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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, JUNE 21, 2001**

The Legislature convened at 5:06 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-17, Absent-2 (Hull, Pasquale).

Mr. Miller made a motion, seconded by Mr. Burger, that the minutes of the May 17, 2001 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

Mr. Schofield noted that the committee minutes for the period May 11, 2001 through June 14, 2001 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. Being none, a motion to approve the committee minutes was made by Mr. Holley and seconded by Mr. Wike. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

**PUBLIC HEARING**

The Public Hearing to amend the boundaries of the Broome County and Triple Cities Empire Zones was opened by Mr. Schofield, Chair of the Legislature, at 5:08 p.m. Mr. Augostini, Clerk of the Legislature, read the following legal notice of the public hearing:

**LEGAL NOTICE**

PLEASE TAKE NOTICE that in accordance with the applicable provisions of law, a public hearing will be held on the question of the approval and adoption of Resolution Intro No. 75 of 2001 amending the boundaries of the Broome County Empire Zone and Resolution Intro No. 76 of 2001 amending the boundaries of the Triple Cities Empire Zone established by Local Law in 1994, said public hearing to be held before the Broome County Legislature on June 21, 2001 at 5:00 P.M., in the Broome County Legislative Chambers, Sixth Floor, Edwin L. Crawford County Office Building, Government Plaza, Hawley Street, Binghamton, New York. Any person interested and desiring to be heard with reference thereto will be given the opportunity on June 21, 2001 at 5:00 P.M. Copies of the Resolutions are available for public inspection at the office of the Clerk of the Broome County Legislature.

There being no one to speak to this issue, the public hearing was declared closed by the Chair at 5:09 p.m.

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

- A. Petitions: None
- B. Communications:
  - 1. Minutes:
    - a. Environmental Management Council
    - b. Broome County Soil and Water Conservation District
    - c. Cornell Cooperative Extension
    - d. Broome County Association of Municipal Clerks
  - 2. Broome Community College:
    - a. 2001-2002 Proposed Budget
    - b. 2001-2002 Recommended Budget

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3. Personnel Department: memo to Departments re: participation in May 23, 2001 Job Fair
  4. New York State Association of Clerks of Legislative Boards: 2001-2002 Officers and Committees, Association By-Laws
  5. Seneca County Board of Supervisors: Resolution 149-01, opposition of Assembly Bill 508 re: appointment of Directors of Mental Health
  6. Seneca County Community Services Board: letter opposing Assembly Bill 508 re: appointment of Directors of Mental Health
- C. Notices:
1. Notice of Public Hearing to be held June 21, 2001 to amend the boundaries of the Broome County Empire Zone and the Triple Cities Empire Zone
  2. Notice of Public Hearing: Village of Port Dickinson, regulating use of alarm systems
- D. Reports:
1. Personnel Department: Monthly Attrition Reports, April 2001, May 2001
  2. Broome Community College:
    - a. Above Minimum Hires: April 2001, May 2001
    - b. Budget Transfers: March 2001, April 2001
    - c. Quarterly Financial Report as of 5/31/01
  3. Annual Reports:
    - a. Broome County Arts Council
    - b. Department of Parks and Recreation
    - c. Veterans Services Center of the Southern Tier
    - d. PROBE
    - e. Southern Tier Zoological Society

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

Letters from the Chair, Daniel A. Schofield:

1. Appointing Brian Brunza as voting representative for Vincent Pasquale: County Administration Committee, June 14, 2001

Mr. Holley made a motion, seconded by Mr. Burger, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2001 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

Mr. Mather and Mr. Whalen were designated as participants with Chairman Schofield in the 'Short Roll Call'. Upon Mr. Whalen's departure at 6:17 p.m., Mr. Kavulich participated in said Roll Call.

#### **RESOLUTIONS RECALLED FROM PREVIOUS SESSION**

Mr. Shafer made a motion to recall Resolution No. 238, seconded by Mr. Howard. **Motion to recall carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 238**

By Public Works and Finance Committees

Seconded by Mr. O'Day

#### **RESOLUTION AUTHORIZING AGREEMENT WITH CLOUGH HARBOUR & ASSOCIATES, LLP FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2001-2002**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Clough Harbour & Associates, LLP for professional engineering services for the Department of Public Works at a cost not to exceed \$578,000, for the period May 31, 2001 through February 28, 2002, and

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WHEREAS, said services are necessary to provide professional engineering services associated with construction review during the construction of the new water service to the Binghamton Regional Airport and the Broome County Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Clough Harbour & Associates, LLP, The Galleries of Syracuse, 441 South Salina Street, Syracuse, New York 13202-4712, for professional engineering services, for the Department of Public Works for the period May 31, 2001 through February 28, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$578,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.2014.501345 (Water and Sewer Lines), 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 to table to the next Legislative Session, seconded by Mr. Kolba., **Motion to table to the next Legislative Session carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTIONS HELD OVER FROM PREVIOUS SESSION**

Although acted upon out of numerical sequence, the resolutions appear in numerical order for uniformity.

#### **RESOLUTION NO. 258**

(Held over by Mr. Brunza)

By County Administration Committee

Seconded by Mr. O'Day

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 3, 2001, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO INCREASE THE TERMS OF OFFICE OF COUNTY LEGISLATORS TO FOUR YEARS"**

**Carried**, Ayes-14, Nays-3 (Brunza, Kavulich, Whalen), Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 262**

(Held over by Mr. Kolba)

By Public Works and Finance Committees

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CAMP DRESSER & MCKEE FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1996-2001**

Mr. Shafer made a motion, seconded by Mr. Brunza, to amend the resolution as reflected below: **Amendment carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

WHEREAS, this County Legislature, by Resolution 232 of 1996, as amended by Resolutions 407 and 654 of 1997, and Resolutions 16 and 95 of 2000, authorized an agreement with Camp Dresser & McKee for professional engineering services associated with the Landfill Gas Production Investigation at the Nanticoke Landfill for the Division of Solid Waste Management at a cost of \$172,400, for the period July 1, 1996 through December 31, 2000, and

WHEREAS, said agreement provides professional engineering services associated with the landfill gas production investigation at the Nanticoke Sanitary Landfill, including final design of gas well installations and gas collection/flair systems, design of an electricity generation facility, submission of pollutant emission forms to the State, services associated with the

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electrical interconnection with Broome Energy (Meridian) and New York State Electric & Gas Corporation (NYSEG), and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term through December 31, 2001 at an additional cost of ~~\$75,000~~ \$15,000 for general consulting to complete NYSDEC and Clean Air Act forms, ~~final design of the power line from the Landfill to the Airport and the design of the interconnect with the NYSEG system and assisting with NYSEG negotiations, 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 Camp Dresser & McKee, 6661 Kirkville Road, East Syracuse, New York 13057, for an amount not to exceed ~~\$75,000~~ \$15,000 for professional engineering services to provide general consulting to complete NYSDEC and Clean Air Act forms, ~~final design of the power line from the Landfill to the Airport and the design of the interconnect with the NYSEG system for the Division of Solid Waste Management and to extend the term to December 31, 2001, and be it~~

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional ~~\$75,000~~ \$15,000 for the period January 1, 2001 through December 31, 2001, total amount not to exceed ~~\$247,400~~ \$187,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501319 (Contracted Services), and be it

FURTHER RESOLVED, that Resolution 232 of 1996, as amended by Resolutions 407 and 654 of 1997, and Resolutions 16 and 95 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.

Mr. Kolba made a motion to table indefinitely, seconded by Mr. Wike. **Motion to table indefinitely carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 264**

(Held over by Mr. Pasquale)

By Personnel and Finance Committees

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING SALARY ADJUSTMENTS FOR MEMBERS OF THE CSEA BARGAINING UNIT, ADMIN I, ADMIN II, AT-1 AND AT-6**

Mr. Mather made a motion to table indefinitely, seconded by Mr. Shafer. **Motion to table indefinitely carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 284**

(Held over by Mr. Howard)

By County Administration and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH JMAG ASSOCIATES, LLC FOR WAREHOUSE AND OFFICE SPACE FOR THE COUNTY CLERK FOR THE PERIOD 2001-2006**

**Carried**, Ayes-16, Nays-0, Absent-2 (Hull, Pasquale), Abstain-1 (Kolba).

#### **RESOLUTION NO. 355**

(Held over by Mr. Howard)

By Personnel and Finance Committees

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING SALARY ADJUSTMENTS FOR MEMBERS OF THE CSEA BARGAINING UNIT**

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

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**RESOLUTION NO. 356**

(Held over by Mr. Howard)

By Personnel and Finance Committees

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING SALARY ADJUSTMENTS FOR MEMBERS OF ADMIN I**

Mr. Burger made a motion to table, seconded by Mr. Wike. **Motion to table failed**, Ayes-9 (Brunza, Burger, Hudak, Kavulich, Kolba, O'Day, Pasquale, Sweet, Whalen, Wike), Nays-8 (Holley, Howard, Lindsey, Mather, Miller, Nannery, Schofield, Shafer), Absent-2 (Hull, Pasquale). **Resolution carried**, Ayes-14, Nays-3 (Burger, Kolba, Whalen), Absent-2 (Hull, Pasquale).

**RESOLUTION NO. 357**

(Held over by Mr. Howard)

By Personnel and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING SALARY ADJUSTMENTS FOR MEMBERS OF ADMIN II, AT-1 AND AT-6**

Mr. Burger made a motion to table to the next session, seconded by Mr. Brunza,. **Motion to table failed**, Ayes-8 (Brunza, Burger, Kavulich, Kolba, O'Day, Sweet, Whalen, Wike), Nays-9 (Holley, Howard, Hudak, Lindsey, Mather, Miller, Nannery, Schofield, Shafer), Absent-2 (Hull, Pasquale). **Resolution failed**, Ayes-9 (Holley, Howard, Hudak, Lindsey, Mather, Miller, Nannery, Schofield, Shafer), Nays-8 (Brunza, Burger, Kavulich, Kolba, O'Day, Sweet, Whalen, Wike), Absent-2 (Hull, Pasquale).

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 276**

By County Administration Committee

Seconded by Mr. Burger

**RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE SUPPORT AND ADOPT LEGISLATION THAT WOULD MANDATE LIFE-TIME PAROLE FOR CONVICTED MURDERERS**

WHEREAS, persons convicted of murder can be released from prison after serving the minimum sentence if approved by the New York State Parole Board, and

WHEREAS, said convicted murderers, following a period of good behavior, can petition the court in which they were convicted to release them from parole, and

WHEREAS, once released from parole, there is no accounting for the actions of these convicted murderers, and

WHEREAS, if a convicted murderer were on life-time parole, the individual could be returned to prison for violation of the terms of his/her parole, now, therefore, be it

RESOLVED, that the Broome County Legislature respectfully requests the New York State Legislature support and adopt legislation that would mandate all persons convicted of murder and released from prison be placed on life-time parole, and be it

FURTHER RESOLVED, that a copy of this resolution be sent to the Honorable George Pataki, Governor; Honorable Joseph Bruno, Majority Leader of the Senate; Honorable Sheldon Silver, Speaker of the Assembly; Honorable Thomas Libous, State Senator; Honorable Robert Warner, Member of the Assembly; and Honorable Jay Dinga, Member of the Assembly.

