding services to pets belonging to families attempting to leave an abusive situation and in need of a safe place for their pets, and

WHEREAS, said agreement expires by its terms on December 31, 2004 and it is desired at this time to renew said agreement on substantially similar terms and conditions, including a program to provide spay/neuter service, on a voluntary basis and at no charge, for the animals of SOS Shelter clients, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the SOS Shelter, Inc., P.O. Box 393, Endicott, New York 13760, for pet boarding and spay/neuter services for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, there shall be no cost to the pet owner, and be it

FURTHER RESOLVED, the County shall bear the cost of the spay/neuter services with local veterinarians at a total cost not to exceed \$250 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 031470.4742.101000 (Veterinarian Services), and be it

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

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

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### RESOLUTION NO. 596

By Personnel and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH UNITED HEALTH SERVICES HOSPITALS FOR DRUG AND ALCOHOL TESTING/TRAINING FOR THE PERSONNEL DEPARTMENT FOR 2005**

WHEREAS, this County Legislature, by Resolution 430 of 2003, authorized renewal of agreement with United Health Services Hospitals for drug and alcohol testing for the Department of Personnel, payment in accordance with a rate schedule attached as Exhibit "A" to said resolution, total amount not to exceed budgeted appropriations, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to conduct drug and alcohol testing for Broome County employee commercial drivers license holders, as required by the United States Department of Transportation, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate schedule attached hereto as Exhibit "A" and not to exceed budgeted appropriations, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of an agreement with United Health Services Hospitals, 10-42 Mitchell Avenue, Phelps I, Binghamton, New York 13903 for drug and alcohol testing/training for the Department of Personnel for the period January 1, 2005 through December 31, 2005 and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate schedule attached hereto as Exhibit "A" and not to exceed budgeted appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4703.254000 (Lab Services), and be it

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

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

### RESOLUTION NO. 597

By Economic Development & Planning and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING REVISION OF THE PY2003 WORKFORCE INVESTMENT ACT (WIA) YOUTH PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2005**

WHEREAS, this County Legislature, by Resolution 200 of 2003, authorized and approved acceptance of the PY2003 Workforce Investment Act (WIA) Youth Program Grant for the Office of Employment and Training and adopted a program budget in connection therewith in the total amount of \$606,108 for the period July 1, 2003 through June 30, 2005, 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 said program to reflect an increase in the amount of \$50,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the PY2003 Workforce Investment Act (WIA) Youth Program Grant to reflect an increase of \$50,000 for the period July 1, 2003 through June 30, 2005, 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 \$656,108 and be it

FURTHER RESOLVED, that Resolution 200 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

### **RESOLUTION NO. 598**

By County Administration and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 363 OF 2004 AUTHORIZING THE AGREEMENT WITH IBM CORPORATION FOR COMPUTER CONSULTING SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 363 of 2004, authorized an agreement with IBM Corporation for computer consulting services for the Division of information Technology for an estimated 20 hours of service at the rate of \$235 per hour, total cost not to exceed \$4,700 for the period July 9, 2004 through July 8, 2005, and

WHEREAS, said services are necessary to upgrade Computer Services' i-Series (AS/400), which is known as Viking, to accommodate the increasing demands for technology in the County and to accommodate the new Emergency Services system, and

WHEREAS, it is necessary to authorize the amendment of said Resolution to change the budget line to Emergency Services 911 Expedite Grant, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 363 of 2004 to change the budget line to the Emergency Services 911 Expedite Grant for the period July 9, 2004 through July 8, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,700 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460072.4726.104918 (Data Processing Services), and be it

FURTHER RESOLVED, that Resolution 363 of 2004, 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-17 Nays-0, Abstain-1 (Schofield), Absent-1 (Whalen).**

### **RESOLUTION NO. 599**

By County Administration and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 364 OF 2004 AUTHORIZING AN AGREEMENT WITH IBM CORPORATION FOR COMPUTER CONSULTING SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004**

WHEREAS, this County Legislature, by Resolution 364 of 2004, authorized an agreement with IBM Corporation for computer consulting services for the Division of information Technology

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for an estimated 40 hours of service at the rate of \$186.42 per hour, plus an estimated \$1,280 for travel expenses, total cost not to exceed \$9,000 for the period July 15, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to partition the new Information Technology AS/400 (i-Series) computer (Viking), and

WHEREAS, it is necessary to authorize the amendment of said Resolution to change the budget line to the Emergency Services 911 Expedite Grant, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 364 of 2004 to change the budget line to the Emergency Services 911 Expedite Grant for the period July 15, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor for an estimated 40 hours of service at a rate of \$186.42 per hour, plus an estimated \$1,280 for travel expenses, total cost not to exceed \$9,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460072.4726.104918 (Data Processing Services), and be it

FURTHER RESOLVED, that Resolution 364 of 2004, 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-17, Nays-0, Abstain-1 (Schofield), Absent-1 (Whalen).**

#### **RESOLUTION NO. 600**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION ADOPTING THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM PLAN FOR 2005**

WHEREAS, this County Legislature, by Resolution 522 of 1981 established the Special Traffic Options Program for Driving While Intoxicated (STOP- DWI) Program pursuant to New York State Vehicle and Traffic Law, and

WHEREAS, this County Legislature, by Resolution 495 of 2003, approved and adopted the 2004 Comprehensive Plan for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program, and

WHEREAS, the Broome County STOP-DWI Program has prepared a comprehensive plan for submission to the New York State Commissioner of Motor Vehicles for the Broome County STOP-DWI Program for 2005, a copy of said plan having been filed with the Clerk of the Legislature, and

WHEREAS, the Broome County STOP-DWI Advisory Board has reviewed this plan, agrees and endorses the recommendations and strategies contained therein and requests this County Legislature to approve and adopt said plan accordingly, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the 2005 Comprehensive Plan for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program, a copy of which has been filed with the Clerk of the Legislature, and be it

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

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

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**RESOLUTION NO. 601**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF FUNDING AGREEMENTS WITH COUNTY DEPARTMENTS, OUTSIDE AGENCIES AND VARIOUS BROOME COUNTY MUNICIPALITIES FOR THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP- DWI) PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 496 of 2003 authorized the renewal of funding agreements with County departments, outside agencies and Broome County municipalities for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program in the total amount of \$184,250 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreements are necessary to provide funding to continue local law STOP-DWI enforcement efforts, and

WHEREAS, it is desired at this time to renew agreements with County departments, outside agencies and Broome County municipalities as shown on Exhibit "A" for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program in the total amount of \$167,750 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of funding agreements with various County departments, outside agencies and municipalities as shown on Exhibit "A" for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that the funding to each of said departments, outside agencies and municipalities shall not exceed the amounts as shown on Exhibit "A", total amount not to exceed \$167,750, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 820001.4457.101051 (Subcontracted Program) and 820001.4610.101051 (Personal Services), and be it

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

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

**RESOLUTION NO. 602**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH MEDICAL PRIORITY FOR SOFTWARE PURCHASE AND MAINTENANCE FOR THE OFFICE OF EMERGENCY SERVICES FOR 2004-2005**

WHEREAS, the Director of Emergency Services requests authorization for an agreement with Medical Priority for software purchase and maintenance for the Office of Emergency Services at a cost not to exceed \$23,455, for the period November 1, 2004 through October 31, 2005, and

WHEREAS, said agreement would provide for the purchase of seven ProQA Software stations and the maintenance for the software used in the 911 Center for Emergency Medical Dispatch, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Medical Priority, 139 E. South Temple Ste 500, Salt Lake City, Utah 84111 for software purchase and maintenance, for the Office of Emergency Services for the period November 1, 2004 through October 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,455 for the term of the agreement, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460097.4359.101000 (Software and Supplies), and be it

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

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

#### **RESOLUTION NO. 603**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THOMSON WEST (F/K/A WEST GROUP) FOR ON-LINE LEGAL RESEARCH SERVICES FOR THE OFFICE OF THE DISTRICT ATTORNEY FOR 2005**

WHEREAS, this County Legislature, by Resolution 648 of 2003, authorized an agreement with West Group for on-line legal research services for the Office of the District Attorney at an amount not to exceed \$9,180, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to provide on-line legal research capability for the attorneys assigned to the Office of the District Attorney, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$9,675.72, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Thomson West (f/k/a West Group), 109 Maplehurst Road, Rochester, New York 14617 for on-line legal research services for the Office of the District Attorney, for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,675.72 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 330001.4311.101000 (Books and Subscriptions), and be it

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

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

#### **RESOLUTION NO. 604**

By Public Safety & Emergency Services, Personnel and Finance Committees  
Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF AID TO PROSECUTION GRANT FOR THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 624 of 2003, authorized and approved renewal of the Aid to Prosecution Grant for the District Attorney and adopted a program budget in the amount of \$115,455 for the period April 1, 2003 through March 31, 2004, and

WHEREAS, said grant program provides funds of approximately 55% of the salary and fringe benefits of one Senior Assistant District Attorney and approximately 54% of the salary and fringe benefits of the Chief Assistant District Attorney, and

