
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
WEDNESDAY, AUGUST 18, 2004**

The Legislature convened at 3:34 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Hull).

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

Mr. Wike made a motion, seconded by Mr. Miller, that the minutes of the July 14, 2004 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Hull).

Mr. Schofield noted that the committee minutes for the period July 14, 2004 through August 17, 2004 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Burger, seconded by Mr. Kuzel. **Carried**, Ayes-18, Nays-0, Absent-1 (Hull).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Jeffrey P. Kraham:
1. Appointment to Broome County Central Library Board of Trustees
 2. Appointment to Broome County Criminal Justice Advisory Board
 3. Appointments to Broome County Community Services Board

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
1. 2004-2005 BCC Budget Public Hearing Minutes
 2. Broome County Soil & Water Conservation District Directors Meeting Minutes 7/6/04
 3. Joint Landfill Citizens Advisory Committee & EMC Recycling & Waste Management Committee Meeting Minutes 6/28/04
 4. EMC Natural Resources Committee Meeting Minutes 7/22/04
 5. Town of Kirkwood Public Hearing 9/7/04-Re: Establishment and Location of Automobile Sales Business in an Overlay District
 6. Assemblyman Clifford Crouch-Receipt of "Resolution Renewing A Request To The New York State Legislature To Support And Adopt Legislation That Would Mandate Life Time Parole For Convicted Sex Offenders"
 7. Memo from the Office of the Sheriff-SCAAP Awards
 8. Letter from Environmental Management Council Soliciting Nominations for the Landfill Citizens Advisory Committee
 9. Town of Kirkwood Public Hearing 8/3/04-Re: Providing that a Principal Use is Prohibited if Not Specifically Permitted Under the Zoning Ordinance
 10. Village of Endicott-Resolution Supporting the Broome County Magistrate's Association to Reimburse Local Courts for Stenographers at DWI Jury Trials
 11. Essex County Board of Supervisors-"Resolution Opposing the Cost Shifting of Mental Hygiene State Aid Dollars to Funding by Medicaid"
 12. Essex County Board of Supervisors-"Resolution in Support of Senate Bill 7539 Providing for the Construction and Maintenance of Wells for Municipal Water Supply on Forrest Preserve"

of Emergency Services and adopted a program budget in connection therewith in the total amount of \$6,500 for the period April 1, 2000 through March 31, 2004, and

WHEREAS, said grant program provides support of ongoing development of hazardous materials response plans as developed by the Local Emergency Planning Committee, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$2,000 in grant appropriations and extend the period to March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Hazardous Materials Emergency Preparedness Grant to reflect an increase in grant appropriations of \$2,000 and extend the period to April 1, 2000 through March 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$8,500, and be it

FURTHER RESOLVED, that Resolution 562 of 2000, Resolution 395 of 2001, Resolution 363 of 2002 and Resolution 312 of 2003 to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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.

Mr. Lindsey made a motion, seconded by Mr. Shafer, to amend the resolution to reflect a term of April 1, 2000 through September 30, 2005. **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Hull). **Resolution as amended carried**, Ayes-18, Nays-0, Absent-1 (Hull).

Ms. Hudak made a motion, seconded by Mr. Miller, to recall **Resolution No. 328** Authorizing Renewal of an Agreement with Roseanne Sall Advertising, Inc. for Transit Marketing Services for 2004-2005. **Motion to recall carried**, Ayes-18, Nays-0, Absent-1 (Hull).

RESOLUTION NO. 328

By Transportation and Finance Committees

Seconded by Mr. Miller

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH ROSEANNE SALL ADVERTISING, INC. FOR TRANSIT MARKETING SERVICES FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 565 of 1999, as amended by Resolution 286 of 2000, authorized an agreement with Roseanne Sall Advertising, Inc. for Transit Marketing Services with the County receiving 70% of net billings through December 31, 2001 and 60% of net billings for the years 2002 and 2003, and

WHEREAS, said agreement is necessary for advertising on all buses, bus shelters, map system guides and paper schedules owned and/or operated by the County, and

WHEREAS, said agreement expired by its terms on December 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with the County receiving 60% of net billings and Roseanne Sall Advertising, Inc. receiving 40% of net billings, for the period January 1, 2004 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Roseanne Sall Advertising, Inc., 88 Main Street, Binghamton, New York 13905 for Transit Marketing Services for the period January 1, 2004 through December 31, 2005, and be it

FURTHER RESOLVED, that upon receipt of proposals pursuant to the RFP process, the members of the Education, Culture and Recreation Committee evaluate them in accordance with criteria set forth in the RFP, and be it

FURTHER RESOLVED, that if, upon review of said proposals, it is determined to be in the best interest of the County to select one of the proposals for the private management of the Arena and Forum, that this Legislature take appropriate action, and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature be and hereby is authorized to forward copies of this Resolution to the appropriate County officials.

