
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, OCTOBER 19, 2000**

The Legislature convened at 4:05 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augostini, had read the fire exit announcement and called the Attendance Roll at the previous special session and the Attendance Roll remained at Present 19, Absent 0.

Mr. Wike made a motion, seconded by Mr. Mather, that the minutes of the Regular Sessions of September 21, 2000 and October 2, 2000 be approved as prepared and presented by the Clerk.
Carried.

Mr. Schofield noted that the committee minutes for the period September 15, 2000 through October 12, 2000 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 and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. Burger and seconded by Mr. Miller.
Carried.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

- a. Declaration of Public Emergency with Regard to the Chenango Bridge Nursing Home

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. Petitions: None

B. Communications:

1. Minutes from:
 - a. Environmental Management Council
 - b. Binghamton Regional Airport (Progress Meeting #43)
 - c. Broome County Soil & Water Conservation District
 - d. Cornell Cooperative Extension of Broome County
 - e. Town of Nanticoke, letter re: Sales Tax Apportionment

C. Notices: None

D. Reports:

1. Audit and Control: Single Audit Report – year ending December 31, 1999, Expenditures of Federal Awards
2. NY-Penn Health Systems Agency, Broome Medicaid 2001
3. Purchasing Department: Year 2000 Auction
4. Veterans Support Council, Financial Statement, year ended December 31, 1999

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Chair Daniel A. Schofield introduced Jeffrey P. Kraham, County Executive, who proceeded to acknowledge the Broome County STOP-DWI Program and its excellent record as the most successful in New York State. Following a brief statement by Gerald Mollen, District Attorney, presentation of awards were made by Mr. Kraham, James May and Gerald Mollen as follows:

Binghamton Police Department

William Mooney accompanied by Chief Joseph Lynch

Binghamton University Police

Patrick F. McManamon accompanied by Lt. Thomas Cuddy

Broome County Sheriff's Office

Shaun Carnevale accompanied by Sheriff David Harder

Endicott Police Department
Keith Tondeur accompanied by Capt. Thomas Richards
Johnson City Police Department
Edward O'Hara accompanied by Chief Stephen A. Korutz
New York State Police
Michael S. Boburka accompanied by Capt. Martin Hansen and Major William Foley
Port Dickinson Police Department
Marc A. Ayers accompanied by Chief Lowell W. Stever
Vestal Police Department
Ben Hettinger accompanied by Chief Kenneth Rounds

Letters from the Chair, Daniel A. Schofield:

1. Appointing the following Legislators for Brian K. Mather
 - a. Jane Sweet as Acting Chair, Personnel Committee, October 9, 2000
 - b. Arlene Nannery as voting representative, Public Safety and Emergency Services Committee, October 11, 2000
 - c. Arlene Nannery as voting representative, Finance Committee, October 12, 2000
2. Appointing Vincent Pasquale as voting representative for Mark Whalen, Health Services Committee, October 10, 2000

Mr. Burger made a motion, seconded by Mr. Kolba, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2000 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.
Carried.

Mrs. Sweet and Mr. Kavulich were designated as participants with Chairman Schofield in the 'Short Roll Call'.

RESOLUTION HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 506

(Held over by Mr. Pasquale)

By County Administration and Finance Committee Seconded by Mr. Wike
RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 15, 2000 ENTITLED: "A LOCAL LAW AMENDING §C603 OF THE BROOME COUNTY CHARTER AND CODE". Carried, Ayes-17, Nays-2 (Kavulich, Whalen).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 507

By County Administration and Finance Committees Seconded by Mr. Wike
RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH OUTSOURCING SERVICES INTERNATIONAL (OSI) FOR PROFESSIONAL SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2000

WHEREAS, this County Legislature, by Resolution 296 of 2000, authorized an agreement with Outsourcing Services International (OSI) for two technicians, 40 hours per week per technician, at a rate of \$30 per hour per technician, total cost not to exceed \$19,200 for the period April 24, 2000 through June 30, 2000, and

WHEREAS, said services are necessary to assist the staff of the Division of Information Technology in preparing all County PC's for the upgrade in network hardware and other computer services as needed, and

WHEREAS, it is necessary to authorize an amendment to extend the term of the agreement to December 31, 2000 at an additional amount of \$28,800 for the services of one technician, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Outsourcing Services International (OSI), 601 Gates Road, P. O. Box 156, Vestal, New York 13851-0156 to extend the term of this agreement to December 31, 2000 for an additional amount of \$28,800, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$30 per hour, 40 hours per week for one technician, total amount not to exceed \$28,800 for the period July 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370032.4726.502334 (Contracted Data Processing), and be it

FURTHER RESOLVED, that Resolution 296 of 2000, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 508

By Health Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH VARIOUS VENDORS TO PROVIDE SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION AND PRESCHOOL EDUCATION PROGRAMS FOR 2001

