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

The Legislature convened at 5:03 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-19, Absent-0.

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

Mr. Marinich made a motion, seconded by Mr. Mather, that the minutes of the March 20, 2003 Regular Session and March 24, 2003 Special Session be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the period March 20, 2003 through April 16, 2003 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Brunza, seconded by Mr. Pasquale. **Carried.**

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

- A. Appointments:
1. Broome County Youth Bureau Advisory Board
 2. Broome County Emergency Medical Services Advisory Board
 3. Broome County STOP-DWI Advisory Board
 4. Broome County Criminal Justice Advisory Board (CJAB)

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
1. Minutes:
 - a. Broome County Association of Towns and Villages 2/27/03
 - b. Broome County Association of Municipal Clerks 3/25/03
 - c. Broome County Soil & Water Conservation District 2/4/03
 - d. Broome County Soil & Water Conservation District 3/03
 - e. Environmental Management Council 3/10/03
 - f. EMC Natural Resources Committee 3/20/03
 - g. EMC Recycling & Waste Management Committee 3/24/03
 2. St. Lawrence County-Resolution Re: "Gender Neutral Office Titles"
 3. Dept. of Public Works-Appointment to County Superintendent of Highways
 4. Seneca Board of Supervisors-Resolution Re: Adoption and Implementation of a More Just Taxation on Sales Made by Indian Tribe
 5. The White House- Receipt of Reso. Re: Federal Medical Assistance Percentage
 6. Division of Purchasing-Amendment to the Purchase Procurement Manual
 7. Dept. of Finance-Balance Transfer 2002
 8. NYS Dept. of Agriculture and Markets-Landowner Proposals for Inclusion of Viable Agricultural Land in Existing Certified Agricultural District
 9. Division of Solid Waste Management-Electronics Recycling Collection Summary
 10. Environmental Management Council-Resolution Supporting the Clean Water authority Restoration Act of 2003

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-15, Nays-4 (Brunza, Hudak, Kuzel, Whalen).

RESOLUTION NO. 128

By Education, Culture and Recreation Committee

Seconded by Mr. Burger

RESOLUTION AUTHORIZING POLICY CHANGE REGARDING ADMISSION AND/OR TICKET FEE PAYMENT METHOD AT THE BROOME COUNTY VETERANS MEMORIAL ARENA

WHEREAS, the Commissioner of the Department of Parks and Recreation has stated that the Broome County Veterans Memorial Arena has been experiencing receipt of an increased number of bad checks over the last three years, and

WHEREAS, to collect on these bad checks is an expensive and time consuming process that quite often is unsuccessful, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the policy change of no longer accepting personal checks for admission and/or ticket fees at the Broome County Veterans Memorial Arena Box Office, and be it

FURTHER RESOLVED, that this policy take effect beginning April 7, 2003.

Carried.

RESOLUTION NO. 129

By Public Safety & Emergency Services, County Administration and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING ACCEPTANCE OF A LOCAL ENHANCED WIRELESS 911 PROGRAM GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2005

WHEREAS, the Director of Emergency Services requests authorization to accept Local Enhanced Wireless 911 Program funds in the amount of \$260,462, to adopt a program budget in the amount of \$130,231 for the period January 1, 1993 through March 31, 2005 and to credit the remaining \$130,231 to the general fund, and

WHEREAS, said grant program provides funding to reimburse the County for funds expended during the phases of implementing wireless 911 including but not limited to computer hardware, software, lease of phone lines, language lines and TDD equipment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$260,462 from the New York State Department of State, 41 State Street, Albany, NY 12231-0001 for the Office of Emergency Services' Local Enhanced Wireless 911 Program for the period January 1, 1993 through March 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the amount of \$130,231 and authorizes crediting the remaining \$130,231 of said funds to budget line 460006.0619.101000 (State Aid), and be it

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

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

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

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

RESOLUTION NO. 130

By Health & Human Services Committee

Seconded by Mr. Burger

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FAMILY VIOLENCE PREVENTION COUNCIL

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Ray Serowik 2104 Ford Road Endicott, New York 13760	New Appointment Term Expires 12/31/05
Arthur Johnson 95 Phelps Street Binghamton, New York 13901	New Appointment Term Expires 12/31/05

and

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

Carried.

RESOLUTION NO. 131

By Economic Development and Planning Committee

Seconded by Mr. Burger

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL BOARD OF DIRECTORS

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980, has duly designated and appointed the following named individuals to membership on the Broome county Environmental Management Council Board of Directors, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Don Wager 1175 Chenango Street Binghamton, New York 13901	New Appointment Term Expires 12/31/03
Joseph J. Liciandrello 11 Glen Avenue Binghamton, New York 13904 (BCC Representative)	New Appointment Term Expires 8/31/03

Cynthia Westerman
116 Carol Avenue
Vestal, New York 13850

Reappointment
Term Expires 12/31/04

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 277 of
1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 342 of 1980 confirms the
appointments of the above-named individuals to membership on the Broome County
Environmental Council Board of Directors for the terms indicated, in accordance with their
appointment by the County Executive.

Carried.

RESOLUTION NO. 132

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING WORKERS COMPENSATION BENEFITS TO MEMBERS OF THE BROOME COUNTY HAZARDOUS MATERIALS RESPONSE TEAM

WHEREAS, this County Legislature, by Resolution 205 of 1986, created the Broome
County Hazardous Materials Response Team, and

WHEREAS, team members are volunteers and receive no compensation for their service
to the County, and

WHEREAS, team members face the possibility of injury, illness or death when responding
to hazardous materials incidents, and

WHEREAS, this County Legislature desires to provide Workers' Compensation benefits to
team members, now, therefore, be it

RESOLVED, that all Broome County Hazardous Materials Response Team members
shall be provided Workers' Compensation benefits pursuant to the New York State Workers'
Compensation Law, and be it,

FURTHER RESOLVED, that such benefits shall be paid from the fund established by
Chapter 76 of the Broome County Charter and Code, and be it

FURTHER RESOLVED, that any such expenses paid shall be allocated to Emergency
Services, and be it

FURTHER RESOLVED, that the Director of Emergency Services shall maintain a roster of
Team members, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Carried.

RESOLUTION NO. 133

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF THE MENTAL HEALTH JUVENILE JUSTICE PROGRAM GRANT, ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH AND AMENDING THE AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2003

WHEREAS, this County Legislature, by Resolution 463 of 2002, authorized the continued
participation in the Mental Health Juvenile Justice Program Grant for the Department of Mental
Health, adopted a program budget in the amount of \$93,750 and authorized renewal of the
agreement with Our Lady of Lourdes Hospital to administer said program for the period January
1, 2003 through December 31, 2003, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$14,094, total amount of \$107,844 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Mental Health Juvenile Justice Program Grant to reflect an increase of \$14,094 for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$107,844, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905, to administer said program, for the Department of Mental Health for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$107,844 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 463 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 134

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AGREEMENT WITH CHONG TAEK LEE, M.D. FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2003

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with Chong Taek Lee, M.D. for psychiatric services for the Department of Mental Health at a rate of \$80 per hour, total amount not to exceed \$56,000, for the period May 1, 2003 through December 31, 2003, and

WHEREAS, said agreement is necessary to provide psychiatric services to children with serious emotional problems, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Chong Taek Lee, M.D., 4529 Salem Drive, Vestal, New York 13850 for psychiatric services, for the Department of Mental Health for the period May 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$80 per hour, total amount not to exceed \$56,000 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 (Other Fees for Service), and be it

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

Carried.

RESOLUTION NO. 135

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

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

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

WHEREAS, said agreement is necessary to provide funding for a Reconnecting Youth Counselor for two groups at Johnson City High School for high-risk youth in grades 9 through 12, now, therefore, be it

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

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$22,000 for the term of the agreement, and be it

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

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

Carried.