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

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### RESOLUTION NO. 277

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MCCUE ADVERTISING AND PUBLIC RELATIONS, INC. FOR AN ANTI-SMOKING ADVERTISING CAMPAIGN FOR THE DEPARTMENT OF HEALTH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 176 of 2001, authorized an agreement with McCue Advertising and Public Relations, Inc. for an anti-smoking advertising campaign for the Department of Health's Comprehensive Community-Based Tobacco Control and Prevention Program Grant at an amount not to exceed \$160,000 for the period March 22, 2001 through May 31, 2001, and

WHEREAS, said agreement expires by its terms on May 31, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$150,724 for the period June 1, 2001 through May 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with McCue Advertising and Public Relations, Inc., 91 Riverside Drive, Binghamton, New York 13905 for an anti-smoking advertising campaign for the Department of Health's Comprehensive Community-Based Tobacco Control and Prevention Program Grant for the period June 1, 2001 through May 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$150,724 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4458.104XXX (Other Program 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, Ayes-16, Nays-0, Absent-3 (Hull, Pasquale, Whalen).**

### RESOLUTION NO. 278

By Economic Development & Planning, Community & Social Services, and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AMENDING RESOLUTION NO. 323 OF 1999 TO PROVIDE FOR THE LEASE OF SPACE AT 171 FRONT STREET INSTEAD OF THE METROCENTER**

WHEREAS, this County Legislature by Resolution No. 323 of 1999 authorized a lease with Metrocenter Associates, LLC, for the lease of up to 25,000 square feet of office space for various job training programs, and

WHEREAS, after due consideration it appears that the best use of the Metrocenter is for retail/commercial space, and

WHEREAS, the principals in Metrocenter Associates, LLC, also own real property located at 171 Front St. in the City of Binghamton and are willing to rent up to 25,000 square feet of office space to the County on the same terms and condition, now, therefore, be it

RESOLVED, that Resolution No. 323 of 1999 is hereby amended to provide that instead of authorizing a lease with Metrocenter Associates, LLC, for up to 25,000 square feet of space in the Metrocenter this County Legislature hereby authorizes a lease with Quarterback Development, LLC, 171 Front Street, Binghamton, New York 13905 for up to 25,000 square feet of space in premises located at 171 Front St., Binghamton, New York 13905 on the same terms and conditions, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

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### RESOLUTION NO. 279

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH RS ADVERTISING, INC. FOR RECRUITMENT ADVERTISING FOR WILLOW POINT NURSING HOME FOR 2001-2002**

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with RS Advertising, Inc. for recruitment advertising on Broome County Transit Buses for Willow Point Nursing Home at a cost not to exceed \$10,000 plus shipping charges for the period July 1, 2001 through January 31, 2002, and

WHEREAS, said services are necessary to gain attention and promote employment at Willow Point Nursing Home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with RS Advertising, Inc., 88 Main Street, Binghamton, New York 13905, for recruitment advertising on Broome County Transit Buses for Willow Point Nursing Home for the period July 1, 2001 through January 31, 2002, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160028.4448.204000 (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, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### RESOLUTION NO. 280

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH ROYAL CARE PHARMACY FOR UNIT DOSE MEDICATION AND INTRAVENOUS PHARMACY SERVICES FOR WILLOW POINT NURSING HOME FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 402 of 2000, authorized the renewal of an agreement with Royal Care Pharmacy for unit dose medication and intravenous pharmacy services for Willow Point Nursing Home for an amount not to exceed \$1,000,000, for the period August 1, 2000 through July 31, 2001, and

WHEREAS, said services are necessary to provide unit dose medication and intravenous pharmacy services for Willow Point Nursing Home residents, and

WHEREAS, said agreement expires by its terms on July 31, 2001, 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 \$1,200,000, for the period August 1, 2001 through July 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Royal Care Pharmacy, Saratoga Village Boulevard, P.O. Box 2469, Malta, New York 12020 for unit dose medication and intravenous pharmacy services for Willow Point Nursing Home for the period August 1, 2001 through July 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,200,000 for the term of the agreement, and be it

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

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**RESOLUTION NO. 281**

By Finance and Public Works Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING SHORT TERM INTERFUND BORROWING FOR A PUBLIC WORKS PROJECT**

WHEREAS, this County Legislature adopted the 2000 Capital Improvement Program which included Project 501347 to provide for the construction of a traffic signal on Old Vestal Road at the Campus Plaza, and

WHEREAS, said project is to be paid for in part by the use of state aid, and

WHEREAS, state aid reimbursement can be delayed and it will be necessary to provide a bridge loan from other operating funds in order to pay for the project while waiting for state aid reimbursement, now, therefore, be it

RESOLVED, that the Commissioner of Finance is hereby authorized to make a short term non-interest bearing interfund loan from other operating funds to Capital Project 501347 to provide cash sufficient to complete the project until state aid is received.

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

**RESOLUTION NO. 282**

By Finance Committee

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWN OF CONKLIN AND THE TOWN OF DICKINSON**

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: 194.04-1-39  
Town: Conklin  
Owner: Broome County IDA  
Amount to be Cancelled: \$1.08 plus interest and penalties  
Reason: Wholly exempt; Section 8

Parcel ID: 194.04-1-17.2  
Town: Conklin  
Owner: Broome County IDA  
Amount to be Cancelled: \$75,714.30 plus accrued interest and penalties  
Reason: Wholly exempt; Section 8

Parcel ID: 144.41-1-16  
Town: Dickinson  
Owner: Broome County  
Amount to be Cancelled: \$1430.00 plus accrued interest and penalties  
Reason: Parcel was taken by Broome County for non-payment of taxes, all school taxes were cancelled

Parcel ID: 144.41-1-17  
Town: Dickinson  
Owner: Broome County  
Amount to be Cancelled: \$1069.15  
Reason: Parcel was taken by Broome County for non-payment of taxes, all school taxes were cancelled

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).



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### RESOLUTION NO. 283

By County Administration and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH MAXIMUS, INC. TO ASSIST IN THE PREPARATION OF COUNTY-WIDE COST ALLOCATION PLANS FOR THE DIVISION OF BUDGET AND RESEARCH FOR 2001-2005**

WHEREAS, the Director of the Division of Budget and Research requests authorization for an agreement with Maximus, Inc. to assist in the preparation of county-wide cost allocation plans using the actual costs for the fiscal years 2000, 2001, 2002, 2003 and 2004 for the Division of Budget and Research at a cost not to exceed \$32,500, for the period June 1, 2001 through December 31, 2005, and

WHEREAS, said services are necessary to maximize federal revenues and to show the county-wide allocation of services, and

WHEREAS, Maximus, Inc. has previously prepared the Broome County Cost Allocation Plan, and currently prepares plans for over 1300 municipalities within the U.S., including 22 plans within New York State, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Maximus, Inc., 2405 Park Drive, Suite 101, Harrisburg, Pennsylvania 17110 to assist in the preparation of cost allocation plans for the period June 1, 2001 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,500 per year, total amount not to exceed \$32,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230037.4721.101000 (Accounting and Cost Allocation Services), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

**RESOLUTION NO. 284** regarding the JMAG Associates, LLC Lease Agreement was placed on the Special Session Agenda of June 21, 2001. It was held over and was, therefore, acted upon at the beginning of this session (out of sequence with the Regular Session Agenda) and appears at the beginning of these minutes.

### RESOLUTION NO. 285

By Transportation and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING AGREEMENT WITH MARSH USA FOR INSURANCE FOR AIR SHOW/AVIATION DAY AT THE BINGHAMTON REGIONAL AIRPORT FOR 2001**

WHEREAS, Broome County will be conducting an Air Show/Aviation Day 2001 at the Binghamton Regional Airport on July 15, 2001, and

WHEREAS, the purpose of this event is to promote community awareness in connection with the airport and is part of the community relations program, and

WHEREAS, in order to satisfy the necessary insurance needs of hosting the Air Show/Aviation Day 2001 event, the Commissioner of Aviation requests authorization for an agreement with Marsh USA for the period July 1, 2001 to July 31, 2001 at a cost not to exceed \$4,024, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Marsh USA, 300 South State Street, Syracuse, New York 13221, for insurance for Air Show/Aviation Day 2001 for the period July 1, 2001 to July 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$4,024 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Aviation Day Trust Fund (Fund 60, GL 525, Subsidiary 525052), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### **RESOLUTION NO. 286**

By Health Services and Finance Committee

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING AGREEMENT WITH CATHOLIC CHARITIES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2001**

WHEREAS, the Director of Public Health requests authorization for an agreement with Catholic Charities for social worker services and ongoing service coordination for the Early Intervention Program for the Department of Health at rates set by New York State and Broome County Department of Health, total not to exceed budget appropriations, for the period July 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide increased access to social work services and service coordination services for families of children from birth to three years of age, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905, for social worker services and ongoing service coordination service for the Department of Health's Early Intervention Program for the period July 1, 2001 through December 31, 2001, 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 "A" and rates set by Broome County Department of Health as listed on Exhibit "B", total not to exceed budget appropriations, and be it

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### **RESOLUTION NO. 287**

By Health Services Committee

Seconded by Mr. Burger

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

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Dawn Davey 468 Cafferty Hill Road Endicott, New York 13760	New Appointment Term Expires 12/31/03

and

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



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New York 14702 for a software license agreement for an optical scan absentee ballot system for the Board of Elections for the period July 1, 2000 through June 30, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 410001.4419.101000 (General Office Expense), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.  
**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

#### **RESOLUTION NO. 290**

By County Administration and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SEQUOIA PACIFIC VOTING EQUIPMENT, INC. FOR THE SOFTWARE LICENSE FOR AN OPTICAL SCAN ABSENTEE BALLOT SYSTEM FOR THE BOARD OF ELECTIONS FOR 2001-2002**

WHEREAS, this County Legislature, by a companion resolution, authorized the renewal of an agreement with Sequoia Pacific Voting Equipment, Inc. for the software license for an optical scan absentee ballot system for the Board of Elections at a cost not to exceed \$3,000, and

WHEREAS, the software license agreement is necessary for the use of the optical scan ballot system during primary, general and special elections, and

WHEREAS, said agreement for the software license agreement expires by its terms on June 30, 2001, and it is desired at this time to renew said agreement on substantially similar terms and conditions for an amount not to exceed \$3,000 for the period July 1, 2001 through June 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Sequoia Pacific Voting Equipment, Inc., 811 North Main Street, P.O. Box 1399, Jamestown, New York 14702 for a software license agreement for an optical scan absentee ballot system for the Board of Elections for the period July 1, 2001 through June 30, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 410001.4419.101000 (General Office Expense), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.  
**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

#### **RESOLUTION NO. 291**

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING AGREEMENT WITH COORDINATED CARE SERVICES, INC. FOR CONSULTANT SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2001**

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with Coordinated Care Services, Inc. for consultant services for the Department of Social Services at a cost not to exceed \$12,750, for the period June 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide the department with a comprehensive review of Medicaid expenditures and factors driving local Medicaid costs and to provide 2002 local budget projections and supporting documentation with the purpose of developing an accurate projection of the impact of Medicaid on the 2002 County Budget, now, therefore, be it



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WHEREAS, said agreement provides office space for the satellite office of the Broome County Department of Social Services' Medical Assistance, Supplemental Security Income and Food Stamp programs, and

WHEREAS, it is necessary to authorize an extension of said agreement to December 31, 2001 at an additional amount not to exceed \$12,949, and

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

RESOLVED, that this County Legislature hereby authorizes amendment of the agreement with the Estate of Nicholas T. Sbarra and Angelos P. Romas for an extension of the lease of space for the Department of Social Services' Satellite Office for the period July 1, 2001 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$11.26 per square foot for 2,300 square feet, total additional amount not to exceed \$12,949, total amount of agreement not to exceed \$148,028 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670018.4422.103000 (Building and Land Rental), and be it

FURTHER RESOLVED, that Resolution 570 of 1995, Resolution 33 of 1996 and Resolution 663 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, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

#### **RESOLUTION NO. 294**

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING RENEWAL OF THE SERVICES AND TRAINING RESOURCES FOR INDIVIDUALS IN VOCATION EDUCATION PROGRAM (STRIVE) GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH BROOME COMMUNITY COLLEGE FOR SERVICES IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 379 of 2000, authorized and approved the continued participation in the Services and Training Resources for Individuals in Vocation Education Program (STRIVE) for the Department of Social Services, adopted a program budget in the amount of \$40,684 and authorized an agreement with Broome Community College to provide services to individuals in the STRIVE Program for the period July 1, 2000 through June 30, 2001, and

WHEREAS, said grant program provides for eligible recipients of Temporary Assistance to Needy Families (TANF) to achieve economic independence by successfully completing vocationally oriented associate degree programs for the purpose of entering into long-term stable employment in their field of study, and

