
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
WEDNESDAY, JUNE 15, 2005**

The Legislature convened at 3:33 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-17, Absent-2 (Materese, Hutchings). (Mr. Materese arrived during the action taken with regard to the veto override.)

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 Nannery.

Mr. Miller made a motion, seconded by Ms. Nannery, that the minutes of the May 19, 2005 Regular Session and May 26 Special Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-17, Nays-0, Absent-2 (Materese, Hutchings).

Mr. Schofield noted that the committee minutes for the period May 19, 2005 through June 14, 2005 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. Lindsey. **Carried**, Ayes-17, Nays-0, Absent-2 (Materese, Hutchings).

ANNOUNCEMENTS FROM THE CHAIR

None

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Barbara J. Fiala:
1. Appointments to Broome-Tioga Workforce Investment Board
 2. Appointment to Broome County Youth Bureau Advisory Board
 3. Appointment of Carl R. Beardsley as Commissioner of Aviation
 4. Appointment of John P. Kowalchuk as Commissioner of Public Transportation
 5. Veto Message of Resolution 05-257 by County Executive Barbara J. Fiala pertaining to the allocation of sales tax receipts:

"I acknowledge receipt from the Legislative Clerk Permanent Resolution 05-257 entitled "RESOLUTION AMENDING RESOLUTION 180 OF 1965, ENTITLED: "RESOLUTION IMPOSING TAXES ON SALES AND USE OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, OCCUPANCY OF HOTEL ROOMS, ADMISSION CHARGES AND CLUB DUES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK", AS LAST AMENDED BY RESOLUTION 126 OF 2003, IN RELATION TO THE ALLOCATION OF SALES TAX RECEIPTS: Said resolution was adopted by the Broome County Legislature on May 26, 2005.

Pursuant to authority vested in the Broome County Executive by the Broome County Charter §206, I hereby veto the resolution.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
1. EMC Natural Resources Committee Minutes 3/24/05
 2. Environmental Management Council Minutes 5/5/05
 3. Broome County Association of Towns and Villages Minutes 4/28/05

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4. Cornell Cooperative Extension of Broome County Board of Directors Minutes 4/21/05
 5. Broome County Soil and Water Conservation District Directors Minutes 5/10/05
 6. Broome County Environmental Management Council Advisory Resolution Calling For Support of the New York State Clean Water Protection and Flood Prevention Act (A.2048/S.2081)
 7. Opportunities for Broome Authorized Signatures
 8. Town of Windsor Zoning Board of Appeals Public Hearing 6/15/05
 9. Healthy Families America Approved Credentialing for Building Brighter Futures for Broome
 10. Memo from Director of Budget and Research Regarding Sales Tax Collections Through May 2005
 11. Town of Colesville Resolution Opposing Broome County's Proposed Resolution Authorizing Renewal of Intermunicipal Agreements with the Towns of Colesville and Sanford for Recycling Drop-Off Sites for the Division of Solid Waste Management for 2006-2010
 12. Office of the Broome County Legislature Revised Committee Schedule
 13. State of New York Department of Health Letter Regarding Issue of Medicaid Payments for Erectile Dysfunction for Convicted Sex Offenders
 14. Assemblyman Clifford W. Crouch Receipt of Resolution in Support of Legislation Before the New York State Assembly on the Civil Confinement of Sexually Violent Predators and Resolution Renewing a Request to the New York State Legislature to Support and Adopt Legislation that Would Restrict Persons Convicted of Sex Crimes Against Children From Residing Within 1500 Feet of a School, Day-Care Center or Playground Area and From Loitering Near the Same
 15. Assemblywoman Donna L. Lupardo Receipt of Resolutions
 16. New York State Association of Counties Receipt of Resolutions
- C. Notices:
1. Special Economic Development and Planning Committee and Special Session 5/26/05
 2. Special Committee of the Whole Meeting 6/8/05
- D. Reports:
1. Office for Aging 2004 Annual Report
 2. BCC Above Minimum Hire Report 4/05
 3. BCC Budget Transfers 4/05
 4. Broome County Arts Council 2003 Financial Statements & 3/10/05 Meeting Minutes
 5. Cornell Cooperative Extension Audit, 2004 Annual Report and Appropriation Request
 6. Broome County Soil and Water Conservation District 2004 Annual Report and Financial Statements
 7. Broome County Historical Society 2004 Annual Report
 8. Veterans Services Center 2004 Annual Report and Financial Statements
 9. Brownfields Inventory and Ranking Project Summary Report 12/04
 10. Municipal Electric and Gas Alliance, Inc. Financial Statements 12/03 and 12/04
 11. BCC Quarterly Report 5/31/05

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

1. To Mr. Augustini to Call a Special Session 5/26/05
2. Designation for J. Hutchings 5/26/05
3. Designations for J. Marinich, W. Miller and A. Shafer 6/6/05
4. Designation for J. Hutchings 6/8/05

Mr. Kuzel made a motion, seconded by Mr. Brunza, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2005 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-17, Nays-0, Absent-2 (Materese, Hutchings).

Mr. Brunza and Mr. Shafer were designated as participants with Chairman Schofield in the 'Short Roll Call'.

Mr. Shafer made a motion to consider the County Executive's veto of Resolution No. 257 of 2005 entitled "**RESOLUTION AMENDING RESOLUTION 180 OF 1965, ENTITLED: "RESOLUTION IMPOSING TAXES ON SALES AND USE OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, OCCUPANCY OF HOTEL ROOMS, ADMISSION CHARGES AND CLUB DUES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK", AS LAST AMENDED BY RESOLUTION 126 OF 2003, IN RELATION TO THE ALLOCATION OF SALES TAX RECEIPTS.** Mr. Howard seconded the motion to consider. **Motion to consider carried**, Ayes-15, Nays-2 (Brunza, Sanfilippo), Absent-2 (Hutchings, Materese). Mr. Shafer made a motion to call the question, seconded by Mr. Miller. **Motion to call the question carried**, Ayes-11 (Keibel, Schafer, Hull, Miller, Shafer, Nannery, Howard, Marinich, Lindsey, Mather, Schofield), Nays-6 (Sanfilippo, Whalen, Brunza, Kuzel, Reynolds, Buchta), Absent-2 (Hutchings, Materese). **County Executive Fiala's veto was overridden**, Ayes-16, Nays-2 (Brunza, Sanfilippo), Absent-1 (Hutchings).

Resolutions were acted upon out of order, but for the purpose of clarity, they are presented here in numerical order. Mr. Brunza requested that all resolutions be removed from the Preferred Agenda to be acted upon individually.

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 260

By Transportation and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING AN AGREEMENT WITH LEIGH FISHER ASSOCIATES FOR AIRLINE OPERATING AGREEMENT CONSULTING SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2005

WHEREAS, the Commissioner of Transportation requests authorization for an agreement with Leigh Fisher Associates for airline operating agreement consulting services for Department of Aviation at a cost not to exceed \$5,700, for the period July 1, 2005 through August 31, 2005, and

WHEREAS, the current airline operating agreements are set to expire for four airlines serving the Greater Binghamton Airport, and

WHEREAS, said services are necessary to review the existing airline use and lease agreements for consistency with current industry practices and trends and to provide recommended changes with the advantages and disadvantages for said changes to the agreements for the maximum protection against airline bankruptcy and the financial well-being of the airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Leigh Fisher Associates, 555 Airport Boulevard, Suite 300, Burlingame, California 94010 for airline operating agreement consulting services, for the Department of Aviation for the period July 1, 2005 through August 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,700, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 210195.4449.207000 (Other Operational Expenses), and be it

FURTHER RESOLVED, that the County Executive or her 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 (Hutchings).

RESOLUTION NO. 261

By Public Works and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ITHACA AREA WASTEWATER TREATMENT FACILITY FOR DISCHARGE OF RAW LEACHATE FROM THE LEACHATE COLLECTION SYSTEM AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2005

WHEREAS, this County Legislature, by Resolution 210 of 2004, authorized an agreement with the Ithaca Area Wastewater Treatment Facility for discharge of raw leachate from the leachate collection system at the Nanticoke Landfill for the period June 2, 2004 through May 31, 2005, at a cost not to exceed \$6.00 per 1,000 gallons of leachate, plus a surcharge of \$5.64 per 1,000 gallons (52 cents per pound) if the leachate exceeds 1,384 milligrams per liter Biological Oxygen Demand (BOD), total cost not to exceed \$81,000, and

WHEREAS, said services are necessary to discharge raw leachate to a treatment facility for final treatment and discharge into a major watercourse, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the agreement through September 30, 2005 at a cost not to exceed \$6.00 per 1,000 gallons of leachate, plus a surcharge of \$5.64 per 1,000 gallons (52 cents per pound) if the leachate exceeds 1,384 milligrams per liter Biological Oxygen demand (BOD), total cost not to exceed \$81,000, for the period June 1, 2005 through September 30, 2005, and

WHEREAS, the Deputy Commissioner of Public Works/Solid Waste Management 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 Ithaca Area Wastewater Treatment Facility to extend the term of the agreement through September 30, 2005 for the discharge of raw leachate from the leachate collection system at the Nanticoke Landfill for the Division of Solid Waste Management for the period June 1, 2005 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 \$6.00 per 1,000 gallons of leachate, plus a surcharge of \$5.64 per 1,000 gallons (52 cents per pound) if the leachate exceeds 1,384 milligrams per liter Biological Oxygen demand (BOD), total amount not to exceed \$81,000 for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 210 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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 (Hutchings).