RESOLUTION NO. 136

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC SOCIAL SERVICES OF BROOME COUNTY, INC. FOR COUNSELING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES ADOLESCENT PREVENTIVE SERVICES FOR 2003

WHEREAS, this County Legislature, by Resolution 13 of 2002, authorized renewal of the agreement with Catholic Social Services of Broome County, Inc. for intensive counseling services in connection with the Department of Social Services Adolescent Preventive Services at a cost not to exceed \$317,702 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide short and long term counseling to PINS youth and families at risk of court involvement and placement, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$301,817, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Catholic Social Services of Broome County, Inc., 232 Main Street, Binghamton, New York 13905 for counseling services in connection with the Department of Social Services' Adolescent Preventive Services for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$301,817 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Carried.

RESOLUTION NO. 137

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CRIME VICTIMS ASSISTANCE CENTER, INC. FOR SUPPORT SERVICES FOR VICTIMS OF CHILD ABUSE AND CHILD SEXUAL ABUSE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2003

WHEREAS, this County Legislature, by Resolution 14 of 2002, authorized renewal of the agreement with Crime Victims Assistance Center, Inc. for support services for victims of child abuse and child sexual abuse at a cost not to exceed \$29,099, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, the Child Advocacy Center provides a neutral setting and support for victims of abuse in which to collaboratively conduct investigations and provide services, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$27,644, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Crime Victims Assistance Center, Inc., 377 Robinson Street, P.O. Box 836, Binghamton, New York 13902 for support services for victims of child abuse and child sexual abuse for the Department of Social Services for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$27,644 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Carried.

RESOLUTION NO. 138

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC CHARITIES FOR SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES COORDINATED CHILDREN'S SERVICES INITIATIVE PROGRAM FOR 2003

WHEREAS, this County Legislature, by Resolution 15 of 2002, authorized renewal of the agreement with Catholic Charities for services for the Coordinated Children's Services Initiative Program at a cost not to exceed \$65,000, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are designed to reduce residential placement of children and to provide respite services, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$61,750, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905 for services to children and families in order to reduce the need for residential placement and to provide respite services for the Department of Social Services for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$61,750 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Carried.

RESOLUTION NO. 139

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CHILDREN'S HOME OF WYOMING CONFERENCE FOR NON-SECURE DETENTION AT HASKINS NON-SECURE DETENTION FACILITY FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2003

WHEREAS, this County Legislature, by Resolution 16 of 2002, authorized renewal of the agreement with The Children's Home of Wyoming Conference for non-secure detention at Haskins for court ordered persons in need of supervision, juvenile delinquents and related detention services for the Department of Social Services at an amount not to exceed \$629,595 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide non-secure detention at Haskins for court ordered persons in need of supervision, juvenile delinquents and related detention services, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$651,624, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901-1696 for non-secure detention at Haskins for court ordered persons in need of supervision, juvenile delinquents and related detention services for the Department of Social Services for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$651,624 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670117.4581.103000 (Foster Care NS DET-Haskins), and be it

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

Carried.

RESOLUTION NO. 140

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR HOMEMAKER AND PARENT AIDE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2003

WHEREAS, this County Legislature, by Resolution 17 of 2002, authorized renewal of the agreement with Family and Children's Society of Broome County, Inc. for homemaker and parent aide services for the Department of Social Services at an amount not to exceed \$248,573, for the period January 1, 2002 through December 31, 2002, and

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

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$236,144, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for homemaker and parent aide services for the Department of Social Services for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$236,144 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Carried.

RESOLUTION NO. 141

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES' SEXUAL ABUSE PROJECT FOR 2003

WHEREAS, this County Legislature, by Resolution 18 of 2002, authorized renewal of the agreement with Family and Children's Society of Broome County, Inc. for counseling services for the Department of Social Services' Sexual Abuse Project at an amount not to exceed \$476,264, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said agreement provides assessment, treatment and counseling services to sexually abused children and their families and treatment of juvenile sex offenders, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$452,451, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for counseling services for the Department of Social Services' Sexual Abuse Project for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$452,451 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Carried.

RESOLUTION NO. 142

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SOS SHELTER, INC. FOR NON-RESIDENTIAL SERVICES TO VICTIMS OF DOMESTIC VIOLENCE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2003

WHEREAS, this County Legislature, by Resolution 20 of 2002, authorized renewal of an agreement with SOS Shelter, Inc. for non-residential services to victims of domestic violence at a cost not to exceed \$80,401 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services include a 24-hour hotline, information and referral, advocacy, counseling, education and outreach, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a cost not to exceed \$76,381, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with SOS Shelter, Inc., P.O. Box 393, Endicott, New York 13761 to provide non-residential services to victims of domestic violence for the Department of Social Services for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$76,381 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Carried.

RESOLUTION NO. 143

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CHILDREN'S HOME OF WYOMING CONFERENCE FOR COUNSELING SERVICES FOR THE THERAPEUTIC AFTER-SCHOOL PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2003

WHEREAS, this County Legislature, by Resolution 19 of 2002, authorized renewal of an agreement with The Children's Home of Wyoming Conference for counseling services in connection with the Department of Social Services' Therapeutic After-School Program at a cost not to exceed \$516,145, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said agreement is necessary to avert institutional placement, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$490,338 for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901-1696 for intensive counseling services in connection with the Department of Social Services' Therapeutic After-School Program for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$490,338 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Carried.

RESOLUTION NO. 144

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH YOUTH ADVOCATE PROGRAMS, INC. FOR SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2003

WHEREAS, this County Legislature, by Resolution 21 of 2002, authorized an agreement with Youth Advocate Programs, Inc. for services for the Department of Social Services at an amount not to exceed \$313,073, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said agreement will provide a highly successful, research based, program that should significantly reduce foster care placement costs, and provide successful outcomes for high risk children by providing a preventive and aftercare program that offers wraparound services to children who are at high risk of residential placement or are returning home from residential placements, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$313,073, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Youth Advocate Programs, Inc., 2007 North Third Street, Harrisburg, Pennsylvania 17102 for services for the Department of Social Services for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$313,073 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Carried.

RESOLUTION NO. 145

By Transportation and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANTS FOR VARIOUS CAPITAL PROJECTS AT THE GREATER BINGHAMTON AIRPORT (F/K/A THE BINGHAMTON REGIONAL AIRPORT)

WHEREAS, this County Legislature, by Resolution 28 of 2002, authorized and approved acceptance of New York State Department of Transportation grants in the total amount of \$489,650 for various capital projects at the Greater Binghamton Airport (f/k/a the Binghamton Regional Airport), and

WHEREAS, said grants provide funds for various capital projects at the Greater Binghamton Airport, including Runway 16-34 Safety Area Improvements (\$406,939), acquisition of Airport Emergency Vehicles/Equipment (\$26,934) and a Snow Removal Equipment Building (\$55,777), and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$80,550 in grant appropriations for the Snow Removal Equipment Building Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the New York State Department of Transportation Grants for various capital projects to reflect an increase of \$80,550, total amount of \$136,327 in grant appropriations for the Snow Removal Equipment Building Project, to a total amount of \$570,200 for all projects, and be it

FURTHER RESOLVED, that Resolution 28 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 146

By Transportation and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AGREEMENT WITH COMMUNIQUE DESIGN AND MARKETING, INC. FOR ADVERTISING CONSULTING SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2003-2004

WHEREAS, the Commissioner of Transportation requests authorization for an agreement with Communique Design and Marketing, Inc. for advertising consulting services for the Department of Aviation at a cost not to exceed \$65,000 for the period May 1, 2003 through April 30, 2004 with an option to renew the annual contract three times by mutual consent, and

WHEREAS, said services are necessary to provide for the continued development and implementation of the marketing program for the Greater Binghamton airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Communique Design and Marketing, Inc., 221 Washington Street, Suite B, Binghamton, New York, 13901 for advertising consulting services, for the Department of Aviation for the period May 1, 2003 through April 30, 2004 with an option to renew the annual contract three times by mutual consent, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a retainer fee not to exceed \$24,996, plus \$40,004 for all media, advertising campaigns and events, total amount not to exceed \$65,000 for the term of the agreement, and be it

FURTHER RESOLVED, for each renewal term, the County shall pay the Contractor an annual retainer fee of \$24,996, plus an amount not to exceed budgeted appropriations for all media, advertising campaigns and events for the period May 1, 2004 through April 30, 2007,

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 210195.4448.207000 (Advertising and Promotion Expenses), and be it

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

Carried.