WHEREAS, it is desired to renew said grant program in the amount of \$43,834, adopt a program budget and renew the agreement with Broome Community College to continue providing services for said program in the amount of \$43,834 for the period July 1, 2001 through June 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$32,876 from the United States Department of Health and Human Services and \$10,958 from the New York State Department of Social Services, for the Department of Social Services' Services and Training Resources for Individuals in Vocation Education Program (STRIVE) for the period July 1, 2001 through June 30, 2002, 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 \$43,834, and be it

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FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Broome Community College to provide programs for individuals in the STRIVE Program for an amount not to exceed \$43,834 for the period July 1, 2001 through June 30, 2002, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670455.4747.104XXX (Other Fees for Services), and be it

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

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### **RESOLUTION NO. 295**

By Transportation and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION ESTABLISHING AN ENTRANCE FEE FOR THE 2001 AIR SHOW/AVIATION DAY OPEN HOUSE AT THE BINGHAMTON REGIONAL AIRPORT**

WHEREAS, the County proposes to conduct an Air Show/Aviation Day Open House at the Binghamton Regional Airport on July 15, 2001, and

WHEREAS, the purpose of this event is to promote community awareness in connection with the airport and is part of the airport community relations program by providing the community an affordable and entertaining day at the Binghamton Regional Airport, and

WHEREAS, there will be exhibits including planes on the field and aircraft performance teams, all of which create expenses in connection with the event, and

WHEREAS, in order to offset, in part, the costs associated with the 2001 Air Show/Aviation Day Open House, the Commissioner of Aviation proposes an entrance fee schedule, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an admission fee schedule for the Air Show/Aviation Day Open House Program at the Binghamton Regional Airport to be held on July 15, 2001 as follows:

#### **AIR SHOW/AVIATION DAY EVENT 2001 ADMISSION FEE SCHEDULE**

July 15<sup>th</sup> Admission Gate Purchase:

Adults (17 and Older)	\$5.00
Children (8 to 16 Years of Age)	\$3.00
Children (Under the Age of 8)	Free

Tickets Purchased Prior to July 15<sup>th</sup>:

Adults (17 Years and Older)	\$4.00
Children (8 to 16 Years of Age)	\$2.00
Children (Under the Age of 8)	Free

and be it

FURTHER RESOLVED, that the entrance fees authorized herein shall be deposited in the Aviation Community Relations Trust Account (Fund 60, GL525, Subsidiary 525052) to be used to defray expenses in connection with the Air Show/Aviation Day Open House, and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 296**

By Public Works Committee

Seconded by Mr. Burger

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE GANOUNGTOWN ROAD CULVERT REPLACEMENT PROJECT IN THE TOWN OF FENTON AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO**

WHEREAS, it is necessary to replace the Ganoungtown Road culvert in the Town of Fenton that has become deficient, and

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

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

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

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the Ganoungtown Road Culvert Replacement Project in the Town of Fenton, and be it

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 297**

By Public Works Committee

Seconded by Mr. Burger

**RESOLUTION DECLARING DEPARTMENT OF PUBLIC WORKS GANOUNGTOWN ROAD CULVERT REPLACEMENT PROJECT IN THE TOWN OF FENTON TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION**

WHEREAS, the Eminent Domain Law requires that a public hearing be held in connection with any proposed public project for which the acquisition of real property through the exercise of eminent domain may be required, except that a project is exempt from the public hearing requirement "when in the opinion of the condemnor the acquisition is de minimis in nature so that the public interest will not be prejudiced by the construction of the project," and

WHEREAS, the Ganoungtown Road Culvert Replacement Project in the Town of Fenton has been determined under the New York State Environmental Quality Review Act to have no substantial effect on the environment in that it involves only the replacement of the existing culvert, and

WHEREAS, the Department of Public Works desires to acquire the land rights necessary to commence the aforesaid replacement project and is requesting authorization from this Legislature to acquire said land by purchase or condemnation, and



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WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the project involves only the replacement of an existing deficient culvert in its present location having no substantial effect on the environment, and at this time it appears that not more than three parcels shall be obtained from adjoining property owners, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Department of Public Works Ganoungtown Road Culvert Replacement Project in the Town of Fenton to be "de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the acquisition by purchase or condemnation of the real property necessary to undertake and perform the aforesaid culvert replacement project in accordance with the design and specifications for said project.

**Carried,** Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### **RESOLUTION NO. 298**

By Public Works Committee

Seconded by Mr. Burger

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE BINGHAMTON REGIONAL AIRPORT REPLACEMENT OF THE OUTDATED SNOW REMOVAL VEHICLE MAINTENANCE BUILDING PROJECT, ADOPTING THE FULL ENVIRONMENTAL ASSESSMENT FORM AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO**

WHEREAS, it is necessary to replace the outdated Snow Removal Vehicle Maintenance Building at the Binghamton Regional Airport, and

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

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

WHEREAS, this County Legislature is one of three involved agencies along with the New York State Department of Transportation Bureau of Aviation and the Federal Aviation Administration, as defined in the State Environmental Quality Review Act, reviewing the aforementioned project, and

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status for a coordinated review with other involved agencies in accordance with 6NYCRR Part 617 with respect to the environmental review of the replacement of the Snow Removal Vehicle Maintenance Building Project at the Binghamton Regional Airport, and be it

FURTHER RESOLVED, based on the Full Environmental Assessment Form annexed hereto as Exhibit "A" hereby determines and declares that the Binghamton Regional Airport Snow Removal Vehicle Maintenance Building Project will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the Full Environmental Assessment Form and the "Negative Declaration" annexed hereto as Exhibits "A" and "B", respectively.

**Carried,** Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

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**RESOLUTION NO. 299**

By Public Works and Finance Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING AGREEMENT WITH CLOUGH, HARBOUR & ASSOCIATES, LLP FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2001-2002**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Clough, Harbour & Associates, LLP for professional engineering services for the Division of Solid Waste Management at a cost not to exceed \$641,467, for the period July 1, 2001 through December 31, 2002, and

WHEREAS, said services are necessary to design a sewer system extension to serve the Broome County Landfill to avoid liability and safety concerns by eliminating leachate hauling with tankers and to eliminate the existing sewer system, which does not function adequately and is a health hazard, at the Broome County Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Clough, Harbour & Associates, LLP, The Galleries of Syracuse, 441 South Salina Street, Syracuse, New York 13202-4712, for professional engineering services for the Division of Solid Waste Management for the period July 1, 2001 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 \$641,467 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501350 (Contracted Services), and be it

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

**Carried, Ayes-16, Nays-0, Absent-3 (Hull, Pasquale, Whalen).**

**RESOLUTION NO. 300**

By Health Services and Finance Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING ACCEPTANCE OF A RESIDENTIAL PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH CATHOLIC CHARITIES TO ADMINISTER SAID PROGRAM FOR 2001**

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Catholic Charities Residential Program Grant, to adopt a program budget in the amount of \$246,072 and to enter into an agreement with Catholic Charities to administer said program for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said grant is a one-time-only grant to cover expenses in Catholic Charities Residential Programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$246,072 from the New York State Office of Mental Health for the Department of Mental Health's Catholic Charities Residential Program Grant for the period January 1, 2001 through December 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 \$246,072, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905 to administer said program grant for a total amount of \$246,072 for the period January 1, 2001 through December 31, 2001, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5031.104XXX (Associated Catholic Charities), and be it

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

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

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

**Held over 'under the rules'** by Ms. Nannery.

### **RESOLUTION NO. 301**

By Finance and Transportation Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING THE CANCELLATION OF AN AGREEMENT WITH SMITH WILSON BROS. AND REPLACING IT WITH AN AGREEMENT WITH MARSH USA FOR INSURANCE COVERAGE FOR THE BINGHAMTON REGIONAL AIRPORT OPERATIONS FOR 2001-2004**

WHEREAS, this County Legislature, by Resolution 420 of 2000, authorized renewal of the agreement with Smith Wilson Bros. for insurance coverage for the Binghamton Regional Airport at an amount not to exceed \$35,599.28 for the period August 1, 2000 through July 31, 2001, and

WHEREAS, the Manager of Risk and Insurance requests authorization to amend said agreement to reduce the period for the insurance coverage for the Binghamton Regional Airport by one month, from August 1, 2000 through June 30, 2001 at a reduced cost of \$2,627, for a total amount not to exceed \$32,972.28 for the term of the agreement, and

WHEREAS, the Manager of Risk and Insurance requests authorization for an agreement with Marsh USA for insurance coverage for the Binghamton Regional Airport at a cost not to exceed \$35,250 per year, total amount not to exceed \$105,750 for the period July 1, 2001 through June 30, 2004, and

WHEREAS, the replacement of the insurance coverage provided by Smith Wilson Bros. with coverage provided by Marsh USA increases the insurance coverage for airport operations from \$40 million to \$100 million, covers the airshow as an excess risk of the primary policy and covers the airport on a single rather than a split form, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation of the agreement with Smith Wilson Bros., Division of Haylor, Freyer & Coon, Inc., 700 Harry L. Drive, P. O. Box 709, Johnson City, New York 13790 for insurance coverage for the Binghamton Regional Airport by one month to the period August 1, 2000 through June 30, 2001, and be it

FURTHER RESOLVED, that the refund of \$2,627 resulting from the cancellation of the insurance coverage through Smith Wilson Bros. shall be credited to budget line 050088.0215.254000 (Refund of Prior Year's Expenditures), and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Marsh USA, 300 State Street, 3<sup>rd</sup> Floor, Syracuse, New York 13221 for insurance coverage for the Binghamton Regional Airport for the period July 1, 2001 through June 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$35,250 per year, total amount not to exceed \$105,750 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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### **RESOLUTION NO. 302**

By County Administration and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH IBM FOR SOFTWARE SUPPORT SERVICES FOR INFORMATION TECHNOLOGY AND THE COUNTY CLERK FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 28 of 2001, authorized an agreement with IBM for a software service contract for Information Technology and the County Clerk at a cost not to exceed \$11,161, for the period February 1, 2001 through January 31, 2002, and

WHEREAS, said services are necessary to provide a support line for three AS/400 systems 24 hours a day, seven days a week; a prime-shift-only support line for the County Clerk's Image Plus System; ten hours of an AS/400 consultation time for prime shift; and five hours of an AS/400 consultation line for off-shift hours to be billed for only if used, and

WHEREAS, it is necessary to authorize the amendment of said agreement to remove the existing Viking AS/400 system from the contract and add the new AS/400 to the contract, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with IBM, 1177 Beltline Road, Coppell, Texas 75019, to remove the existing Viking AS/400 system from the contract and add the new AS/400 to the contract, to provide support line services for Information Technology and the County Clerk for the period May 15, 2001 through January 31, 2002, and be it

FURTHER RESOLVED, that the aforementioned services shall be at no additional cost to Broome County, and be it

FURTHER RESOLVED, that Resolution 28 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried**, Ayes-14, Nays-0, Absent-3 (Hull, Pasquale, Whalen), Abstain-2 (Schofield, Wike).