WHEREAS, the Director of Public Health requests authorization for agreements with various vendors for services for the Early Intervention and Preschool Education Programs, at rates set by New York State and Broome County Department of Health, total not to exceed budget appropriations, and

WHEREAS, said services are necessary to provide various services, including itinerant speech, occupational and physical therapies, special education, medical services (including psychological evaluations, social history, physical examinations and non-physical evaluation), classroom and personal care aides, service coordination, interpreters, nursing services and counseling, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various vendors for services as listed on Exhibit "A" for the Department of Health's Early Intervention and Preschool Education Programs, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates set by the New York State Department of Health as listed on Exhibit "B" for the period January 1, 2001 through December 31, 2001 for the Early Intervention Program and rates set by Broome County Department of Health as listed on Exhibit "C" for the period January 1, 2001 through June 30, 2001 for the Preschool Education Program, total not to exceed budget appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480293.4706.101081 (Rehabilitation and Therapy Services), 480293.various.101081 and 480293.various.101082, 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. 509

By Transportation and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH TRAPEZE SOFTWARE GROUP FOR PURCHASE OF SOFTWARE FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION FOR 2000-2001

WHEREAS, the Commissioner of Public Transportation requests authorization for an agreement with Trapeze Software Group for purchase of software, training and support services for the Department of Public Transportation at a cost not to exceed \$66,623, for the period November 1, 2000 through December 31, 2001, and

WHEREAS, said agreement is necessary to purchase paratransit scheduling and dispatching services software and provide installation, training and support services for the Department of Public Transportation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Trapeze Software Group, 14400 North 87th Street, Suite 200 Bldg. A, Scottsdale, Arizona 85260, for purchase of software and installation, training and support services for the Department of Public Transportation for the period November 1, 2000 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$66,623 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 220004.4359.203000 (Computer Software), and be it

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

Carried.

RESOLUTION NO. 510

By Finance Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES, PENALTIES AND INTEREST ON PARCELS IN VARIOUS TOWNS IN BROOME COUNTY

WHEREAS, it is necessary to cancel taxes, interest and penalties on the parcels of real property by virtue of the reasons stated on attached Exhibit "A", now, therefore, be it

RESOLVED, that taxes will be cancelled on the parcels of real property as listed on attached Exhibit "A".

Carried.

RESOLUTION NO. 511

By Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES FOR 2000-2001

WHEREAS, this County Legislature, by prior resolutions, authorized hourly rates for various non-union, temporary and seasonal employees, and

WHEREAS, it is desired at this time to amend the hourly rate schedule for 2000-2001 for the various positions as indicated below, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary and seasonal employees for 2000-2001 for the various positions as indicated below.

**2000-2001
RECOMMENDED SALARY SCHEDULE
NON-UNION TEMPORARY AND SEASONAL EMPLOYEES**

	<u>Current</u>	<u>Recommended</u>
Court Attendant	6.50	6.90*
Court Attendant (Family Court)	7.50	7.90*
Senior Court Attendant	8.50	8.90*
Security Officer	8.40	8.75 (effective 1/2001)

*Court Attendant costs are reimbursed under the contract for 4/1/00 through 3/31/01 and will be adjusted upon final ratification of the contract.

Security Officer is a new title for seasonal employees, who are not appointed from a civil service list, but are performing the same duties as Security Officer I.

Carried.

RESOLUTION NO. 512

By Health Services, Personnel and Finance Committees Seconded by Mr. Wike
RESOLUTION AUTHORIZING REVISION OF IMMUNIZATION ACTION PLAN GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1999-2001

WHEREAS, this County Legislature, by Resolution 505 of 1999, authorized the continued participation in the Immunization Action Plan Grant by the Department of Health and adopted a program budget in connection therewith in the total amount of \$24,500 for the period November 1, 1999 through October 31, 2000, and

WHEREAS, said grant is intended to increase public understanding for the need for immunizations for infants and toddlers and provide additional clinics for immunization, and

WHEREAS, it is necessary at this time to revise said program to extend the grant to March 31, 2001 and reflect an increase in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Immunization Action Plan Grant in the amount of \$10,208 for the period November 1, 1999 through March 31, 2001, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$34,708, and be it

FURTHER RESOLVED, that Resolution 505 of 1999, 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) are 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. 513

By Public Works and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH JENNINGS ENVIRONMENTAL MANAGEMENT, INC. FOR AIR QUALITY MONITORING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000-2002

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Jennings Environmental Management Inc. for air quality monitoring services for the Department of Public Works for the period October 1, 2000 through September 30, 2002, pursuant to the rate schedule attached hereto as Exhibit "A", total cost not to exceed \$30,000, and