RESOLUTION NO. 147

By Transportation and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AGREEMENT WITH ATLANTIC COAST AIRLINES, INC. FOR OPERATING RIGHTS, COUNTER SPACE AND RELATED SERVICES AT THE GREATER BINGHAMTON AIRPORT FOR 2003-2005

WHEREAS, this County Legislature, by Resolution 170 of 2001, authorized an agreement with Atlantic Coast Airlines, Inc. for operating rights, counter space and related services on a month-to-month basis at a non-signatory rate, beginning January 1, 2001, and

WHEREAS, Atlantic Coast Airlines, Inc. now wishes to become a signatory operator at the Greater Binghamton Airport, and

WHEREAS, Broome County has the space and capacity to accommodate Atlantic Coast Airlines, Inc., and

WHEREAS, the Commissioner of Transportation requests authorization for an agreement with Atlantic Coast Airlines, Inc. for operating rights, counter space and related service at the Greater Binghamton Airport with revenue and scheduled service to Broome County, for the period April 17, 2003 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Atlantic Coast Airlines, Inc., 45200 Business Court, Suite 100, Dulles, Virginia 20166, for operating rights, counter space and related service at the Greater Binghamton Airport, for the period April 17, 2003 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, Atlantic Coast Airlines, Inc. shall pay the County at the rates for such operating rights and leasehold space pursuant to the current Airline Operating Agreement and Terminal Building Lease as approved by Resolution 152 of 2001, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 210070.107.207000 (Space Rental-Airlines) and budget line 210088.0111.207000 (Landing Fees-Signatory), and be it

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

Carried.

RESOLUTION NO. 148

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE NEW YORK WORKS BLOCK GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 318 of 2002, authorized and approved renewal of the New York Works Block Grant for the Department of Social Services and adopted a program budget in the amount of \$77,096 for the period July 1, 2002 through September 30, 2002, and

WHEREAS, said grant program provides employment, training and job search programs to Temporary Assistance to Needy Families (TANF) recipients, and

WHEREAS, it is desired to renew said grant program in the amount of \$291,053 for the period October 1, 2002 through September 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$291,053 from the New York State Department of Labor, Welfare-to-Work Division, Harriman State Office Building Campus, Building 12, Room 228, Albany, New York 12240, for the Department of Social Services' New York Works Block Grant for the period October 1, 2002 through September 30, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$291,053, and be it

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

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

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

Carried.

RESOLUTION NO. 149

By Public Works Committee

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF SANFORD FOR A RECYCLING DROP-OFF SITE FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2003

WHEREAS, the Commissioner of Public Works requests authorization for an Inter-Municipal Agreement with the Town of Sanford for a recycling drop-off site for the Division of Solid Waste Management, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, the County will provide a roll-off container, service the roll-off and subsidize the processing of the recyclable materials, and

WHEREAS, the Town of Sanford will be responsible for the staffing, snow and ice removal, monitoring the container for non-recyclables, trash removal from the site, disposal costs associated with rejected loads and construction/repairs of a platform for residents to safely access the roll-off container, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an Inter-Municipal Agreement with the Town of Sanford for a recycling drop-off site, for the Division of Solid Waste Management, for the period January 1, 2003 through December 31, 2003, 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.

Failed. Ayes-7 (Brunza, Burger, Howard, Marinich, Mather, Miller, Shafer), Nays-12 (Hudak, Hull, Hutchings, Kolba, Kuzel, Lindsey, Nannery, Pasquale, Reynolds, Whalen, Wike, Schofield).

RESOLUTION NO. 150

By Public Safety and Emergency Services Committee

Seconded by Mr. Burger

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY EMERGENCY MEDICAL SERVICES ADVISORY BOARD

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article XXIV, Section 2410 of the Broome County Charter and Code, has duly designated and appointed the following named individuals to membership on Broome County Emergency Medical Services Advisory Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Gary Griffis 156 ½ Park Ave. Binghamton, New York 13901	New Appointment Term Expires 12/31/04

Steven Brown P.O. Box 599 Binghamton, New York 13902	New Appointment Term Expires 12/31/04
Brad Stimak 15 Barrier Road Binghamton, New York 13905	New Appointment Term Expires 12/31/04
David Shoemaker 121 Caldwell Hill Road Lisle, New York 13797	New Appointment Term Expires 12/31/04
William Komar P.O. Box 254 Glen Aubrey, New York 13777	New Appointment Term Expires 12/31/04
Gary Kiehle 141 Dilly Road Port Crane, New York 13830	New Appointment Term Expires 12/31/04
James Fletcher 359 W. Chenango Road Castle Creek, New York 13744	New Appointment Term Expires 12/31/04
Philip Fenton 39 Penelope Road Greene, New York 13778	New Appointment Term Expires 12/31/04
Leonard Brandon Box 2000 SUNY Binghamton Binghamton, New York 13902	New Appointment Term Expires 12/31/04
Michael Rasmussen 5 Hemlock Hill Road Whitney Point, New York 13862	New Appointment Term Expires 12/31/04
Stephen Kalafut Brown Road Kirkwood, New York 13795	New Appointment Term Expires 12/31/04
Joseph Wychules 1492 Sandra Drive Endicott, New York 13760	New Appointment Term Expires 12/31/04
Steven Tokos 2350 Bradley Creek Road Johnson City, New York 13790	New Appointment Term Expires 12/31/04

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV, Section 2410 of the Broome County Charter and Code confirms the appointments of the above-named individuals to membership on the Broome County Emergency Medical Services Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.
Carried.

RESOLUTION NO. 151

By Transportation and Finance Committees

Seconded by Mr. Burger

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

WHEREAS, this County Legislature, by Resolution 338 of 2003, authorized an agreement with A. Nelessen Associates, Inc., for consultant services for BMTS at a cost not to exceed \$31,406, for the period September 1, 2002 through March 31, 2003, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the contract to May 30, 2003 for consultant services at no additional cost to the County, and

WHEREAS, the Director of BMTS 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 A Nelessen Associates, Inc., 49 Millstone River Road, Belle Mead, New Jersey 08502, to extend the term of the contract to May 30, 2003 for consultant services at no additional cost to the County for BMTS for the period September 1, 2002 through May 30, 2003, and be it

FURTHER RESOLVED, that Resolution 338 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 152

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF NEW YORK STATE OFFICE FOR AGING (SOFA) SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 262 of 2002, authorized the continued participation in 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 connection therewith in the total amount of \$60,750 for the period July 1, 2002 through June 30, 2003, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$12,871 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the New York State Office for Aging (SOFA) Senior Community Service Employment Program (SCSEP) Grant to reflect an increase of \$12,871 for the period July 1, 2002 through June 30, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$73,621, and be it

FURTHER RESOLVED, that Resolution 262 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 153

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING REVISION OF THE ADMINISTRATION BUDGET FOR THE OFFICE FOR AGING'S EMPLOYMENT PROGRAM GRANTS AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 261 of 2002, authorized the continued participation in the Senior Community Service Employment Program (SCSEP) Administration Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$112,538 for the period July 1, 2002 through June 30, 2003, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$26,671 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Administration Budget to reflect an increase of \$26,671 for the period July 1, 2002 through June 30, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$139,209, and be it

FURTHER RESOLVED, that Resolution 261 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 154

By Finance Committee

Seconded by Mr. Burger

RESOLUTION ESTABLISHING A FEE FOR CERTIFICATIONS OF UNPAID TAXES PROVIDED BY REAL PROPERTY TAX SERVICES

WHEREAS, the Director of Real Property Tax Services requests authorization to establish a \$10 fee for certifications of unpaid taxes for each individual parcel and in-rem foreclosure parcels currently being provided at no cost to the public and private business community, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a \$10 fee for certifications for unpaid taxes for each individual parcel and in-rem foreclosure parcels, and be it

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

FURTHER RESOLVED, that this fee shall become effective May 1, 2003.