RESOLUTION NO. 262

By Personnel and Public Safety & Emergency Services

Seconded by Mr. Mather

RESOLUTION GRANTING A WAIVER OF RESIDENCY FOR MARK SMOLINSKY FOR EMPLOYMENT AS A FIRST ASSISTANT CORRECTIONAL FACILITIES ADMINISTRATOR

WHEREAS, this County Legislature, by Resolution 82 of 1989 (subsequently amended by Resolution 510 of 1999), adopted residency requirements for Broome County officers and employees, and

WHEREAS, said Resolutions provided for waivers of the residency requirement upon the happening of certain conditions, and

WHEREAS, Mark Smolinsky, who resides outside the County is otherwise qualified for appointment to the position of First Assistant Correctional Facilities Administrator, and

WHEREAS, Mr. Smolinsky has served as the Second Assistant Correctional Facilities Administrator since 1999 and prior to that as a Sergeant at the Broome County Correctional Facility since 1996 and as a Corrections Officer with Broome County since 1990, and

WHEREAS, at the time of his initial employment as a Corrections Officer, Mr. Smolinsky was informed by the then Personnel Officer that he was not required to reside in Broome County and in reliance purchased a home outside Broome County, and

WHEREAS, at the time that Mr. Smolinsky was promoted to the position of Corrections Sergeant, this County Legislature, by Resolution 359 of 1996, granted a residency waiver to Mr. Smolinsky, and when he was promoted to the position of Second Assistant Correctional Facilities Administrator, this County Legislature, by Resolution 710 of 1999, granted a residency waiver to Mr. Smolinsky, and

WHEREAS, since January of 2004, Mr. Smolinsky has performed the duties of the office as Acting First Assistant Correctional Facilities Administrator and in light of his performance as such, his general experience as a Corrections Officer and Administrator and the prior waivers made to him by Broome County, the Broome County Sheriff recommends Mr. Smolinsky for the position and requests that this County Legislature grant a residency waiver allowing Second Assistant Correctional Facilities Administrator Smolinsky to be promoted to the rank of First Assistant Correctional Facilities Administrator, now, therefore be it

RESOLVED, that this County Legislature hereby finds that the situation pertaining to the appointment of Second Assistant Correctional Facilities Administrator Smolinsky to the position of First Assistant Correctional Facilities Administrator is a unique hiring situation as defined in Resolution Number 82 of 1999 justifying the granting of a waiver of the residency requirements for the position, and be it

FURTHER RESOLVED, that this County Legislature hereby exempts and waives the certificate of residency for Mark Smolinsky, 739 Brown Road, Berkshire, New York, 13736, and the residency requirement of Resolution Number 82 of 1989 as amended by Resolution Number 510 of 1999 in order that he may be promoted to the position of First Assistant Correctional Facilities Administrator in the Corrections Division of the Sheriff's Department, and be it

FURTHER RESOLVED, that this exemption and waiver shall be effective immediately and shall continue for so long as First Assistant Correctional Facilities Administrator Smolinsky shall hold the aforementioned position.

Carried, Ayes-17, Nays-1 (Whalen), Absent-1 (Hutchings).

RESOLUTION NO. 263

By Personnel and Public Safety & Emergency Services Committees

Seconded by Mr. Mather

RESOLUTION GRANTING A WAIVER OF RESIDENCY FOR ANDREW D. EGGLESTON FOR EMPLOYMENT AS A BROOME COUNTY DEPUTY SHERIFF OF THE HIGHWAY PATROL

WHEREAS, this County Legislature, by Resolution 82 of 1989, as amended by Resolution 510 of 1999, adopted residency requirements for Broome County officers and employees, and

WHEREAS, said Resolutions provided for waivers of the residency requirement upon the happening of certain conditions, and

WHEREAS, Andrew D. Eggleston, who currently resides in Broome County is qualified for the position of Deputy Sheriff of Highway Patrol and has served in said capacity for the last year, and

WHEREAS, Mr. Eggleston's father-in-law is giving him and his wife a home in Crestview Heights, which is about six-tenths (0.6) of mile in Tioga County from the Broome County border, that would relieve a financial burden on the couple, and

WHEREAS, since Mr. Eggleston has satisfactorily performed the duties of a Deputy Sheriff of the Highway Patrol for the last year and in light of his performance and his general experience as a Deputy Sheriff, the Broome County Sheriff requests that this County Legislature grant a residency waiver, allowing Deputy Eggleston to continue to work as a Deputy Sheriff of the Broome County Highway Patrol, now, therefore, be it

RESOLVED, that this County Legislature hereby finds that the situation pertaining to Mr. Eggleston as a Deputy Sheriff of the Highway Patrol is unique as defined in Resolution 82 of 1989, as amended by Resolution 510 of 1999, justifying the granting of a waiver of the residency requirement for the position, and be it

FURTHER RESOLVED, that this County Legislature hereby exempts and waives the certificate of residency for Andrew D. Eggleston, 37 Alida Avenue, Hillcrest, Binghamton, New York 13901 and the residency requirement of Resolution 82 of 1989, as amended by Resolution 510 of 1999, in order that he may continue to work as a Broome County Deputy Sheriff of the Highway Patrol, and be it

FURTHER RESOLVED, that this exemption and waiver shall be effective immediately and shall continue for so long as Mr. Eggleston shall hold the aforementioned position.

Carried, Ayes-17, Nays-1 (Whalen), Absent-1 (Hutchings).

RESOLUTION NO. 264

By Public Safety & Emergency Services Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH SOUTHERN TIER CHAPTER OF THE AMERICAN RED CROSS FOR AN EMERGENCY OPERATIONS PLAN FOR THE OFFICE OF EMERGENCY SERVICES FOR THE PERIOD BEGINNING APRIL 1, 2005

WHEREAS, this County Legislature, by Resolution 621 of 2003, authorized the renewal of an agreement with the Southern Tier Chapter of the American Red Cross for an Emergency Operations Plan for the Office of Emergency Services for the period October 30, 2003 through October 30, 2004, and

WHEREAS, it is necessary to update the current plan with a new memorandum of understanding, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of an agreement with the Southern Tier Chapter of the American Red Cross, 620 East Main Street, Endicott, New York 13760 for an Emergency Operations Plan for the Office of Emergency Services for the period beginning April 1, 2005 and continuing until such time that the Plan is revised by either the County or the Red Cross, 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 (Hutchings).

RESOLUTION NO. 265

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF SOUTHERN TIER AIDS PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 277 of 2004, authorized and approved continued participation in the Southern Tier Aids Program Grant for the Department of Health

and adopted a program budget in the amount of \$19,500 for the period July 1, 2004 through June 30, 2005, and

WHEREAS, said grant program provides free, anonymous HIV/AIDS counseling and testing for people in Broome County who would be considered at risk, and

WHEREAS, it is desired to renew said grant program in the amount of \$19,500 for the period July 1, 2005 through June 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,500 from the Southern Tier AIDS Program, Inc., 122 Baldwin Street, Johnson City, New York 13790, for the Department of Health's Southern Tier Aids Program Grant for the period July 1, 2005 through June 30, 2006, 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 \$19,500, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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 (Hutchings).

RESOLUTION NO. 266

By Public Works and Finance Committees

Seconded by Mr. Mather

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, and

WHEREAS, the County of Broome has previously executed Supplemental Agreement Number 1 to a Federal/Marchiselli Aid Agreement for the Construction and Construction Supervision and Inspection work and has appropriated \$717,000, 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 additional sum of \$112,000, total amount of \$829,000, as previously appropriated pursuant to the 2000 C.I.P., Project 501390 (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.

Mr. Sanfilippo made a motion to call the question. **Motion died for lack of a second.**
Resolution carried, Ayes-18, Nays-0, Absent-1 (Hutchings).

RESOLUTION NO. 267

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING AN AGREEMENT WITH TRANSCOR AMERICA, INC. FOR INTERSTATE TRANSPORTATION OF PRISONERS FOR THE OFFICE OF THE SHERIFF FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 251 of 2000, as amended by Resolution 219 of 2005, authorized an agreement with Transcor America, Inc., for interstate transportation of prisoners for the Office of the Sheriff at a cost not to exceed \$30,000 for the period April 1, 2000 through March 31, 2001, and with renewals for four additional one-year contract periods at Broome County's option, and

WHEREAS, said services are necessary to transport fugitives from justice back to Broome County, and

WHEREAS, said agreement expires by its terms on July 1, 2005 and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$30,000 for the period July 2, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Transcor America, Inc., 646 Melrose Avenue, Nashville, Tennessee 37211 for the interstate transportation of prisoners for the Office of the Sheriff for the period July 2, 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 proposed on Exhibit "A", total amount not to exceed \$30,000 for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature further authorizes the annual renewal of this agreement for an additional four one-year contract terms at Broome County's option, at the rate proposed on Exhibit "A", adjusted in accordance with the applicable change or no change in the Consumer Price Index-All Urban Consumers (current series) Northeast B/C (all items and not seasonally adjusted), and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450015.4465.101000 (Non-Employee Travel, Hotel and Meals), and be it

FURTHER RESOLVED, that the County Executive or her 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 (Hutchings).