WHEREAS, said services are necessary to provide air quality monitoring services on an "as needed" basis for projects by various Broome County departments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Jennings Environmental Management, Inc., P.O. Box 831, Binghamton, New York 13903 for air quality monitoring services on an "as needed" basis, for the period October 1, 2000 through September 30, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor in accordance with the rate schedule attached hereto as Exhibit "A", total cost not to exceed \$30,000, for the term of the agreement, and be it

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

FURTHER RESOLVED, that this agreement shall include two one-year renewal provisions, at Broome County's option, with the rates subject to renegotiation between the County and the Contractor, 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. 514

By Public Works, Health Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AN AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC. FOR PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000-2002

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with O'Brien & Gere Engineers, Inc. for professional architectural/engineering services for the Willow Point Nursing Home dietary renovations, Phase II project for the Department of Public Works at a cost not to exceed \$381,205, for the period October 1, 2000 through December 31, 2002, and

WHEREAS, said services are necessary for the Willow Point Nursing Home dietary and electrical distribution renovations, including numerous upgrades to the food service operations and the upgrades to the electrical distribution system located throughout the North and South wings that have not been upgraded since their construction 30 years ago, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York 13850, for professional architectural/engineering services for the Willow Point Nursing Home dietary and electrical distribution renovations, Phase II, for the Department of Public Works for the period October 1, 2000 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$381,205 for the term of the agreement, and be it

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

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

Carried.

RESOLUTION NO. 515

By Public Works and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SYRACUSE SUPPLY FOR EQUIPMENT RENTAL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2000

WHEREAS, the Board of Acquisition and Contract approved CA#1732-48 which authorized an agreement with Syracuse Supply for rental of equipment for the Division of Solid Waste Management at a cost of \$3,682 per month, for the period July 7, 2000 through August 3, 2000, and

WHEREAS, said agreement provides for the rental of a CAT D5C Wide Track Dozer required for Nanticoke Landfill Roads at the Hoskins Road Dump Cleanup Site and to complete roadwork currently being conducted, and

WHEREAS, it is necessary to authorize a two-month extension of the agreement resulting in an increase of \$7,364, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Syracuse Supply, 55 Industrial Park Drive, Binghamton, New York 13904, for an increase in the amount of \$7,364 for rental of a CAT D5C Wide Track Dozer for the Division of Solid Waste Management for the extended period of July 7, 2000 through September 29, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$11,046, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4512.206000 (Outside Rental-Machinery), and be it

FURTHER RESOLVED, that CA#1732-48 of 2000, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 516

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001

WHEREAS, this County Legislature, by Resolution 485 of 1999, as amended by Resolutions 27, 217 and 322 of 2000 and budget transfers totaling \$1,331,301, authorized and approved the continued participation in the Home Energy Assistance Program (HEAP) Grant for the Department of Social Services and adopted a program budget in the amount of \$2,411,280 for the period November 15, 1999 through November 15, 2000, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$127,941 for the period November 15, 2000 through November 15, 2001, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$127,941 from the New York State Department of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243-0001, for the Department of Social Services Home Energy Assistance program (HEAP) grant for the period November 15, 2000 through November 15, 2001, 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 \$127,941, and be it

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

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

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

Carried.

RESOLUTION NO. 517

By Health Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH UNI/CARE SYSTEMS, INC. FOR SOFTWARE PURCHASE AND INSTALLATION FOR THE DEPARTMENT OF MENTAL HEALTH FOR 1999-2001

WHEREAS, this County Legislature, by Resolution 612 of 1999, as amended by Resolution 126 of 2000, authorized an agreement with UNI/CARE Systems, Inc. for software purchase and installation for the Department of Mental Health at a cost \$104,110, for the period November 15, 1999 through December 31, 2000, and

WHEREAS, said agreement provides for the purchase and installation of Management Information Systems software for billing and clinical reporting purposes, and

WHEREAS, it is necessary to authorize the amendment to said agreement increasing the cost by \$47,100 in order to provide for the purchase of the Care Management Component of the Management Information System software and extend the term of the contract to provide for monthly maintenance fees, telephone support and training for the Department of Mental Health, and

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

RESOLVED, that this County Legislature hereby authorizes an increase to the agreement with UNI/CARE Systems, Inc., 150 Preston Executive Drive, Suite 202, Cary, New York 27513, in the amount of \$47,100 for the purchase of the Care Management Component of the Management Information System software which includes monthly maintenance fees and telephone support and training, for the Department of Mental Health and extends the term of said agreement to November 15, 1999 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor and additional \$47,100, total amount not to exceed \$151,210, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4359.101000 (Computer Software and Supplies), and be it

FURTHER RESOLVED, that Resolution 612 of 1999 and Resolution 126 of 2000, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 518

By County Administration and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GEAC ENTERPRISE SOLUTIONS, INC. (f/k/a GEAC COMPUTER SYSTEMS, INC.) FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2001

WHEREAS, this County Legislature, by Resolution 546 of 1999, authorized renewal of the agreement with GEAC Computer Systems, Inc. for software maintenance for the Division of Information Technology at an amount not to exceed \$36,798.94, for the period January 1, 2000 through December 31, 2000, and