Carried.

RESOLUTION NO. 155

By Finance Committee

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 63 OF 2003 APPROVING THE SALE OF COUNTY PROPERTIES AT THE 2003 TAX SALE AUCTION

WHEREAS, this County Legislature, by Resolution 63 of 2003, authorized and approved the sale of various County properties at the 2003 Tax Sale Auction, and

WHEREAS, the Director of the Real Property Tax Services has been made aware of an inappropriate bid that was initially accepted for one of the properties and is requesting the bid now be rejected, and

WHEREAS, the Director of the Real Property Tax Services recommends the sale of such property to the appropriate successful bidder, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 63 of 2003, rejecting the bid, returning the deposit and returning the auctioneer's commission on the following property:

Purchaser: Cheyenne Blue Stone Inc.
Aka Walter H. Whitmore, P.O. Box 818, New Milford, PA 18834
Tax Map #: 99-208 (Town of Sanford), 232 Obrien Road
Price: \$31,000

and be it,

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 63 of 2003, accepting the bid on the following property:

Purchaser: B.S. Quarries Inc.
RR 3 Box 324A-1, Montrose, PA 18801
Tax Map #: 99-208 (Town of Sanford), 232 Obrien Road
Price: \$31,000

and be it,

FURTHER RESOLVED, that the County Executive or his 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 successful bidder, together with such other documents as may be necessary to implement the intent of this Resolution.

Carried.

RESOLUTION NO. 156

By Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON 2003 TAX BILLS IN THE TOWNS OF WINDSOR AND COLESVILLE

WHEREAS, the Director of the Real Property Tax Service has reviewed the tax bills of Tax Map No. 231.00-1-2 in the Town of Windsor and Account No. 26790500000 in the Town of Colesville and has found those same to be in error, and

WHEREAS, it is necessary that this County Legislature hereby approve the correction of the tax bill and to levy the correct tax owed, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the correction of the following 2003 Tax Bills in the Towns of Windsor and Colesville:

Town of Windsor (231.00-1-2)
 People of the State of New York
 Tax Exempt for County Tax Purposes

	<u>INCORRECT TAX</u>	<u>CORRECT TAX</u>
2002 Budget Note	\$ 8.61	\$.00
2003 Medicaid Costs	62.69	.00
2003 County Services	11.38	.00
Town Gen.	22.63	22.63
Highway	14.70	14.70
Fire	3.36	3.36
	\$130.37	\$40.69

Town of Colesville (26790500000)
 People of the State of New York
 Tax Exempt for County Tax Purposes

	<u>INCORRECT TAX</u>	<u>CORRECT TAX</u>
2002 Budget Note	\$.66	\$.00
2003 Medicaid Costs	4.80	.00
2003 County Services	1.41	.00
Highway	2.32	2.32
	\$9.19	\$2.32

and, be it

FURTHER RESOLVED, that this County Legislature orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in accordance with Section 554 of the Real Property Tax Law, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to transmit a copy of this Resolution to each tax officer having jurisdiction of the respective tax roles.

Carried.

RESOLUTION NO. 157

By Finance Committee

Seconded by Mr. Burger

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

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

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

Parcel ID:	163.01-2-34
Town/Village:	Town of Kirkwood
Owner:	People of the State of New York
Amount to be Cancelled:	\$1.54
Reason:	Transition Assessment Phase Out

Account Number:	36793000000
Town/Village:	Town of Lisle
Owner:	People of the State of New York
Amount to be Cancelled:	\$11.62
Reason:	Transition Assessment Phase Out

Carried.

RESOLUTION NO. 158

By Health & Human Services, Personnel and Finance Committee

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE IMMUNIZATION ACTION PLAN GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 130 of 2002, authorized and approved renewal of the Department of Health's Immunization Action Plan Grant and adopted a program budget in the amount of \$30,500 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said grant program provides funding to enable staff to conduct audits of provider offices, monitors and improves immunization rates for children through 24 months of age and enhances adult immunization activities, and

WHEREAS, it is desired to renew said grant program in the amount of \$30,500 for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$30,500 from the New York State Department of Health, 217 South Salina Street, Syracuse, New York 13202, for the Department of Health's Immunization Action Plan Grant for the period April 1, 2003 through March 31, 2004, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$30,500, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby

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

Carried.

RESOLUTION NO. 159

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY WORKSITES GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 60 of 2002, authorized and approved renewal of the Department of Health's Healthy Worksites of Broome, Chenango, Tioga and Delaware Counties Grant and adopted a program budget in the amount of \$50,962 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said grant program provides assessment of the heart health of 50 worksites in a four county region, which includes Broome, Tioga, Chenango, and Delaware Counties, with the eventual goal of developing environmental interventions to increase the heart health of at least 20% of the workforce of this region, and

WHEREAS, it is desired to renew said grant program in the amount of \$38,222 for the period April 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$38,222 from the New York State Department of Health, Corning Tower, Empire State Plaza, Albany, New York 12242, for the Department of Health's Healthy Worksites Grant for the period April 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$38,222, and be it

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

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

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

Carried.

RESOLUTION NO. 160

By Health & Human Services and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS VENDORS FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE DEPARTMENT OF HEALTH'S HEALTHY WORKSITES GRANT FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 61 of 2002, authorized agreements with various vendors for professional services for the Department of Health's Healthy Worksites Grant for a total amount not to exceed \$21,700, for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said services are necessary to assist with carrying out the goals of the Healthy Worksites Grant program in the counties of Broome, Chenango, Tioga and Delaware, and

WHEREAS, said agreements expire by their terms on March 31, 2003, and it is desired at this time to renew said agreements on substantially similar terms and conditions, for a total amount not to exceed \$17,700, for the period April 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreements with the various vendors and at the amounts shown below for professional services for the Department of Health's Healthy Worksites Grant for the period April 1, 2003 through December 31, 2003,

Chenango Memorial Hospital Department of Community Relations 179 N. Broad Street Norwich, New York 13815	Amount Not to Exceed \$3,600
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Delaware Valley Public Health 99 Main Street Delhi, New York 13753	Amount Not to Exceed \$4,900
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United Health Services Stay Healthy Center 33-57 Harrison Street Johnson City, NY 13790	Amount Not to Exceed \$9,200
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and be it

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

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

RESOLUTION NO. 161

By Finance, Personnel and Health & Human Services Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING THE BUDGET TRANSFER AND POSITION CHANGE REQUEST FOR PUBLIC HEALTH