### **RESOLUTION NO. 303**

By Public Works and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INC. FOR PROFESSIONAL LABORATORY SERVICES AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 14 of 2000, authorized renewal of an agreement with Buck Environmental Laboratories, Inc. for professional laboratory services at the Nanticoke Landfill at a total cost not to exceed \$50,000 for the period March 1, 2000 through February 28, 2001, and

WHEREAS, said services are necessary for environmental monitoring and site analysis, and

WHEREAS, said agreement expired by its terms on February 28, 2001, and it is desired at this time to renew said agreement for the period March 1, 2001 through February 28, 2002 on substantially similar terms and conditions, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Buck Environmental Laboratories, Inc., 3821 Buck Drive, P. O. Box 5150, Cortland, New York 13045 for professional laboratory services at the Nanticoke Landfill for the period March 1, 2001 through February 28, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total cost not to exceed \$50,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4545.206000 (Contracted Services), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 304**

By Finance and Public Works Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS PROPERTY OWNERS FOR THE PURCHASE OF REAL PROPERTY IN THE TOWN OF MAINE IN CONNECTION WITH THE BROOME COUNTY LANDFILL AND BINGHAMTON REGIONAL AIRPORT WATERLINE PROJECT**

WHEREAS, the County is interested in purchasing parcels on Airport Road and Stella Ireland Road in the Town of Maine to be utilized for water tank and booster pump locations associated with the waterline project to the Broome County Landfill and the Binghamton Regional Airport, and

WHEREAS, the properties listed in the attached Exhibit "A" containing 8.13 acres are suitable for use as the site for the proposed water tower and booster pump location, and

WHEREAS, the owners of said properties have expressed an interest in selling and were offered, and subsequently accepted, fair market value for said properties for a combined total amount not to exceed \$38,300, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the property owners listed in Exhibit "A" for the purchase of the three parcels of real property located on Airport Road and Stella Ireland Road in the Town of Maine to be utilized for water tank and booster pump locations associated with the waterline project to the Broome County Landfill and the Binghamton Regional Airport, and be it

FURTHER RESOLVED, that in consideration of said purchase, the County shall pay the property owners a total amount of \$38,300, with the individual properties and prices listed in Exhibit "A", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.2000.501345 (Land Acquisition), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 305**

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING REVISION OF THE HEALTHY LIVING PARTNERSHIP GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 159 of 2001 authorized the continued participation in the Healthy Living Partnership Grant by the Department of Health and adopted a

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program budget in the amount of \$132,043 for the period April 1, 2001 through March 31, 2002, and

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

WHEREAS, it is necessary at this time to revise said grant program to reflect an increase in grant appropriations in the amount of \$133,849, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Healthy Living Partnership Grant in the total amount of \$133,849 for the period April 1, 2001 through March 31, 2002, 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 \$265,892, and be it

FURTHER RESOLVED, that Resolution 159 of 2001, 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, and be it

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

#### **RESOLUTION NO. 306**

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING REVISION OF COLORECTAL CANCER SCREENING AND PROSTATE CANCER EDUCATION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 161 of 2001, authorized and approved the continuation of the Colorectal Cancer Screening and Prostate Cancer Education Program Grant for the Department of Health and adopted a program budget in the amount of \$89,304 for the period April 1, 2001 through March 31, 2002, and

WHEREAS, said grant program provides colorectal cancer screening and prostate cancer education to uninsured or underinsured men and women over fifty years of age in five counties (Broome, Tioga, Chenango, Otsego and Delaware), and

WHEREAS, it is necessary to revise said grant program to reflect an increase in the grant appropriations in the amount of \$696, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Colorectal Cancer Screening and Prostate Cancer Education Program Grant in the total amount of \$696 for the period April 1, 2001 through March 31, 2002, 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 \$90,000, and be it

FURTHER RESOLVED, that Resolution 161 of 2001, 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, and be it

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 307**

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF HIV SEROPREVALENCE STUDY GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 330 of 2000, authorized and approved the HIV Seroprevalence Study Grant for the Department of Health and adopted a program budget in the amount of \$18,000 for the period July 1, 2000 through June 30, 2001, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$18,000 for the period July 1, 2001 through June 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$18,000 from the New York State Department of Health, Bureau of HIV/AIDS Epidemiology, Room 729, Corning Tower, Albany, New York 12237, for the Department of Health's HIV Seroprevalence Study Program Grant for the period July 1, 2001 through June 30, 2002, 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 \$18,000, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

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### RESOLUTION NO. 308

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF SOUTHERN TIER AIDS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 320 of 2000, authorized and approved renewal of the Southern Tier AIDS Program Grant for the Department of Health and adopted a program budget in the amount of \$19,500 for the period July 1, 2000 through June 30, 2001, and

WHEREAS, said grant program provides free, anonymous HIV/AIDS counseling and testing for about 600 people in Broome County, who would be considered at risk, and

WHEREAS, it is desired to renew said grant program in the amount of \$19,500 for the period July 1, 2001 through June 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,500 from the Southern Tier AIDS Program, Inc. 122 Baldwin Street, Johnson City, New York 13790 for anonymous HIV/AIDS counseling and testing for the period July 1, 2001 through June 30, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$ 19,500, and be it

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

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### RESOLUTION NO. 309

By Health Services, Personnel and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A HEALTHY FAMILY NEW YORK HOME VISITING PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH THE BINGHAMTON CITY SCHOOL DISTRICT AND LOURDES HEALTH CARE SYSTEMS TO ADMINISTER SAID PROGRAM FOR 2001-2002**

WHEREAS, the Director of Public Health requests authorization to accept a Healthy Family New York Home Visiting Program Grant, to adopt a program budget in the amount of \$424,000 and to enter into an agreement with the Binghamton City School District and Lourdes Health Care systems to administer said program for the period July 1, 2001 through June 30, 2002, and

WHEREAS, said grant program provides home visiting services for the Healthy Family New York Home Visiting Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$424,000 from the New York State Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, New York 12144-2796 for the Broome County Health Department's Healthy Family New York Home Visiting Program Grant for the period July 1, 2001 through June 30, 2002, and be it



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

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with

Name	Amount	Name	Amount
Mary Haust Dr. James Lee	\$146,812	Bette Gifford John O'Neill	\$214,204
Binghamton City School District		Lourdes Health Care System	
1123 Vestal Avenue		59 Court Street	
Binghamton, New York 13903		Binghamton, New York 13901	

to administer said program grant for a total amount of \$361,016 for the period July 1, 2001 through June 30, 2002, 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, and be it

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### RESOLUTION NO. 310

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH THE RESEARCH FOUNDATION OF SUNY FOR THE WEST NILE VIRUS SURVEILLANCE PROGRAM FOR THE DEPARTMENT OF HEALTH FOR 2000-2001**

WHEREAS, the Board of Acquisition and Contract on September 27, 2000, by Contract Number CA#10-746 of 2000, authorized an agreement with The Research Foundation of SUNY at Binghamton for the West Nile Virus Surveillance Program for the Department of Health at a cost not to exceed \$2,403, for the period August 21, 2000 through August 20, 2001, and

WHEREAS, said agreement provides for the collection, identification and testing of adult mosquito/larva for the West Nile Virus throughout Broome County, and

WHEREAS, it is necessary to authorize an amendment to said agreement to expand the scope of services to include additional adult mosquito/larva surveillance, increase the contract amount by \$3,597 and to extend the term of the contract to October 1, 2001, and

WHEREAS, the Director of 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 amendment to the agreement with The Research Foundation of SUNY at Binghamton, Office of Research and Sponsored Programs, Cooper Administration Building-242, P.O. Box 6000, Binghamton, New York 13902-6000 for the collection, identification and testing of adult mosquito/larva for the West Nile Virus for the Department of Health for the period August 21, 2000 through October 1, 2001, and be it

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FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$3,597, total amount not to exceed \$6,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480137.4545.101000 (Contracted Services), and be it

FURTHER RESOLVED, that Board of Acquisition and Contract CA#10-746 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, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 311**

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH ACME PEST CONTROL, INC. FOR MOSQUITO CONTROL FOR THE DEPARTMENT OF HEALTH FOR 2000-2001**

WHEREAS, the Board of Acquisition and Contract by Contract Number 10-740 adopted on August 10, 2000 and amended on September 27, 2000, authorized an agreement with Acme Pest Control, Inc. for the application of larvacide for mosquito control for the Department of Health at a cost not to exceed \$25,000, for the period August 9, 2000 through October 1, 2001, and

WHEREAS, said agreement provides for the application of larvacide for mosquito control at selected locations in Broome County, and

WHEREAS, it is necessary to authorize an amendment to said agreement to expand the scope of services to include selected catch basin locations as directed by the Department of Health, increase the contract amount by \$24,200 and to extend the term of the contract to October 1, 2001, and

WHEREAS, the Director of 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 amendment to the agreement with Acme Pest Control, Inc., P.O. Box 65, Dryden, New York 13053 for the application of larvacide mosquito control for the Department of Health for the period August 9, 2000 through October 1, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$24,200, total amount not to exceed \$49,200, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480137.4545.101000 (Contracted Services), and be it

FURTHER RESOLVED, that Board of Acquisition and Contract CA#10-740 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, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

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### RESOLUTION NO. 312

By Health Services and Finance Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE AMERICAN LUNG ASSOCIATION OF MID NEW YORK FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE COMMUNITY-BASED COMPREHENSIVE TOBACCO PREVENTION AND CONTROL GRANT FOR THE DEPARTMENT OF HEALTH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 476 of 2000, authorized an agreement with United Health Services Stay Healthy Center, American Lung Association of Mid New York, American Cancer Society and Mothers and Babies Perinatal Network for professional services for the Department of Health's Community-Based Tobacco Prevention and Control Initiative Grant at an amount not to exceed \$12,000 for the period June 1, 2000 through May 31, 2001, and

WHEREAS, said agencies provided community-based education activities and events as they relate to the Department of Health's Community-Based Tobacco Prevention and Control Program Workplan, servicing the counties of Broome, Chenango, Delaware and Tioga, and

WHEREAS, said agreement expires by its terms on May 31, 2001, and it is desired at this time to renew said agreement with the American Lung Association of Mid New York on substantially similar terms and conditions to provide smoking cessation classes to residents of Broome and Tioga Counties, for an amount not to exceed \$7,000, for the period June 1, 2001 through May 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the American Lung Association of Mid New York, 587 Main Street, New York Mills, New York 13417 for professional services for Broome and Tioga Counties for the Department of Health's Community-Based Comprehensive Tobacco Prevention and Control Initiative Grant for the period June 1, 2001 through May 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4458.104XXX (Other Program Expense), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### RESOLUTION NO. 313

By Personnel, Health Services and Finance Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST (TITLE CHANGES ONLY) FOR THE DEPARTMENTS OF HEALTH, MENTAL HEALTH, AND WILLOW POINT NURSING HOME**

RESOLVED, that in accordance with a request from the Director of Health as contained in PCR#01-199, this County Legislature hereby authorizes the Title Change of (1) Supervising Public Health Nurse position, Full Time, at budget line 480301.1000.104542, minimum salary of \$37,576, Grade 20, Union BAPA, to (1) Public Health Program Coordinator position, Full Time, at budget line 480301.1000.104542, minimum salary of \$37,576, Grade 20, Union BAPA, effective date 5/28/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health as contained in PCR#01-196, this County Legislature hereby authorizes the Title Change of (1) Medical Records Technician position, Full Time, at budget line 480293.1000.101000, minimum salary of \$21,549, Grade 11, Union CSEA, to (1) Health Information Technician position, Full Time, at budget line 480293.1000.101000, minimum salary of \$21,549, Grade 11, Union CSEA, effective date 5/10/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health as contained in PCR#01-190, this County Legislature hereby authorizes the Title Change of (1) Medical Records Administrator position, Full Time, at budget line

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470013.1000.101000, minimum salary of \$27,698, Grade 14, Union BAPA, to (1) Health Information Administrator position, Full Time, at budget line 470013.1000.101000, minimum salary of \$27,698, Grade 14, Union BAPA, effective date 5/10/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of WPNH as contained in PCR#01-179, this County Legislature hereby authorizes the Title Change of (2) Charge Nurse LPN positions, Full Time (80 Hrs), at budget line 160085.1000.204000, minimum salary of \$22,945, Grade 11, Union CSEA, to (2) Senior LPN positions, Full Time (80 Hrs), at budget line 160085.1000.204000, minimum salary of \$22,945, Grade 11, Union CSEA, effective date 6/21/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of WPNH as contained in PCR#01-178, this County Legislature hereby authorizes the Title Change of (21) Charge Nurse RPN/LPN positions, Full Time (80 Hrs), at budget line 160085.1000.204000, minimum salary of \$28,042 / \$22,945, Grade 15/11, Union CSEA, to (21) Charge Nurse RPN/Senior LPN positions, Full Time (80 Hrs), at budget line 160085.1000.204000, minimum salary of \$28,042/\$22,945, Grade 15/11, Union CSEA, effective date 6/21/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of WPNH as contained in PCR#01-180, this County Legislature hereby authorizes the Title Change of (1) Charge Nurse LPN position, Part Time, at budget line 160085.1500.204000, minimum salary of \$22,945 (80 hr) FTE, Grade 11, Union CSEA, to (1) Senior LPN position, Part Time, at budget line 160085.1500.204000, minimum salary of \$22,945 (80 hr) FTE, Grade 11, Union CSEA, effective date 6/21/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of WPNH as contained in PCR#01-187, this County Legislature hereby authorizes the Title Change of (2) Medical Records Technician positions, Full Time, at budget line 160036.1000.204000, minimum salary of \$21,549 FTE, Grade 11, Union CSEA, to (2) Health Information Technician positions, Full Time, at budget line 160036.1000.204000, minimum salary of \$21,549 FTE, Grade 11, Union CSEA, effective date 5/10/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of WPNH as contained in PCR#01-186, this County Legislature hereby authorizes the Title Change of (1) Medical Records Administrator position, Full Time, at budget line 160036.1000.204000, minimum salary of \$27,698, Grade 14, Union BAPA, to (1) Health Information Administrator position, Full Time, at budget line 160036.1000.204000, minimum salary of \$27,698, Grade 14, Union BAPA, effective date 5/10/01.