RESOLUTION NO. 268

By Education, Culture & Recreation, County Administration and Finance Committees
Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH 3M LIBRARY SYSTEMS FOR SOFTWARE MAINTENANCE FOR THE BROOME COUNTY PUBLIC LIBRARY FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 224 of 2004, authorized an agreement with 3M Library Systems for software maintenance for the Broome County Public Library at a cost not to exceed \$19,156, for the period April 6, 2004 through April 5, 2005, and

WHEREAS, said agreement is necessary to provide maintenance on the filtering internet/vend card service, and

WHEREAS, said agreement expired by its terms on April 5, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$20,494.28, for the period April 6, 2005 through April 5, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with 3M Library Systems, 3M Center Building, St. Paul, Minnesota 55144-1000, for software maintenance for the Broome County Public Library's filtering internet/vend card service, for the period April 6, 2005 through April 5, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20,494.28 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 841007.4359.304000 (Computer Software and Supplies), and be it

FURTHER RESOLVED, that the County Executive or her 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 (Hutchings).

RESOLUTION NO. 269

By Finance and Education, Culture & Recreation Committees Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2004-2005 BROOME COMMUNITY COLLEGE BUDGET

WHEREAS, Broome Community College (BCC) has proposed to amend its 2004-2005 operating budget to increase appropriations to fund retroactive faculty salary payments for the 2002-2003 and the 2003-2004 BCC budget years, and

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

WHEREAS, the Broome Community College Board of Trustees recommended amending the 2004-2005 operating budget on April 28, 2005 to increase said appropriations by \$1,536,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the Broome Community College operating budget for the 2004-2005 fiscal year to increase appropriations by \$1,536,000 from \$38,888,684 to \$40,424,684, and be it

FURTHER RESOLVED, that this increase in appropriations will be made from the College's undesignated fund balance as the result of faculty salary increases having been budgeted for in the previous two years, but not paid because faculty contracts were not settled before the end of the fiscal years, and be it

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

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

RESOLUTION NO. 270

By Finance Committee

Seconded by Mr. Mather

RESOLUTION REQUESTING THE STATE LEGISLATURE TO AMEND REAL PROPERTY TAX LAW SECTION 996

WHEREAS, the County of Broome currently has agreements with certain Towns to assist them in the collection of Town and County taxes, and

WHEREAS, these agreements have resulted in a cost savings to the Towns, and

WHEREAS, the County wishes to offer this choice to other municipalities within the County so that they can participate in this program, and

WHEREAS, Section 996 of the Real Property Tax Law permits municipalities to enter into agreements with banks for the collection of taxes and special assessments, and

WHEREAS, the County believes that amending Section 996 to permit municipalities within Broome County to contract with the County's Real Property Tax Service on the same terms and conditions as banks will result in a cost savings to those municipalities, now, therefore, be it

RESOLVED, that this County Legislature requests that Section 996 of the Real Property Tax Law be amended to permit municipalities within the County of Broome to enter into agreements with the County of Broome for the collection of taxes and special assessments pursuant to the provisions of that statute.

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

Mr. Brunza made a motion, seconded by Mr. Kuzel, to move Agenda Item 15. LEGISLATORS COMMENTS out of order. **Motion failed**, Ayes-7 (Materese, Whalen, Sanfilippo, Brunza, Kuzel, Reynolds, Buchta), Nays-11 (Keibel, Schafer, Hull, Miller, Shafer, Nannery, Howard, Marinich, Lindsey, Mather, Schofield), Absent-1 (Hutchings).

RESOLUTION NO. 271

By Finance and Education, Culture & Recreation Committees

Seconded by Mr. Mather

RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED 2005-2006 BROOME COMMUNITY COLLEGE BUDGET AND COUNTY EXECUTIVE'S MESSAGE IN CONNECTION THEREWITH

WHEREAS, the County Executive presented a proposed 2005-2006 Broome Community College Budget, and

WHEREAS, pursuant to Article XXIII-A of the Broome County Charter and Code, this Legislature, or a committee designated by this Legislature, must hold a public hearing on the submitted Broome Community College Budget, now, therefore, be it

RESOLVED, that this County Legislature hereby designates the Finance and Education, Culture and Recreation Committees of this Legislature to hold a public hearing on the proposed 2005-2006 Broome Community College Budget, and be it

FURTHER RESOLVED, that this County Legislature hereby designates Thursday, July 14, 2005 at 5:00 p.m. in the Legislative Chambers as the date, time and place of said public hearing, and be it

FURTHER RESOLVED, that in accordance with Article XXIII-A of the Broome County Charter and Code, the Clerk of this Legislature is hereby directed to cause to be printed or otherwise reproduced sufficient copies of the proposed budget for distribution not less than five (5) days prior to the public hearing, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to cause to be published the appropriate notices of said public hearing in accordance with the Broome County Charter and Code.

Mr. Kuzel made a motion, seconded by Mr. Schafer, to amend the resolution to relocate the public hearing to Broome Community College and change the time to 7:00 p.m. Mr. Howard

made a motion, seconded by Mr. Miller, to call the question on the amendment. **Motion to call the question carried**, Ayes-14, Nays-4 (Shafer, Kuzel, Brunza, Reynolds), Absent-1 (Hutchings). **Amendment failed**, Ayes-7 (Brunza, Materese, Whalen, Sanfilippo, Kuzel, Reynolds, Buchta), Nays-11 (Keibel, Schafer, Hull, Miller, Shafer, Nannery, Howard, Marinich, Lindsey, Mather, Schofield), Absent-1 (Hutchings). **Resolution as presented carried**, Ayes-18, Nays-0, Absent-1 (Hutchings).

RESOLUTION NO. 272

By Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENTS WITH TRAINING AND EDUCATIONAL PROVIDERS FOR THE OFFICE FOR AGING FOR JOB TRAINING SERVICES FOR 2005-2006

WHEREAS, the Director of Office for Aging requests authorization for agreements with various training and educational providers for job training services for qualified persons for the period July 1, 2005 through June 30, 2006, at budgeted amounts, and

WHEREAS, the training and educational providers are local businesses who hire qualified persons and provide job training services and are reimbursed all or part of the salary costs by Senior Community Service Employment Program grants previously approved by this Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various training and educational providers for job training services for qualified persons for the period July 1, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the training and educational providers negotiated amounts, total cost not to exceed the budgeted amounts in the grant budget for the term of this agreement, and be it

FURTHER RESOLVED, that the Office for Aging is hereby directed to file a list of the training and educational providers who will be providing the job training services authorized by this resolution with the Commissioner of Finance, County Comptroller, Clerk of the Broome County Legislature and the County Executive, and provide an updated list each month new providers are added, and be it

FURTHER RESOLVED, that in order to provide the job training services, each training and educational provider shall sign a standard agreement prior to the provision of any services, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761056.4542.105032/105033 (Contracted Training), and be it

FURTHER RESOLVED, that the County Executive or her 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. Brunza made a motion to call the question, seconded by Mr. Sanfilippo. **Motion to call the question failed**, Ayes-9 (Keibel, Schafer, Miller, Sanfilippo, Brunza, Marinich, Lindsey, Buchta, Schofield), Nays-9 (Shafer, Materese, Nannery, Howard, Kuzel, Reynolds, Mather, Hull, Whalen), Absent-1 (Hutchings). **Resolution as amended carried**, Ayes-18, Nays-0, Absent-1 (Hutchings).

RESOLUTION NO. 273

By Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC. FOR THE OFFICE FOR AGING'S MEALS ON WHEELS AND CONGREGATE MEALS PROGRAMS FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 264 of 2004, authorized renewal of the agreement with Ideal Senior Living Center, Inc. for services to Office for Aging's Long Term Home Health clients with revenue to the County at a rate of \$8.50 per day for each long term

client served home delivered meals and \$3.25 per day for each congregate meal served for the period August 1, 2004 through July 31, 2005, and

WHEREAS, said agreement expires by its terms on July 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to Broome County of a rate of \$8.50 per day for each long-term client served home-delivered meals and \$3.25 per day for each congregate meal served for the period August 1, 2005 through July 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Ideal Senior Living Center, 600 High Street, Endicott, New York 13760 for the Office for Aging's Long Term Home Health clients for home delivered meal and congregate meal services for the period August 1, 2005 through July 31, 2006, and be it

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

FURTHER RESOLVED, that the payments from home delivered meals shall be credited to budget line 760744.0538.104963 (Long Term Home Health Care Fees) and payments from the congregate meals shall be credited to 760736.0142.104962 (OFA Fees), and be it

FURTHER RESOLVED, that the County Executive or her 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 (Hutchings).

RESOLUTION NO. 274

By Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC. FOR SOCIAL DAY CARE SERVICES FOR THE OFFICE FOR AGING FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 263 of 2004, authorized renewal of the agreement with Ideal Senior Living Center, Inc. for social day care services for the Office for Aging's Long Term Home Health clients with revenue to the County at a rate of \$34 per client per day for the period August 1, 2004 through July 31, 2005, and

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

WHEREAS, said agreement expires by its terms on July 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to Broome County of \$34 per client per day for the period August 1, 2005 through July 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Ideal Senior Living Center, 600 High Street, Endicott, New York 13760 for social day care services for the Office for Aging's Long Term Home Health clients for the period August 1, 2005 through July 31, 2006, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 761254.0538.105013 (Long Term Home Health Care Fees), and be it

FURTHER RESOLVED, that the County Executive or her 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 (Hutchings).