Mr. Lindsey made a motion, seconded by Mr. Howard, to amend the resolution making several deletions and additions to this resolution. Due to the complexity of the amendment, below is a copy of the body of the resolution with proposed changes underlined.

RESOLUTION AUTHORIZING BROOME COUNTY TO REQUEST PROPOSALS FOR THE ALTERNATIVE METHODS OF MANAGING THE BROOME COUNTY VETERANS' MEMORIAL ARENA AND THE PERFORMING ARTS THEATER (FORUM)

WHEREAS, the Broome County Veterans' Memorial Arena and the Performing Arts Theater (Forum) are taxpayer-supported County facilities, and

WHEREAS, the Broome County Legislature is considering transferring control and funding of these two facilities to the Greater Binghamton Entertainment Authority, and

WHEREAS, alternative ways to manage the facilities should be given full evaluation prior to any decision to transfer the Arena and Forum to the Authority, and

WHEREAS, such alternative methods should include, at a minimum, requesting proposals for the private management of the Arena and Forum, proposals for partnering with other community organizations to coordinate and promote our facilities and explore the feasibility of contracting with or hiring an events promoter whose duties would be to work with agents in the entertainment industry to book shows into the facilities, now, therefore, be it

RESOLVED, that the Broome County Legislature requests that the Broome County Executive in conjunction with the Commissioner of Parks and Recreation request proposals for alternative methods of managing the Broome County Veterans Memorial Arena and the Performing Arts Theater (Forum), which proposals should be submitted no later than June 1, 2005, and be it

FURTHER RESOLVED, that upon receipt of the proposals the members of the Education, Culture and Recreation Committee shall evaluate them and make recommendations to this legislative body, and be it

FURTHER RESOLVED, that if, upon review of said proposals, it is determined to be in the best interest of the County to select one of the proposals for managing the Broome County Veterans Memorial Arena and the Performing Arts Theater that this Legislature take appropriate action, and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature be and hereby is authorized to forward copies of this Resolution to the appropriate County officials.

Amendment carried, Ayes-18, Nays-0, Absent-1 (Hull). Mr. Hutchings made a motion, seconded by Mr. Brunza, to amend the resolution adding the following FURTHER RESOLVED paragraph:

"FURTHER RESOLVED, that no further action will be taken on the Broome County Veterans Memorial Arena and the Performing Arts Theater (Forum) until all RFP's are received, and be it"

Amendment carried, Ayes-11 (Brunza, Burger, Hudak, Hutchings, Kuzel, Mather, Nannery, Pasquale, Reynolds, Whalen, Wike), Nays-7 (Howard, Kolba, Lindsey, Marinich, Miller, Shafer, Schofield), Absent-1 (Hull). **Resolution as amended carried,** Ayes-18, Nays-0, Absent-1 (Hull).

LEGISLATOR SPONSORED RESOLUTIONS

RESOLUTION NO. 345

By Legislator Hutchings

Seconded by Mr. Whalen

RESOLUTION AMENDING THE 2003-2004 RULES OF ORDER

WHEREAS, this County Legislature, by Resolution 2 of 2003, adopted the Rules of Order for the County Legislature for the present Legislative term (2003-2004), and

WHEREAS, it is the desire of this County Legislature to amend the Rules of Order to allow any person to have an opportunity to speak on any issue during any session of the Legislature and to prohibit any meeting from starting before 6:00 pm, now, therefore, be it

RESOLVED, that the Rules of Order is hereby amended to read as follows:

RULE 3 - RESOLUTIONS

...and at the second meeting in December of that year, adopt a schedule of regular meetings for the following year[.], but no meeting shall start before 6:00 PM. ...the time of the regular meeting to an hour of the [day or] evening other than that provided for the in the Schedule of Meetings.