WHEREAS, it is desired to renew said grant program in the total amount of \$201,015 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$109,688 from the New York State Division of Criminal Justice Services, 4 Tower Plaza, Albany,

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NY 12203, for the District Attorney's Aid to Prosecution Grant for the period April 1, 2004 through March 31, 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 \$201,015, and be it

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

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

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

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

### **RESOLUTION NO. 605**

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH EXCELLUS HEALTH PLAN, INC. FOR ADMINISTRATIVE SERVICES FOR THE OFFICE OF RISK AND INSURANCE MANAGEMENT FOR 2005**

WHEREAS, this County Legislature, by Resolution 611 of 2003, authorized renewal of agreement with Excellus Health Plan, Inc., d/b/a Blue Cross Blue Shield of Central New York, for administrative services of HMO type self-insured plans for the Office of Risk and Insurance Management at a cost not to exceed \$29.68 per month per employee, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to provide administrative services for employees enrolled in HMO type self-insured plans, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$31.46 per month per employee, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Excellus Health Plan, Inc., d/b/a Blue Cross Blue Shield of Central New York, 2 Court Street, 3rd Floor, Binghamton, New York 13901 for administrative services of HMO type self-insured plans for the Office of Risk and Insurance Management for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$31.46 per month per employee for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4549.252000 (Services to Participants), and be it

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

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

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**RESOLUTION NO. 606**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL FOR LABORATORY SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2005**

WHEREAS, this County Legislature, by Resolution 625 of 2003, authorized renewal of the agreement with Our Lady of Lourdes Hospital for laboratory services for the Department of Health at an amount not to exceed \$40,000, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to provide laboratory technologist consulting services and laboratory tests for patients of the Sexually Transmitted Disease Clinic and Employee Health Services, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$40,000, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 for laboratory services for the Department of Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$40,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4703.101055, 480228.4703.101056, and 480228.4703.101066 (Lab Services), and be it

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

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

**RESOLUTION NO. 607**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 180 OF 2004 AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS VENDORS FOR VARIOUS SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 180 of 2004, authorized renewal of agreement with various vendors for various services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant at rates not to exceed those listed on Exhibit "B" for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said services are necessary to provide a regional approach to breast, cervical, colorectal and prostate cancer screening, diagnostics, education, treatment and follow up to uninsured or underinsured women and men over fifty years of age, and

WHEREAS, it is necessary to authorize the amendment of Resolution 180 of 2004 to include Dr. John Cruz in the list of vendors, and

WHEREAS, the Director of Public 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 Resolution 180 of 2004 to include in the list of vendors Dr. John Cruz, 157 East. Main Street, Norwich, New York 13815 to provide various services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2004 through March 31, 2005, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4707.104818/104904/104990 (Medical and Hospital Services) and 480301.4715.104818/104904/104990 (Other Medical and Hospital Services), and be it

FURTHER RESOLVED, that Resolution 180 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

#### **RESOLUTION NO. 608**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LOURDES HOSPITAL PHARMACY DEPARTMENT FOR PRESCRIPTION DRUGS FOR THE DEPARTMENT OF HEALTH FOR 2005-2007**

WHEREAS, this County Legislature, by Resolution 598 of 2003, authorized renewal of an agreement with Lourdes Hospital Pharmacy Department for prescription drugs for the Department of Health at a cost not to exceed \$5,000, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement provides unit doses and individual packaging of prescription drugs used by the STD and TB Clinics, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a cost of \$5,000 per year, total amount not to exceed \$15,000, for the period January 1, 2005 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Lourdes Hospital Pharmacy Department, 169 Riverside Drive, Binghamton, New York 13905 for prescription drugs for the Department of Health for the period January 1, 2005 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$5,000 per year, total amount not to exceed \$15,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4365.101055 and 480228.4365.101056 (Prescription Drugs), and be it

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

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

#### **RESOLUTION NO. 609**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL FOR TB SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2005-2007**

WHEREAS, this County Legislature, by Resolution 619 of 2002, authorized renewal of agreement with Our Lady of Lourdes Hospital for TB Services for the Department of Health at an amount not to exceed \$5,000, for the period January 1, 2003 through December 31, 2004, and

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WHEREAS, said agreement provides diagnostic services for chest and other X-rays, blood work for liver profiles and miscellaneous tests for TB patients who don't have insurance, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount based on Medicaid rates not to exceed \$7,500, for the period January 1, 2005 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 for TB Services at the Medicaid rates for the Department of Health for the period January 1, 2005 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount of \$2,500 per year, total amount not to exceed \$7,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4434.101056 and 480228.4434.101000 (Medical, Hospital and Lab Services), and be it

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

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

#### **RESOLUTION NO. 610**

By Finance Committee

Seconded by Mr. Brunza

**RESOLUTION REAPPOINTING ALEX J. MCLAUGHLIN AS BROOME COUNTY COMPTROLLER IN ACCORDANCE WITH THE PROVISIONS OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE**

WHEREAS, Article IV, Section 401 of the Broome County Charter and Code, provides that "There shall be a Department of Audit and Control, headed by a Comptroller who shall be appointed by the County Legislature" and that person "shall serve for a term of four (4) years," and

WHEREAS, your sponsoring committee recommends that Alex J. McLaughlin be reappointed as Comptroller, effective January 1, 2005 for a term expiring December 31, 2008, said expiration date reflecting the end of the term in accordance with the intent of the Charter and Code, and

WHEREAS, it is desired at this time, in accordance with provisions of Article IV of the Broome County Charter and Code, to make said reappointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of the Broome County Charter and Code, does hereby reappoint Alex J. McLaughlin, 75 Mills Road, Harpursville, NY 13787 as Comptroller of Broome County, commencing January 1, 2005 and expiring December 31, 2008.

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

#### **RESOLUTION NO. 611**

By Personnel and County Administration Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING THE APPOINTMENT OF CATHERINE C. SCHAEWE AS BROOME COUNTY COMMISSIONER OF ELECTIONS FOR THE TERM JANUARY 1, 2005 THROUGH DECEMBER 31, 2008**

WHEREAS, the Chairperson of the Republican Party has filed with the Clerk of this Legislature, on behalf of the Broome County Republican Committee and in compliance with the

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appropriate provisions of law, the required certificate recommending the appointment of Catherine C. Schaewe to serve as a Commissioner of Elections for Broome County, now, therefore, be it

RESOLVED, that in accordance with the appropriate provisions of law, the Broome County Charter and Administrative Code, Catherine C. Schaewe, 805 Annabelle Street, Vestal, New York 13850, be and hereby is appointed Republican Election Commissioner of Broome County, New York for a term commencing January 1, 2005 through December 31, 2008.

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

### RESOLUTION NO. 612

By Public Safety & Emergency Services Committee

Seconded by Mr. Brunza

#### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY CRIMINAL JUSTICE ADVISORY BOARD (CJAB)**

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Vincent Grace 326 Robinson Street Binghamton, New York 13904	New Appointment Term Expires 12/31/06

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 61 of 1985, hereby confirms the appointment of the above-named individual to membership on the Broome County Criminal Justice Advisory Board (CJAB) for the term indicated, in accordance with his appointment by the County Executive.

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

### RESOLUTION NO. 613

By Finance, Public Safety & Emergency Services and Personnel Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH THE VILLAGE OF JOHNSON CITY FOR THE CONSOLIDATION OF DISPATCH AND RELATED SERVICES**

WHEREAS, the Director of Emergency Services requests authorization for an agreement with the Village of Johnson City for the consolidation of dispatch and related operations, for implementation in June, 2005, and

WHEREAS, such consolidation of functions would further the goals of increasing efficiency and streamlining municipal services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Village of Johnson City for the consolidation of County E-911, emergency dispatch, and certain related functions with similar operations of the Village of Johnson City, such agreement to include the following:

1. The County shall assume responsibility for police dispatch for the Village of Johnson City, in addition to the County's existing E-911 and emergency dispatch operations.
2. The County will become the employer of up to three (3) dispatchers now employed by the Village of Johnson City.
3. Such individuals will be hired for the position of Emergency Services Dispatcher.
4. The County shall update the communications capability of the Village of Johnson City through 911 revenues as they become available.

and be it

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FURTHER RESOLVED, that the County shall cooperate in implementing the foregoing consolidation promptly with a goal of full implementation on or about June 1, 2005, and be it

FURTHER RESOLVED, that this resolution is contingent upon an agreement between the Village of Johnson City and the County whereby the Village of Johnson City agrees to defend and hold harmless the County from any actions or proceedings brought after the County becomes the employer of dispatchers currently in the Village of Johnson City, which actions and proceedings arise from dispatch activities during the Village of Johnson City employment period, and be it

FURTHER RESOLVED, that any Village dispatcher who currently resides outside of Broome County who becomes employed by the County through this consolidation shall be granted a waiver from the County's Residency Requirement unless and until they become a Broome County Resident, and be it

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

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

### **RESOLUTION NO. 614**

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH COUGHLIN & GERHART, LLP, FOR LEGAL REPRESENTATION BEFORE THE WORKERS' COMPENSATION BOARD FOR THE OFFICE OF RISK AND INSURANCE FOR 2005-2007**