WHEREAS, said services are necessary for maintenance of Broome County's MSA Payroll/Personnel software, and

WHEREAS, said agreement expires by its terms on December 31, 2000, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$39,005.70, for the period January 1, 2001 through December 31, 2001, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of an agreement with GEAC Enterprise Solutions, Inc. (f/k/a GEAC Computer Systems, Inc.), 66 Perimeter Center East, Atlanta, Georgia 30346-1805 for Broome County's MSA Payroll/Personnel software maintenance for the Division of Information Technology for the period January 1, 2001 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$39,005.70 for the term of the agreement, and be it

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

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

Carried.

RESOLUTION NO. 519

By County Administration and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH KPMG CONSULTING FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2001

WHEREAS, this County Legislature, by Resolution 482 of 1999, authorized the renewal of an agreement with KPMG Peat Marwick for software maintenance for the Division of Information Technology, at an amount not to exceed \$60,200, for the period January 1, 2000 through December 31, 2000, and

WHEREAS, said services are necessary for the maintenance of Broome County's FAMIS financial and BPREP budget preparation software, and

WHEREAS, said agreement expires by its terms on December 31, 2000, and it is desired at this time to renew said agreement on substantially similar terms and conditions with an increase in cost, for an amount not to exceed \$69,100, for the period January 1, 2001 through December 31, 2001, now, therefore, be it

Willow Point Nursing Home in the Town of Vestal for the period September 30, 1999 through September 30, 2000, and

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

WHEREAS, said agreement expires by its terms on September 30, 2000 and it is desired at this time to renew said agreement on substantially similar terms and conditions at no cost to Time Warner Cable, Inc. or the County for the period October 1, 2000 through September 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Time Warner Cable, Inc., P.O. Box 2086, Binghamton, New York 13902 for an easement running through land owned by Broome County at the Willow Point Nursing Home in the Town of Vestal for the period October 1, 2000 through September 30, 2003, and be it

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

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

RESOLUTION NO. 524

By Health Services Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE ADOPTION OF THE CORPORATE COMPLIANCE PROGRAM FOR THE WILLOW POINT NURSING HOME

WHEREAS, the Office of the Inspector General (OIG) has suggested that all nursing homes develop a Corporate Compliance Program to engage the health care community in combating fraud and abuse, and

WHEREAS, the Administrator of the Willow Point Nursing Home in conjunction with the Broome County Personnel Office has prepared a proposed Corporate Compliance Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the enactment of the Corporate Compliance Program for the Willow Point Nursing Home attached heretofore as Exhibit "A".
Carried.

RESOLUTION NO. 525

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SOCIAL SECURITY ADMINISTRATION FOR REPORTING CERTAIN INFORMATION ABOUT PERSONS CONFINED IN THE BROOME COUNTY CORRECTIONAL FACILITY

WHEREAS, this County Legislature, by Resolution 207 of 1999, authorized an agreement with the Social Security Administration whereby in return for the Sheriff providing certain information to the Social Security Administration about persons confined in the Broome County Correctional Facility, Broome County will receive incentive payments, and

WHEREAS, said services to be provided by Broome County pursuant to this agreement will not result in any expenditures by Broome County, and

WHEREAS, a new contract has been issued from the Social Security Administration because of new laws effective April 2000, and it is desired at this time to renew said agreement with the new terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement to reflect the new contract terms and conditions with Social Security Administration, 15 Henry Street, Binghamton, New York 13901 whereby the Broome County Sheriff will provide certain information to the Social Security Administration about persons confined in the Broome County Correctional Facility, effective December 1, 2000, and be it

FURTHER RESOLVED, that the term of the agreement herein authorized shall be indefinite provided that either party may, on ninety days written notice to the other, terminate the agreement, and be it

FURTHER RESOLVED, that in consideration of said services, the Social Security Administration will pay incentive payments to the County, and be it

FURTHER RESOLVED, that the incentive payments to be received shall be credited to budget line 450023.0604.101000 (Other Federal Aid), and be it

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

RESOLUTION NO. 526

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF A DEA OVERTIME TASK FORCE PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001

WHEREAS, this County Legislature, by Resolution 624 of 1999, authorized and approved the DEA Overtime Task Force Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$20,000 for the period April 1, 1999 through March 31, 2000, and

WHEREAS, said grant program provides overtime and fringe benefits for one officer, and

WHEREAS, it is desired to renew said grant program in the amount of \$20,000 for the period April 1, 2000 through March 31, 2001, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the New York State Division of Criminal Justice Services, Executive Park Tower, Stuyvesant Plaza, Albany, New York 12203-3764, for the DEA Overtime Task Force Program Grant for the period April 1, 2000 through March 31, 2001, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$20,000, and be it

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

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

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

Carried.