RULE 8 - ORDER OF BUSINESS

4. Public Comment. Any Broome County resident or anyone owning businesses or property in Broome County shall the right to address the County Legislature up to a maximum of five (5) minutes in an orderly fashion.
- [4.] 5. Review and approval of Minutes
- [5.] 6. Session Minutes
- [6.] 7. Committee Minutes by Committee
- [7.] 8. Public Hearings
- [8.] 9. Announcements from the Chair
- [9.] 10. Report of Standing Committees
- [10.] 11. Report of Special Committees
- [11.] 12. Written or oral presentations of the County Executive
- [12.] 13. Presentation of petitions, communications, notices and reports
- [13.] 14. Other matters pending or referred from previous meetings
- [14.] 15. Written or Oral Presentations of the County Legislature
- [15.] 16. All Resolutions, including those Resolutions held over from a previous meeting, which held over Resolutions shall be presented and considered before the presentation and consideration of new Resolutions
- [16.] 17. A Preferred Agenda may be presented at any regular session of the Legislature. That agenda shall be limited to Resolutions that have been carried unanimously in committee(s) and then designated for placement on the Preferred Agenda by the Chair of the Legislature, Majority Leader and Minority Leader for consideration as a single piece of legislation. However, any Legislator may ask for separate consideration of any Resolution within the preferred agenda as such agenda comes before the Legislature for consideration. The Preferred Agenda as such, may be acted upon on with a single vote. The Clerk shall assign appropriate introductory and permanent numbers to each Resolution within the Preferred Agenda.
- [17.] 18. Legislators' comments
- [18.] 19. Adjournment

RULE 15 – PRIVILEGE OF THE FLOOR

[Except as otherwise provided herein] Other than public comment, no person shall be...

and be it

FURTHER RESOLVED, that this Resolution shall become effective immediately.

Notes: Material contained in [brackets] is deleted.
Material underlined is added.

Automatically held over 'under the rules'.

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 346

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH LOCAL LIBRARIES FOR REMAINING 2004 COUNTY LIBRARY AID

WHEREAS, this County Legislature, by Resolution 647 of 2003, authorized the distribution of library aid representing one-half of the total budgeted amount for local library aid in 2004, and

WHEREAS, it is the desire of this Legislature to distribute the remaining amount of 2004 budgeted local library aid, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or his duly authorized representative to execute such agreements, approved as to form by the Department of Law, for the distribution of the remaining 2004 budgeted library aid to local libraries as follows:

Library	Amount
Deposit Free Library	\$ 2,627
G.F. Johnson Memorial Library (Endicott)	186,439
Moody Memorial Library (Fenton)	12,968
Lisle Free Library	2,274
Nineveh Public Library (Colesville)	1,553
Your Home Public Library (Johnson City)	65,568
Mary Wilcox Memorial Library (Whitney Point)	13,970
Vestal Public Library	59,391

Total

\$344,790

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

RESOLUTION NO. 347

By Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH PARK AVENUE ASSOCIATES IN RADIOLOGY FOR RADIOLOGICAL SERVICES (d/b/a SOUTHERN TIER IMAGING) FOR WILLOW POINT NURSING HOME FOR 2004

WHEREAS, the Nursing Home Administrator requests authorization for an agreement with Park Avenue Associates in Radiology (d/b/a Southern Tier Imaging), for radiological services for Willow Point Nursing Home at a cost not to exceed \$5,000, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to cover radiological services incurred in 2004 for Medicare A covered Willow Point Nursing Home residents, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Park Avenue Associates in Radiology, d/b/a Southern Tier Imaging, 5 West State Street, Binghamton, New York 13901-2465, for radiological services for Willow Point Nursing Home for the period January 1, 2004 through December 31, 2004, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4747.204000 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 348

By Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THOMAS HOKE FOR SOCIAL WORK CONSULTING SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2004

WHEREAS, the Board of Acquisition and Contract (BAC) on October 8, 2003 authorized an agreement with Thomas Hoke for social work consulting services for the Willow Point Nursing Home for the period January 1, 2004 through December 31, 2004 at a total cost not to exceed \$2,500, and