WHEREAS, this County Legislature, by Resolution 613 of 2003, authorized renewal of an agreement with Coughlin & Gerhart, LLP, for legal representation before the Workers' Compensation Board for the Office of Risk and Insurance on behalf of the Broome County Self-Insured Workers Compensation Plan, at a rate of \$105 per hour, total amount not to exceed \$34,000, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary for third party administrative services for the Broome County Self-Insured Workers' Compensation Plan, including legal representative before the Workers Compensation Board, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement at a rate of \$105 per hour, and on substantially similar terms and conditions, for a total amount not to exceed \$35,000 for the periods January 1, 2005 through December 31, 2005, \$36,000 for January 1, 2006 through December 31, 2006 and \$37,500 for January 1, 2007 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Coughlin and Gerhart, LLP, 20 Hawley Street, P.O. Box 2039, Binghamton, New York 13902-2039 for legal representation before the Workers' Compensation Board for the Office of Risk and Insurance on behalf of the Broome County Self-Insured Workers Compensation Plan for the period January 1, 2005 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an a rate of \$105 per hour, total amount not to exceed \$35,000 for the periods January 1, 2005 through December 31, 2005, \$36,000 for January 1, 2006 through December 31, 2006 and \$37,500 for January 1, 2007, through December 31, 2007, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050070.4736.253000 (Legal Charges and 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.  
**Held over 'under the rules' by Mr. Shafer.**

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**RESOLUTION NO. 615**

By Finance Committee

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH MVP HEALTH PLAN FOR ADMINISTRATIVE SERVICES FOR THE OFFICE OF RISK AND INSURANCE FOR 2005**

WHEREAS, this County Legislature, by Resolution 612 of 2003, authorized renewal of an agreement with MVP Health Plan for Administrative Services for the Office of Risk and Insurance at an amount not to exceed \$28.80 per month per employee, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to provide administrative services for employees enrolled in HMO type self-insured plans, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$29.95 per employee per month, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with MVP Health Plan, 625 State Street, Schenectady, New York 12305 for Administrative Services for the Office of Risk and Insurance for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$29.95 per employee per month for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4549.252000 (Services to Participants), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried**, Ayes-18, Nays-0, Absent-1 (Whalen).

**RESOLUTION NO. 616**

By Transportation and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING CANCELLATION OF UNCOLLECTIBLE DEPARTMENT OF AVIATION ACCOUNTS**

WHEREAS, the Fiscal Manager of the Department of Aviation has advised that certain amounts owed to the Department of Aviation currently remain unpaid and uncollected, and

WHEREAS, repeated efforts have been made to collect these accounts but have been unsuccessful, either because of business failures or bankruptcy, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation and charge-off of the uncollectible Department of Aviation accounts as follows:

Air Laurentian	\$210.65
Allegheny Commuter Airlines	69,467.31
Evans, Robert	50.00
Gilmore Enterprises	100.00
Miller Aviation	312.26
<b>TOTAL</b>	<b>\$70,140.22</b>

and be it

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

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

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### **RESOLUTION NO. 617**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING EXTENSION OF THE LEASE AGREEMENT WITH PENN COURT REALTY, LLC, FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2005-2010**

WHEREAS, this County Legislature, by Resolution 502 of 2000, authorized an extension of an agreement with Penn Court Realty, LLC for lease of the premises located at 26 Court Street to the Department of Mental Health at a rate of \$9.50 per square foot for 16,800 square feet, total annual rent not to exceed \$159,800, and authority for the Commissioner of Mental Health to exercise a lease option for 3,000 additional square feet at a rate of \$9.00 per square foot, total square footage to equal approximately 19,800, and a total annual rent not to exceed \$178,200, for the period May 1, 2003 through June 30, 2005, and

WHEREAS, said agreement, pursuant to Resolution 502 of 2000 will expire on June 30, 2005, and it is desired at this time to extend said agreement for the period July 1, 2005 through June 30, 2010, on substantially similar terms and conditions, and

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

RESOLVED, that this County Legislature hereby authorizes the extension of the agreement with Penn Court Realty, LLC, 84 Court Street, Binghamton, New York 13901 for the lease of approximately 16,800 square feet on the second and third floors of the premises located at 26 Court Street, Binghamton, New York for the period July 1, 2005 through June 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$9.50 per square foot, total annual rent not to exceed \$159,800 for the term of this lease, and be it

FURTHER RESOLVED, that the Commissioner of Mental Health is hereby authorized to exercise a lease option for 3,000 additional square feet, total square footage to equal approximately 19,800, and be it

FURTHER RESOLVED, that in the event of the Commissioner of Mental Health exercising the option, the County shall pay the Contractor at a rate of \$9.00 per square foot, total annual rent not to exceed \$178,200, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4422.101000 (Building and Land Rental), and be it

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

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

### **RESOLUTION NO. 618**

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF THE TANF EARLY CHILDHOOD COALITION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005**

WHEREAS, this County Legislature, by Resolution 438 of 2004, authorized and approved the Temporary Assistance to Needy Families (TANF) Early Childhood Coalition Grant for the Department of Health and adopted a program budget in the amount of \$9,158 for the period September 30, 2004 through December 31, 2004, 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 \$10,000 for the period January 1, 2005 through June 30, 2005, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,000 from the Broome County Department of Social Services, 36 Main Street, Binghamton, New York 13905 for the Department of Health's TANF Early Childhood Coalition Grant for the period January 1, 2005 through June 30, 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 \$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, Ayes-18, Nays-0, Absent-1 (Whalen).**

### **RESOLUTION NO. 619**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING REVISION OF THE TANF SERVICES BLOCK GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2005**

WHEREAS, this County Legislature, by Resolution 245 of 2003, as amended by Resolutions 61 and 321 of 2004, authorized and approved renewal of the Temporary Assistance for Needy Families (TANF) Services Block Grant for the Department of Social Services and adopted a program budget in connection therewith in the total amount of \$1,554,542 for the period January 1, 2003 through December 31, 2004, 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 \$425,727 in grant appropriations, authorize agreements with various vendors to provide services as listed on Exhibit "B" and extend the period through June 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the TANF Services Block Grant to reflect an increase of \$425,727 in grant appropriations and authorizes agreements with various vendors to provide services as listed on Exhibit "B" for the extended period January 1, 2003 through June 30, 2005, 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 \$1,980,269, and be it

FURTHER RESOLVED, that Resolutions 245 of 2003, as amended by Resolutions 61 and 321 of 2004, 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

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

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

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

### **RESOLUTION NO. 620**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING REVISION OF THE LONG TERM CARE OMBUDSMAN PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH AND REVISING AGREEMENT WITH ACTION FOR OLDER PERSONS TO ADMINISTER SAID PROGRAM FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 87 of 2004, authorized and approved renewal of the Long Term Care Ombudsman Program Grant for the Office for Aging, adopted a program budget in the amount of \$12,246 and authorized an agreement with Action for Older Persons in the amount of \$11,602 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said grant program provides funding for recruitment and training for ombudsman volunteers who respond to the concerns and complaints expressed by, or on behalf of, residents of long term care facilities, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$892 in grant appropriations, adopt a revised program budget and authorize revision of the agreement with Action for Older Persons, decreasing the amount by \$892, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Long Term Care Ombudsman Program Grant to reflect a decrease of \$892 for the period April 1, 2004 through March 31, 2005, 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 \$11,354, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Action for Older Persons, 30 West State Street, Binghamton, New York 13901, to reflect a decrease of \$892 for administering said grant for the Office For Aging for the period April 1, 2004 through March 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$10,710 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 87 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

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### RESOLUTION NO. 621

By Health & Human Services, Personnel, County Administration and Finance Committees  
Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF TITLE III-B SUPPORTIVE SERVICES GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005**

WHEREAS, this County Legislature, by Resolution 636 of 2003, as amended by Resolution 420 of 2004, authorized and approved the Title III-B Supportive Services Program Grant for the Office for Aging and adopted a program budget in the amount of \$624,562, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides a variety of services, including transportation, information and assistance, legal assistance, shopping services and caregiver services, and

WHEREAS, it is desired to renew said grant program in the amount of \$636,423 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$314,132 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York, 12223-0001 for the Office for Aging's Title III-B Supportive Services Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts a program budget annexed hereto as Exhibit "A" in the total amount of \$636,423, and be it

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

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

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

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

### RESOLUTION NO. 622

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF THE TITLE IIIC-1 CONGREGATE MEALS PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005**

WHEREAS, this County Legislature, by Resolution 637 of 2003, as amended by Resolution 419 of 2004, authorized and approved continued participation in the Title IIIC-1 Congregate Meals Program Grant for the Office for Aging and adopted a program budget in the amount of \$898,152 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides senior center operations, including meals, health and educational programs and access to benefits and operates in accordance with the standards established by the Older Americans Act and the New York State Office for Aging, and

WHEREAS, it is desired to renew said grant program in the amount of \$934,443 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$321,264 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Title IIIC-1 Congregate Meals Program Grant for the period January 1, 2005 through December 31, 2005, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$934,443, and be it

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

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

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

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

### **RESOLUTION NO. 623**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF THE TITLE IIIC-2 HOME DELIVERED MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005**