RESOLUTION NO. 275

By Human Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE ADMINISTRATION BUDGET FOR THE OFFICE FOR AGING'S SENIOR OPPORTUNITIES PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 265 of 2004, authorized and approved renewal of the Senior Opportunities Administration Budget for the Office for Aging and adopted a program budget in the amount of \$219,254 for the period July 1, 2004 through June 30, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$236,696 for the period July 1, 2005 through June 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Administration Budget of \$236,696 for the Office for Aging's Senior Opportunities Program for the period July 1, 2005 through June 30, 2006, 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 \$236,696, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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 (Hutchings).

RESOLUTION NO. 276

By Human Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE NEW YORK STATE OFFICE FOR AGING (SOFA) SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 266 of 2004, as amended by Resolution 195 of 2005, authorized and approved the New York State Office for Aging (SOFA) Senior Community Service Employment Program (SCSEP) Grant for the Office for Aging and adopted a program budget in the amount of \$47,627 for the period July 1, 2004 through June 30, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$47,267 for the period July 1, 2005 through June 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$47,267 from the New York State Office for Aging, Empire State Plaza, Building 2, Albany, New

York 12223-0001, for the Office for Aging's New York State Office for Aging Senior Community Service Employment Program (SCSEP) Grant, for the period July 1, 2005 through June 30, 2006, 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 \$47,267, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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 (Hutchings).

RESOLUTION NO. 277

By Human Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE NATIONAL COUNCIL ON AGING (NCOA) SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 269 of 2004, authorized and approved renewal of the National Council on Aging (NCOA) Senior Community Service Employment Program (SCSEP) Grant for the Office for Aging and adopted a program budget in the amount of \$225,600 for the period July 1, 2004 through June 30, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$215,600 for the period July 1, 2005 through June 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$215,600 from The National Council on the Aging, 409 Third Street, SW, Suite 200, Washington, DC 20024, for the Office for Aging's National Council on Aging Senior Community Service Employment Program (SCSEP) for the period July 1, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$215,600, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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 (Hutchings).

RESOLUTION NO. 278

By Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS SOFA PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 268 of 2004, authorized and approved continuation of the Foster Grandparents-SOFA Program Grant for the Office for Aging and adopted a program budget in the amount of \$13,513 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said grant program allows income eligible seniors age 60 and older the opportunity to volunteer in schools, day-care centers, Head Start programs and institutions while providing them with an hourly stipend, travel reimbursement, a daily meal and annual physical examination, and

WHEREAS, it is desired to renew said grant program in the amount of \$13,513 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$13,513 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Foster Grandparents-SOFA Program Grant for the period April 1, 2005 through March 31, 2006, 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 \$13,513, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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 (Hutchings).

Mr. Sanfilippo made a motion to suspend the rules and reinstitute the remainder of the Preferred Agenda due to the lack of air conditioning and the need to move expeditiously. Mr. Brunza seconded the motion. **Motion to suspend the rules failed**, Ayes-5 (Whalen, Sanfilippo, Brunza, Reynolds, Buchta), Nays-13, Absent 1 (Hutchings).

RESOLUTION NO. 279

By Human Services and Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTH INSURANCE INFORMATION AND COUNSELING ASSISTANCE PROGRAM (HIICAP) GRANT FOR OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. TO ADMINISTER SAID PROGRAM FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 541 of 2004, authorized and approved renewal of the Health Insurance Information and Counseling Assistance Program (HIICAP) for the Office for Aging, adopted a program budget in the amount of \$9,000 and authorized an agreement with Action for Older Persons, Inc., to administer said program for the period April 1, 2004 through March 31, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$15,000, adopt a program budget and renew the agreement with Action for Older Persons, Inc. to continue to administer said program for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,000 from the New York State Office for Aging, for the Office for Aging's Health Insurance Information and Counseling Assistance Program (HIICAP) Grant for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$15,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 to administer said program grant for the Office for Aging for the period April 1, 2005 through March 31, 2006, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4457.105029 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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 (Hutchings).

RESOLUTION NO. 280

By Health Services, Personnel and Finance Committees

Seconded by Mr. Mather

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 618 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 \$10,000 for the period January 1, 2005 through June 30, 2005, 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 July 1, 2005 through December 31, 2005, now, therefore, be it

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 July 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 \$10,000, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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.

Mr. Brunza made a motion to suspend the rules for the purpose of restoring the balance of the Preferred Agenda. Mr. Howard seconded the motion. **Motion to suspend the rules failed due to lack of a 2/3 majority**, Ayes-10, Nays-7, Absent-2 (Hutchings, Reynolds). **Resolution carried**, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 281

By Health Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE HIV SEROPREVALENCE STUDY GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 275 of 2004, as amended by Resolution 151 of 2005, authorized continued participation in the HIV Seroprevalence Study Grant for the Department of Health and adopted a program budget in the amount of \$22,500 for the period July 1, 2004 through June 30, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$21,000 for the period July 1, 2005 through June 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$21,000 from the New York State Department of Health, Bureau of HIV/AIDS Epidemiology, Room 729, Corning Tower, Empire State Plaza, Albany, New York 12237, for the Department of Health's HIV Seroprevalence Study Grant for the period July 1, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$21,000, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 282

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AN AGREEMENT WITH KRISTI LENIEK FOR AUDIOLOGY EVALUATION AND SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2005

WHEREAS, the Public Health Director requests authorization for an agreement with Kristi Leniek for audiology evaluation and services for the Department of Health's Early Intervention Program at a cost not to exceed budgeted appropriations for the period September 1, 2005 through December 31, 2005, and

WHEREAS, said agreement is necessary to provide audiology evaluations and services for the Department of Health's Early Intervention Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Kristi Leniek, 519 Hooper Road, Suite 2, Endwell, New York 13760, for audiology evaluation and services for the Department of Health's Early Intervention Program for the period September 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 rates set by the New York State Department of Health as shown on Exhibit "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.various.101082, and be it

FURTHER RESOLVED, that the County Executive or her 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, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 283

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER FOR SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2005

WHEREAS, the Board of Acquisition and Contract, by CA No. 7-243, authorized an agreement with Southern Tier Independence Center for signing services for the Department of Mental Health at a cost not to exceed \$2,000, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement provides signing services that are necessary to comply with applicable New York State regulations, and

WHEREAS, it is necessary due to the tremendous increase in the need for this mandated service to authorize an amendment to said agreement to increase the not to exceed amount by \$4,000 and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Southern Tier Independence Center, 24 Prospect Avenue, Binghamton, New York 13901, to increase the not to exceed amount by \$4,000 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 additional \$4,000, total amount not to exceed \$6,000, 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 (\$5,500) and 470138.4747.104956 (\$500) (Other Fees for Services), and be it

FURTHER RESOLVED, that CA No. 7-243 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 284

By Human Services and Finance Committees

Seconded by Mr. Hull

RESOLUTION AMENDING RESOLUTION 336 OF 2004 AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR INSTITUTIONAL CHILD CARE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 336 of 2004, as amended by Resolutions 424 and 482 of 2004, authorized agreements with various vendors for institutional child care for the Department of Social Services, total amount of all contracts not to exceed \$10,300,000 for period July 1, 2004 through June 30, 2005, and

WHEREAS, said agreements are necessary to provide room and board and various services to children who require placement outside their homes, and

WHEREAS, it is necessary to authorize the amendment of said resolution to include Upstate Home for Children and Adults, amend the agreement with various vendors and increase the total amount not to exceed by \$84, 000 for all contracts, as listed in Exhibit "A", and

WHEREAS, the Commissioner of Social Services 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 336 of 2004, to include Upstate Home for Children and Adults, amend the agreement with

various vendors and increase the total amount not to exceed by \$84,000 for all contracts, as listed in Exhibit "A" for the period May 1, 2005 through June 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors an amount not to exceed those listed on Exhibit "A", total amount not to exceed \$11,450,000 for all contracts for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 670117.4573.103000 (EAF-TANF), 670117.4579.103000 (Foster Care Homes/Institution CW), 670117.4580.103000 (Foster Care Homes/Institution-ADC), 670125.4573.103000 (EAF-TANF), 670125.4583.103000 (JD/PINS Institutions-ADC) and 670125.4584.103000 (JD Care in Institutions), and be it

FURTHER RESOLVED, that Resolutions 336, 424 and 482 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Ms. Nannery made a motion, seconded by Mr. Shafer, to replace the \$84,000 figure with \$1,150,000 in the 3rd WHEREAS and RESOLVED paragraph and remove "period May 1, 2005 through June 30, 2005" in the RESOLVED paragraph. **Amendment carried**, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds). **Resolution as amended carried**, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 285

By Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE DSS/BU CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 319 of 2004, authorized renewal of the DSS/BU Credit and Non-Credit Training Program Grant for the Department of Social Services and adopted a program budget in the amount of \$109,719 for the period August 1, 2004 through July 31, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$53,066 for the period August 1, 2005 through July 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$53,066 from the New York State Office of Children and Family Services, 40 N. Pearl Street, 11-B, Albany, New York 12243, for the Department of Social Services' DSS/BU Credit and Non-Credit Training Program Grant for the period August 1, 2005 through July 31, 2006, 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 \$53,066, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 286

By Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE DSS/BCC CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 318 of 2004, authorized and approved renewal of the DSS/BCC Credit and Non-Credit Training Program Grant for the Department of Social Services and adopted a program budget in the amount of \$13,500 for the period August 1, 2004 through July 31, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$74,024 for the period August 1, 2005 through July 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$74,024 from the New York State Office of Children and Family Services, 40 N. Pearl Street, 11-B, Albany, New York 12243, for the Department of Social Services' DSS/BCC Credit and Non-Credit Training Program Grant for the period August 1, 2005 through July 31, 2006, 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 \$74,024, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 287

By Human Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING REVISION OF THE HOME ENERGY ASSISTANCE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 426 of 2004, as amended by Resolution 19 of 2005, authorized and approved renewal of the Home Energy Assistance Program Grant, adopted a program budget in the total amount of \$287,304, and authorized renewal of agreement with Opportunities for Broome in the amount of \$10,000 for services for the Department of Social Services for the period October 1, 2004 through September 30, 2005, and

WHEREAS, said grant program provides assistance with home heating fuel, winterization and fuel equipment, as well as emergency assistance such as utility shut-off and fuel to eligible Temporary Assistance Food Stamp and low-income families, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$71,769 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Home Energy Assistance Program Grant to reflect an increase of \$71,769 for the period October 1, 2004 through September 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 \$359,073, and be it

FURTHER RESOLVED, that Resolution 426 of 2004 and Resolution 19 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 288

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING RENEWAL OF THE PUBLIC DEFENDER'S AID TO LOCALITIES-AID TO DEFENSE PROGRAM GRANT FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 448 of 2004, authorized and approved renewal of the Aid to Localities-Aid to Defense funding for the Public Defender in the amount of \$27,834 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said aid supports the Broome County Office of the Public Defender who provides representation to financially eligible persons arrested in Broome County and also relieves the County of an expense it would otherwise have to assume, and

WHEREAS, it is desired to accept the New York State Public Defender Aid to Localities-Aid to Defense Program Grant in the amount of \$27,834 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$27,834 from the New York State Division of Criminal Justice Services, Four Tower Place, Albany, New York 12203-3764 for the Public Defender's Aid to Localities-Aid to Defense Program Grant for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be recorded in budget line 530006.0264.101000 (Major Offense Public Defender), and be it

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

Carried, Ayes-16, Nays-, Absent-3 (Hutchings, Reynolds, Marinich).

RESOLUTION NO. 289

By County Administration, Health Services and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING AN AGREEMENT WITH BEVERLY COMSTOCK FOR COMPUTER TRAINING FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005

WHEREAS, the Director of Information Technology requests authorization for an agreement with Beverly Comstock for computer training for the Division of Information Technology at the rate of \$300 per day, total amount not to exceed \$10,850 for the period June 15, 2005 through December 31, 2005, and

WHEREAS, said agreement is necessary for beginner, intermediate and advanced Microsoft Excel and Access training for Health Department Staff due to the strict HIPPA reporting and confidentiality standards as well as more efficient tracking and record keeping of Health Department Clients, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Beverly Comstock, PO Box 108, 348 Banta Road, Corbettsville, New York 13749 for computer training for the Division of Information Technology for the period June 15, 2005 though December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$300 per day, total amount not to exceed \$10,850 for computer training for up to eight students per class with two three-hour classes to be held per day on Microsoft products including Word, Excel, PowerPoint, Access and/or Outlook for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4359.104940 (Computer Software and Supplies), and be it

FURTHER RESOLVED, that the County Executive or her 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. Kuzel made a motion, seconded by Mr. Whalen, to change the total not to exceed amount from \$10,850 in the first WHEREAS and first FURTHER RESOLVED paragraphs to \$6,000. **Amendment carried**, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds). **Resolution as amended carried**, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 290

By Economic Development & Planning and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING ACCEPTANCE OF PY2005 WORKFORCE INVESTMENT ACT ADMINISTRATION PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2007

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2005 Workforce Investment Act Administration Program Grant and adopt a program budget in the amount of \$225,955 for the period July 1, 2005 through June 30, 2007, and

WHEREAS, said grant program allocation covers the administrative costs associated with the grant programs that provide customers with core employment services by providing job search assistance and labor market information as well as more intensive services including career training programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$225,955 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2005 Workforce Investment Act Administration Program Grant for the period July 1, 2005 through June 30, 2007, 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 \$225,955, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 291

By Economic Development & Planning and Finance Committees Seconded by Mr. Mather

RESOLUTION AUTHORIZING ACCEPTANCE OF PY2005 WORKFORCE INVESTMENT ACT YOUTH PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2007

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2005 Workforce Investment Act Youth Program Grant and adopt a program budget in the amount of \$656,631 for the period July 1, 2005 through June 30, 2007, 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, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$656,631 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2005 Workforce Investment Act Youth Program Grant for the period July 1, 2005 through June 30, 2007, 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 \$656,631, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 292

By Economic Development & Planning and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING ACCEPTANCE OF THE PY2005 WORKFORCE INVESTMENT ACT ADULT PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2007

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2005 Workforce Investment Act Adult Program Grant and adopt a program budget in the amount of \$581,067 for the period July 1, 2005 through June 30, 2007, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$581,067 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2005 Workforce Investment Act Adult Program Grant for the period July 1, 2005 through June 30, 2007, 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 \$581,067, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 293

By Economic Development & Planning and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING ACCEPTANCE OF THE PY2005 WORKFORCE INVESTMENT ACT DISLOCATED WORKER PROGRAM GRANT FOR OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2007

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2005 Workforce Investment Act Dislocated Worker Program Grant and adopt a program budget in the amount of \$795,894 for the period July 1, 2005 through June 30, 2007, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$795,894 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2005 Workforce Investment Act Dislocated Worker Program Grant for the period July 1, 2005 through June 30, 2007, 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 \$795,894, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 294

By Economic Development & Planning, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING ACCEPTANCE OF PY2005 WORKFORCE INVESTMENT ACT SHARED COST PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2005 Workforce Investment Act Shared Cost Program Grant and adopt a program budget in the amount of \$877,601 for the period July 1, 2005 through June 30, 2006, and

WHEREAS, said grant program provides a pool to report salary and fringe information for monthly distribution to the appropriate Workforce Investment Act grants, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$877,601 from the New York State Department of Labor, State Office Building, Albany, New York 12240 for the Office of Employment and Training's PY2005 Workforce Investment Act Shared Cost Program Grant for the period July 1, 2005 through June 30, 2006, 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 \$877,601, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 295

By Health Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE TOBACCO CONTROL AND INSURANCE INITIATIVE PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 272 of 2004, as amended by Resolution 436 of 2004 and Resolution 250 of 2005 authorized and approved renewal of the Tobacco Control and Insurance Initiative Program Grant for the Department of Health, adopted a program budget in the amount of \$283,000 and authorized an agreement with Tioga County Health Department to assist in the administration of said program grant for the period August 1, 2004 through July 31, 2005, and

WHEREAS, said grant program provided community based outreach, education activities and special media campaign promotion events to prevent and control tobacco use among adults and youth, and disparate populations, and

WHEREAS, it is desired to renew said grant program in the amount of \$357,230 for the period August 1, 2005 through July 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$357,230 from the New York State Department of Health Tobacco Control Program, Corning Tower, Room 515, Albany, New York 12237 for the Department of Health's Tobacco Control and Insurance Initiatives Program Grant for the period August 1, 2005 through July 31, 2006, 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 \$357,230, and be it

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

Carried, Ayes-17, Nays-1 (Lindsey), Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 296

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TIOGA COUNTY HEALTH DEPARTMENT FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH'S TOBACCO CONTROL AND INSURANCE INITIATIVES PROGRAM GRANT FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 272 of 2004, as amended by Resolution 436 of 2004 and Resolution 250 of 2005, authorized an agreement with Tioga County Health Department for professional Services for the Department of Health's Tobacco Control and Insurance Initiatives Program Grant at a cost not to exceed \$90,755 for the period August 1, 2004 through July 31, 2005, and

WHEREAS, said agreement will allow staff to carry out work plan activities specified in the State Strategic Plan in Tioga County and implement planned statewide media campaign activities as set forth by the New York State Department of Health Tobacco Control Program, and

WHEREAS, said agreement expires by its terms on July 31, 2005 and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$194,924, for the period August 1, 2005 through July 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Tioga County Health Department, Health Education Division, 231 Main street, Owego, New York 13827 for professional services for the Department of Health's Tobacco Control and Insurance Initiative Program Grant for the period August 1, 2005 through July 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$194,924 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 (Sub-contracted Program Expense) and 480376.4448.105XXX (Advertising and Promotion), and be it

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

Carried, Ayes-16, Nays-1 (Lindsey), Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 297