RESOLVED, that in accordance with a request from the Director of Public Health, to move funding in order to better utilize grant funding, on the Traffic Safety Awareness Grant, as requested in BF# 004143 and 004144, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104686	Salaries – Full Time	8,915
	480301	4461	104686	Mileage and Parking	225
	480301	4614	104686	Other Chargeback Expense	300
	480301	4617	104686	Dup. Printing Chargeback	10
	480301	8030	104686	Social Security	22
	480301	8050	104686	Life Insurance	1
	480301	8060	104686	Health Insurance	275
	480301	8063	104686	Disability Insurance	11

TO:	480301	1500	104686	Salaries – Part Time	8,622
	480301	4419	104686	Misc. Office Supplies	10
	480301	4462	104686	Travel/Hotel/Meals	525
	480301	8010	104686	State Retirement	379
	480301	8040	104686	Workers' Compensation	183
	480301	8070	104686	Unemployment Insurance	40

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Public Health as contained in PCR #03-284, this County Legislature hereby authorizes the abolishment of (1) Traffic Safety Program Coordinator position, Full Time, at budget line 480301.1000.104686, minimum salary of \$32,262, Grade 17, Union CSEA, effective 5/11/03, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Public Health as contained in PCR #03-285, this County Legislature hereby authorizes the creation of (1) Public Health Educator position, Part Time, at budget line 480301.1500.104686, minimum salary of \$33,939 FTE, Grade 18, Union CSEA, effective 5/12/03, and be it

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

Carried.

RESOLUTION NO. 162

By Finance and Health & Human Services Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR PUBLIC HEALTH

RESOLVED, that in accordance with a request from the Director of Public Health in order to maximize expenditures for the Broome Enhanced Water Supply Grant, as requested in BF# 004145 and 004146 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds for 2003:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
From:	480301	1000	104645	Salaries – Full Time	7,910
	480301	1500	104645	Salaries – Part Time	2,678
	480301	4359	104645	Computer Software	500
	480301	4362	104645	Enviro. Health Supplies	225
	480301	4461	104645	Mileage & Parking	2,250
	480301	4606	104645	Telephone Billing	875
	480301	8030	104645	Social Security	857
	480301	8040	104645	Workers' Compensation	185
	480301	8050	104645	Life Insurance	8
	480301	8060	104645	Health Insurance	2,843
	480301	8063	104645	Disability Insurance	86
	480301	8070	104645	Unemployment Insurance	835
To:	480301	1600	104645	Salaries – Temporary	7,213
	480301	4349	104645	Misc. Operational Supplies	1,525
	480301	4411	104645	Postage & Freight	25
	480301	4462	104645	Travel/Hotel/Meals	500
	480301	4605	104645	Co. Attorney Chargeback	250
	480301	4609	104645	Data Processing Chargeback	8,494
	480301	4618	104645	Office Supplies Chargeback	450
	480301	8010	104645	Sate Retirement	795

and be it

WHEREAS, said grant program provides funding to be used for marketing the one-stop system, incorporating the "Workforce of New York" logo and tag line and access to the National Toll-Free Help Line, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$4,166 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the WIA Marketing/Toll Free Help Line Grant to reflect an increase of \$4,166 for the period July 1, 2000 through June 30, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$19,166, and be it

FURTHER RESOLVED, that Resolutions 277 and 504 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 165

By Education, Culture & Recreation Committee

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AGREEMENT WITH THE BC OPEN AND BROOME COUNTY COMMUNITY CHARITIES, INC. FOR VOLUNTEER AND HANDICAPPED PARKING AT GRIPPEN PARK FOR 2003

WHEREAS, the Commissioner of Parks requests authorization for an agreement with the BC Open and Broome County Community Charities, Inc. for volunteer and handicapped parking at Grippen Park at no cost to the County, for the period July 16, 2003 through July 20, 2003, renewable for one year at Broome County's option, and

WHEREAS, said services are necessary to provide volunteer and handicapped parking for spectators and participants during the BC Open Golf Tournament, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the BC Open and Broome County Community Charities, P.O. Box 5571, Union Station, Endicott, New York 13763-5571, for volunteer and handicapped parking services during the BC Open for the period July 16, 2003 through July 20, 2003, renewable for one year at Broome County's option, and be it

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

Carried.

RESOLUTION NO. 166

By Public Works Committee

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF COLESVILLE FOR A RECYCLING DROP-OFF SITE FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2003

WHEREAS, the Commissioner of Public Works requests authorization for an Inter-Municipal Agreement with the Town of Colesville for a recycling drop-off site for the Division of Solid Waste Management, for the period May 1, 2003 through December 31, 2003, and

WHEREAS, the County will provide a roll-off container, service the roll-off and subsidize the processing of the recyclable materials, and

WHEREAS, the Town of Colesville will be responsible for the staffing, snow and ice removal, monitoring the container for non-recyclables, trash removal from the site, disposal costs associated with rejected loads and construction/repairs of a platform for residents to safely access the roll-off container, and

WHEREAS, Resolution 348 of 1992 that authorized an agreement with the Town of Colesville to indemnify the Town from and against any and all damages and claims, up to \$1,000,000, which may arise from the County's use of Town of Colesville property for a recycling drop-off site is hereby rescinded in its entirety, effective April 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an Inter-Municipal Agreement with the Town of Colesville for a recycling drop-off site, for the Division of Solid Waste Management, for the period May 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, Resolution 348 of 1992 that authorized an agreement with the Town of Colesville to indemnify the County from and against any and all damages and claims, up to \$1,000,000, which may arise from the County's use of Town of Colesville property for a recycling drop-off site is hereby rescinded in its entirety, effective April 30, 2003, and be it

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

Mr. Shafer made a motion, seconded by Mr. Miller, to amend the resolution to read in the third WHEREAS paragraph "...trash removal from the site and disposal costs associated with rejected loads, and" and the first FURTHER RESOLVED to read "...to indemnify the Town from and against any and all damages and claims...". **Amendment carried**, Ayes-16, Nays-3 (Hull, Reynolds, Whalen). Mr. Shafer made a motion to call the question, seconded by Mr. Paquale. **Motion to call the question carried**, Ayes-15, Nays-4 (Brunza, Burger, Mather, Schofield).

Resolution as amended failed, Ayes-7 (Brunza, Burger, Howard, Marinich, Mather, Miller, Shafer), Nays-12 (Hudak, Hull, Hutchings, Kolba, Kuzel, Lindsey, Nannery, Pasquale, Reynolds, Shafer, Whalen, Wike, Schofield).

RESOLUTION NO. 167

By Public Works and Finance Committees

Seconded by Mr. Burger

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 Locally Administered costs

and 100% of the non-Federal share of the State Administered costs of the Preliminary Engineering and Right-of-Way work, now, therefore, be it

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

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

FURTHER RESOLVED, that the sum of \$207,200, as previously appropriated pursuant to the 2000 C.I.P., Project 501358 (Highways/Engineering/Bridges), is made available to cover the cost of participation in the above phase of the Project, and be it

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

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

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

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Carried.

RESOLUTION NO. 168

By Public Works and Finance Committees

Seconded by Mr. Burger

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

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Delta Engineers, P.C. for professional consulting engineering services for the Department of Public Works at a cost not to exceed \$193,747, for the period May 1, 2003 through December 31, 2004, and

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

WHEREAS, said project is part of the Federal Aid and Marchiselli Aid Program with Federal funds paying 80 percent of the project, the State Marchiselli funds paying 15 percent and County funds paying the remaining 5 percent after reimbursements, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Delta Engineers, P.C., 164 Court Street, Binghamton, New York 13901, for professional consulting engineering services for the Department of Public Works, for the period May 1, 2003 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$193,747 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035022.4746.501358 (Engineering and Architectural Services), and be it

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

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

Carried.