WHEREAS, this County Legislature, by Resolution 638 of 2003, as amended by Resolution 418 of 2004, authorized and approved continued participation in the Title IIIC-2 Home Delivered Meals Program Grant for the Office for Aging and adopted a program budget in the amount of \$630,160 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides home delivered meals to eligible individuals age 60 and over in accordance with standards established by the Older Americans Act and the New York State Office for Aging, and

WHEREAS, it is desired to renew said grant program in the amount of \$625,187 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$118,182 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Title IIIC-2 Home Delivered Meals Program Grant for the period January 1, 2005 through December 31, 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 \$625,187, and be it

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

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

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

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

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### **RESOLUTION NO. 624**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING REVISION OF THE TITLE III-D DISEASE PREVENTION AND HEALTH PROMOTION PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004**

WHEREAS, this County Legislature, by Resolution 639 of 2003, as amended by Resolution 417 of 2004, authorized and approved continued participation in the Title III-D Disease Prevention and Health Promotion Program Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$30,912 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides funding for health promotion activities, including mental health counseling, medication management for seniors and budget support for the Broome County Senior Games, 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, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-D Disease Prevention and Health Promotion Program Grant to reflect an increase of \$2,000 for the period January 1, 2004 through December 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 \$32,912, and be it

FURTHER RESOLVED, that Resolution 639 of 2003, as amended by Resolution 417 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

### **RESOLUTION NO. 625**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF THE TITLE III-D HEALTH PROMOTION (f/k/a TITLE III-D DISEASE PREVENTION AND HEALTH PROMOTION) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005**

WHEREAS, this County Legislature, by Resolution 639 of 2003, as amended by Resolution 417 and a companion resolution of 2004, authorized and approved continued participation in the Title III-D Disease Prevention and Health Promotion Program Grant for the Office for Aging and adopted a program budget in the amount of \$32,912 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides funding for health promotion activities, including mental health counseling, medication management for seniors and budget support for the Broome County Senior Games, and

WHEREAS, it is desired to renew said grant program in the amount of \$27,933 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,458 from the New York State Office for Aging, Empire State Agency, Building 2, Albany, New York 12223-0001, for the Office for Aging's Title III-D Health Promotion Program Grant for the period January 1, 2005 through December 31, 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 \$27,933, and be it

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

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

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

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

### **RESOLUTION NO. 626**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF TITLE III-E FAMILY CAREGIVER PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005**

WHEREAS, this County Legislature, by Resolution 640 of 2003, as amended by Resolution 416 of 2004, authorized and approved continued participation in the Title III-E Family Caregiver Program Grant for the Office for Aging and adopted a program budget in the amount of \$187,252 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides caregivers with education, transportation, in-home and institutional respite, information and assistance, and

WHEREAS, it is desired to renew said grant program in the amount of \$164,847 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$134,077 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Title III-E Family Caregiver Program Grant for the period January 1, 2005, through December 31, 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 \$164,847, and be it

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

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

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

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

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### **RESOLUTION NO. 627**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF THE ELDER ABUSE OUTREACH PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005**

WHEREAS, this County Legislature, by Resolution 641 of 2003, authorized and approved continued participation in the Elder Abuse Outreach Program Grant for the Office for Aging and adopted a program budget in the amount of \$124,815 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides services to elders with mental or physical impairments and to protect them from physical, sexual or emotional abuse, neglect or exploitation, and

WHEREAS, it is desired to renew said grant program in the amount of \$126,074 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$78,460 from the Broome County Department of Social Services, for the Office for Aging's Elder Abuse Outreach Program Grant for the period January 1, 2005 through December 31, 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 \$126,074, and be it

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

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

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

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

### **RESOLUTION NO. 628**

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005**

WHEREAS, this County Legislature, by Resolution 635 of 2003, authorized and approved continued participation in the Foster Grandparents Program Grant for the Office for Aging and adopted a program budget in the amount of \$289,303 for the period January 1, 2004 through December 31, 2004, 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 desired to renew said grant program in the amount of \$288,699 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$261,832 from the Corporation for National Service, 801 Arch Street, Suite 103, Philadelphia, Pennsylvania 19107-2416, for the Office for Aging's Foster Grandparents Program Grant for the period January 1, 2005 through December 31, 2005, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$288,699, and be it

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

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

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

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

### **RESOLUTION NO. 629**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF THE JUVENILE INTENSIVE SUPERVISION PROGRAM GRANT FOR DEPARTMENT OF PROBATION, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH CATHOLIC CHARITIES AND AUTHORIZING AGREEMENT WITH THE DISCOVERY CENTER OF THE SOUTHERN TIER FOR RELATED PROGRAM SERVICES FOR 2005**

WHEREAS, this County Legislature, by Resolution 559 of 2003, as amended by Resolution 67 OF 2004, authorized and approved the Juvenile Intensive Supervision Program Grant for the Department of Probation, adopted a program budget in the amount of \$114,156 and authorized agreements with Catholic Charities and the Roberson Museum for related program services for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program is designed to reduce the number of out-of-home placements of juvenile delinquents while maintaining community safety and providing treatment services, education and community service opportunities for targeted youths, and

WHEREAS, it is desired to renew said grant program in the total amount of \$114,147, adopt a program budget and renew the agreement with Catholic Charities and authorize an agreement with The Discovery Center of the Southern Tier for related program services for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$104,305 from the New York State Division of Probation and Correctional Alternatives, for the Department of Probation's Juvenile Intensive Supervision Program Grant for the period January 1, 2005 through December 31, 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 \$114,147, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905 and The Discovery Center of the Southern Tier, 60 Morgan Road, Binghamton, New York 13903 for related program services for the Department of Probation's Juvenile Intensive Supervision Program for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Catholic Charities an amount not to exceed \$39,350 and shall pay The Discovery Center of the Southern Tier an amount not to exceed \$5,500 for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 280107.4457.105XXX (Subcontracted Program Expense), and be it

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

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

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

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

### **RESOLUTION NO. 630**

By County Administration and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AN AGREEMENT WITH STRATEGIC COMPUTER SOLUTIONS, INC. FOR THE PURCHASE, INSTALLATION AND MAINTENANCE OF A DIRECT ACCESS STORAGE DEVICE (DASD) FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY FOR 2005-2007**

WHEREAS, the Director of Information Technology requests authorization for an agreement with Strategic Computer Solutions, Inc. for the purchase, installation and maintenance of a Direct Access Storage System (DASD) to for the Department of Information Technology at a cost not to exceed \$22,200, for the period January 1, 2005 through March 14, 2007, and

WHEREAS, said agreement is necessary to add additional disk drives to the Shark Enterprise Storage system due to the Public Safety high availability project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Strategic Computer Solutions, Inc., 4810 Kirkwood Road, Cohocton, New York 14826 for the purchase, installation and maintenance a Direct Access Storage Device (DASD) for the Department of Information Technology for the period January 1, 2005 through March 14, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$22,200 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 460072.2850.104918 (Computer Equipment) and 460072.4514.104918 (Hardware Maintenance), and be it

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

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

### **RESOLUTION NO. 631**

By County Administration and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH EXTRADEV, INC. FOR SOFTWARE MAINTENANCE SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 235 of 2004, authorized an agreement with ExtraDev, Inc. for software maintenance services for the Division of Information Technology at a rate of \$123 per hour, including travel and expenses, total amount not to exceed \$49,800 for the period June 1, 2004 through May 31, 2005, and

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WHEREAS, said agreement is necessary to perform the first four phases of a six phase project to migrate the County's computer network to 2003 Active Directory in order to remain current with technology and Microsoft systems support, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide an additional 40 hours for a migration specialist at the rate of \$123 per hour, add one full-time technician and one part-time technician at the rate of \$30 per hour, total amount of amendment not to exceed \$59,520 and extend the term of the agreement through December 31, 2004, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Extradev, Inc., 3445 Winton Place, STE 219, Rochester, New York 14623, to add an additional 40 hours for a migration specialist at the rate of \$123 per hour, add one full-time technician and one part-time technician at the rate of \$30 per hour, total amount of amendment not to exceed \$59,520 and extend the term of the agreement to June 1, 2004 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$59,520, total amount not to exceed \$109,320, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4726.501393 (Data Processing Services), and be it

FURTHER RESOLVED, that Resolution 235 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

### **RESOLUTION NO. 632**

By County Administration and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IBM CORPORATION FOR COMPUTER HARDWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005**

WHEREAS, this County Legislature, by Resolution 527 of 2003, authorized renewal of the agreement with IBM Corporation for computer hardware maintenance for the Division of Information Technology at an amount not to exceed \$29,519.10, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement is necessary for high availability maintenance for the mainframe and AS400 equipment, including maintenance of any equipment added during the year, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$25,000, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with IBM Corporation, 3039 Cornwallis Road, Research Triangle Park, North Carolina 27709 for computer hardware maintenance for the Division of Information Technology for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$25,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4514.101000 (Hardware Maintenance), and be it