WHEREAS, said services are necessary to review the work of the Willow Point Social Services Department on a regular basis and to provide guidance and consultation in certain other areas as needed, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide additional hours of service due to the vacancy of a Social Services Director, at the rate of \$50 per hour, total additional amount not to exceed \$2,500, 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 Thomas Hoke, 835 Front Street, Binghamton, New York 13905 for additional hours of social work consulting services due to the vacancy of a Social Services Director at the Willow Point Nursing Home for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$50 per hour, total amount not to exceed \$5,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160184.4747.204000 (Other Fees for Services), and be it

FURTHER RESOLVED, that the agreement authorized by the Board of Acquisition and Contract on October 8, 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 349

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION APPROVING THE PURCHASE PRICE FOR THE SALE OF DELINQUENT TAX PROPERTY IN THE TOWN OF VESTAL

WHEREAS, pursuant to an order dated June 25, 2004, the Broome County Court directed the Director of the Broome County Real Property Tax Service to execute a Quit Claim Deed for a parcel of land in the Town of Vestal to No Problem, LLC as provided by Section 1136 of the Real Property Tax Law subject to approval of the purchase price by the Broome County Legislature, and

WHEREAS, the purchase price is set at \$33,095.83 to cover unpaid property taxes plus penalties and interest for said parcel located in the Town of Vestal, now, therefore, be it,

RESOLVED, that this County Legislature hereby approves, pursuant to an order dated June 25, 2004 by the Broome County Court directing the Director of the Broome County Real Property Tax Service to execute a Quit Claim Deed for a parcel of land in the Town of Vestal to No Problem, LLC as provided by Section 1136 of the Real Property Tax Law, the purchase price of \$33,095.83 for the following parcel of land located at

Town:	Vestal
Location:	1900 Vestal Parkway
Tax Map Number:	158.13-3-3
Formerly Assessed to:	Mulchand S. and Damayanti Rathod

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

RESOLUTION NO. 350

By Economic Development & Planning, County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING A SERVICE AND MAINTENANCE AGREEMENT AND EXTENDED WARRANTY CONTRACT WITH MITRA INTERNATIONAL, INC FOR THE OFFICE OF EMPLOYMENT AND TRAINING FOR 2004-2005

WHEREAS, the Director of Employment and Training requests authorization for a service and maintenance agreement and extended warranty contract with Mitra International, Inc for the Office of Employment and Training at a cost not to exceed \$4,118.39, for the period July 1, 2004 through June 30, 2005, and

WHEREAS, said agreement is necessary for tracking customer flow on the Attend Track Terminals and accessories used at the Broome Employment Center as required by the New York State Department of Labor, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a service and maintenance agreement and extended warranty contract with Mitra International, Inc., 145 Harold Road, Woodmere, New York 11598 for the Office of Employment and Training for the period July 1, 2004 through June 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,118.39 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 720730.4419.308140/308139 (General Office Equipment), and be it

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

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

RESOLUTION NO. 351

By Public Works and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE BROOME COUNTY DEPARTMENT OF PUBLIC WORKS TO DONATE A 1981 TIGER BOOM MOWER ROTARY TO THE TOWN OF BARKER

WHEREAS, the Commissioner of Public Works requests authorization to donate an unused 1981 Tiger Boom Mower Rotary to the Town of Barker, and

WHEREAS, said mower is old, no longer in use by the Department of Public Works, has no value to Broome County, but the Town of Barker has a use for it for parts on the town's mower and tractor, and

WHEREAS, under the authority of County Law Section 215, Subdivision 9, the Broome County Legislature may authorize the disposal of property having no value to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Public Works to donate an unused 1981 Tiger Boom Mower Rotary having no value to the County to the Town of Barker, and be it

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

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

RESOLUTION NO. 352

By Public Works and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING LEASE AGREEMENT WITH S.C. HANSEN, INC. FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2004-2009

WHEREAS, the Commissioner of Public Works requests authorization for a lease agreement with S. C. Hansen, Inc. for the Division of Solid Waste Management for the period October 6, 2004 through October 5, 2009, at an annual cost of \$145,724.39, total cost not to exceed \$728,621.95, and

WHEREAS, said agreement is necessary to lease one Bomag Model BC1172RB Landfill Compactor with Terra wheels and Geologic RTK-3D GPS System for the Division of Solid Waste Management, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with S. C. Hansen, Inc., 6936 State Route 434, Apalachin, New York 13732 for the lease of a Bomag Model BC1172RB Landfill Compactor with Terra wheels and Geologic RTK-3D Global Positioning System (GPS) by the Division of Solid Waste Management, for the period October 6, 2004 through October 5, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an annual amount not to exceed \$145,724.39 per year, total cost not to exceed \$728,621.95 for the term of this agreement, and be it

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

FURTHER RESOLVED, the County shall have the option at the end of the lease period to purchase the landfill compactor described above for a residual value of \$73,112.70, 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, Whalen).