RESOLUTION NO. 529

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Wike
**RESOLUTION AUTHORIZING AGREEMENT WITH SUSQUEHANNA DEVELOPMENT, LLC
FOR LEASE OF A PORTION OF PREMISES LOCATED AT THE OLD FAIR STORE FOR USE
BY THE PROBATION DEPARTMENT**

WHEREAS, the present space where the Broome County Probation Department is located is inadequate; and

WHEREAS, Susquehanna Development, LLC has offered to lease to Broome County approximately 23,000 square feet of a portion of the premises known as the Fair Store located at Court and Wall Streets in the City of Binghamton for use by the Probation Department and the Director of Probation desires to accept said offer, now therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Susquehanna Development, LLC, 15 W. Main Street, Owego, N.Y. 13827, for lease of approximately 23,000 square feet located in the old Fair Store on the corner of Court and Wall Streets in the City of Binghamton on the following terms and conditions:

- Term of five years with option to renew for an additional five years.
- Annual rent paid in equal monthly installments:
 - Year 1 - \$195,500 (\$8.50 sq. ft.)
 - Year 2 - \$195,500 (\$8.50 sq. ft.)
 - Year 3 - \$201,480 (\$8.76 sq. ft.)
 - Year 4 - \$207,460 (\$9.02 sq. ft.)
 - Year 5 - \$213,670 (\$9.29 sq. ft.)
 - Years 6 through 10 (if option is exercised) \$235,060 per year (\$10.22 sq. ft.)
- Said lease does not include parking.
- County to pay costs of utilities.
- Said lease will have an "escalator clause" providing that proportionate share of increases in landlord's taxes and insurance over amount paid in first year will be paid by County.
- County to provide renovations with cost (not including cost of furniture) to be deducted from monthly rent until total cost of renovations are recovered through the rent credit.

and be it

FURTHER RESOLVED, that said lease agreement is contingent upon landlord receiving required permits from the City of Binghamton and compliance with SEQRA requirements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 280024.4422.101000, 280099.4422.101000 and 470013.4422.10100 (Building and Land Rental) and be it

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

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

RESOLUTION NO. 530

By Community & Social Services and Finance Committees Seconded by Mr. Wike
**RESOLUTION AUTHORIZING AGREEMENT WITH SEPP RURAL ELDERLY HOUSING, INC.
FOR GROUND LEASE FOR NORTHERN BROOME SENIOR CITIZENS CENTER**

WHEREAS, the Broome County Office for Aging has received a Small Cities Community Development Block Grant in an amount not to exceed \$600,000 to be used to construct a senior citizens center to serve the residents of Broome County, and

WHEREAS, the Office for Aging has determined that an appropriate site would be next to the SEPP Rural Elderly Housing, Inc. (SEPP) senior citizen housing project located on Strong

Place in the Village of Whitney Point, New York and that such location would foster a symbiotic relationship with SEPP resulting in better service to our senior citizens, and

WHEREAS, the land on which the senior center is to be constructed is owned by SEPP and SEPP is willing to lease the land to Broome County together with reciprocal easements for utilities, ingress and egress provided that the County thereafter construct a senior center on said land, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a ground lease agreement with SEPP Rural Elderly Housing, Inc, 86 Front Street, Binghamton, N.Y. 13905 on the following terms and conditions:

- Term: fifteen years with option to renew for two additional fifteen year terms (total of 45 years)
- Rent: One lump sum of \$20,000 paid upon completion of construction of the senior center (includes the renewal terms)
- Landlord to be responsible for all taxes levied on the property.
- Tenant to be responsible for its own utilities
- Parties to provide reciprocal easements for utilities and ingress and egress

and be it

FURTHER RESOLVED, that said lease agreement is contingent upon Broome County receiving final approval of the site and building plans from the funding agency receiving all permits in connection with construction and occupancy of the senior center and compliance with SEQRA requirements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760439.4422.502XXX (Building and Land Rental), and be it

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

Carried.

RESOLUTION NO. 531

Community & Social Services, Public Works and Finance Committees Seconded by Mr. Wike
RESOLUTION AUTHORIZING AN AGREEMENT WITH SEPP RURAL ELDERLY HOUSING, INC. TO SERVE AS A SUB-RECIPIENT IN CONNECTION WITH THE CONSTRUCTION OF THE NORTHERN BROOME SENIOR CITIZENS CENTER

WHEREAS, the Broome County Office for Aging has received a Small Cities Community Development Block Grant in an amount not to exceed \$600,000 to be used to construct the Northern Broome Senior Center to serve the residents of Broome County, and

WHEREAS, the grant proposal provides that the senior citizens center would be built on land located in Whitney Point owned by SEPP Rural Elderly Housing, Inc. (SEPP), and

WHEREAS, SEPP has assisted the Office for Aging in preparing the grant proposal, and

WHEREAS, SEPP has experience in developing senior citizen projects using federal and state funding, and

WHEREAS, the Director of the Office for Aging has requested that an agreement with SEPP be authorized to provide for SEPP assisting the County with developing the senior center, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with SEPP Rural Elderly Housing, Inc. 86 Front Street, Binghamton, NY 13905 for the period September 1, 2000 through December 31, 2001, whereby SEPP will serve as the sub-recipient of the Northern Broome Senior Center and provide the following services in connection with the project:

- Assist in preparing specifications and bid documents
- Assist in reviewing bids and recommending awards
- Assist with preparing required documentation
- Assist with obtaining final funding
- Provide construction oversight.