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

**Carried**, Ayes-17, Nays-0, Abstain-1 (Schofield), Absent-1 (Whalen).

### **RESOLUTION NO. 633**

By County Administration and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING RENEWAL OF THE DIVISION OF INFORMATION TECHNOLOGY'S AGREEMENT WITH IBM CORPORATION FOR COMPUTER HARDWARE MAINTENANCE FOR THE BROOME COUNTY CLERK'S OFFICE FOR 2005**

WHEREAS, this County Legislature, by Resolution 528 of 2003, authorized renewal of the agreement with IBM Corporation for computer hardware maintenance for the Broome County Clerk's Office at an amount not to exceed \$4,181.84, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement provides for the maintenance of computer hardware equipment, including maintenance on any equipment added during the year, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$10,000, the increase due to the expiration of the AS/400 warranty for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with IBM Corporation, 3039 Cornwallis Road, Research Triangle Park, North Carolina 27709 for computer hardware maintenance for the Broome County Clerk's Office for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4514.101000 (Hardware Maintenance), and be it

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

**Carried**, Ayes-17, Nays-0, Abstain-1 (Schofield), Absent-1 (Whalen).

### **RESOLUTION NO. 634**

By County Administration and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MAINLINE PROFESSIONAL SERVICES, LLC. FOR SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004**

WHEREAS, this County Legislature, by Resolution 236 of 2004, authorized an agreement with Mainline Professional Services, LLC. for consulting services for the Division of Information Technology at a rate of \$191.20 per hour, total amount not to exceed \$5,000 for the period June 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to review and assess the County's Tivoli Storage Management data storage system in order to recommend improvements and assist the County in planning for future improvements, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for an additional \$6,118.40 to make improvements and install and configure the system for Exchange 2003 to the County's Tivoli Storage Management data storage system and extend the term of the agreement through December 31, 2005, and

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

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RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Mainline Professional Services, 17W635 Butterfield Road, Suite 300, Oakbrook Terrace, Illinois 60181 to make improvements and install and configure system for Exchange 2003 to the County's Tivoli Storage Management data storage system for the Division of Information Technology for the period June 1, 2004 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$6,118.40, total amount not to exceed \$11,118.40, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4726.501393 (Contracted Data Processing Services), and be it

FURTHER RESOLVED, that Resolution 236 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

### **RESOLUTION NO. 635**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH TECHNOLOGY SOLUTIONS FOR PROFESSIONAL SERVICES, EQUIPMENT AND SOFTWARE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2005-2007**

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with Technology Solutions for professional services, equipment and software for the Department of Social Services at a cost not to exceed \$328,000 for the period January 1, 2005 through June 30, 2007, and

WHEREAS, said agreement is necessary to expand the Electronic Document Imaging System to Food Stamps, Managed Care, Medicaid and Temporary Assistance and the remainder of DSS, and

WHEREAS, this project will complete Social Services' comprehensive Electronic Document Management System (EDMS) replacing the sub-standard paper-based business process and records management system, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Technology Solutions, 5820 Main Street, Suite 103, Williamsville, New York 14221, for professional services, equipment and software for the Department of Social Services for the period January 1, 2005 through June 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$328,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670372.4747.501421 (Other Fees for Services) and 670372.2850.501421 (Computer Equipment), and be it

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

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

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### **RESOLUTION NO. 636**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF THE CHILD PASSENGER SAFETY PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 562 of 2003, authorized and approved renewal of the Child Passenger Safety Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$7,800 for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant program provides funds to establish fitting stations for child safety seats and staging child safety seat checks in order to reduce the high incidence of improper child seat installation and misuse, and

WHEREAS, it is desired to renew said grant program in the amount of \$7,800 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$7,800 from the New York State Governor's Traffic Safety Committee, Department of Motor Vehicles, Empire State Plaza, Albany, New York 12228, for the Child Passenger Safety Program Grant for the Office of the Sheriff for the period October 1, 2004 through September 30, 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 \$7,800, and be it

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

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

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

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

### **RESOLUTION NO. 637**

By Public Safety & Emergency Services Committee      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE TOWN OF MAINE FOR USE OF SPACE AS A SUBSTATION FOR THE OFFICE OF THE BROOME COUNTY SHERIFF FOR 2005**

WHEREAS, this County Legislature, by Resolution 454 of 2003, authorized renewal of the agreement with the Town of Maine for use of a portion of the Town Hall as a substation for the Office of the Broome County Sheriff at no cost to the County for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at no cost to the County, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Town of Maine, P.O. Box 336, 12 Lewis Street, Maine, New York 13802 for use of a portion of the Town Hall as a substation for the Office of the Broome County Sheriff at no cost to the County for the period January 1, 2005 through December 31, 2005, and be it

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

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

### **RESOLUTION NO. 638**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE MONROE COUNTY SHERIFF'S OFFICE FOR SECURITY SERVICES FOR INMATES AT THE ROCHESTER PSYCHIATRIC CENTER FOR 2005**

WHEREAS, this County Legislature, by Resolution 48 of 2003, authorized renewal of the agreement with the Monroe County Sheriff's Office for security services for inmates housed at Rochester Psychiatric Center at an amount not to exceed \$110 per inmate, per day, total amount not to exceed \$10,000 per year, for the period January 1, 2003 through December 31, 2004, and

WHEREAS, said security services are necessary when inmates are receiving psychiatric treatment, and

WHEREAS, said agreement expires by its terms on December 31, 2004 and it is desired at this time to renew said agreement for the period January 1, 2005 through December 31, 2005 on substantially similar terms and conditions at a daily rate not to exceed \$110, total amount not to exceed \$10,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Monroe County Sheriff's Office, 130 South Plymouth Avenue, Rochester, New York 14614 for security services for inmates housed at the Rochester Psychiatric Center for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$110 per inmate, per day, total amount not to exceed \$10,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4435.101000 (Inmate Expense-Other Facilities), and be it

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

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

### **RESOLUTION NO. 639**

By Education, Culture & Recreation and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR THE ALL WARS MEMORIAL AT THE BROOME COUNTY VETERANS MEMORIAL ARENA**

WHEREAS, the Commissioner of Parks and Recreation requests authorization to accept a \$75,000 grant from the New York State Office of Parks, Recreation and Historic Preservation for the All Wars Memorial at the Broome County Veterans Memorial Arena, and

WHEREAS, said grant provides funds for the construction of the All Wars Memorial, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$75,000 from the New York State Office of Parks, Recreation and Historic Preservation, Agency Building 1, Empire State Plaza, Albany, New York 12238 for construction of the All Wars Memorial at the Broome County Veterans Memorial Arena, 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 \$75,000, and be it

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

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

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

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

#### **RESOLUTION NO. 640**

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING THE BROOME COUNTY DIVISION OF SOLID WASTE MANAGEMENT TO CHARGE OFF A BAD DEBT**

WHEREAS, the Commissioner of Public Works has requested authorization to write off the uncollectible landfill account of PAC Sign Co., Inc. totaling \$554.44 for 2003 in the Division of Solid Waste Management's Hazardous Waste Facility, and

WHEREAS, PAC Sign Co., Inc. filed for bankruptcy under Chapter 7, it has been determined that the account is uncollectible, and

WHEREAS, the Commissioner of Public Works requests authorization to consider the PAC Sign Co., Inc. account for 2003 as uncollectible and to remove such amount from the Division of Solid Waste Management's Hazardous Waste Facility records, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Public Works to write off as uncollectible the following account for the reason stated:

<u>Account Number</u>	<u>Customer</u>	<u>Disposition</u>	<u>Amount</u>
0042	PAC Sign Company, Inc.	Chapter 7 Bankruptcy October 28, 2004 Case No. 03-68307	\$554.44

and be it

FURTHER RESOLVED, that the Commissioner of Public Works, the Commissioner of Finance and the Comptroller are authorized to make all necessary accounting entries to effectuate the intent and purpose of this Resolution.

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

#### **RESOLUTION NO. 641**

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH DELTA ENGINEERS, P.C. FOR PROFESSIONAL CONSULTING ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 168 of 2003, authorized an agreement with Delta Engineers, P.C. for professional consulting engineering services for the Department of Public Works at a cost not to exceed \$193,747, for the period May 1, 2003 through December 31, 2004, and

WHEREAS, said services are necessary for the design of the Lester Avenue Bridge Rehabilitation Project in Johnson City, and

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WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the agreement to December 31, 2005 at no additional cost to the County because the State approval process and the right-of-way acquisition required more time than originally scheduled, 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, P.C., 164 Court Street, Binghamton, New York 13901, to extend the term of the agreement for professional consulting engineering services for the Department of Public Works, at no additional cost to the County, for the period May 1, 2003 through December 31, 2005, and be it

FURTHER RESOLVED, that Resolution 168 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-18, Nays-0, Absent-1 (Whalen).