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH MCCUE ADVERTISING AND PUBLIC RELATIONS, INC. FOR AN ANTI-SMOKING ADVERTISING CAMPAIGN FOR THE DEPARTMENT OF HEALTH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 382 of 2004, authorized an agreement with McCue Advertising and Public Relations, Inc. for an anti-smoking advertising campaign for the Department of Health's Tobacco Control and Insurance Initiatives Program Grant at an amount not to exceed \$76,506, for the period August 1, 2004 through July 31, 2005, and

WHEREAS, said agreement expires by its terms on July 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$76,335, for the period August 1, 2005 through July 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with McCue Advertising and Public Relations, Inc., 91 Riverside Drive, Binghamton, New York 13905 for an anti-smoking advertising campaign for the Department of Health's Tobacco Control and Insurance Initiatives Program Grant for the period August 1, 2005 through July 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$76,335 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4458.105XXX (Other Program Expense), and be it

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

Carried, Ayes-16, Nays-1 (Lindsey), Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 298

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENTS WITH VARIOUS VENDORS FOR GRANT RELATED SERVICES FOR THE DEPARTMENT OF HEALTH'S STEPS TO A HEALTHIER US INITIATIVE GRANT FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 439 of 2004, authorized agreements with various vendors for grant related services for the Department of Health's Steps to a

Healthier US Initiative Grant at amounts not to exceed those listed on Exhibit "A" for the period September 22, 2004 through September 31, 2005, and

WHEREAS, said agreements are necessary to provide healthy lifestyles in Broome County by reducing the burden of obesity, diabetes and asthma through selected community and school-based interventions, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount for Broome-Tioga BOCES, Johnson City Central School District Food Service Program and Cornell Cooperative Extension as listed on Exhibit "A" for the period September 22, 2004 through September 21, 2005, and

WHEREAS, the Public Health Director 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 agreements with Broome-Tioga BOCES, Johnson City Central School District Food Service Program and Cornell Cooperative Extension to increase the not to exceed amount as listed on Exhibit "A" for the period September 22, 2004 through September 21, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors not to exceed amounts as listed on Exhibit "A", for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104931 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 439 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 299

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING ACCEPTANCE OF A LOCAL LAW ENFORCEMENT BLOCK GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, the Broome County Sheriff requests authorization to accept a Local Law Enforcement Block Grant and adopt a program budget in the amount of \$30,000 for the period July 1, 2005 through June 30, 2006, and

WHEREAS, said grant program provides funds to purchase drug investigation equipment and demand reduction materials and to cover overtime costs for drug investigations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$27,000 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 for the Office of the Sheriff's Local Law Enforcement Block Grant for the period July 1, 2005 through June 30, 2006, 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 \$30,000, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 300

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING ACCEPTANCE OF 'I LOVE NEW YORK' SPONSORSHIP SUPPORT FUNDING FOR THE CHRIS THATER MEMORIAL, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN ADVERTISING AGREEMENT WITH OUTDOOR LIFE NETWORK FOR 2005-2006

WHEREAS, the Coordinator of the STOP-DWI Program requests authorization to accept an 'I Love New York' Sponsorship Support Funding for the Chris Thater Memorial, to adopt a program budget in the amount of \$40,000 and to enter into an advertising agreement with the Outdoor Life Network for the period June 1, 2005 through February 28, 2006, and

WHEREAS, said funding provides sponsorship support from "I Love New York" for the Chris Thater Memorial, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$40,000 from the "I Love New York," Division of Marketing, Advertising and Tourism, Empire State Development, 30 South Pearl, Albany, New York 12245 for the Sponsorship Support Funding for the Chris Thater Memorial for the period June 1, 2005 through February 28, 2006, 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 \$40,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Outdoor Life Network, 114 Avenue of the Americas, 20th Floor, New York, New York 10036 for television advertising in conjunction with the "I Love New York" sponsorship, for the period June 1, 2005 through February 28, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 820035.4448.105052 (Advertising and Promotion), and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 301

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF A COURT RECORDS PILOT PROGRAM GRANT FOR THE OFFICE OF THE COUNTY CLERK, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH EXIGENT COMPUTER GROUP, INC. TO PROVIDE HARDWARE, SOFTWARE AND SERVICES FOR SAID PROGRAM FOR 2005-2006

WHEREAS, the County Clerk requests authorization to accept a Court Records Pilot Program Grant for the Office of the County Clerk, to adopt a program budget in the amount of \$94,000 and to enter into an agreement with the Exigent Computer Group, Inc. to provide hardware, software and services for said program for the period July 1, 2005 through June 30, 2006, and

WHEREAS, said grant program will allow the implementation of the electronic transfer of civil and criminal case file information between chambers, our Supreme Court and County Court Clerk's Office and the Broome County Clerk's Office and ultimately the general public via the internet while still following all current filing and sharing protocols but replacing paper operations with electronic data sharing, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$94,000 from the NYS Unified Court System – Sixth Judicial District, State Office Building, 44 Hawley Street, Binghamton, New York 13901-4466 for the Office of the County Clerk's Court Records Pilot Program Grant for the period July 1, 2005 through June 30, 2006, 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 \$94,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Exigent Computer Group, Inc., 4000 Executive Parkway, Suite 275, San Ramon, California 94583 to provide the hardware, software and services for said program grant, for the period July 1, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$94,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4545.105056 (Contracted Services), and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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.

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

RESOLUTION NO. 302

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES, INTEREST AND PENALTIES ON PARCELS IN VARIOUS MUNICIPALITIES

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

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

Parcel ID:	141.82-1-18
Town/Village:	Union
Owner:	John Kopy, 2211 North Street
Amount to be Cancelled:	2002 – 715.64 2003 – 811.53 2004 – 855.44 2005 – 814.89
Reason:	Environmental Place Parcel In Roll, Section 8

Parcel ID:	141.82-1-19
Town/Village:	Union
Owner:	John Kopy, 2213 North Street
Amount to be Cancelled:	2002 – 6,729.82 2003 – 7,640.74 2004 – 8,058.01 2005 – 7,732.85
Reason:	Environmental Place Parcel In Roll, Section 8

Parcel ID:	141.82-1-20
Town/Village:	Union
Owner:	John Kopy, 2215 North Street
Amount to be Cancelled:	2002 – 5,951.52 2003 – 6,756.98 2004 – 7,125.90 2005 – 6,837.59
Reason:	Environmental Place Parcel In Roll, Section 8

Parcel ID:	162.05-2-29
Town/Village:	Kirkwood
Owner:	DG&J Enterprises, 90 Barlow Road
Amount to be Cancelled:	2004 – 5,992.49 2005 – 3,710.35
Reason:	Environmental Place Parcel In Roll, Section 8

Parcel ID:	162.05-2-31
Town/Village:	Kirkwood
Owner:	Binghamton Realty, LLC, 771 Upper Court Street
Amount to be Cancelled:	2003 – 22,569.40 2004 – 74,339.77 2005 – 61,791.76
Reason:	Environmental Place Parcel In Roll, Section 8

Parcel ID:	187.19-3-19
Town/Village:	Sanford
Owner:	Steven Ricci, 150 Front Street
Amount to be Cancelled:	1994 – 2,088.15 1995 – 2,080.38 1996 – 1,802.44 1997 – 1,894.98 1998 – 434.29 1999 – 430.17 2000 - 398.71 2001 - 446.56 2002 - 404.14 2003 - 137.26
Reason:	Environmental Place Parcel In Roll, Section 8

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 303

By Finance Committee

Seconded by Mr. Mather

RESOLUTION APPROVING SALE OF 2000 IN REM FORECLOSURE PROPERTY TO A FORMER OWNER

WHEREAS, the County of Broome now owns a certain parcel of real property by virtue of the completion of proceedings and foreclosure in rem for year 2000, and

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

WHEREAS, the Director of Real Property Tax Service advises that the former owners of a certain property have requested to have the property sold back to them, and the Director and your sponsoring committee recommend that such request be granted based on the unusual circumstances of such case as reviewed and approved by your sponsoring committee, now, therefore, be it

RESOLVED, that the sale back to former owners of the parcel listed below for the amount as stated is hereby approved by this County Legislature based on the unusual circumstances, as determined by your sponsoring committee as well as the undue hardship to the former owners that the failure to approve such sale would cause:

Parcel ID:	126.17-5-4
Town/Village:	Union
Former Owner:	Donald J. and Carla Noreika 3614 Matthews Drive Endwell, NY 13760
Sale Amount:	\$15,689.95

and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute a quit claim deed, approved as to form by the Department of Law, conveying the property listed above to the former owners in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 304

By Finance and Health Services Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request from the Director of Public Health, in order to transfer funds to maximize the Early Intervention Administration grant as requested by BF# 005472, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104946	Salaries F-T	\$7,917
	480301	1600	104946	Salaries, Temp	\$49
	480301	4606	104946	Telephone Billing	\$734
	480301	4617	104946	Duplicating/Printing	\$1,479
	480301	8010	104946	State Retirement	\$693
	480301	8030	104946	Social Security	\$294
	480301	8050	104946	Life Insurance	\$9
	480301	8060	104946	Health Insurance	\$3,128
	480301	8063	104946	Disability Insurance	\$2
	400301	8070	104946	Unemployment Insurance	\$942
TO:	480301	1500	104946	Salaries P-T	\$7,005
	480301	4319	104946	Office Supplies	\$23
	480301	4359	104946	Computer Software	\$375
	480301	4610	104946	Personal Services	\$7,844