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 315**

By Community & Social Services, Personnel and Finance Committees  
Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING REVISION OF THE ADMINISTRATION BUDGET FOR OFFICE FOR AGING'S EMPLOYMENT PROGRAM GRANTS AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 315 OF 2000, authorized and approved the Senior Community Service Employment Program (SCSEP) Administration Grants for the Office for Aging and adopted a program budget in the amount of \$102,780 for the period July 1, 2000 through June 30, 2001, 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 desired at this time to revise said program to reflect a decrease of \$4,350 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Administration budget for Office for Aging Employment Program Grants in the total amount of \$4,350 for the period July 1, 2000 through June 30, 2001, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$98,430, and be it

FURTHER RESOLVED, that Resolution 315 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 authorized to execute any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 316**

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF TITLE III-E FAMILY CAREGIVER PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001**

WHEREAS, the Director of the Office for Aging requests authorization to accept a Title III-E Family Caregiver Program Grant and adopt a program budget in the amount of \$98,579 for the period July 1, 2001 through December 31, 2001, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$85,102 from the New York State Office for Aging, Empire State Plaza, Building 2, Albany, New York 12223-0001 for the Office for Aging's Title III-E Family Caregiver Program Grant for the period July 1, 2001 through December 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 \$98,579, 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-17, Nays-0, Absent-2 (Hull, Pasquale).**

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**RESOLUTION NO. 317**

By Community & Social Services, Personnel and Finance Committees  
Seconded by Mr. Burger

**RESOLUTION AUTHORIZING REVISION OF THE HOME ENERGY ASSISTANCE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 454 of 2000, as amended by Resolution 134 of 2001, authorized the continued participation in the Home Energy Assistance Program by the Office for Aging and adopted a program budget in connection therewith in the total amount of \$25,000 for the period October 1, 2000 through September 30, 2001, and

WHEREAS, said grant program provides assistance to meet the cost of home heating for eligible homeowners and renters based on household size, income and type of heating, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$30,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Home Energy Assistance Program Grant in the total amount of \$30,000 for the period October 1, 2000 through September 30, 2001, 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 \$55,000, and be it

FURTHER RESOLVED, that Resolution 454 of 2000, and Resolution 134 of 2001 to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried,** Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

**RESOLUTION NO. 318**

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING AGREEMENT WITH THE ALZHEIMER'S ASSOCIATION SOUTHERN TIER CHAPTER FOR COUNSELING, EDUCATION AND SUPPORT SERVICES FOR OFFICE FOR AGING'S TITLE III-E FAMILY CAREGIVER PROGRAM GRANT FOR 2001-2002**

WHEREAS, the Director of the Office for Aging requests authorization for an agreement with the Alzheimer's Association Southern Tier Chapter for counseling, education and support services for the Office for Aging's Title III-E Family Caregiver Program Grant at a cost not to exceed \$21,968, for the period July 1, 2001 through December 31, 2002, and

WHEREAS, said services are necessary to provide education, counseling and support for informal caregivers associated with said grant program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Alzheimer's Association Southern Tier Chapter, 1406 Monroe Street, Endicott, New York 13760-5495, for counseling, education and support services for the Office for Aging's Title III-E Family Caregiver Program Grant for the period July 1, 2001 through December 31, 2002, and be it

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FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$21,968 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760967.4457.104553 (Subcontracted Program Expense), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### **RESOLUTION NO. 319**

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR IN-HOME RESPITE SERVICES FOR THE OFFICE FOR AGING'S TITLE III-E FAMILY CAREGIVER GRANT FOR 2001**

WHEREAS, the Director of the Office for Aging requests authorization for agreements with various vendors for in-home respite services for the Office for Aging's Title III-E Family Caregiver Grant at a rate of \$13.25 per hour, total cost not to exceed budgeted appropriations, for the period July 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide in-home respite care to caregivers in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the following vendors for in-home respite services for the Office for Aging's Title III-E Family Caregiver Grant for the period July 1, 2001 through December 31, 2001,

Staffings Healthcare Systems  
P.O. Box 1015  
Binghamton, New York 13902-1015

Interim Healthcare Systems  
38 Front Street, Suite D  
Binghamton, New York 13905

Family & Children's Society of Broome County  
257 Main Street  
Binghamton, New York 13905

Homemakers of Broome County (d/b/a/ Caregivers)  
189 Riverside Drive  
Johnson City, NY 13790

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at an hourly rate of \$13.25, total amount not to exceed budgeted appropriations for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760967.4457.104553 (Subcontracted Program Expense), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

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### RESOLUTION NO. 320

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT BETWEEN OFFICE FOR AGING AND OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR SOCIAL DAY CARE SERVICES FOR CERTIFIED HOME HEALTH AGENCY CLIENTS FOR 2001**

WHEREAS, this County Legislature, by Resolution 535 of 1999, authorized renewal of an agreement with Our Lady of Lourdes Memorial Hospital for social day care services for Certified Home Health Agency clients with revenue to Broome County of \$32.00 per client, per day for the period January 1, 2000 through December 31, 2000, and

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

WHEREAS, said agreement expired 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 the period January 1, 2001 through December 31, 2001, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905 for social day care services for Long Term Home Health Care clients for the period January 1, 2001 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$32.00 per client, per day for a full day of social day care for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760983.0538.104515 (Long Term Home Health Care Fees), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### RESOLUTION NO. 321

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION REQUESTING AN INCREASE IN RATES FOR MILEAGE REIMBURSEMENT FOR THE OFFICE FOR AGING**

WHEREAS, the Meals on Wheels Home Delivered Meals Program has been operated by the Office for Aging since 1995, and

WHEREAS, volunteers have been utilized by the Office for Aging to provide meal delivery service to clients and have been reimbursed for mileage at a rate of \$2.55 for meal routes departing from Binghamton and \$.26 per mile for meal routes more than 10 miles long, and

WHEREAS, because of rising costs and inflation it is necessary for Office for Aging to increase the rates paid to these volunteers to maintain a level of service which is crucial to this program, now, therefore, be it

RESOLVED, that the Broome County Office for Aging is authorized to continue reimbursement of volunteers who use their own vehicles to deliver meals at the rate of \$3.00 for meal routes departing from Binghamton and \$.32 per mile for meal routes more than 10 miles long, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760744.4465.104464, and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).



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### **RESOLUTION NO. 322**

By Community & Social Services, Personnel and Finance Committees  
Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF NEW YORK STATE OFFICE FOR AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SOFA) GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 311 of 2000, as amended by companion resolution, authorized and approved the New York State Office for Aging Senior Community Service Employment Program (SOFA) Grant for the Office for Aging and adopted a program budget in the amount of \$55,000 for the period July 1, 2000 through June 30, 2001, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$60,762 for the period July 1, 2001 through June 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$60,762 from the New York State Office for Aging, Empire State Plaza, Building 2, Albany, New York 12223-0001 for the Office for Aging's Senior Community Service Employment Program (SOFA) Grant, for the period July 1, 2001 through June 30, 2002, 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 \$60,762, 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-17, Nays-0, Absent-2 (Hull, Pasquale).

### **RESOLUTION NO. 323**

By Community & Social Services, Personnel and Finance Committees  
Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF THE SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (NCOA) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 313 of 2000, as amended by companion resolution, authorized and approved the National Council on Aging Senior Community Service Employment Program (NCOA) Grant for the Office for Aging and adopted a program budget in the amount of \$191,600 for the period July 1, 2000 through June 30, 2001, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged 55 and older, including part-time jobs for applicants in not-

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for-profit agencies, classroom training, on-the-job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is desired to renew said grant program in the amount of \$220,600, for the period July 1, 2001 through June 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$220,600 from The National Council on the Aging, 409 Third Street, SW, Suite 200, Washington, DC 20024, for the Senior Community Service Employment Program (NCOA) Grant for the Office for Aging for the period July 1, 2001 through June 30, 2002, 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 \$220,600 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-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 324**

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF THE ADMINISTRATION BUDGET FOR OFFICE FOR AGING'S EMPLOYMENT PROGRAM GRANTS AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 315 of 2000, as amended by companion resolution, authorized and approved the Senior Community Service Employment Program (SCSEP) Administration Grants for the Office for Aging and adopted a program budget in the amount of \$98,430 for the period July 1, 2000 through June 30, 2001, 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 desired to renew said grant program in the amount of \$108,415 for the period July 1, 2001 through June 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Administration Budget of \$108,415 for the Office for Aging's Employment Program Grants for the period July 1, 2001 through June 30, 2002, 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 \$108,415, 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

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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-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 325**

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING REVISION OF NATIONAL COUNCIL OF AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (NCOA) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 313 of 2000, authorized the continued participation in the National Council of Aging Senior Community Service Employment Program (NCOA) Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$221,600 for the period July 1, 2000 through June 30, 2001, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged 55 or 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 a decrease of \$30,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the National Council of Aging Senior Community Service Employment Program (NCOA) Grant in the total amount of \$30,000 for the period July 1, 2000 through June 30, 2001, 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 \$191,600, and be it

FURTHER RESOLVED, that Resolution 313 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 authorized to execute any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

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### **RESOLUTION NO. 326**

By Economic Development & Planning and Finance Committees                      Seconded by Mr. Burger  
**RESOLUTION AUTHORIZING REVISION OF VARIOUS PY2000 PROGRAM GRANTS UNDER THE WORKFORCE INVESTMENT ACT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING REVISED PROGRAM BUDGETS IN CONNECTION THEREWITH FOR 2000-2002**

WHEREAS, this County Legislature, by Resolution 352 of 2000, as amended by Resolution 79 of 2001, authorized participation in the Workforce Investment Act (WIA) Dislocated Workers Grant, Youth Grant and Adult Grant by the Office of Employment and Training and adopted program budgets in connection therewith in the total amount of \$1,204,920, \$608,965 and \$625,654, respectively, for the period July 1, 2000 through June 30, 2002, and

WHEREAS, said grant programs provide job placement services and training to dislocated workers, low income youths and adults, and

WHEREAS, it is necessary at this time to revise said program grants to reflect increases to each as the result of the closeout of the Job Training Partnership Act PY 1998 and PY 1999 grants and transferring the remaining balances to the existing Workforce Investment Act grants listed above, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an increase in appropriations of \$392,630 to the PY2000 WIA Dislocated Workers Grant, \$459,673 to the PY 2000 WIA Adults Grant and \$180,437 to the PY2000 WIA Youth Grant for the period July 1, 2000 through June 30, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts revised program budgets annexed hereto as Exhibits "A", "B" and "C" in the total amount of \$1,597,550, \$1,085,327 and \$789,402, respectively, and be it

FURTHER RESOLVED, that Resolution 352 of 2000 and Resolution 79 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### **RESOLUTION NO. 327**

By Economic Development & Planning and Finance Committees                      Seconded by Mr. Burger  
**RESOLUTION AUTHORIZING REVISION OF PY2000 WORKFORCE INVESTMENT ACT DISLOCATED WORKER AND ADULT GRANTS FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2002**