### **RESOLUTION NO. 642**

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DELTA ENGINEERS, P.C. FOR STRUCTURAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2005**

WHEREAS, this County Legislature, by Resolution 184 of 2003, authorized an agreement with Delta Engineers, P.C. for structural engineering services for the Department of Public Works, payment in accordance with the rate schedule attached thereto as Exhibit "A", for a total cost not to exceed \$150,000, total amount not to exceed \$300,000, for the period January 1, 2003 through December 31, 2004, and

WHEREAS, said services are necessary to provide structural engineering services on projects for various Broome County departments, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, and in accordance with the rate schedule attached hereto as Exhibit "A", for an amount not to exceed \$150,000, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Delta Engineers, P.C., 164 Court Street, Binghamton, New York 13901 for structural engineering services for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor in accordance with the rate schedule attached hereto as Exhibit "A", for an amount not to exceed \$150,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4746.various (Engineering and Architectural Services), and be it

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

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

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### RESOLUTION NO. 643

By County Administration and Finance Committees

Seconded by Mr. Hull

#### **RESOLUTION AUTHORIZING EXTENDED HEALTH INSURANCE BENEFITS TO CERTAIN BROOME COUNTY ADMINISTRATIVE PERSONNEL AND ELECTED OFFICIALS**

WHEREAS, a number of administrative employees and elected officials will be leaving County Government within the next year due to the change in Administration, and

WHEREAS, it is so desired to extend current health insurance benefits for departing employees to coincide with unemployment insurance benefits, now, therefore, be it,

RESOLVED, that Administrative Personnel involuntarily leaving County employment prior to January 1, 2006 and elected officials leaving office on December 31, 2004 who are not eligible for coverage under a separate policy of health insurance shall be entitled to maintain their current health insurance under the present terms and conditions for six months following the date of termination or leaving office.

Mr. Howard made a motion, seconded by Mr. Pasquale, to remove from the second WHEREAS the words "...to coincide with unemployment insurance benefits," and change the RESOLVED to read "...employment prior to July 1, 2005 and elected officials leaving office on December 31, 2004 who are not eligible for coverage under a separate policy of health insurance shall be entitled to maintain their current health insurance under the present terms and conditions for three months following the date of termination or leaving office."

**Amendment carried**, Ayes-17, Nays-1 (Hudak), Absent-1 (Whalen).

**Failed**, Ayes-5 (Burger, Howard, Hull, Nannery, Shafer), Nays-13, Absent-1 (Whalen).

### RESOLUTION NO. 644

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH UNITED HEALTH SERVICES HOSPITALS FOR DENTAL SERVICES FOR THE DEPARTMENT OF HEALTH'S DSS-PREVENTIVE DENTISTRY/DENTAL SEALANT PROGRAM GRANT FOR 2004-2005**

WHEREAS, the Director of Public Health requests authorization for an agreement with United Health Services Hospitals for dental services for the Department of Health's DSS-Preventive Dentistry/Dental Sealant Program Grant at a cost not to exceed \$27,500 for the period October 1, 2004 through September 30, 2005, and

WHEREAS, said agreement is necessary to provide oral health education, oral health screening and dental services to second and third grade students and Head Start children who qualify for free and reduced price school lunch in eleven school districts, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with United Health Services Hospitals for dental services for the Department of Health's DSS-Preventive Dentistry/Dental Sealant Program Grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$27,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105XXX (Subcontracted Program Expense), and be it

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

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

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**RESOLUTION NO. 645**

By Finance Committee

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AN INCREASE OF PETTY CASH FUND FOR THE REAL PROPERTY TAX SERVICE**

WHEREAS, the Director of the Real Property Tax Service currently has a petty cash fund which is inadequate for its current needs, and

WHEREAS, the Director of the Real Property Tax Service has requested an increase of \$300 of said petty cash fund in order to have funds sufficient to meet its daily needs following the addition of the Town of Conklin tax collection services, and

WHEREAS, the Commissioner of Finance has determined that the petty cash fund should be increased by \$300, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and increases the petty cash fund for the Real Property Tax Service by \$300 to the total amount of \$1,600, and further authorizes the Commissioner of Finance to transfer \$300 to the petty cash fund previously established, and be it

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

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

**RESOLUTION NO. 646**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CHENANGO ANIMAL HOSPITAL FOR RABIES SPECIMEN SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2005**

WHEREAS, this County Legislature, by Resolution 564 of 2003, authorized renewal of agreement with Chenango Animal Hospital for rabies specimen services for the Department of Health, at an amount not to exceed \$3,500, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary for animal preparation in support of the Broome County Health Department Rabies Program, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$4,000, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Chenango Animal Hospital, 1445 Front Street, Binghamton, New York 13901 for animal specimen services for the Department of Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480137.4703.101275, 480301.4703.104940 and 480376.4703.105XXX (Laboratory Services), and be it

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

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

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### RESOLUTION NO. 647

By Health & Human Services Committee

Seconded by Mr. Brunza

#### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY COMMUNITY ALTERNATIVES SYSTEMS AGENCY (CASA) BOARD**

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Margaret Shirek 1 Smith Avenue Binghamton, New York 13904	New Appointment Term Expires 12/31/07
Steve Brozost RR 1 Box 1090 Brackney, Pennsylvania 18812	New Appointment Term Expires 12/31/07
Maria Dibble 3930 County Line Road Whitney Point, New York 13862	New Appointment Term Expires 12/31/07
Cherie Wooden 312 Powers Road Binghamton, New York 13903	New Appointment Term Expires 12/31/07
Karla Dotts 2018 Ford Road Endicott, New York 13760	New Appointment Term Expires 12/31/07
Marcia Ward 406 Main Street Johnson City, New York 13790	New Appointment Term Expires 12/31/07
Judy Whiteman 1919 Bradley Creek Road Endicott, New York 13760	New Appointment Term Expires 12/31/07
Shelli Cordisco 3697 Mill Street Binghamton, New York 13904	Reappointment Term Expires 12/31/06
Denise Johnson 4 Antonio Court Endicott, New York 13760	Reappointment Term Expires 12/31/06
Barbara Lester 108 Nelson Frank Road Deposit, New York 13754	Reappointment Term Expires 12/31/06
Sandra Sanzo 1030 Glenwood Road Vestal, New York 13850	Reappointment Term Expires 12/31/06

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Donna Spearman  
2 Azalea Drive  
Apalachin, New York 13731

Reappointment  
Term Expires 12/31/06

Joan Mitchell  
16 Sharon Drive  
Conklin, New York 13748

Reappointment  
Term Expires 12/31/07

and

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

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

#### **RESOLUTION NO. 648**

By Health & Human Services Committee

Seconded by Mr. Brunza

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

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Richard E. Squire 167 St. John Road Afton, New York 13760	New Appointment Term Expires 12/31/07

and

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

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

#### **RESOLUTION NO. 649**

By County Administration

Seconded by Mr. Brunza

#### **RESOLUTION ESTABLISHING THE DATE AND TIME OF THE ORGANIZATIONAL MEETING OF THE 2005 BROOME COUNTY LEGISLATURE**

WHEREAS, Article II of the Broome County Charter and Code provides that the County Legislature shall adopt by resolution all necessary rules and regulations for its own conduct and procedure, now, therefore, be it

RESOLVED, that the meeting to organize the 2005 Broome County Legislature shall be held on Monday, January 3, 2005 at 5:00 p.m., in the Legislative Chambers, Edwin L. Crawford County Office Building, Government Plaza, Binghamton, New York, and be it

FURTHER RESOLVED, that the Legislature at said Organizational Meeting shall establish the dates and starting times of all regular meetings and consider such other business as may legally come before it, and be it

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FURTHER RESOLVED, that the Legislature shall at said Organizational Meeting consider the election of a Legislative Chairperson, election of a Legislative Clerk, appointment of a Legislative Assistant, establishment of Rules of Order and any other business as may legally come before it.

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

#### **RESOLUTION NO. 650**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION ESTABLISHING A CLINIC FEE SCHEDULE FOR THE DEPARTMENT OF HEALTH FOR 2005**

WHEREAS, the Director of Public Health requests authorization to establish a Clinic Fee Schedule for the Department of Health for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said fee schedule reflects the current Medicare reimbursement rates for the services provided, now, therefore, be it

RESOLVED, that the fee schedule attached hereto as Exhibit "A" is hereby authorized and adopted for the services provided by the Department of Health's Clinic for the period January 1, 2005 through December 31, 2005.

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

#### **RESOLUTION NO. 651**

By County Administration and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GENERAL CODE PUBLISHERS CORPORATION FOR UPDATE OF BROOME COUNTY CHARTER AND CODE BOOK FOR 2005**

WHEREAS, this County Legislature, by Resolution 617 of 2003, authorized renewal of the agreement with General Code Publishers Corporation for codification, publication and updates of the Broome County Charter and Code and Local Laws, on an as needed basis, at a cost not to exceed \$3,550 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$3,550, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with General Code Publishers Corporation, 72 Hinchey Road, Rochester, New York 14624 for codification, publication and updates of the Broome County Charter and Code and Local Laws on an as needed basis for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,550 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 240028.4747.101000 (Other Fees for Services), and be it

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

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

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**RESOLUTION NO. 652**

By County Administration and Finance Committees Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH EXIGENT COMPUTER GROUP, INC. FOR SOFTWARE SERVICES FOR THE OFFICE OF THE COUNTY CLERK FOR 2005**

WHEREAS, the County Clerk requests authorization for an agreement with Exigent Computer Group, Inc. for software services for the Office of the County Clerk at a cost not to exceed \$15,500, for the period January 1, 2005 through July 1, 2005, and

WHEREAS, said agreement is necessary to modify the Exigent system to provide a new import images function, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Exigent Computer Group, Inc., 4000 Executive Parkway, #275, San Ramon, California 94583, for software services, for the Office of the County Clerk for the period January 1, 2005 through July 1, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4359.101000 (Computer Software), 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. Kolba made a motion, seconded by Mr. Shafer, to change the term of the agreement in the title to 2004-2005, and the term in the first WHEREAS and the RESOLVED paragraph to December 20, 2004 through March 31, 2005.