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$22,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760439.4545.502xxx (Contracted Services), and be it

FURTHER RESOLVED, that SEPP is designated as a sub-recipient of the grant, 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. 532

By Finance and Health Services Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR THE DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request from the Director of Health, in order to adjust appropriations to fully utilize funding for the HIV/STD/TB Outreach Grant as requested in BF#002413 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	104431	Salary – Full Time	15,800
TO:	480301	1500	104431	Salary – Part Time	14,897
	480301	8010	104431	State Retirement	111
	480301	8030	104431	Social Security	609
	480301	8040	104431	Workers' Compensation	119
	480301	8070	104431	Unemployment Insurance	64

Carried.

RESOLUTION NO. 533

By Finance, Public Works and Community & Social Services Committees

Seconded by Mr. Burger

RESOLUTION AMENDING THE 2000 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2000 Capital Improvement Program is hereby amended as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Estimated Construction Cost:</u>			
		<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502XXX	Northern Broome Senior Center	600,000	600,000	0	0

Local Finance Law
Sec. 11

How Financed:

<u>Year Start</u>	<u>YPU</u>	<u>Subd.</u>	<u>Bond</u>	<u>Current Revenue</u>
2000	20	11	0	0

Comments: To build and furnish the Northern Broome Senior Center and to enter into a long term lease of the land.

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

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

RESOLUTION NO. 534

By Community & Social Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FOR CONSTRUCTION OF NORTHERN BROOME SENIOR CENTER

WHEREAS, the Office for Aging has applied for a grant from the New York State Housing Trust Fund to construct a senior center in Northern Broome County, and

WHEREAS, the New York State Housing Trust Fund has awarded Broome County with a grant of \$600,000 with which to construct a senior center in Northern Broome County, and Office for Aging has requested authorization to accept said grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a grant from the New York State Housing Trust Fund (Grant #2000-105) in the amount of \$600,000 for the construction of the Northern Broome Senior Center, and be it

FURTHER RESOLVED, the proceeds of this grant be credited to the Northern Broome Senior Center capital project to be established, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant.

Carried.

RESOLUTION NO. 535

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME COUNTY GOVERNMENT FOR FISCAL YEAR 2001

WHEREAS, this County Legislature, by an accompanying Resolution 00-XXX of 2001, has adopted a budget for fiscal year 2001, now, therefore, be it

RESOLVED, that the several amounts specified in such budget under the various categories and the various objects of expense in the 2001 tentative budget under the recommended column, unless a specific change or correction has been made in the same, in which case such change or corrected figure shall apply, shall be the amount appropriated for such items, effective January 1, 2001, and be it

FURTHER RESOLVED, that the Budget Officer is hereby authorized, empowered and directed to correct any modifications, changes, additions and/or typographical errors not affecting the substance of the budget, and that the Budget Officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

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

RESOLUTION NO. 536

By Finance Committee

Seconded by Mr. Howard

RESOLUTION ADOPTING THE BROOME COUNTY BUDGET AND ESTABLISHING RATE OF COMPENSATION FOR NON-UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2001

RESOLVED, that the tentative budget of the County of Broome, including the County's 2001 Capital Budget, as corrected and amended to \$XXX,XXX,XXX; be and it hereby is adopted as the budget for the County of Broome, for the year commencing January 1, 2001 and ending December 31, 2001 and be it

FURTHER RESOLVED, that all non-union Administrative I personnel will receive a 3.5 percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2000 base salary to become effective January 1, 2001, and be it

FURTHER RESOLVED, that all non-union Administrative II personnel will receive a 3.5 percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2000 base salary to become effective January 1, 2001, and be it

FURTHER RESOLVED, that all non-union Attorney personnel will receive a 3.5 percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2000 base salary to become effective January 1, 2001, and be it

FURTHER RESOLVED, that all non-union Administrative I, Administrative II and Attorney position minimums are established pursuant to the accompanying schedule, and be it

FURTHER RESOLVED, that the budget officer is hereby authorized, empowered, and directed to correct any modifications, changes, additions and/or typographical errors not effecting the substance of the budget and that the budget officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