WHEREAS, this County Legislature, by Resolution 352 of 2000, as amended by companion resolution and Resolution 79 of 2001, authorized the continued participation in the Workforce Investment Act (WIA) Dislocated Workers Grant, Youth Grant and Adult Grant by the

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Office of Employment and Training and adopted program budgets in connection therewith in the total amounts of \$1,597,550, \$1,085,327 and \$789,402, respectively, for the period July 1, 2000 through June 30, 2002, and

WHEREAS, said grant programs provide job placement services and training to dislocated workers, low income youths and adults, and

WHEREAS, the Workforce Investment Act Final Rules Section 667.140 allows the transfer of up to 20 percent of the WIA Dislocated Worker Grant to the WIA Adult Grant, and

WHEREAS, it is desired at this time to make said transfer and revise the PY2000 WIA Dislocated Workers Grant to reflect a decrease of \$216,886 in grant appropriations and revise the PY2000 WIA Adult Grant to reflect an increase of \$216,886 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a reduction of the PY2000 WIA Dislocated Workers Grant in the amount of \$216,886 and an increase of the PY2000 WIA Adult Grant in the amount of \$216,886 for the period July 1, 2000 through June 30, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budgets annexed hereto as Exhibit "A" and "B" in the total amounts of \$1,380,664 and \$1,302,213, respectively, and be it

FURTHER RESOLVED, that Resolution 352 of 2000, as amended by companion resolution and Resolution 79 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 328**

By Economic Development & Planning, Personnel, County Administration and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF THE PY2001 WORKFORCE INVESTMENT ACT DISLOCATED WORKER, ADULT AND YOUTH PROGRAM GRANTS FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING PROGRAM BUDGETS IN CONNECTION THEREWITH FOR 2001-2003**

WHEREAS, the Director of Employment and Training requests authorization to accept the PY2001 Workforce Investment Act (WIA) Dislocated Worker, Adult, and Youth Program Grants for the period July 1, 2001 through June 30, 2003 and Shared Costs Program Grant for the period July 1, 2001 through June 30, 2002 and adopt program budgets in the total amounts of \$835,651, \$577,128, \$592,554 and \$771,851, respectively, and

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

RESOLVED, that this County Legislature hereby authorizes and approves acceptance from the New York State Department of Labor, State Office Building Campus, Albany, New York 12240, \$835,651 for the PY2001 WIA Dislocated Worker Grant, \$577,128 for the PY2001 WIA



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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-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 330**

By Economic Development & Planning and Finance Committees                      Seconded by Mr. Burger  
**RESOLUTION AUTHORIZING ACCEPTANCE OF THE PY2001 YEAR ROUND TANF SERVICES BLOCK GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2001 Year Round TANF Services Block Grant and adopt a program budget in the amount of \$190,000 for the period July 1, 2001 through June 30, 2002, and

WHEREAS, said grant program provides a year round program for Foster Care and DSS youth within 200 percent of the poverty level, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$190,000 from the Broome County Department of Social Services for the Office of Employment and Training's PY2001 Year Round TANF Services Block Grant for the period July 1, 2001 through June 30, 2002, 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 \$190,000, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 331**

By Economic Development & Planning and Finance Committees                      Seconded by Mr. Burger  
**RESOLUTION AUTHORIZING ACCEPTANCE OF A HIGH-TECH GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, the Director of Employment and Training requests authorization to accept a High-Tech Grant and to adopt a program budget in the amount of \$755,490 for the period May 15, 2001 through May 14, 2002, and

WHEREAS, said grant program will support high-tech training in such areas as CAD development, web development and java script writing to local workers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$755,490 from the New York State Department of Labor, Financial Oversight and Technical Assistance Unit, Workforce Development and Training, Room 425, Building 12, Harriman Campus, Albany, New York 12240 for the Office of Employment and Training's High-Tech Program Grant for the period May 15, 2001 through May 14, 2002, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$755,490, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 332**

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF WEST NILE VIRUS-HRI PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001**

WHEREAS, the Director of Public Health requests authorization to accept a West Nile Virus-HRI Program Grant and adopt a program budget in the amount of \$20,000 for the period May 1, 2001 through December 31, 2001, and

WHEREAS, said grant program provides funding to support the Broome County Health Department's West Nile Virus Program, including education on mosquito habitat reduction, and maintenance of mosquito and bird surveillance networks, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from Health Research Inc., One University Place, Rensselaer, New York 12144-3456 for the Department of Health's West Nile Virus-HRI Program Grant for the period May 1, 2001 through December 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) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**



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### RESOLUTION NO. 333

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF THE ADOLESCENT PREGNANCY PREVENTION SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 212 of 2001, authorized and approved the Adolescent Pregnancy Prevention Services Program Grant for the Department of Health and adopted a program budget in the amount of \$6,444 for the period January 1, 2001 through May 31, 2001, and

WHEREAS, said grant program provides intensive home care visiting services to women ages 10 to 19 who are pregnant or parenting in the 13901, 13905, 13790 and 13754 zip codes, and

WHEREAS, it is desired to renew said grant program in the amount of \$22,235 for the period June 1, 2001 through March 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$22,235 from Mothers and Babies Perinatal Network, 45 Lewis Street, Binghamton, New York 13901, for the Department of Health's Adolescent Pregnancy Prevention Services Program Grant for the period June 1, 2001 through March 31, 2002, 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 \$22,235, 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-17, Nays-0, Absent-2 (Hull, Pasquale).**

### RESOLUTION NO. 334

By Health Services and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH KEANE, INC. FOR A CLINICAL SOFTWARE MAINTENANCE AGREEMENT FOR WILLOW POINT NURSING HOME FOR 2001**

WHEREAS, this County Legislature, by Resolution 570 of 2000, authorized an agreement with Keane, Inc. for software maintenance for Willow Point Nursing Home at a cost not to exceed \$6,336, for the period January 1, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to support the computer software program that maintains the patient clinical and billing records, and

WHEREAS, it is necessary to authorize an amendment to said agreement to provide a increase of \$96.25 for an increase in annual maintenance, allowable through the original contract for the clinical software annual maintenance agreement, and

WHEREAS, the Administrator of the Willow Point Nursing Home 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 Keane, Inc., 6 North Park, Suite 208, Hunt Valley, Maryland 21030, for an



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**RESOLUTION NO. 336**

By Health Services and Finance Committees Seconded by Mr. Burger  
**RESOLUTION AUTHORIZING ESTABLISHMENT AND/OR RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR OUTREACH AND EDUCATION SERVICES FOR THE HEALTH DEPARTMENT'S HEALTHY LIVING PARTNERSHIP BREAST AND CERVICAL CANCER SCREENING OUTREACH GRANT FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 121 of 2000, authorized renewal of agreements with various vendors for outreach, education and screening data collection services for the Department of Health's Healthy Living Partnership Program at an amount not to exceed \$33,125, for the period April 1, 2000 through March 31, 2001, and

WHEREAS, said services are necessary to provide breast and cervical cancer outreach, education, screening and case management activities for financially eligible women in a five-county region that includes Broome, Tioga, Chenango, Otsego and Delaware Counties, and

WHEREAS, said agreements expired by their terms on March 31, 2001, and it is desired at this time to renew agreements with YWCA Encore Plus for an amount not to exceed \$23,203, Planned Parenthood of Delaware/Otsego Counties for an amount not to exceed \$7,007, Chenango Memorial Hospital for an amount not to exceed \$5,808 on substantially similar terms and conditions, for the period April 1, 2001 through March 31, 2002, and

WHEREAS, it is also desired at this time to establish new agreements with the Delaware County Cornell Cooperative Extension for an amount not to exceed \$4,908 and the Tioga Opportunities Program for an amount not to exceed \$9,000 on substantially similar terms and conditions, for the period April 1, 2001 through March 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment and/or renewal of agreements with the agencies listed below for the amounts indicated for outreach and education services for Department of Health's Healthy Living Partnership Breast and Cervical Cancer Screening Program Grant for the period April 1, 2001 through March 31, 2002,

Encore Plus, YWCA 80 Hawley Street Binghamton, New York 13901	\$23,203
Planned Parenthood of Delaware and Otsego Counties 37 Dietz Street Oneonta, New York 13820-1805	\$7,007
Chenango Memorial Hospital 179 N. Broad Street Norwich, New York 13815	\$5,808
Delaware County Cornell Cooperative Extension NYS Route 10 P.O. Box 184 Hamden, New York 13782	\$4,908
Tioga Opportunities Program 110 Central Avenue Owego, New York 13827	\$9,000

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors a total amount not to exceed \$49,926 for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104530 (Subcontracted Program Expense), and be it

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FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

**RESOLUTION NO. 337**

By Health Services and Finance Committees Seconded by Mr. Burger  
**RESOLUTION AUTHORIZING ESTABLISHMENT AND/OR RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR PROFESSIONAL SERVICES FOR THE HEALTH DEPARTMENT'S COLORECTAL CANCER SCREENING AND PROSTATE CANCER EDUCATION INITIATIVE GRANT FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 260 of 2000, authorized renewal of agreements with various vendors for professional services for the Department of Health's Colorectal Cancer Screening and Prostate Cancer Education Initiative Grant at an amount not to exceed \$23,440, for the period April 1, 2000 through March 31, 2001, and

WHEREAS, said services are necessary to provide colorectal cancer screening and prostate cancer education to uninsured or underinsured men and women over fifty years of age in five counties which include Broome, Tioga, Chenango, Otsego and Delaware, and

WHEREAS, said agreements expired by their terms on March 31, 2001, and it is desired at this time to renew agreements with United Health Services for an amount not to exceed \$5,680, Our Lady of Lourdes Memorial Hospital for an amount not to exceed \$3,372, Delaware County Cornell Cooperative Extension for an amount not to exceed \$5,680 and Rural Health Network for an amount not to exceed \$5,680 on substantially similar terms and conditions, for the period April 1, 2001 through March 31, 2002, and

WHEREAS, it is also desired at this time to establish new agreements with the YWCA Encore Plus for an amount not to exceed \$808, Planned Parenthood of Delaware/Otsego for an amount not to exceed \$1,500 and the Chenango Memorial Hospital for an amount not to exceed \$5,680 on substantially similar terms and conditions, for the period April 1, 2001 through March 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment and/or renewal of agreements with the agencies listed below for the amounts indicated for outreach and education services for Department of Health's Colorectal Cancer Screening and Prostate Cancer Education Initiative Grant for the period April 1, 2001 through March 31, 2002,

United Health Services Stay Health Center 33-57 Harrison Street Johnson City, New York 13790	\$5,680
Our Lady of Lourdes Memorial Hospital 169 Riverside Drive Binghamton, New York 13905	\$3,372
Delaware County Cornell Cooperative Extension NYS Rt 10, P.O. Box 184 Hamden, New York 13782	\$5,680
Rural Health Network P.O. Box 416 Whitney Point, New York 13862	\$5,680
YWCA Encore Plus 80 Hawley Street Binghamton, New York 13901	\$808

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Planned Parenthood of Delaware/Otsego 37 Dietz Street Oneonta, New York 13820	\$1,500
Chenango Memorial Hospital 179 N. Broad Avenue Norwich, New York 13815	\$5,680

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors a total amount not to exceed \$28,400 for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104529 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### RESOLUTION NO. 338

By Health Services, Personnel and Finance Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING ACCEPTANCE OF A PRIMARY CARE INITIATIVE PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH THE RESEARCH FOUNDATION OF THE SUNY CLINICAL CAMPUS TO SUPPORT SAID PROGRAM FOR 2001-2003**

WHEREAS, the Director of the Department of Health requests authorization to accept a Primary Care Initiative Program Grant, to adopt a program budget in the amount of \$442,000 and to enter into an agreement with The Research Foundation of SUNY Clinical Campus in support of said program for the period July 1, 2001 through June 30, 2003, and