RESOLUTION NO. 353

By Public Works and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH STEARNS & WHEELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 345 of 2003, authorized renewal of the agreement with Stearns & Wheeler, LLC for professional engineering services for the Division of Solid Waste Management at a cost not to exceed \$15,000, for the period September 1, 2003 through August 31, 2004, and

WHEREAS, said services are necessary to assist the leachate treatment plant operations staff with operation questions, evaluation of chemical usage, trouble shooting operations issues and plant maintenance and repair issues at the County's leachate treatment facility at the Broome County Landfill, and

WHEREAS, said agreement expires by its terms on August 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$15,000, for the period September 1, 2004 through August 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Stearns & Wheeler, LLC, 1 Remington Park Drive, Cazenovia, New York 13035 for professional engineering services for the Division of Solid Waste Management for the period September 1, 2004 through August 31, 2005, and be it

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

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

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

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

RESOLUTION NO. 354

By Health and Human Services Committee

Seconded by Mr. Shafer

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY COMMUNITY SERVICES BOARD

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

Name	Term Expiring
James Mannion 104 Victoria Drive Binghamton, New York 13904	New Appointment Term Expires 12/31/08
Lee Colvill 19 Front Street Unit 5 Binghamton, New York 13905	New Appointment Term Expires 12/31/08

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 70 of 1984 confirms the appointments of the above-named individuals to membership on the Broome County Community Services Board for the terms indicated, in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 355

By Public Safety & Emergency Services Committee

Seconded by Mr. Shafer

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

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

NAME	TERM EXPIRING
Timothy Grippen 32 Brookfield Road Binghamton, New York 13903	New Appointment Term Expires 12/31/05

and

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

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

RESOLUTION NO. 356

By Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE BROOME COUNTY DEPARTMENT OF HEALTH TO CHARGE OFF BAD DEBTS

WHEREAS, the Director of the Broome County Department of Health has requested authorization to write off uncollectible accounts totaling \$44,335.86 in the Department of Health's Clinics Division, and

WHEREAS, these debts were spaced out over a period of three years (1999-2001) and all attempts were made to bill these services, and

WHEREAS, a significant number of these claims involve services which, pursuant to the Public Health Law, cannot be billed to the patient and the timeline to re-bill has expired, and

WHEREAS, although the Department of Health has made all reasonable attempts to collect these monies, including significant rebilling and investigation of why money was not received, it has been determined that the accounts listed on Exhibit "A" are uncollectible, and

WHEREAS, new software has been purchased in 2004 to enable billing staff to transfer unpaid insurance balances to the secondary insurance for payment, and

WHEREAS, the Director of Public Health requests authorization to consider the amounts listed in Exhibit "A" as uncollectible and remove such amounts from the Department of Health's subsidiary records, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of Public Health to write off as uncollectible the accounts listed in Exhibit "A", and be it

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

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

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

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

RESOLUTION NO. 359

By Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AMENDMENT TO THE APPLICATION FOR STATE AID AND EXECUTION OF CONTRACTS FOR THE YOUTH BUREAU DEVELOPMENT/DELINQUENCY PREVENTION PROGRAMS (YDDP) FOR 2004

WHEREAS, this County Legislature, by Resolution 629 of 2003, authorized the Youth Bureau State Aid Applications and established appropriations for the 2004 Youth Bureau Development/Delinquency Prevention Program, and

WHEREAS, said applications provide various youth and family services programs, and

WHEREAS, it is necessary to authorize the amendment of said contract to increase the revenue amount by \$2,065, total amount not to exceed \$32,065 for the Family & Children's Special Populations Treatment Program as listed in Exhibit A, and

WHEREAS, the Director of the Youth Bureau 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 Family & Children's Special Populations Treatment Program to increase the revenue amount by \$2,065, total amount not to exceed \$32,065 as listed on Exhibit "A" for the period July 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that Resolution 629 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Comptroller and the Commissioner of Finance are hereby authorized to establish any additional accounts or supplemental accounts in connection with said Youth Service and Recreation Programs, and to make such other necessary bookkeeping accounting entries, adjustments and transfer as may be needed to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the programs described more fully in the documents on file with the Clerk of the Legislature are hereby approved and subcontracts with the appropriate agencies are hereby authorized and approved.