ADMINISTRATIVE I		
<u>Grade</u>	<u>2000 Min.</u>	<u>2001 Min.</u>
7	17,100	17,699
8	17,917	18,544
9	18,781	19,438
10	19,691	20,380
10(40)	20,911	21,643
11	20,649	21,372
12	21,663	22,421
13	22,733	23,529
14	23,860	24,695
14(40)	25,374	26,262
15	25,048	25,925
16	26,301	27,222
17	27,627	28,594
18	29,023	30,039
19	30,494	31,561
20	32,050	33,172

ADMINISTRATIVE II		
<u>Grade</u>	<u>2000 Min.</u>	<u>2001 Min.</u>
A	37,377	38,685
B	40,056	41,458
C	42,733	44,229
D	45,947	47,555
E	49,160	50,881
F	52,374	54,207
G	55,588	57,534
H	59,338	61,415
I	63,086	65,294
J	66,836	69,175
K	70,585	73,055
L	74,335	76,937
M	79,067	81,834
N	87,690	90,759
O	96,313	99,684

ATTORNEY		
<u>Grade</u>	<u>2000 Min.</u>	<u>2001 Min.</u>
AT1	37,381	38,689
AT2	46,381	48,004
AT3	56,381	58,354
AT4	66,381	68,704
AT5	71,381	73,879
AT6	81,381	84,229
	2000	2001
<u>Grade</u>	<u>Minimum</u>	<u>Maximum</u>
AT1	42,988	44,493
AT2	53,338	55,205
AT3	64,769	67,036

Administrative I (cont'd)		
20(40)	34,140	35,335
21	33,690	34,869
21(40)	35,895	37,151
22	35,422	36,662
22(40)	37,747	39,068
23	37,243	38,547
23(40)	39,701	41,091
24	39,171	40,542
24(40)	41,756	43,217
25	41,202	42,644
26	43,349	44,866
27	45,607	47,203
28	47,990	49,670
29	50,508	52,276

Miscellaneous Officials:		
Chairman, Legislature	\$7,500	Res 69-388
Commissioner of Elections	\$7,500	Res 99-513
Coroner	\$25,500	
County Clerk	\$60,239	Res 98-518
County Executive	\$81,170	Res 98-518
District Attorney	\$125,600	NYS law SEC 700B
Legislator	\$12,500	Res 98-520
Sheriff	\$60,239	Res 98-518

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

RESOLUTION NO. 537

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION LEVYING THE COST OF WORKERS' COMPENSATION FOR 2001

WHEREAS, a budget for the operation of the Broome County Self-Insurance Plan for Workers' Compensation for the year 2001 has been prepared, now, therefore, be it

RESOLVED, that the estimated costs of the Broome County Self Insurance Plan for Workers' Compensation for the calendar year 2001, as apportioned to the county and the towns and villages participating in the fund be approved, and the apportioned amounts as to the towns and county shall be included in the respective next succeeding tax levies by the County Legislature unless otherwise provided for and paid to the Commissioner of Finance, and the Commissioner of Finance is hereby authorized to bill the Villages of Endicott, Lisle, Whitney Point and Port Dickinson for the amounts apportioned to them, and when the same is collected, deposit said amounts to the Workers' Compensation account as follows:

Towns	Amount
Barker	\$ 7,608
Binghamton	59,774
Chenango	71,047
Colesville	40,631
Conklin	23,304
Lisle	15,730
Maine	44,236
Nanticoke	3,901
Sanford	24,311
Triangle	4,891
Windsor	43,178

VILLAGES	AMOUNT
Endicott	\$233,393
Lisle	8,688
Port Dickinson	5,627
Whitney Point	12,000
Broome County	\$1,367,580
TOTAL	\$1,965,899

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

RESOLUTION NO. 538

By Finance Committee

Seconded by Mr. Miller

RESOLUTION APPROVING THE 2001-2006 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2001 Capital Budget and the 2001-2006 Capital Improvement Program as accompanying the tentative budget for 2001, and as corrected and amended, is hereby approved and adopted as the 2001 Capital Budget and 2001-2006 Capital Improvement Program for the County of Broome, and be it

FURTHER RESOLVED, that the Budget Officer be and hereby is authorized, empowered, and directed to correct any modification, changes, additions, and/or typographical errors not effecting the substance of the capital budget and capital program, and that the Budget Officer is further directed, after making such corrections, to file the same with the Clerk of the County legislature and to furnish said clerk with sufficient copies thereof for the members of the County Legislature.