WHEREAS, said grant program provides funding for primary care services to uninsured adults through the Community Free Clinic, a portion of which will be used to staff a part time Nurse Practitioner, a Public Health Nurse and Accountant to work with the clinic, the remainder to be subcontracted to the Research Foundation of the SUNY Clinical Campus, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$442,000 from the New York State Department of Health, Primary and Community Health Care Development Programs, Corning Tower, Governor Nelson A. Rockefeller Empire State Plaza, Albany, New York 12237 for the Department of Health's Primary Care Initiative Program Grant for the period July 1, 2001 through June 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 \$442,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with The Research Foundation of the State University of New York on behalf of the Clinical Campus of Binghamton, 425 Robinson Street, Binghamton, New York 13901, to provide primary care services to uninsured adults through the Community Free Clinic for a total amount not to exceed \$345,062 for the period July 1, 2001 through June 30, 2003, 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, and be it

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 339**

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

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH IOS CAPITAL AND IKON OFFICE SOLUTIONS FOR THE LEASE AND RELATED SERVICE AGREEMENT FOR A DIGITAL COPY MACHINE FOR THE OFFICE OF THE SHERIFF FOR 2001-2006**

WHEREAS, the Sheriff requests authorization for an agreement with IOS Capital and IKON Office Solutions for a lease and related service agreement for a digital copy machine for the Office of the Sheriff at a cost of \$263 per month plus an overage rate of .006 per copy when applicable, total amount not to exceed \$15,780, for the period July 1, 2001 through June 30, 2006, and

WHEREAS, said services are necessary to provide a copier at the training academy, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with IOS Capital, P.O. Box 9115, Macon, Georgia 31208-9115 and related service agreement with IKON Office Solutions, 21 South Washington Street, Binghamton, New York 13903 to lease a digital copier for the Office of the Sheriff's training center for the period July 1, 2001 through June 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$263 per month, total amount not to exceed \$15,780 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450064.4518.101000 (Copy Machine Rentals), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 340**

By County Administration and Finance Committees                      Seconded by Mr. Shafer

#### **RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4, 2001, ENTITLED: "A LOCAL LAW AMENDING SECTION 181-1 OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE REGARDING SUBDIVISION MAPS"**

RESOLVED, that Local Law Intro. No. 4, 2001, entitled: "A LOCAL LAW AMENDING SECTION 181-1 OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE REGARDING SUBDIVISION MAPS," be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

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**LOCAL LAW INTRO. NO. 4, 2001**

**“A Local Law Amending Section 181-1 of the Broome County Charter and Administrative Code Regarding Subdivision Maps”**

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

SECTION 1. Any and every map, plot or subdivision map identifying land located wholly or in part within the County of Broome, showing a subdivision of such lands into five or more blocks or lots, shall, before it is filed in the Office of the Clerk of the County of Broome, be presented to the Department of Real Property Tax Service and a mylar copy thereof filed in the Department of Real Property Tax Service and the said original map or plot shall be stamped by said Department of Real Property Tax Service. If any such map or plot which has not been so stamped shall be placed on file, the owner thereof at the time of filing, shall forfeit to Broome County the sum of \$50.00, plus costs and disbursements necessary to obtain said map or plot. If said sum is not paid within twenty (20) days of written notice of violation, the County shall be authorized to commence an action in the name of Broome County in any court of competent jurisdiction to collect said sum.

SECTION 2. This local law shall become effective following a public hearing to be held before the County Executive in a manner provided by law.

Material underlined added.

**Carried**, Ayes-16, Nays-0, Absent-3 (Hull, Pasquale, Whalen).

**RESOLUTION NO. 341**

By County Administration, Education, Culture & Recreation and Public Works Committees

Seconded by Mr. Miller

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5, 2001, ENTITLED: "A LOCAL LAW ESTABLISHING AN "ADOPT-A-PROJECT" PROGRAM"**

WHEREAS, various community organizations have expressed an interest in adopting a portion of a County highway or County park and agreeing to remove trash along the highway or in the park and/or provide right of way beautification, or participate in a beautification project at a County operated facility such as the airport or nursing home, and

WHEREAS, such an "Adopt-A-Project" program would be beneficial to the residents of Broome County and provide opportunities for community service to beautify Broome, now, therefore, be it

RESOLVED, that Local Law Intro. No. 5, 2001, entitled: "A LOCAL LAW ESTABLISHING AN "ADOPT-A-PROJECT" PROGRAM be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 5, 2001**

**A Local Law Establishing An "Adopt-A-Project" Program**

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

SECTION 1. Purpose

There is hereby established an "Adopt-A-Project" program, the purpose of which shall be to reduce and remove litter along County highways and within County parks and to promote beautification along the County's highways, in the County's parks and in and around other County-owned facilities including the Binghamton Regional Airport and the Willow Point Nursing Home.

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**SECTION 2. Eligible Participants**

Any not-for-profit corporation or any other organization, association or individual may apply to participate in this "Adopt-A-Project " program.

**SECTION 3. Application Requirements**

Applicants shall complete an application form setting forth the name and address of the organization and listing the names and addresses of the volunteers who will be participating in the program. In addition, the application for participation in this program shall set forth what steps and what actions the applicant is going to take to provide the continuous care and maintenance of the section of County highway or County park to be adopted or the specific beautification project at a County-operated facility.

**SECTION 4. Application Review**

Applications shall be forwarded to the Department Head having direct supervision over the proposed Adopt-A-Project site for review and approval as to the feasibility of the proposed project as listed on the application.

**SECTION 5. Adopt-A-Project Agreements**

Before any work is undertaken by the applicant on the proposed project, the applicant shall sign an Adopt-A-Project Agreement on a form to be provided by the County. The Department Head having jurisdiction over the project site the applicant proposes to adopt shall have the authority to enter into Adopt-A-Project agreements with the applicant.

**SECTION 6. Erection of Signs**

After a period of not less than six months, the applicant may request a review of the adopted project. If the project has been performed pursuant to the Adopt-A-Project Agreement, the Department Head responsible shall make arrangements for a sign to be placed at the project site stating that the project has been adopted by the applicant organization.

**SECTION 7. Termination of Project Agreement**

If the applicant fails to perform the project as agreed to for a period of more than sixty days, the Adopt-A-Project Agreement shall be terminated and any signage pursuant to the provisions herein shall be removed.

**SECTION 8. Participants not deemed County employees; County held harmless**

A.) The applicant organization and individual members of the organization performing any work or services pursuant to an Adopt-A-Project Agreement shall not be deemed to be employees of the County of Broome but merely volunteers. The applicant further agrees not to permit anyone under the age of eleven years to participate in this program.

B.) The County of Broome and its employees shall not be liable for damages suffered by any person, including the volunteer, resulting from the actions or activities of such volunteers or organization. Prior to commencing work on the project, all participants (or the guardian of the participant if the participant is under the age of eighteen) shall sign a release and waiver form.

**SECTION 9. Equipment**

The County of Broome shall not supply any tools, equipment or supplies for this program. Any and all tools, equipment or supplies shall be furnished by the applicant.

**SECTION 10. Effective Date**

This local law shall take effect upon filing with the Secretary of state.

**Carried, Ayes-16, Nays-0, Absent-3 (Hull, Pasquale, Whalen).**



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**RESOLUTION NO. 342**

By Health Services and Finance Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING AN AGREEMENT WITH BESSE MEDICAL SUPPLY FOR THE PURCHASE OF 5000 PRE-FILLED SYRINGES OF SPLIT-CELL FLU VACCINE FOR THE HEALTH DEPARTMENT'S IMMUNIZATION CLINICS FOR 2001-2002**

WHEREAS, the Broome County Department of Health requests authorization for an agreement with Besse Medical Supply for the purchase of 5000 pre-filled syringes of split-cell flu vaccine for the Health Department's immunization clinics for the period of June 1, 2001 through May 31, 2002, at a cost not to exceed \$42,250, with an option for two one-year renewals at the sole discretion of the County, and

WHEREAS, said agreement is necessary to supply the immunization clinics with an adequate supply of split-cell flu vaccine, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Besse Medical Supply, 11930 Hemper Springs Drive, Cincinnati, Ohio 45240-4121, for the purchase of 5,000 pre-filled syringes of split-cell flu vaccine for the Health Department's immunization clinics for the period of June 1, 2001 through May 31, 2002, with an option for two one-year renewals on the same terms and conditions, at the sole discretion of the County, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$8.45 for each pre-filled syringe, or dose, for an amount not to exceed \$42,250 for the term of this agreement, and be it

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

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

**Carried,** Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

**RESOLUTION NO. 343**

By Public Works Committee

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN ABANDONED RAILROAD TRESTLE OVER OLD VESTAL ROAD ALONG WITH 200 FEET OF FORMER RAILROAD RIGHT-OF-WAY**

WHEREAS, the clearance under the former railroad trestle over Old Vestal Road limits the passage of large vehicles, and

WHEREAS, said railroad trestle has created a safety hazard for many years and has been the scene of motor vehicle accidents, some which have resulted in serious personal injury, and

WHEREAS, said trestle along with the former railroad right of way has been abandoned and is now owned by Newco Services, Inc., and

WHEREAS, said Newco Services, Inc. is willing to convey title to the trestle along with 200 feet of former railroad right-of-way located immediately to the West of said trestle at no cost to the County, and

WHEREAS, said conveyance would eliminate the need for an eminent domain proceeding to acquire title in connection with improving the roadway at the site, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the conveyance to the County by Newco Services, Inc., 3101 Shippers Road, Vestal, N.Y. 13850 all that tract or parcel of land located in the Town of Vestal as more particularly described on the legal description annexed hereto as Exhibit "A" consisting of an abandoned railroad trestle over Old Vestal Road along with a portion of the former railroad right-of-way extending 200 feet westerly from the westerly abutment of the trestle, and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 344**

By Public Works Committee

Seconded by Mr. Burger

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE REMOVAL OF AN ABANDONED RAILROAD TRESTLE OVER OLD VESTAL ROAD AND REGRADING PORTIONS OF THE RIGHT-OF-WAY AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO**

WHEREAS, pursuant to a pending capital project, it is necessary to remove an abandoned railroad trestle over Old Vestal Road in the Town of Vestal and in connection therewith slope the former abutments to the trestle (the "project"), and

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

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

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

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

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of the project, and be it

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

#### **RESOLUTION NO. 345**

By Economic Development & Planning, County Administration, and Finance Committees

Seconded by Mr. Burger

**RESOLUTION AUTHORIZING ACCEPTANCE OF A PY2000 WORKFORCE INVESTMENT ACT INCENTIVE GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH TIOGA COUNTY FOR 2000-2002**

WHEREAS, the Director of Employment and Training requests authorization to accept a PY2000 Workforce Investment Act (WIA) Incentive Grant, to adopt a program budget in the amount of \$173,346 and to enter into an agreement with Tioga County for the period July 1, 2000 through June 30, 2002, and

WHEREAS, said grant program provides for computer equipment/software, marketing materials and consulting/training services for eligible residents of Broome and Tioga Counties, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$173,346 from the New York State Department of Labor, State Office Building Campus, Albany, New York 12240 for the Office of Employment and Training's PY2000 Workforce Investment Act Incentive Grant for the period July 1, 2000 through June 30, 2002, 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 \$173,346, and be it



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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

**RESOLUTION NO. 347**

By Finance and Community & Social Services Committees Seconded by Mr. Burger  
**RESOLUTION AUTHORIZING A BUDGET TRANSFER FOR YOUTH BUREAU**

RESOLVED, that in accordance with a request from the Executive Director of the Youth Bureau, in order to cover the cost of a change in retirees health insurance expense (Employee retired w/o County Coverage thru her dept, has decided to take individual coverage as a retiree (vested rights)), as requested in BF# 002417 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:	900084	4752	101000	Contingency Fund	3,300
TO:	640011	8060	101000	Health Insurance	3,300

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

**RESOLUTION NO. 348**

By Finance, Public Works and Transportation Committees Seconded by Mr. Miller  
**RESOLUTION AMENDING THE 2001 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 2001 Capital Improvement Program is hereby amended as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502355	State Dedicated Funds – Transit	500,000	500,000	0	0

<u>Year Start</u>	<u>Local Finance Law Sec. 11</u>		<u>How Financed:</u>	
	<u>YPU</u>	<u>Subd.</u>	<u>Bond</u>	<u>Current Revenue</u>
2001			0	0

Description: To purchase three support vehicles, two sets of bus lifts (including dismantling and removal of existing bus lifts) and the expansion of Transit's facilities.