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

RESOLUTION NO. 360

By Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH THERAPEEDS PHYSICAL THERAPY OF UPSTATE NEW YORK, PLLC, D/B/A G&E THERAPIES FOR THERAPY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2004

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with Therapeeds Physical Therapy of Upstate New York, PLLC, d/b/a G&E Therapies for therapy services for the Willow Point Nursing Home at a cost not to exceed \$64,000, for the period July 1, 2004 through December 31, 2004, and

WHEREAS, said agreement is necessary to provide physical, occupational and speech therapy services in the absence of a staff therapist and increase Medicare reimbursement at the Willow Point Nursing Home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Therapeeds Physical Therapy of Upstate New York, PLLC, d/b/a G&E Therapies, 1977 Marshland Road, Apalachin, New York 13732, for therapy services for the Willow Point Nursing Home for the period July 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$64,000 for the term of the agreement, at the following rates per hour:

Speech Therapist	\$60.00
Occupational and Physical Therapist	\$60.00
Physical Therapist Assistant and Certified Occupational Therapist Assistan t	\$45.00

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160226.4706.204000 and 160234.4706.204000 (Rehab and Therapy Services), and be it

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

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

RESOLUTION NO. 361

By County Administration, Transportation and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TRAPEZE SOFTWARE GROUP, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 348 of 2003, authorized an agreement with Trapeze Software Group, Inc. for software support and maintenance for the Department of Public Transportation at an amount not to exceed \$9,500, for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said agreement provides maintenance, updates and support for the Department of Transportation's Paratransit scheduling and dispatching software, and

WHEREAS, said agreement expires by its terms on September 30, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$9,800, for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Trapeze Software Group, Inc., 14400 North 87th Street, Scottsdale, Arizona 85260 for maintenance, updates and support for the Department of Transportation's Paratransit scheduling and dispatching software for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 220004.4513.203120 (Software Maintenance), and be it

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

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

RESOLUTION NO. 362

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AN INTERMUNICIPAL AGREEMENT BETWEEN BROOME COUNTY DIVISION OF INFORMATION TECHNOLOGY AND THE VILLAGE OF ENDICOTT POLICE DEPARTMENT FOR COMPUTER AND NETWORK MAINTENANCE SERVICES FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 323 of 2003, authorized an intermunicipal agreement between the Village of Endicott Police Department and the Broome County Division of Information Technology for computer and network configuration and maintenance services for an amount not to exceed \$3,400, for the period September 1, 2003 through August 31, 2004, and

WHEREAS, said services will provide the Village of Endicott Police Department routine maintenance of personal computers, peripherals, network equipment and, if available, limited computer training, and

WHEREAS, said agreement expires by its terms on August 31, 2004 and it is desired at this time to renew said intermunicipal agreement on substantially similar terms and conditions, for an amount not to exceed \$3,400, for the period September 1, 2004 through August 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the intermunicipal agreement between the Village of Endicott Police Department and the Broome County Division of Information Technology, to provide routine maintenance of personal computers, peripherals, network equipment and, if available, limited computer training, for the period September 1, 2004 through August 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall receive payment from the Village of Endicott Police Department an amount not to exceed \$3,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 370007.0027.101000 (Miscellaneous Data Processing Services), and be it

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

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

RESOLUTION NO. 363

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE IBM CORPORATION FOR COMPUTER CONSULTING SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004-2005

WHEREAS, the Director of Information Technology requests authorization for an agreement with the IBM Corporation for computer consulting services for the Division of Information Technology for an estimated 20 hours of service at a rate of \$235 per hour, total cost not to exceed \$4,700, for the period July 9, 2004 through July 8, 2005, and

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

WHEREAS, said agreement is being made through New York State Contract #PS00374, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the IBM Corporation (IBM Global Service), 7100 Highlands Parkway, Smyrna, Georgia 30082, for computer consulting services, for the Division of Information Technology for the period July 9, 2004 through July 8, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor for an estimated 20 hours of service at a rate of \$235 per hour, total cost not to exceed \$4,700, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4726.501393 (Contracted Data Processing 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-2 (Hull, Whalen), Abstain-1 (Schofield).