RESOLUTION NO. 169

By Health & Human Services Committee

Seconded by Mr. Burger

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY YOUTH BUREAU ADVISORY BOARD

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 163 of 1971 and Resolution 133 of 1976, has duly designated and appointed the following named individuals to membership on the Broome County Youth Bureau Advisory Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Charity Lynn Spoor 303 Main Street Binghamton, New York 13905	New Appointment Term Expires 12/31/05
Noelle Chaddock Paley 417 June Street Endicott, New York 13760	New Appointment Term Expires 12/31/05

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 163 of 1971 and Resolution 133 of 1976 confirms the appointments of the above-named individuals to membership on the Broome County Youth Bureau Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 170

By Public Safety & Emergency Services Committee

Seconded by Mr. Burger

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY STOP-DWI ADVISORY BOARD

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 492 of 1981, has duly designated and appointed the following named individuals to membership on the Broome County STOP-DWI Advisory Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Gerald Johansen 134 Chapin Street Apt. 1R Binghamton, New York 13905	New Appointment Term Expires 12/31/03
David Nemeč 627 Chenango Street Binghamton, New York 13901	New Appointment Term Expires 12/31/03
Arthur Johnson 95 Phelps Street Binghamton, New York 13901	Reappointment Term Expires 12/31/03

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 492 of 1981, confirms the appointments of the above-named individuals to membership on the Broome County STOP-DWI Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 171

By Public Safety & Emergency Services Committee

Seconded by Mr. Burger

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

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Kay Brundza 310 Cyprus Lane Endicott, New York 13760	Reappointment Term Expires 12/31/03
Carl Fenescey 12 Summer Street Binghamton, New York 13901	Reappointment Term Expires 12/31/03
Gerald Mollen 4209 Emerson Place Binghamton, New York 13903	Reappointment Term Expires 12/31/03
Richard Lindhorst 129 Murphy Lane Newark Valley, New York 13811	Reappointment Term Expires 12/31/03
Hon. John Hillis 57 Moeller Street Binghamton, New York 13904	Reappointment Term Expires 12/31/03
David Harder 263 Stateline Road Binghamton, New York 13903	Reappointment Term Expires 12/31/03
James May 63 Park Street Binghamton, New York 13905	Reappointment Term Expires 12/13/03
Arthur Johnson 95 Phelps Street Binghamton, New York 13901	Reappointment Term Expires 12/31/03
Hon. Mary Ann Lehmann 128 Helen Street Binghamton, New York 13905	Reappointment Term Expires 12/31/03

Marcia DiRose 4 Macon Street Binghamton, New York 13903	Reappointment Term Expires 12/31/04
Lynne Giacobbe 2661 Grandview Place Endicott, New York 13760	Reappointment Term Expires 12/13/04
Douglas Stento 32 Rosedale Drive Binghamton, New York 13905	Reappointment Term Expires 12/13/04
Hon. Martin Smith 12 Chadwick Road Binghamton, New York 13903	Reappointment Term Expires 12/31/03
Jay Wilbur 3714 Highway Drive Endicott, New York 13760	New Appointment Term Expires 12/13/03

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
 RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 61 of 1985, confirms the appointments of the above-named individuals to membership on the Broome County Criminal Justice Advisory Board (CJAB) for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 172

By County Administration and Finance Committees Seconded by Mr. Burger
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WEST GROUP (WESTLAW)
 FOR COMPUTERIZED LEGAL RESEARCH SERVICES FOR THE DEPARTMENT OF LAW
 FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 507 of 2001, authorized an agreement with West Group for computerized legal research services for the Department of Law at a cost not to exceed \$11,500, for the period December 1, 2001 through December 31, 2002, and

WHEREAS, said services are necessary to enable the attorneys, paralegal and interns of the Law Department to research case law and the statutes, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$12,500 per year for the period January 1, 2003 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with West Group, 15 Riverferry Way, Rochester, New York 14608 which allows the Law Department to participate in the West Group (Westlaw) New York State Office of General Services Combined Usage Service Agreement and have access to the Westlaw databases in order to conduct computerized legal research for the period January 1, 2003 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$85.00 per month, per user, for Plan 2B and an amount not to exceed \$50.00 per month, per user, for Plan 2D with proprietary services billed at the prevailing hourly rate for a total cost not to exceed \$12,500 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 39005.4726.10100 (Contracted Data Processing), and be it

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

RESOLUTION NO. 173

By Personnel, Health & Human Services and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR OFFICE FOR AGING AND PERSONNEL

RESOLVED, that in accordance with a request from the Director of the Office for Aging as contained in PCR #03-282, this County Legislature hereby authorizes the creation of (1) Sr. Account Clerk position, Full Time, at budget line 761056.1000.104659, minimum salary of \$21,643, Grade 9, CSEA, effective 4/28/03, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Office for Aging as contained in PCR #03-283, this County Legislature hereby authorizes the creation of (1) Account Clerk position, Full Time, at budget line 760017.1000.101000, minimum salary of \$19,625, Grade 7, CSEA, effective 4/28/03, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Office for Aging as contained in PCR #03-281, this County Legislature hereby authorizes the abolishment of (1) Senior Account Clerk position, Full Time, at budget line 760017.1000.101000, minimum salary of \$21,643, Grade 9, CSEA, effective 4/28/03, and be it

FURTHER RESOLVED, that in accordance with a request from the Personnel Officer as contained in PCR #03-290, this County Legislature hereby authorizes the abolishment of (1) Personnel Clerk position, Full Time, at budget line 400002.1000.101000, minimum salary of \$21,124, Grade 9, Admin I, and the creation of (1) Personnel Assistant position, Full Time, at budget line 400002.1000.101000, minimum salary of \$23,226, grade 11, Admin I, effective 5/19/03, and be it

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

Carried.

RESOLUTION NO. 174

By Finance Committee Seconded by Mr. Burger
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MARSH USA FOR CASUALTY INSURANCE DURING THE PERIOD AUGUST 19, 2002 THROUGH AUGUST 19, 2003

WHEREAS, this County Legislature, by Resolution 419 of 2002, authorized an agreement with Marsh USA for casualty insurance for County property, boilers and machinery and inland marine at a cost not to exceed \$298,584 for the period August 19, 2002 through August 19, 2003, and

WHEREAS, the County recently acquired senior centers in Whitney Point and Endwell and it is necessary to provide casualty insurance coverage for said facilities, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide coverage for the newly acquired facilities for an additional \$2,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Marsh USA, P.O. Box 4988, Syracuse, New York 13221-4988 to add the newly acquired senior centers in Whitney Point and Endwell to the list of covered properties from the date of acquisition through August 19, 2003, and be it

FURTHER RESOLVED, that in consideration of said additional coverage, the County shall pay the Contractor an additional amount of \$2,000, total amount not to exceed \$300,584 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4521.254000 (Insurance Premiums), and be it

FURTHER RESOLVED, that Resolution 419 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 175

By County Administration and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AN AGREEMENT WITH EXIGENT COMPUTER GROUP, AND VARIOUS STATE CONTRACT VENDORS FOR THE BROOME COUNTY CLERK'S OFFICE FOR THE LEASE/PURCHASE AND FINANCING OF COMPUTER HARDWARE, SOFTWARE, AND SUPPLIES FOR 2003-2008

WHEREAS, the Broome County Clerk requests authorization for an agreement with Exigent Computer Group and various state contract vendors for the purchase, installation, and maintenance of computer hardware, software, and supplies for the Broome County Clerk's Office at a cost not to exceed \$492,606.25, for the period of June 1, 2003 through December 31, 2008, and

WHEREAS, said purchase involves execution of a lease/purchase agreement with IBM Credit, LLC pursuant to General Municipal Law, Section 109-b governing installment purchase agreements, and