FURTHER RESOLVED, the Commissioner of Finance is hereby authorized to make a short term non-interest bearing interfund loan from other operating funds to the above Capital Project 502355 to provide cash sufficient to complete the project until state aid is received.

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Hull, Pasquale, Whalen).



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Library Clerk position, Full Time, at budget line 841007.1000.304000, minimum salary of \$17,630, Grade 06, Union CSEA, effective date 7/9/01.  
**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### **RESOLUTION NO. 351**

By County Administration and Public Safety & Emergency Services Committees

Seconded by Mr. Burger

#### **RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE PASS LEGISLATION TO RESTRICT PERSONS CONVICTED OF SEX CRIMES AGAINST CHILDREN FROM RESIDING WITHIN 1500 FEET OF A SCHOOL, DAY-CARE CENTER OR PLAYGROUND AREA AND FROM LOITERING NEAR THE SAME**

WHEREAS, State Law presently requires persons convicted of sex crimes against children to notify their local police agency of their current address, and

WHEREAS, there is currently no restriction placed on the residency location or the activities of these convicted sex offenders, and

WHEREAS, these people are free to live and loiter near public and private schools, day-care centers and playground areas frequented by young children, and

WHEREAS, this County Legislature would like to ensure that every means possible is taken to protect our young people from possible harm by convicted sex offenders, and

WHEREAS, this County Legislature believes that the residences of convicted sex offenders should not be any closer than 1,500 feet from a school, day-care center or playground area nor should they be allowed to loiter near these areas, now, therefore, be it

RESOLVED, that this County Legislature calls upon the New York State Legislature to pass legislation that requires all persons convicted of sex crimes against children to live no closer than 1,500 feet from a public/private school, day-care center and/or a playground area used by young children, and to refrain from loitering near a public/private school, day-care center or a playground area, and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature is hereby directed to transmit copies of this resolution to Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, Senator Thomas W. Libous and Assemblyman Robert J. Warner and Assemblyman Jay J. Dinga.

**Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).

### **RESOLUTION NO. 352**

By Finance Committee

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING RENEWAL OF LEASE OF 312 MAPLE STREET TO JOSEPH AND CAROLE BELARDINELLI FOR 2001-2006**

WHEREAS, this County Legislature by Resolution 86 of 1996 authorized the lease of real property located at 312 Maple Street, Endicott, N.Y. to Joseph and Carole Belardinelli for the period of five years commencing April 1, 1996 with an option to purchase the premises, and

WHEREAS, Broome County took title to the premises through a tax foreclosure proceedings and the premises were discovered to be contaminated, and

WHEREAS, Broome County is working with the New York State Department of Conservation to clean up the contamination, and

WHEREAS, the Belardinelli's have requested that the lease be renewed for an additional five-year term under the same terms and conditions, including the right to purchase the premises, with the provision that they would be able to sublet a portion of the premises, and

WHEREAS, there is an issue as to whether the Belardinelli's are responsible for taxes during the cleanup and also as to rent in arrearage, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the April 1, 1996 agreement with Joseph Belardinelli and Carole Belardinelli of 307 Chaumont Drive,

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Endwell, N.Y. 13760 for the lease by Broome County to the Belardinelli's of real property known as 312 Maple Street, Endicott, N.Y. for an additional term of five years commencing April 1, 2001 and be it

FURTHER RESOLVED, that said renewal shall be on the same terms and conditions as the April 1, 1996 lease provided that the Belardinelli's shall have the right to sublet a portion of the premises and further provided that until such time as the environmental cleanup has been completed and the property restored to the tax roll that the Belardinelli's shall own no real property taxes from April 1, 1996 to the time the property is restored to the tax rolls, and further provided that any rent in arrears shall be added to the original purchase price, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 353**

By Economic Development & Planning, Intergovernmental Relations and Finance Committees  
Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING THE REVISION OF BOUNDARIES OF THE BROOME COUNTY EMPIRE ZONE**

WHEREAS, an Economic Development Zone Program was created by New York State in 1986 to stimulate economic growth in a number of areas in the State of New York facing complex challenges, and

WHEREAS, an application was submitted to New York State by the Village of Johnson City, the City of Binghamton, the Village of Endicott and the Town of Union in 1994 for the designation of an EDZ, and

WHEREAS, the application was approved and an EDZ was created covering an area of two (2) square miles divided equally among the Village of Johnson City, the City of Binghamton, the Village of Endicott, and the Town of Union and was known as the Triple Cities Economic Development Zone, and

WHEREAS, in 1998 a second EDZ in Broome County was designated to include portions of the Town of Kirkwood and the City of Binghamton, and was known as the Broome County Economic Development Zone, and

WHEREAS, in 1999, additional properties in the City of Binghamton and the Town of Kirkwood were added to the Zone and certain properties were removed from the Zone with the approval of the New York State Commissioner of Economic Development, and

WHEREAS, in 2000 New York State passed legislation transforming the state's Economic Development Zones into Empire Zones as of January 1, 2001 and adding a state tax reduction tax credit, a state real property tax credit, as well as a sales tax exemption on personal tangible property, and

WHEREAS, there are various parcels of land in the City of Binghamton portion of the Binghamton/Kirkwood Zone, such as industrial properties on Travis Avenue, as well as properties on the south side, such as Rogers Industrial Specialists, Crowley Foods, and 136 Conklin Avenue, which are well suited for industrial and commercial development and are not currently in the Empire Zone, and

WHEREAS, there are various parcels of land in the Town of Kirkwood portion of the Binghamton/Kirkwood Zone, such as Akraturn Manufacturing, the Haworth Press and Silco Precision, which are well suited for industrial and commercial development and are not currently in the Empire Zone, and

WHEREAS, in order to include these properties, it is necessary to remove other properties so that the total square mileage of the Broome County Empire Zone will not exceed two (2) square miles, and

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WHEREAS, the properties proposed for removal from the zone in the City of Binghamton include undevelopable connecting strips of land between Binghamton and the Town of Kirkwood on Upper Court Street, as well as the Saratoga Apartments public housing, and

WHEREAS, the Legislature of Broome County, the Town Board of the Town of Kirkwood, and the City Council of the City of Binghamton must agree to any amendments to the Broome County Empire Zone for the same to take effect, and

WHEREAS, public notice of the proposed boundary amendments must be given and a public hearing held, now, therefore, be it

RESOLVED, that this County Legislature hereby requests approval from the New York State Commissioner of Economic Development to amend the boundaries of the Broome County Empire Zone as attached hereto as Exhibit A and made a part hereof, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately, and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded to the City of Binghamton, the Town of Kirkwood and Empire State Development in Albany.

**Carried, Ayes-17, Nays-0, Absent-2 (Hull, Pasquale).**

### **RESOLUTION NO. 354**

By Economic Development & Planning, Intergovernmental Relations and Finance Committees

Seconded by Mr. Burger

#### **RESOLUTION AUTHORIZING THE REVISION OF BOUNDARIES OF THE TRIPLE CITIES EMPIRE ZONE**

WHEREAS, an Economic Development Zone Program (EDZ) was created by New York State in 1986 to stimulate economic growth in a number of areas in the State of New York facing complex challenges, and

WHEREAS, an application was submitted to New York State by the the City of Binghamton, the Village of Johnson City, the Village of Endicott and the Town of Union in 1994 for the designation of an EDZ, and

WHEREAS, the application was approved and an EDZ was created covering an area of two (2) square miles divided equally among the City of Binghamton, the Village of Johnson City, the Village of Endicott and the Town of Union and was known as the Triple Cities Economic Development Zone, and

WHEREAS, in 1998, a second EDZ in Broome County was designated to include portions of the Town of Kirkwood and the City of Binghamton and was known as the Broome County Economic Development Zone, and

WHEREAS, in 1999, additional properties in the City of Binghamton, the Village of Endicott and the Town of Union were added to the Zone and certain properties were removed from the Zone with the approval of the New York State Commissioner of Economic Development, and

WHEREAS, in 2000, New York State passed legislation transforming the State's Economic Development Zones into Empire Zones as of January 1, 2001 and adding a state tax reduction tax credit, a state real property tax credit, as well as a sales tax exemption on personal tangible property, and

WHEREAS, there are various parcels of land in the City of Binghamton, such as commercial properties on the Brandywine Avenue, the former Philadelphia Sales site, the former coal bin site and TeamWorld on Clinton Street, Belknap Lumber, and properties on Gaines Street and Eldredge Street, which are well suited for industrial and commercial development and are not currently in the Empire Zone, and

WHEREAS, there are various other parcels of land in the Triple Cities Empire Zone, such as the Oak Hill Avenue district, the Union District and IBM buildings in the Village of Endicott, the SEPP property and CFJ property in the Village of Johnson City and the Tri Cities Airport Industrial Park properties and the NLX site in the Town of Union, which are well suited for industrial and commercial development and are currently not in the Empire Zone, and



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WHEREAS, in order to include these properties, it is necessary to remove other properties so that the total square mileage of the Broome County Empire Zone will not exceed two (2) square miles, and

WHEREAS, the properties proposed for removal from the Zone in the City of Binghamton include the Broome County Library, St. Mary's Church, and various parking lots, and

WHEREAS, the properties proposed for removal from the other municipalities in the Zone include the police station, St. James' Church and Your Home Library in the Village of Johnson City, IBM parking lots, residential properties and undevelopable strips of land in the Village of Endicott, and Goudey Station, the floodwall behind Home Depot and undevelopable strips of land in the Town of Union, and

WHEREAS, the Legislature of Broome County, the City Council of the City of Binghamton, the Board of Trustees of the Village of Johnson City, the Board of Trustees of the Village of Endicott and the Town Board of the Town of Union must agree to any amendments to the Triple Cities Empire Zone for the same to take effect, and

WHEREAS, public notice of the proposed boundary amendments must be given and a public hearing held, now, therefore, be it

RESOLVED, that this County Legislature hereby requests approval from the New York State Commissioner of Economic Development to amend the boundaries of the Triple Cities Empire Zone as attached hereto as Exhibit A and made a part hereof, and be it

FURTHER RESOLVED, that this resolution take effect immediately, and be it

FURTHER RESOLVED, that copies of this resolution be forwarded to the City of Binghamton, the Village of Johnson City, the Village of Endicott, the Town of Union and Empire State Development in Albany.

**Carried,** Ayes-16, Nays-0, Absent-3 (Hull, Pasquale, Whalen).

**RESOLUTION NO. 355, 356 and 357** relating to CSEA, Admin I, Admin II and AT salary increases were placed on the Special Session Agenda of June 21, 2001. They were held over and were, therefore, acted upon at the beginning of this session and appear at the beginning of these minutes.

#### **RESOLUTION NO. 358**

By County Administration

Seconded by Mr. Shafer

#### **RESOLUTION CONFIRMING APPOINTMENT OF MARK H. YOUNG TO MEMBERSHIP ON THE BOARD OF ETHICS**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution No. 109, adopted April 20, 1971, has duly designated and appointed the following named individual to membership on the Board of Ethics, subject to confirmation by this County Legislature:

<u>Name</u>	<u>Term Expiring</u>
Mark H. Young	New Appointment
13 Crestmont Road	Term Expires Dec. 31, 2001
Binghamton, NY 13905	Unexpired Term of Eugene E. Peckham)

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 109, adopted April 20, 1971, hereby confirms the appointments of the above-named individual to membership on the Board of Ethics for the term indicated, in accordance with his appointment by the County Executive.

**Carried,** Ayes-16, Nays-0, Absent-3 (Hull, Pasquale, Whalen).

Mr. Howard made a motion to adjourn, seconded by Mr. Mather. **Motion to adjourn carried,** Ayes-16, Nays-0, Absent-3 (Hull, Pasquale, Whalen). The meeting was adjourned at 6:40 p.m.

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