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Public Health, in order to transfer funds to maximize the Emergency Preparedness grant as requested by BF# 005814, 005815, 005816, 005817, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM	480301	1000	104940	Salaries - FT	\$39,248
	480301	1600	104940	Salaries - Temp	\$58
	480301	4319	104940	Office Supplies	\$1,500
	480301	4349	104940	Misc Operations Supp.	\$780
	480301	4459	104940	Reserve for Program	\$13,624
	480301	4616	104940	Fleet Service Chgbk	\$300
	480301	4618	104940	Office Supply Chgbk	\$150
	480301	8010	104940	State Retirement	\$5,007
	480301	8030	104940	Social Security	\$3,177
	480301	8040	104940	Workers Comp	\$1,187
	480301	8050	104940	Life Insurance	\$21
	480301	8060	104940	Health Insurance	\$8,876
	480301	8070	104940	Unemployment Insurance	\$1,213
TO	480301	1500	104940	Salaries - PT	\$2,518
	480301	4346	104940	Training & Ed. Supplies	\$2,521
	480301	4359	104940	Computer Software	\$15,470
	480301	4363	104940	Medical Lab/Clinic Spls	\$7,060
	480301	4411	104940	Postage & Freight	\$50

480301	4413	104940	Telephone Equipment	\$486
480301	4414	104940	Telephone local calls	\$1
480301	4457	104940	Subcontract Program	\$22,500
480301	4461	104940	Mileage & Parking	\$650
480301	4462	104940	Travel, Hotel, Meals	\$6,068
480301	4463	104940	Education & Training	\$4,390
480301	4466	104940	Advisory Board	\$100
480301	4606	104940	Telephone Billing	\$1,335
480301	4609	104940	Data Processing Chgbk	\$8,529
480301	4614	104940	Other Chgbk Expenses	\$2,950
480301	4615	104940	Gasoline Chgbk	\$300
480301	4617	104940	Duplicating/Printing	\$178
480301	4627	104940	Single Audit Chgbk	\$25
480301	8063	104940	Disability Insurance	\$10

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Public Health, in order to transfer funds to maximize the Healthy Families of NY grant as requested by BF#s 005805, 005806, 005807, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub Object</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM	480301	1000	104924	Salaries - Ft	\$12,175
	480301	4457	104924	Subcontractor Exp	\$3,786
	480301	4461	104924	Local Mileage	\$170
	480301	4609	104924	Data Processing Chgbk	\$285
	480301	4610	104924	P/S Chgbk	\$272
	480301	4617	104924	Dup/Printing Chgbk	\$2
	480301	8010	104924	State Retirement	\$564
	480301	8030	104924	Social Security	\$300
	480301	8040	104924	Workers Comp	\$765
	480301	8050	104924	Life Insurance	\$7
	480301	8063	104924	Disability	\$8
	480301	8070	104924	Unemployment	\$645
TO	480301	1500	104924	Salaries, PT	\$149
	480301	1600	104924	Salaries, Temp	\$10,818
	480301	4319	104924	Office Supplies	\$424
	480301	4346	104924	Training & Education	\$150
	480301	4359	104924	Computer Software	\$1,750
	480301	4411	104924	Postage & Freight	\$29
	480301	4413	104924	Telephone Equip	\$184
	480301	4418	104924	Dues & Membership	\$100
	480301	4462	104924	Travel, Hotel, Meals	\$1,867
	480301	4606	104924	Telephone Chgbk	\$445
	480301	4615	104924	Gasoline Chgbk	\$125
	480301	4616	104924	Fleet Chgbk	\$334
	480301	4627	104924	Single Audit Chgbk	\$5
	480301	8060	104924	Health Insurance	\$2,599

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501399	16-34 Runway Rehabilitation	5,937,855	143,066	5,436,510	358,279

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>	
2005	10	250,000	0	

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 307

By Personnel, Economic Development & Planning and Finance Committees
Seconded by Mr. Mather

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

RESOLVED, that in accordance with the request contained in PCR # 05-207 from the Department of Planning and Economic Development, this County Legislature hereby authorizes the creation of an Economic Development Planner position, Union Code 04, Grade 20, minimum salary \$39,706 at budget line 440016.1000.101000, effective date June 15, 2005, and be it

FURTHER RESOLVED, that in accordance with the request contained in PCR # 05-208 from the Department of Planning and Economic Development, this County Legislature hereby authorizes the creation of a Director of Economic Development position, Union Code 02, Grade H, minimum salary \$70,868 at budget line 440016.1000.101000, effective date July 1, 2005, and be it

FURTHER RESOLVED, that in accordance with the request contained in PCR # 05-209 from the Department of Planning and Economic Development, this County Legislature hereby authorizes the abolishment of the Deputy Director of Workforce and Economic Development position, Union Code 02, Grade H, minimum salary \$70,868 at budget line 440123.1000.104889, effective date December 31, 2005, and be it

FURTHER RESOLVED, that in accordance with the request contained in PCR # 05-214 from the Department of Planning and Economic Development, this County Legislature hereby authorizes the creation of an Executive Director to the Workforce Investment Board position, Union Code 02, Grade A, minimum salary \$50,181 at budget line 440016.1000.101000, effective date June 1, 2005.

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

RESOLUTION NO. 308

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT, FOR COURT SECURITY SERVICES PROVIDED BY THE DPW-SECURITY DIVISION FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 593 of 2004, authorized renewal of an agreement with the Unified Court System of New York State for court security services provided by DPW-Security Division, with revenue to the County in the amount of \$880,000 for the period April 1, 2004 through March 31, 2005, 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, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$900,000, for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with 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 to be provided by DPW-Security Division, for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$900,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 031450.0038.101000 (Security Services), and be it

FURTHER RESOLVED, that the County Executive or her 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, Absent-2 (Hutchings, Reynolds).**

RESOLUTION NO. 309

By Health Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY FAMILIES NEW YORK HOME VISITING PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH LOURDES HEALTH CARE SYSTEM YOUTH SERVICES TO ADMINISTER SAID PROGRAM FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 262 of 2004, authorized and approved renewal of the Healthy Families New York Home Visiting Program Grant for the Department of Health, adopted a program budget in the amount of \$424,000 and authorized an agreement with Lourdes Health Care System Youth Services to administer said program for the period July 1, 2004 through June 30, 2005, and

WHEREAS, said grant program is designed to prevent child abuse and neglect and promote positive outcomes for young children and their families through home visiting services, and

WHEREAS, it is desired to renew said grant program in the amount of \$424,000, adopt a program budget and renew the agreement with Lourdes Health Care System Youth Services to continue to administer said program for the period July 1, 2005 through June 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$424,000 from the New York State Office of Children & Family Services, 52 Washington Street, 3N, Rensselaer, New York 12144-2796, for the Department of Health's Healthy Families New York Home Visiting Program Grant for the period July 1, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$424,000, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Lourdes Health Care System Youth Services, 219 Front Street, Binghamton, New York 13905, for intensive home visiting services for the Department of Health's Healthy Families New York Home Visiting Program Grant for the period July 1, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$317,146 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 her 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 her 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 her duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 310

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING REVISION OF THE HEALTHY LIVING PARTNERSHIP/HRI PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 486 of 2004, authorized and approved renewal of the Healthy Living Partnership/HRI Program Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$124,505 for the period June 30, 2004 through June 29, 2005, and

WHEREAS, said grant program provides a regional approach to breast and cervical cancer screening and diagnostic services for eligible women in a five-county region that includes Broome, Tioga, Chenango, Otsego and Delaware Counties, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$45,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Healthy Living Partnership/HRI Program Grant to reflect an increase of \$45,000 for the period June 30, 2004 through June 29, 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 \$169,505, and be it

FURTHER RESOLVED, that Resolution 486 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 311

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH WBNG-TV FOR MEDIA PROMOTION SERVICES FOR THE DEPARTMENT OF HEALTH'S STEPS TO A HEALTHIER US PROGRAM GRANT FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 270 of 2004, authorized an agreement with WBNG-TV for media promotion services for the Department of Health's Steps to a Healthier US Program Grant at a cost not to exceed \$39,650 for the period June 21, 2004 through June 20, 2005, and

WHEREAS, said agreement provides media promotion of healthy lifestyles in Broome County by reducing obesity, diabetes and asthma, and

WHEREAS, it is necessary to authorize the amendment of said agreement increasing the amount by \$9,000 and extending it through the end of the grant period of September 21, 2005, and

WHEREAS, the Public Health Director 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 WBNG-TV, 560 Columbia Drive, Johnson City, New York 13790 to increase the amount by \$9,000 and extend the agreement through the end of the grant period of September 21, 2005 for the Department of Health's Steps to a Healthier US Program Grant, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$9,000, total amount of the agreement not to exceed \$48,650, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4448.104931 (Advertising and Promotion), and be it

FURTHER RESOLVED, that Resolution 270 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 312

By Health Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING ACCEPTANCE OF A UNITED WAY SUPPORT OF EARLY CHILDHOOD COALITION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, the Public Health Director requests authorization to accept a United Way Support of Early Childhood Coalition Grant and adopt a program budget in the amount of \$9,000 for the period July 1, 2005 through December 31, 2005, and