WHEREAS, said agreements are necessary to purchase an IBM AS400 I-Series 800, a 420 gigabyte disc drive to add to the Shark Enterprise Data Storage System, and additional software and support for the Broome County Clerk's Office, and

WHEREAS, said equipment and financing is included in the New York State Office of General Services Contract Group P006142 and Group 79033, and

WHEREAS, lease-purchase financing provides for improved cash flow, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with Exigent Computer Group, 400 Executive Parkway, Suite 275, San Romon, California 94583, and various New York State contract vendors for the purchase, installation, and maintenance of an IBM AS400 I-Series 800 and additional software; and for the purchase, installation, and maintenance of a 420 gigabyte disc drive to add to the Shark Enterprise Data Storage System; for the period of June 1, 2003 through December 31, 2008, at a total cost of \$492,606.25, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with IBM Credit, LLC, 56 Briar Hill Road, Orchard Park, NY 14127, to provide financing in the amount of \$442,606.25 (\$7,376.77 per month for 60 months), and be it

FURTHER RESOLVED, that the balance of the purchase price, in the amount of \$50,000, shall be paid from budget line 300012.4359.101000 (Computer Software, Hardware, and Supplies), and be it

FURTHER RESOLVED, that the County is authorized to trade in the currently owned AS400 model 720 to offset the total cost of the project, and

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

Carried.

RESOLUTION NO. 176

By County Administration and Public Safety & Emergency Services Committees
Seconded by Mr. Burger

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 2 OF 2003 ENTITLED, "A LOCAL LAW AMENDING CHAPTER 120 OF THE BROOME COUNTY CHARTER AND CODE PROVIDING FOR AN EXCLUSIVE LOCAL PUBLIC SERVICE ANSWERING POINT FOR WIRELESS SERVICES"

RESOLVED, that Local Law Intro. No. 2 of 2003, entitled "A Local Law Amending Chapter 120 of the Broome County Charter and Code, as amended, providing for an exclusive local public service answering point for wireless services," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 2 OF 2003

**"A Local Law Amending Chapter 120 of Broome County Charter and Code,
as Amended, Providing for an Exclusive Local Public Service
Answering Point for Wireless Services"**

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

Section 1. Name. Chapter 120-12

This Local Law shall be known as the Broome County Local Public Service Answering Point for Wireless Services Law, amending Chapter 120 of the Broome County Charter and Code.

Section 2. Findings and Declaration of Intent. Chapter 120-13

The Broome County Legislature recognizes the paramount importance of the health, safety and welfare of the citizens of the County and further recognizes that when the lives or property of its citizens are in imminent danger that appropriate assistance must be rendered as expeditiously as possible.

The County Legislature further recognizes that such assistance is increasingly summoned by wireless communications including but not limited to cellular telephones, and that unintentional, though avoidable, delays in reaching appropriate emergency aid would occur to the detriment and jeopardy of life and property if such wireless E911 calls from within Broome County were routed to anywhere other than directly to the single countywide Broome County Public Service Answering Point (PSAP) which is under the jurisdiction of the Broome County Department of Emergency Services.

The County Legislature further finds that the Broome County Public Service Answering Point (PSAP) has the most accurate, current and extensive data concerning Broome County's geography, roadways, landmarks, emergency service resources and similar information of critical importance in emergency situations and can immediately dispatch the number and type of emergency services the situation requires.

The County Legislature further finds and declares that by the enactment of the provisions of this Local Law, it is the intent of the County Legislature to fulfill its obligation to provide for the health, safety and welfare of the people of this County by mandating the direct routing of all E911 calls, including wireless calls, by service suppliers directly to the Broome County Public Service Answering Point (PSAP) so as to facilitate the rendering of emergency services as expeditiously and effectively as possible.

Section 3. Definitions. Chapters 120-14

For the purposes of this Local Law:

- a) "Wireless Telephone Service" means all commercial mobile services, as that term is defined in Section 332(d) of Title 47, United States Code, or other applicable law, including all broadband personal communications services, wireless radio telephone services, geographic area specialized and enhanced specialized mobile radio services, and incumbent wide area specialized mobile radio licensees, which offer real time, two-way voice service that is interconnected with the public switched telephone network.
- b) "Wireless telephones service supplier" means any entity or person which provides wireless telephone service in New York State.
- c) Broome County Public Service Answering Point or Broome County "PSAP" means the site designated and operated by the County of Broome through the Department of Emergency Services for the purpose of receiving emergency calls including those from a wireless telephone service and dispatching needed emergency services.

Section 4. Routing. Chapter 120-15

All wireless telephone service suppliers doing business in Broome County shall route all E911 emergency calls originating in Broome County to the Broome County Public Service Answering Point (PSAP).

Section 5. Effective Date. Chapter 120-16

This law shall be effective upon filing with the Secretary of State.
Carried, Ayes-18, Nays-1 (Brunza).

RESOLUTION NO. 177

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Burger
RESOLUTION REQUESTING MUNICIPAL HOME RULE LEGISLATION AMENDING COUNTY LAW §308-A TO PROVIDE FOR A BROOME COUNTY WIRELESS SURCHARGE

WHEREAS, this County Legislature by companion resolution enacting Local Law Intro No. 2 of 2003, which mandates that cellular phone service providers route all E911 cell phone calls originating in Broome County to the Broome County Public Safety Answering Point (PSAP) operated by the Department of Emergency Services, and

WHEREAS, having all cell phone E911 calls routed to the Broome County PSAP will allow more timely and more accurate dispatching, and

WHEREAS, the volume of cell phone E911 calls is expected to increase, and

WHEREAS, as a result of the anticipated increased expenses associated with obtaining, maintaining and installing the cellular E911 equipment and providing the emergency dispatching, and

WHEREAS, the Director of Emergency Services has requested that this County Legislature seek authority from the New York State Legislature to impose a 30 cents per month cell phone surcharge on each wireless communication device used by a wireless customer whose primary place of use is within Broome County, now, therefore be it

RESOLVED, that this County Legislature hereby requests the New York State Assembly and Senate to pass municipal home rule legislation amending County Law §308-a to provide that the Broome County Legislature may establish a County of Broome wireless surcharge in an

amount not to exceed 30 cents per month on each wireless communication device in connection with wireless communication service provided customers whose place of primary use is within Broome County, and be it

FURTHER RESOLVED, that the revenue derived from said surcharge may only be expended for the payment of E911 system costs or other costs associated with the design, construction, operation, maintenance, and administration of the public safety communications network serving Broome County, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a copy of this Resolution to the Home Rule Offices of the New York State Assembly and Senate and to the offices of local state legislators.

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

RESOLUTION NO. 178

By All Members

Seconded by Mr. Whalen

RESOLUTION OF CONDOLENCE ON THE DEATH OF WILLIAM D. BENNETT

WHEREAS, former Broome County Supervisor and Legislator and City of Binghamton Councilman, William D. Bennett, from the 7th Ward and 3rd Legislative District, passed away on the 24th day of March, 2003, and

WHEREAS, William D. Bennett served the citizens of Broome County and the City of Binghamton for 36 years as the 7th Ward Supervisor on the former Broome County Board of Supervisors for 16 years (1952-1967), 7th Ward representative on City Council for 12 years (1968-1979) and as 3rd District Broome County Legislator for eight years (1981-1988), and

WHEREAS, William D. Bennett, during the course of his public service to the County and to the City served on a variety of committees, "commanded" the respect of his peers and was well known as the "Ambassador of Good Will" for his beloved City of Binghamton, and

WHEREAS, William D. Bennett, after 30 years of public service, was honored by Resolution of the County Legislature in 1982 as an individual "**dedicated to the service of the people of the City of Binghamton and the County of Broome**" and for his "**selfless dedication to the common good**", and

WHEREAS, William D. Bennett, a person long on compassion for his friends and constituents and always willing to compromise to settle an issue, was nominated during his service to the County to be Chairman of the Board of Supervisors in 1965 and the County Legislature in 1982, and

WHEREAS, William D. Bennett will long be remembered as a bi-partisan politician among his circle of friends and colleagues, and

WHEREAS, the Broome County Legislature, acting for the citizens of the Broome County Community, wishes to record its condolences in the official proceedings of this body, now, therefore, be it

RESOLVED, that the members of this County Legislature hereby recognize the loss of a dedicated public official and friend, William D. Bennett, and extend their sincere sympathy to his family, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to place this resolution in the minutes of the Regular Session of the County Legislature held on April 17, 2003.