RESOLUTION NO. 364

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE IBM CORPORATION FOR COMPUTER CONSULTING SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004

WHEREAS, the Director of Information Technology requests authorization for an agreement with the IBM Corporation for computer consulting services for the Division of Information Technology for an estimated 40 hours of service at a rate of \$186.42 per hour, plus an estimated \$1,280 for travel expenses, total cost not to exceed \$9,000, for the period July 15, 2004 through December 31, 2004, and

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

WHEREAS, said agreement is being made through New York State Contract #PS00374, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the IBM Corporation (IBM Global Service), 7100 Highlands Parkway, Smyrna, Georgia 30082, for computer consulting services, for the Division of Information Technology for the period July 15, 2004 through December 31, 2004, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4726.501393 (Contracted Data Processing 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-2 (Hull, Whalen), Abstain-1 (Schofield).

RESOLUTION NO. 365

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

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH CORNING DATA SERVICE, INC. FOR A HARDWARE MAINTENANCE EXTENDED WARRANTY FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004-2007

WHEREAS, the Director of Information Technology requests authorization for an agreement with Corning Data Service, Inc. for a hardware maintenance extended warranty at a cost not to exceed \$7,241.23, for the period July 1, 2004 through June 30, 2007, and

WHEREAS, said agreement provides a hardware maintenance three-year extended warranty for the new Emergency Services i-Series (AS/400) through the New York State

Contract #PS00374, which is estimated to save the County \$8,000 in fees for hardware maintenance over the period of the agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Corning Data Service, Inc., 139 Wardell Street, PO Box 1187, Corning, New York 14830, for a hardware maintenance extended warranty for Emergency Services, for the period July 1, 2004 through June 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,241.23 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460072.4514.104907 (Hardware Maintenance), and be it

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

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

RESOLUTION NO. 366

By Public Works and Finance Committees

Seconded by Mr. Shafer

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

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

WHEREAS, said services are necessary for technical and regulatory services associated with air emissions from the County's landfill for Title V Air Permit compliance, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide additional nonmethane organic carbon (NMOC) testing at the passive vents at the landfill and regulatory review services as required by the US Environmental Protection Agency (USEPA) and the New York State Department of Environmental Conservation at an additional cost not to exceed \$39,900, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035 for additional NMOC testing at the passive vents at the landfill and regulatory review services as required by the USEPA and the NYSDEC for the period May 1, 2004 through April 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$39,900, total amount not to exceed \$73,400, for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 187 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 367

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING RENEWAL OF THE PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 331 of 2003, authorized and approved renewal of the Public Health Preparedness and Response to Bioterrorism Grant for the Department of Health and adopted a program budget in the amount of \$236,706 for the period September 1, 2003 through August 30, 2004, and

WHEREAS, said grant program provides the means to develop response plans to address all forms of communicable disease outbreaks and terrorist threats, including biological, chemical and radiological, and includes staffing and development of a redundant communication and technology infrastructure, and

WHEREAS, it is desired to renew said grant program in the amount of \$202,536 for the period August 31, 2004 through August 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$202,536 from Health Research Incorporated, One University Place, Rensselaer, New York 12144-3455, for the Department of Health's Public Health Preparedness and Response to Bioterrorism Grant for the period August 31, 2004 through August 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$202,536, and be it

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

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

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

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

RESOLUTION NO. 368

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING RENEWAL OF A MEDICAL RESERVE CORPS DEMONSTRATION PROJECT PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 371 of 2003, as amended by Resolution 626 of 2003, authorized and approved the Medical Reserve Corps Demonstration Project Program Grant for the Department of Health and adopted a program budget in the amount of \$61,976 for the period September 30, 2003 through September 29, 2004, and

WHEREAS, said grant program helps communities prepare and respond in the event of a public health emergency, and

WHEREAS, it is desired to renew said grant program in the amount of \$50,000 for the period September 30, 2004 through September 29, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from the U.S. Department of Health and Human Services, Office of Public Health and Science, 1101 Wootton Parkway, Suite 550, Tower Building, Rockville, Maryland 20852 for the