WHEREAS, said grant program will provide funds for a part-time Public Health Program Coordinator to assist with the collaboration and coordination of early childhood initiatives under the "Building Brighter Futures for Broome" project which focuses on effective parenting, healthy children and quality childcare/early education, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$9,000 from the United Way of Broome County, P.O. Box 550, Binghamton, New York 13902-0550 for the Department of Health's United Way Support of Early Childhood Coalition Grant for the period July 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 \$9,000, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 313

By Economic Development & Planning Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING APPLICATION FOR A BROWNFIELD OPPORTUNITY AREA (BOA) PROGRAM FUNDING NOMINATION REGARDING THE BRANDYWINE CORRIDOR FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

WHEREAS, New York State has developed the Brownfield Opportunity Area (BOA) program, administered by the Department of State, to spur redevelopment of brownfields, and

WHEREAS, the BOA provides municipalities with up to 90 percent of eligible costs to complete area-wide planning approaches to brownfield redevelopment, and

WHEREAS, the goals of the program are to address a range of problems posed by multiple brownfield sites, build consensus on the future uses for the area with an emphasis on strategic brownfield sites, and establish the multi-agency and private sector partnerships necessary to leverage assistance and investments to revitalize neighborhoods and communities, and

WHEREAS, the Commissioner of Planning and Economic Development indicates that the Brandywine Corridor (NYS Route 7) forms an industrial and transportation corridor in the center of the City of Binghamton and has a number of abandoned and underutilized manufacturing sites concentrated near the intersection of Frederick Street and Route 7 that have attracted substantial redevelopment interest, and

WHEREAS, the Commissioner of Planning and Economic Development is requesting authorization to apply to the New York State Brownfield Opportunity Area (BOA) Program at the nomination step to qualify for an in-depth, thorough description and analysis, including economic and market trends analysis, of existing conditions, opportunities and reuse potential for properties located in the proposed BOA, and

WHEREAS, the County Planning and Economic Development Department, in conjunction with the City of Binghamton, has already met the pre-nomination requirements in that there exists a preliminary description and analysis of the Brandywine Corridor (NYS Route 7), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the application to the New York State Brownfield Opportunity Area Program at the nomination step to qualify for an in-depth, thorough description and analysis, including economic and market trends analysis, of existing conditions, opportunities and reuse potential for properties located in the proposed BOA, and be it

FURTHER RESOLVED, that the County Executive or her 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, Absent-2 (Hutchings, Reynolds).

RESOLUTION NO. 314

By Finance, Personnel and Transportation Committees

Seconded by Mr. Sanfilippo

RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST AND TRANSFER OF FUNDS FOR THE DEPARTMENT OF TRANSPORTATION

RESOLVED, that in accordance with a request contained in PCR#05-217 from the Department of Public Transportation, this County Legislature hereby authorizes the creation of a

RESOLVED, that this County Legislature hereby approves and authorizes additional compensation in the amount of \$4,627 (7%) for the Deputy Commissioner of Public Works for Engineering for the additional responsibility for the Division of Solid Waste Management, bringing his total annual salary to \$70,721, effective July 4, 2005, in accordance with his assignment by the Commissioner of Public Works.

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

RESOLUTION NO. 317

By Personnel, Transportation and Finance Committees

Seconded by Mr. Whalen

RESOLUTION CONFIRMING APPOINTMENT OF CARL R. BEARDSLEY, JR. AS COMMISSIONER OF AVIATION

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the powers vested in her by Article X-A, Section 1001-A, of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, Carl R. Beardsley, Jr., 14 Belair Drive, Binghamton, New York 13901 as Commissioner of Aviation at the 2005 annual base salary of \$70,868 (Admin II, Grade H), effective June 15, 2005, and

WHEREAS, the County Executive certifies that Mr. Beardsley is fully qualified to fill the position of Commissioner of Aviation, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article X-A, Section 1001-A, of the Broome County Charter and Code, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of Carl R. Beardsley, Jr. as Commissioner of Aviation at the 2005 annual base salary of \$70,868 (Admin II, Grade H) effective June 15, 2005 in accordance with his appointment by the County Executive.

Failed, Ayes-5 (Brunza, Materese, Whalen, Sanfilippo, Buchta), Nays-12 (Shafer, Keibel, Schafer, Hull, Miller, Nannery, Howard, Kuzel, Marinich, Schofield, Lindsey, Mather), Absent-2 (Hutchings, Reynolds). *(See end of minutes for additional action taken.)*

RESOLUTION NO. 318

By Personnel, Transportation and Finance Committees

Seconded by Mr. Sanfilippo

RESOLUTION CONFIRMING APPOINTMENT OF JOHN P. KOWALCHYK AS COMMISSIONER OF PUBLIC TRANSPORTATION

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the powers vested in her by Article X, Section 1001 of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, John P. Kowalchyk, 330 Park Avenue, Binghamton, New York 13903 as Commissioner of Public Transportation at the 2005 annual base salary of \$66,094 (Admin II, Grade G), and

WHEREAS, the County Executive certifies that Mr. Kowalchyk is fully qualified to fill the position of Commissioner of Public Transportation, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article X, Section 1001 of the Broome County Charter and Code, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of John P. Kowalchyk as Commissioner of Public Transportation at the annual base salary of \$66,094 (Admin II, Grade G) effective June 15, 2005 in accordance with his appointment by the County Executive.

At the direction of the Deputy County Executive Patrick J. Brennan who was acting in County Executive Barbara J. Fiala's absence, Mr. Shafer made a motion, seconded by Mr. Materese, to amend the resolution to reflect the 2004 salary rate for the Commissioner of Public Transportation. **Amendment carried**, Ayes-15, Nays-2 (Keibel, Hull), Absent-2 (Hutchings, Reynolds). **Resolution as amended carried**, Ayes-13, Nays-4 (Keibel, Schafer, Kuzel, Mather), Absent-2 (Hutchings, Reynolds).

In keeping with the intention to lower the appointments before them to the 2004 salary rate as directed by the Deputy County Executive, Mr. Shafer made a motion to **recall Resolution No. 317**, with regard to the Appointment of Carl Beardsley as Commissioner of Aviation, seconded by Mr. Sanfilippo. **Motion to recall carried**, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds). Mr. Shafer made a motion, seconded by Mr. Sanfilippo, to amend the resolution to reflect the 2004 salary rate for the Commissioner of Aviation. **Amendment carried**, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds). **Resolution as amended carried**, Ayes-16, Nays-1 (Lindsey), Absent-2 (Hutchings, Reynolds).

In keeping with the intention to lower the appointments before them to the 2004 salary rate as directed by the Deputy County Executive, the Chair asked Mr. Schafer if he would be willing to withdraw his holdover of **Resolution No. 314** regarding the Department of Transportation PCR. Mr. Schafer agreed to withdraw his holdover. Mr. Shafer made a motion, seconded by Mr. Whalen to amend the resolution to reflect the 2004 salary rate for the position of Commissioner of Public Transportation. **Amendment carried**, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds). **Resolution as amended carried**, Ayes-15, Nays-2 (Kuzel, Hull), Absent-2 (Hutchings, Reynolds). . The Chair asked the Deputy Budget Director to change the numbers in the budget transfer to reflect the changes made with regard to the positions in question.

LEGISLATIVE NOTE

For convenience and clarity those budget transfer changes in **Resolution No. 314** are reflected below in boldface print:

FURTHER RESOLVED, that in accordance with a request from the County Executive, in order to transfer funds to fund the Commissioner of Public Transportation position as requested in PCR#05-217 and BF#005418 and 005417, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

FROM DPW ENGINEERING:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	030023	1000	101000	Salaries F-T	\$12,310
		8010		State Retirement	\$1,415
		8030		Social Security	\$979
		8050		Life Insurance	\$6
		8060		Health	\$2,420
TO:	030023	9006	101000	Transfer to Enterprise	\$17,130

TO TRANSIT:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	220004	0227	203000	Transfer from General	\$17,130
TO:	220004	1000	203000	Salaries F-T	\$12,310
		8010		State Retirement	\$1,415
		8030		Social Security	\$979
		8050		Life Insurance	\$6
		8060		Health	\$2,420

The Chair asked Mr. Miller if he would be willing to withdraw his holdover of **Resolution No. 315**, with regard to the Department of Aviation PCR. Mr. Miller agreed to withdraw his holdover. Mr. Shafer made a motion, seconded by Mr. Whalen, to amend the resolution to reflect the 2004 salary rate for the position of Commissioner of Aviation. **Amendment carried**, Ayes-17, Nays-0, Absent-2 (Hutchings, Reynolds). **Resolution as amended carried**, Ayes-15, Nays-2 (Hull, Kuzel), Absent-2 (Hutchings, Reynolds).

The Chair asked Mr. Keibel if he would be willing to withdraw his holdover of **Resolution No. 316**, with regard to the Deputy Commissioner of Public Works receiving compensation for assuming additional responsibility for the Division of Solid Waste Management. Mr. Keibel did not agree to withdraw his holdover. **Resolution No. 316 remained held over 'under the rules.'**

Mr. Shafer made a motion to adjourn, seconded by Mr. Miller. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Hutchings). The meeting was adjourned at 6:49 p.m.

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