Carried.

RESOLUTION NO. 179

By Finance Committee

Seconded by Mr. Miller

BOND RESOLUTION DATED APRIL 17, 2003

RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,100,100 BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY THE COST OF VARIOUS CAPITAL PROJECTS

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

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

<u>Project Name/P.P.U./L.F.L. Section 11.00</u>	<u>Maximum Estimated Cost</u>
Airport Fire/Rescue Facility Rehabilitation (15 yrs, Sub §12(a)(2))	1,050,000
Airport Utility Enhancement Project, Phase II (10 yrs, Sub §14)	850,000
Passenger Boarding Bridge Purchase (5 yrs, Sub §32)	450,000
Purchase Snow Removal Equipment (5 yrs., Sub §28)	200,000
Total	\$2,550,000

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

Section 3. The aggregate maximum estimated cost of the aforesaid classes of objects or purposes or specific objects or purposes is \$2,550,000 and the plan for financing thereof is by the issuance of \$1,100,100 bonds of said county, hereby authorized to be issued therefore pursuant to the local Finance Law, by the application of \$945,000 monies to be received from the Federal government to be allocated entirely to the Airport Fire/Rescue Facility Rehabilitation; by the application of \$324,900 to be received from the Federal government to be allocated entirely to the Passenger Boarding Bridge purchase; and by the application of \$180,000 to be received from the Federal government to be allocated entirely to the Purchase Snow Removal Equipment Project, provided, however, that the amount of bonds to be issued shall be reduced to the extent of Federal and/or State grants received in connection therewith there being anticipated \$52,500 monies to be received from the State government to be allocated entirely to the Airport Fire/Rescue Facility Rehabilitation; \$18,050 monies to be received from the State government to be allocated entirely to the Passenger Boarding Bridge Purchase; and \$10,000 monies to be received from the State government to be allocated entirely to the Purchase Snow Removal Equipment Project.

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

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief

fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provision of the Local Finance Law.

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

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

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

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

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

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

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

RESOLUTION NO. 180

By Finance Committee

Seconded by Mr. Hull

RESOLUTION WITH RESPECT TO THE AMENDMENT OF SALES AND COMPENSATING USE TAX IN BROOME COUNTY

WHEREAS, Section 1210 of the tax law currently permits Broome County to impose an additional one percent sales and compensating use tax, and

WHEREAS, said authorization expires on November 30, 2003, and

WHEREAS, Broome County wishes to have said authorization extended by the New York State Legislature for an additional two years to November 30, 2005, and

WHEREAS, the Broome County Legislature wishes to have the option to impose a further additional rate of not more than one-half of one percent for a maximum County rate of four and one-half percent during the period commencing December 1, 2003 and ending November 30, 2005, with said monies raised by said additional tax to be used to pay increases in the local share of the costs of Medicaid and other state mandated programs, and

WHEREAS, Broome County requests that the tax law including, but not limited to Section 1224, be amended to state that the additional one percent sales and compensating use tax and any additional sales and compensating use tax imposed by the Broome County Legislature

during the period December 1, 2003 through November 30, 2005 should be solely for county purposes and not subject to preemption, now, therefore, be it

RESOLVED, that this County Legislature requests that the New York State Legislature adopt an amendment to Section 1210 of the tax law authorizing and empowering the County of Broome to impose an additional one percent sales and compensating use tax through November 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature requests that the New York Legislature adopt an amendment to Section 1210 of the tax law authorizing and empowering the County of Broome, at the option of the Broome County Legislature, to adopt a further additional rate of not more than one-half of one percent for a maximum County rate of four and one half percent during the period December 1, 2003 through November 30, 2005 in addition to the three percent rate authorized by Section 1210 of the tax law and in addition to the additional one percent rate authorized for the period December 1, 2003 to November 30, 2005, to be used to pay increases in the local share of Medicaid and other state mandated expenses with any such additional rate to take effect only on one of the following dates: March first, June first, September first or December first provided that a certified copy of the resolution or local law enacting any such additional sales and compensating use tax rate shall first have been mailed by certified mail to the New York State Commissioner of Taxation and Finance ninety days prior to the effective date, and be it

FURTHER RESOLVED, that this County Legislature requests that the New York State Legislature adopt an amendment to the Tax Law including, but limited to, Section 1224 of the Tax Law to state that the additional one percent sales and compensating use tax and, if the option is exercised by the Broome County Legislature, any additional sales and compensating use tax up to a maximum of one half of one percent for a total additional sales and compensating use tax of up to a maximum of one and one-half percent shall be solely for county purposes and not subject to preemption, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a certified copy of this Resolution to the New York State Legislature.

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

RESOLUTION NO. 181

By Health & Human Services Committees

Seconded by Mr. Reynolds

RESOLUTION SUPPORTING THE AMENDMENT TO THE NEW YORK MENTAL HYGIENE LAW SUBSECTION 43.03(c) RELATING TO THE COSTS OF SERVICES FOR COURT-ORDERED PATIENTS AT STATE OPERATED MENTAL HYGIENE FACILITIES

WHEREAS, New York Mental Hygiene Law, Section 43.03(c) mandates a county cost for persons receiving services, pursuant to a court order, at a state-operated inpatient facility for indefinite/extended periods of time, and

WHEREAS, Counties are mandated to incur the cost of court ordered chargebacks which are haphazard, disproportionate, and which cannot be forecast or planned for, and

WHEREAS, Broome County has incurred substantial expenses related to court ordered placement of individuals from Broome County courts, and

WHEREAS, New York Mental Hygiene Law Section 43.03(c) is outdated and inconsistent with other provisions of law, policies and practices which have been consistently enacted and established by the State Legislature, and

WHEREAS, legislation to amend the current statute to limit such county chargebacks to thirty-days would mitigate this unfair, unfunded mandate and ease an unwarranted fiscal burden placed upon counties, and

WHEREAS, Broome County recommends action to seek financial relief, now, therefore, be it

RESOLVED, that the Broome County Legislature supports the State Legislature in adopting legislation that would amend New York Mental Hygiene Law Section 43.03 (c), and be it

FURTHER RESOLVED, that the Broome County Legislature urges the State Legislative representative delegation to support and urge the amendment of section New York Mental Hygiene Law Section 43.03 (c), and be it

FURTHER RESOLVED, that copies of this resolution be sent to Assemblyman Clifford Crouch, Assemblyman Gary Finch, Assemblyman Robert Warner, Senator Charles Schumer, Senator Hillary Clinton, Senator Thomas W. Libous, Commissioner James L. Stone, Commissioner Thomas Maul, the NYS Association of Counties, The NYS Conference of Local Mental Hygiene Directors, and the Director/Commissioner of Community Services.

Carried.

Mr. Howard made a motion to adjourn, seconded by Mr. Kolba. **Motion to adjourn carried.** The meeting was adjourned at 6:21 p.m.