**Amendment carried**, Ayes-18, Nays-0, Absent-1 (Whalen).

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

**RESOLUTION NO. 653**

By Health & Human Services and Finance Committees Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING THE BUDGET TRANSFERS FOR THE DEPARTMENT OF HEALTH AND THE OFFICE FOR AGING**

RESOLVED, that in accordance with a request from the Director of Health to modify the appropriations to maximize the STD Outreach Grant as requested in BF#005307, 005308 and 005309, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1500	104874	Salaries – Part Time	160
	480301	1600	104874	Salaries – Temporary	436
	480301	4411	104874	Postage & Freight	125
	480301	4461	104874	Mileage & Parking	244
	480301	4462	104874	Travel, Hotel, & Meals	381
	480301	4606	104874	Telephone Billing	240
	480301	8030	104874	Social Security	235
	480301	8040	104874	Workers' Compensation	243
	480301	8060	104874	Health Insurance	852
	480301	8063	104874	Disability Insurance	7
	480301	8070	104874	Unemployment Insurance	164

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TO:	480301	4319	104874	Office Supplies	588
	480301	4359	104874	Computer Supp./Software	1,000
	480301	4466	104874	Advisory Board	180
	480301	4610	104874	Personal Services Chgbk	487
	480301	4615	104874	Gasoline Chargeback	4
	480301	4616	104874	Fleet Services	21
	480301	4617	104874	Duplicating & Printing	600
	480301	4618	104874	Office Supplies Chgbk	125
	480301	8010	104874	State Retirement	80
	480301	8050	104874	Life Insurance	2

FURTHER RESOLVED, that in accordance with a request from the Director of Health to modify the appropriations to maximize the Primary Care Initiative Grant as requested in BF#005317, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1500	104564	Salaries – Part Time	638
	480301	4610	104564	Personal Services Chgbk	451
	480301	8010	104564	State Retirement	127
	480301	8030	104564	Social Security	49
	480301	8040	104564	Workers' Compensation	81
TO:	480301	4363	104564	Medical, Lab, Clinic Supp	1,346

FURTHER RESOLVED, that in accordance with a request from the Director of Health to modify the appropriations to maximize the Primary Care Initiative Grant as requested in BF#005322, 005323, and 005324, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1500	104843	Salaries – Part Time	5,149
	480301	4319	104843	Office Supplies	40
	480301	4411	104843	Postage and Freight	75
	480301	4461	104843	Mileage and Local	425
	480301	4462	104843	Travel, Hotel and Meals	133
	480301	4463	104843	Education and Training	100
	480301	4617	104843	Dup. & Printing Chgbk	150
	480301	4618	104843	Office Supplies Chgbk	200
	480301	4627	104843	Single Audit Chargeback	15
	480301	8030	104843	Social Security	393
	480301	8040	104843	Workers' Compensation	538
	480301	8050	104843	Life Insurance	1
	480301	8070	104843	Unemployment	500
TO:	480301	1000	104843	Salaries – Full Time	1,219
	480301	4362	104843	Env. Health Supplies	143
	480301	4606	104843	Telephone Billing	154
	480301	4609	104843	Data Processing Chgbk	2,346
	480301	4615	104843	Gasoline Chargeback	25

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<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
480301	4616	104843	Fleet Services Chgbk	40
480301	4703	104843	Lab Services	400
480301	8010	104843	State Retirement	159
480301	8060	104843	Health Insurance	3,220
480301	8063	104843	Disability Insurance	13

FURTHER RESOLVED, that in accordance with a request from the Director of Health to modify the appropriations to maximize the Emergency Preparedness/Bio-Terrorism Grant as requested in BF#005321, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1500	104806	Salaries – Part Time	2,215
	480301	1600	104806	Salaries – Temporary	221
TO:	480301	4457	104806	Subcontracted Expenses	2,126
	408301	8010	104806	State Retirement	310

FURTHER RESOLVED, that in accordance with a request from the Director of OFA, to modify the appropriations to maximize the IIIC-1 Home Delivered Meals Grant, as requested in BF#005374, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	760736	4625	104825	Food Services Chgbk	4,500
TO:	760736	1500	104826	Salaries – Part Time	1,500
	760736	8010	104825	State Retirement	500
	760736	8030	104825	Social Security	1,100
	760736	8060	104825	Health Insurance	900
	760736	8063	104825	Disability Insurance	500

FURTHER RESOLVED, that in accordance with a request from the Director of OFA, to modify the appropriations to maximize the IIIC-2 Home Delivered Meals Grant, as requested in BF#005375, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	760744	4625	104826	Food Services Chgbk	2,300
TO:	760744	1500	104825	Salaries – Part Time	2,300

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-18, Nays-0, Absent-1 (Whalen).**

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## RESOLUTION NO. 654

By Personnel, Health & Human Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR CASA, THE DEPARTMENT OF HEALTH AND THE WILLOW POINT NURSING HOME**

RESOLVED, that in accordance with a request from the Director of CASA as contained in PCR#04-373, this County Legislature hereby authorizes the abolishment of (1) Public Health Nurse position, Full Time, at budget line 680033.1000.101000, minimum salary \$33,357, Grade 17, CSEA, and the creation of (1) SR. Registered Professional Nurse position, Full Time, at budget line 680033.1000.101000, minimum salary \$31,711, Grade 16, CSEA, effective date 12/20/04, and be it

FURTHER RESOLVED, that in accordance with a request from the WPNH Administrator as contained in PCR#04-355, this County Legislature hereby authorizes the change of (2) Receptionist Typist positions (with benefits), Part Time, at budget line 160028.1500.204000, minimum salary \$19,328 FTE, Grade 06, CSEA, to (2) Clerk positions (with benefits), Part Time, at budget line 480293.1500.101000, minimum salary \$19,328 FTE, Grade 06, CSEA, effective date 11/01/04, and be it

FURTHER RESOLVED, that in accordance with a request from the WPNH Administrator as contained in PCR#04-356, this County Legislature hereby authorizes the change of (2) Receptionist Typist positions (without benefits), Part Time, at budget line 160028.1500.204000, minimum salary \$19,328 FTE, Grade 06, CSEA, to (2) Clerk positions (without benefits), Part Time, at budget line 480293.1500.101000, minimum salary \$19,328 FTE, Grade 06, CSEA, effective date 11/01/04, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health as contained in PCR#05-11, this County Legislature hereby authorizes the creation of (1) Principal Account Clerk position, Part Time (with benefits), at budget line 480301.1500.104931, minimum salary \$27,887 FTE, Grade 13, CSEA, effective date 01/01/05, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health as contained in PCR#05-12, this County Legislature hereby authorizes the abolishment of (1) Senior Account Clerk Typist position, Part Time, at budget line 480301.1500.104931, minimum salary \$22,874 FTE, Grade 09, CSEA, effective date 01/01/05, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health as contained in PCR#05-13, this County Legislature hereby authorizes the creation of (1) Health Program Specialist position, Part Time, at budget line 480301.1500.104927, minimum salary \$21,778 FTE, Grade 8, CSEA, effective date 01/01/05, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health as contained in PCR#05-14, this County Legislature hereby authorizes the abolishment of (1) Senior Account Clerk Typist position, Part Time, at budget line 480301.1500.104904, minimum salary \$22,874 FTE, Grade 09, CSEA, effective date 01/01/05, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health as contained in PCR#05-15, this County Legislature hereby authorizes the creation of (1) Principal Account Clerk position, Part Time, at budget line 480301.1500.104904, minimum salary \$27,887 FTE, Grade 13, CSEA, effective date 01/01/05, 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-18, Nays-0, Absent-1 (Whalen).

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**RESOLUTION NO. 655**

By Personnel, Health & Human Services and Finance Committees  
Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING THE HIRING OF ANNHELEEN A. SMITH AS WILLOW POINT DIRECTOR OF NURSING HOME SOCIAL SERVICES ABOVE THE MINIMUM SALARY.**

WHEREAS, the Nursing Home Administrator has recommended the hiring of Annheleen A. Smith as Willow Point Director of Nursing Home Social Services at the annual salary of \$51,481 which is above the minimum salary of \$47,329, and

WHEREAS, Annheleen A. Smith is qualified as Willow Point Director of Nursing Home Social Services and has experience and/or education which justify said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Annheleen A. Smith as Willow Point Director of Nursing Home Social Services, Grade 21, Step 3, BAPA, at an annual salary of \$51,481, at budget line 160184.1000.204000, effective 1/3/2005.