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

RESOLUTION NO. 539

By County Administration, Public Works and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AN AGREEMENT WITH HARRIS, BEACH & WILCOX, LLP FOR LITIGATION SERVICES IN CONNECTION WITH PUBLIC SAFETY FACILITY CONSTRUCTION ISSUES

WHEREAS, the County Attorney requests authorization for an agreement with Harris Beach & Wilcox, LLP to retain them to commence, on behalf of Broome County, litigation against the designers/contractors/construction managers responsible for the design/ construction and supervision of construction of the compensators installed as part of the heating system in the Public Safety Facility and the parties responsible for the design/construction and supervision of the installation of the electrical system at the Public Safety Facility, seeking recovery of the expenses incurred by Broome County in correcting defects in said systems, at a cost not to exceed \$295.00 per hour for the services of senior partners and cost not to exceed \$165.00 per hour for the services of associates plus disbursements, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Harris, Beach & Wilcox, LLP, 20 Corporate Woods Blvd., Albany, New York 12211 whereby they will represent Broome County and commence on behalf of Broome County, litigation against the designers/contractors/construction managers responsible for the design/construction and supervision of construction of the compensators installed as part of the heating system in the Public Safety Facility and the parties responsible for the design/construction and supervision of the installation of the electrical system at the Public Safety Facility, seeking recovery of the expenses incurred by Broome County in correcting defects in said systems, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$295.00 per hour for the services of senior partners and an amount not to exceed \$165.00 per hour for associates plus out of pocket expenses, and be it

FURTHER RESOLVED, that this agreement shall continue until the action commenced has been concluded by judgment or settlement unless sooner terminated by the County, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 390005.4736.101000 (Legal Charges and Fees), and be it

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

Carried.

RESOLUTION NO. 540

By Health Services, Public Works and Finance Committees

Seconded by Mr. Wike

RESOLUTION ESTABLISHING A COUNTY-WIDE TIRE PICKUP DAY TO ASSIST IN CONTROLLING THE WEST NILE VIRUS

WHEREAS, the West Nile Virus, which is spread by mosquitoes, has been detected in Broome County, and

WHEREAS, the New York State Department of Health has declared that the presence of the West Nile Virus in Broome County constitutes a public health threat, and

WHEREAS, the Broome County Department of Health has taken measures to control the spread of the virus including treating catch basins to kill mosquito larvae, and

WHEREAS, small areas of stagnant water, particularly water collected in old tires, are breeding grounds for the mosquitoes that carry the West Nile Virus, and

WHEREAS, the Broome County Department of Health has requested permission to conduct a residential tire collection day at the Vestal Public Library on November 4, 2000 to encourage County residents to bring their old tires to the collection site where they will be collected, transported and disposed of according to Broome County Solid Waste Division procedures at no cost to the resident, thus reducing potential mosquito breeding grounds, now therefore, be it

RESOLVED, that this County Legislature hereby declares Saturday, November 4, 2000 to be "Residential Tire Collection Day" as part of the Department of Health's West Nile Virus Control Program, and be it

FURTHER RESOLVED, that during the period from 8:00 a.m. until 5:00 p.m. on Saturday, November 4, 2000, any Broome County resident, upon proof of residency, such as a driver's license or voter registration card, may bring up to four tires to the collection point located near the Town of Vestal Public Library where they will be received by Broome County personnel, at no cost to the resident, transported and disposed of according to Broome County Solid Waster Division procedure, and be it

FURTHER RESOLVED, that the cost of advertising, promotion, collection, transportation and processing at the landfill shall be paid from budget line 480137.4614.101000 (Other Chargeback Expenses), and be it

FURTHER RESOLVED, that the Broome County Executive or his designee, is hereby authorized to publicize this event through media public service announcements, advertisements, and other material with the cost, if any, to be paid from the above budget line.

Carried.

RESOLUTION NO. 541

By County Administration and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE RENEWAL OF THE AGREEMENT WITH DOMENICO AND LUIGI FATA FOR LEASE OF OFFICE SPACE FOR THE BROOME COUNTY BUREAU OF MOTOR VEHICLES ENDICOTT OFFICE FOR 2000-2005

WHEREAS, this County Legislature, by Resolution 156 of 1999, authorized the renewal of the agreement with Domenico and Luigi Fata for the lease of space for the Broome County

Bureau of Motor Vehicles Endicott Office located at 124 Washington Avenue for the period May 1, 1999 through April 30, 2000 at a cost of \$1,990.66 per month, total cost not to exceed \$23,887, plus electricity, and

WHEREAS, said agreement expires by its terms on April 30, 2000, and it is desired at this time to renew said agreement on substantially similar terms and conditions with an increase in costs for the period May 1, 2000 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Domenico and Luigi Fata, 2901 Watson Boulevard, Endwell, New York 13760 for 3,514 square feet of floor space on the ground level of the building located at 124 Washington Avenue, Endicott, New York to be used for the Broome County Bureau of Motor Vehicles for the period May 1, 2000 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said lease, the County shall pay the Contractor \$2,781.92 per month, total cost not to exceed \$189,170.56 plus electricity for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300020.4422.101000 (Building and Land Rental), and be it

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

Carried.

Mr. Shafer made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried,** Ayes-18, Nays-0, Absent-1 (Whalen). The meeting was adjourned at 4:35 p.m.

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