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

**RESOLUTION NO. 656**

By Finance and Health & Human Services Committees  
Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING SHORT TERM INTERFUND BORROWING FOR A DEPARTMENT OF SOCIAL SERVICES PROJECT**

WHEREAS, this County Legislature, by Resolution 494 of 2004, adopted the 2005-2010 Capital Improvement Program, which included Project 501421 to provide for the Electronic Document Management System, and

WHEREAS, said project is to be paid for through a sale of Serial Bonds and Federal and State reimbursement, and

WHEREAS, the Serial Bonds will not be sold until April 2005 and Federal and State reimbursement cannot be claimed and received until the expenditure is paid, and to allow the project to proceed without delay, it will be necessary to provide a bridge loan from other operating funds in order to pay for the project while waiting for the sale of the Serial Bonds and Federal and State reimbursement, now, therefore, be it

RESOLVED, that the Commissioner of Finance is hereby authorized to make short term non-interest bearing interfund loans from other operating funds to Capital Projects 501421 to provide cash sufficient to complete the project until the Serial Bonds are sold and the Federal and State reimbursement is received.

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

**RESOLUTION NO. 657**

By Health & Human Services Committee  
Seconded by Mr. Brunza

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE WILLOW POINT NURSING HOME BOARD OF DIRECTORS**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article XIV of the Broome County Charter and Administrative Code, has duly designated and appointed the following named individuals to membership on the Willow Point Nursing Home Board of Directors, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Mary Ann Szarmach 933 Leigh Avenue Vestal, New York 13850	Reappointment Term Expires 12/31/06



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services of David Carpenter, total amount not to exceed \$20,000, for the period January 1, 2005 through December 31, 2005 and

WHEREAS, said services are necessary to assist the County Attorney with determining the feasibility of commencing legal action against various entities involved in the vertical expansion project and/or developing negotiating strategies, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with LeBoeuf, Lamb, Greene & MacRae, L.L.P., 99 Washington Avenue Suite 2020, Albany, New York 12210-2820 for consulting services in connection with determining the feasibility of commencing legal action against various entities involved with the vertical expansion project at the Nanticoke Landfill and/or developing negotiating strategies, for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$350 per hour for the services of Thomas West, \$250 per hour for the services of Joseph Suich and \$190 per hour for the services of David Carpenter, total amount not to exceed \$20,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4736.501319 1995 Landfill Expansion Project (Legal Charges and Fees) and be it

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

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

### **RESOLUTION NO. 660**

By Finance Committee

Seconded by Mr. Miller

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO CONTRACTS WITH VENDORS PROVIDING TRANSPORTATION SERVICES TO BROOME COUNTY TO PROVIDE FOR A FUEL SURCHARGE**

WHEREAS, as the result of the war in Iraq and other unforeseen and unanticipated market forces, the price of gasoline has risen dramatically in the past few months, and

WHEREAS, Broome County has contracts with WeCare Transportation LLC, Serafini Transportation Corporation, Southern Tier Medi-Van and Laidlaw Transit, Inc. all of which involve, as their sole service to Broome County, the transportation of individuals such as the elderly and handicapped children or, as in the case of WeCare Transportation LLC, leachate from the landfill, and

WHEREAS, these are essential services and it is necessary to ensure that they continue uninterrupted, and

WHEREAS, these vendors use significant quantities of gasoline in providing the services to Broome County, and

WHEREAS, some of the aforementioned vendors have requested Broome County amend their contracts to provide for a fuel surcharge for the remainder of the term of their contract and the contracts with other vendors include fuel pricing adjustments, and it is desired to standardize the contracts with these vendors, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes amendments with Serafini Transportation Corporation, PO Box 978, 3101 Vestal Parkway East, Vestal, NY 13850 (CA 575-11); Laidlaw Transit, Inc., 145 W. Arterial Highway, Binghamton, NY 13901 (CA 14-131-1-1); Southern Tier Medi-Van, 442 State St., Binghamton, NY 13901 (CA 10-774, CA 14-399-1); and WeCare Transportation LLC, 9289 Bonta Bridge Rd., Jordan, NY 13080 (CA 1732-446) to provide as follows:

"In lieu of any provision in any of the aforementioned contracts relating to "adjustments for fuel pricing," the aforementioned contracts shall be amended to provide for a fuel surcharge to be computed as follows:

1. Commencing January 1, 2005 and the first of every month thereafter, if the CPI for Northeast Urban Gasoline All Types for the previous month exceeds the CPI for Northeast Urban Gasoline All Types in effect for the month of December 2004 then the difference shall be calculated as a percent of increase.
2. The vendor may then submit a voucher for a "fuel surcharge" calculated by multiplying the gallons of gasoline used in providing the contracted services during the previous month by the average price per gallon the vendor paid for gasoline during the month of December, 2004, with the product of the multiplication then multiplied by the percent of increase calculated pursuant to paragraph 1 above. The product of that multiplication shall be the fuel surcharge allowed for that month.
3. Each vendor must provide accurate records as to gas consumption and the computation of the claimed fuel surcharge which shall be subject to audit by the Broome County Comptroller.
4. In all other respects the contracts with the aforementioned vendors shall remain in full force and effect.

and be it

FURTHER RESOLVED, that the fuel surcharge herein authorized shall be paid from the same budget line from which the underlying contract is paid, and, be it

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

**Held over 'under the rules'** by Mr. Kuzel.

#### **RESOLUTION NO. 661**

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION LEVYING THE COST OF WORKERS' COMPENSATION FOR 2005**

WHEREAS, a budget for the operation of the Broome County Self-Insurance Plan for Workers' Compensation for the year 2005 has been prepared, now, therefore, be it

RESOLVED, that the estimated costs of the Broome County Self Insurance Plan for Workers' Compensation for the year 2005, as apportioned to the County and the towns and villages participating in the fund be approved, and be it

FURTHER RESOLVED, that the apportioned amounts as to the towns and County shall be included in the respective next succeeding tax levies by the County Legislature unless otherwise provided for and paid to the Commissioner of Finance, and be it

FURTHER RESOLVED, that the Commissioner of Finance is hereby authorized to bill the Village of Endicott, Lisle, Port Dickinson and Whitney Point for the amounts apportioned to them, and be it

FURTHER RESOLVED, that when said amounts are collected, they shall be deposited to the Workers' Compensation account as follows:

<u>Towns/Villages</u>	<u>Amount</u>
Broome County	\$2,000,556
Barker	19,732
Binghamton (T)	62,955
Chenango	91,283
Colesville	54,031
Conklin	50,247



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Broome County Self-insured Workers Compensation Plan at an amount not to exceed \$202,000 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, the purchase of said insurance is designed to protect the County, Towns and Villages that participate in the Workers Compensation Plan against third party lawsuits, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$205,000, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Marsh USA, Inc., 300 South State Street, P.O. Box 4988, Syracuse, New York 13221 for the purchase of employers' liability (Type B) coverage for the Broome County Self-Insured Workers Compensation Plan for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$205,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050070.4521.253000 (Insurance Premiums), and be it

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

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

#### **RESOLUTION NO. 664**

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING FURTHER AMENDMENT TO THE AGREEMENT WITH STEARNS & WHELDER, LLC FOR CONSULTING SERVICES FOR THE BROOME COUNTY LANDFILL TITLE V AIR PERMIT FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 187 of 2004, authorized an agreement with Stearns & Wheler, LLC for consulting services for the Broome County Landfill Title V Air Permit for the Division of Solid Waste Management at a cost not to exceed \$33,500, for the period May 1, 2004 through April 30, 2005, and

WHEREAS, this County Legislature, by Resolution 366 of 2004 authorized an amendment to the agreement previously authorized to provide technical and regulatory services associated with air emissions from the Nanticoke landfill for Title V Air Permit compliance at an additional cost not to exceed \$39,900, and

WHEREAS, the Commissioner of Public Works has requested that said agreement be further amended to provide technical and engineering services in connection with the proposed vertical expansion of Section III to include a new master plan for the utilization of landfill gas (LFG) including environmental compliance and control of gas emissions at the landfill and to propose options for the consideration by this County Legislature for alternatives to the present gas collection and utilization system at the Nanticoke Landfill at an additional cost not to exceed \$75,000 and to extend the term from April 30, 2005 until December 31, 2006, 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 a further amendment to the agreement with Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035, dated May 17, 2004 authorized by Resolution 187 of 2004 and as amended by agreement dated August 31, 2004 authorized by Resolution 366 of 2004, for engineering services in connection with the proposed vertical expansion of Section III to include a new master plan for the utilization of landfill gas (LFG) including environmental compliance and control of gas emissions at the landfill and to propose options for the consideration by this

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County Legislature for alternatives to the present gas collection and utilization system at the Nanticoke Landfill, and, be it

FURTHER RESOLVED, that this County Legislature further authorizes the term of said agreement as previously authorized and amended to be extended from April 30, 2005 until December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$75,000, total amount not to exceed \$148,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4746.206000 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that agreement entered into pursuant to Resolution 187 of 2004 as amended pursuant to Resolution 366 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

Mr. Wike made a motion to adjourn, seconded by Mr. Howard. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Whalen). The meeting was adjourned at 5:49 p.m.

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