Department of Health's Medical Reserve Corps Demonstration Project Program Grant for the period September 30, 2004 through September 29, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$50,000, and be it

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

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

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

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

RESOLUTION NO. 369

By Transportation and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION GRANTS FOR THE GREATER BINGHAMTON AIRPORT

WHEREAS, the Commissioner of Aviation requests authorization to accept Federal Aviation Administration Grants as follows:

<u>Project</u>	<u>Title</u>	<u>Amount</u>
501379	Refurbish Aircraft Rescue and Fire Fighting (ARFF) Building	\$932,412
501384	Runway 16/34 Rehabilitation - Design	\$167,388
502373	Snow Equipment Purchase	\$240,859
502374	Wildlife Hazard Management Study	\$ 23,176

now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a total of \$1,363, 835, from the Federal Aviation Administration for the projects and amounts as shown below,

<u>Project</u>	<u>Title</u>	<u>Amount</u>
501379	Refurbish Aircraft Rescue and Fire Fighting (ARFF) Building	\$932,412
501384	Runway 16/34 Rehabilitation - Design	\$167,388
502373	Snow Equipment Purchase	\$240,859
502374	Wildlife Hazard Management Study	\$ 23,176

and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to the following revenue lines, respectively,

211012.0384.501379 (Federal Aid/Airport Capital)
211012.0384.502384 (Federal Aid/Airport Capital)
211012.0384.502373 (Federal Aid/Airport Capital)
211012.0384.502374 (Federal Aid/Airport Capital)

and be it

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

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

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

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

RESOLUTION NO. 370

By Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN INCREASE OF PETTY CASH FUNDS FOR CERTAIN OFFICE FOR AGING SENIOR COMMUNITY CENTERS

WHEREAS, certain Office for Aging Senior Community Centers currently have petty cash funds which are inadequate for their current needs, and

WHEREAS, the Director of Office for Aging has requested an increase as per the attached Exhibit "A" for said petty cash funds at certain Senior Community Centers in order to have funds sufficient to meet their daily needs, and

WHEREAS, the Commissioner of Finance has determined that the petty cash funds at said Centers should be increased as per the attached Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby approves and increases the petty cash funds at select Office for Aging Senior Community Centers as per the attached Exhibit "A", and be it

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

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

RESOLUTION NO. 371

By Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH UNITED HEALTH SERVICES FOR SERVICES FOR THE OFFICE FOR AGING'S AGING FUTURES II PROJECT STROKE PREVENTION INITIATIVE FOR 2004-2005

WHEREAS, the Director of the Office for Aging requests authorization for an agreement with United Health Services for professional services for the Office for Aging's Aging Futures II Project Stroke Prevention Initiative at a cost not to exceed \$19,920, for the period August 1, 2004 through January 31, 2005, and

WHEREAS, said agreement is necessary to conduct hypertension and stroke prevention management activities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with United Health Services, 35-57 Harrison Street, Johnson City, New York 13790, for services for the Office for Aging's Aging Futures II Project Stroke Prevention Initiative for the period August 1, 2004 through January 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$19,920 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760850.4457.104888 (Subcontracted Program Expense), and be it

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

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

RESOLUTION NO. 372

By Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENTS WITH TRAINING AND EDUCATIONAL PROVIDERS FOR THE OFFICE FOR AGING FOR JOB TRAINING SERVICES FOR 2004-2005

WHEREAS, the Director of Office for Aging requests authorization for agreements with various training and educational providers for job training services for qualified persons for the period July 1, 2004 through June 30, 2005, at budgeted amounts, and

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

RESOLVED, that this County Legislature hereby authorizes agreements with various training and educational providers for job training services for qualified persons for the period July 1, 2004 through June 30, 2005, and be it

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

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

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761056.4542.104912/104913 (Contracted Training), and be it

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

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

RESOLUTION NO. 373

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH PAETEC SOFTWARE CORPORATION F/K/A PINNACLE SOFTCOM CORPORATION FOR SOFTWARE MAINTENANCE AND SUPPORT FOR THE TELECOM MANAGEMENT SYSTEM FOR 2004-2007

WHEREAS, this County Legislature, by Resolution 415 of 1999, authorized an agreement with Pinnacle SoftCom Corporation for software maintenance and support for the Telephone Management System at an amount not to exceed \$54,505 for the period August 20, 1999 through August 19, 2004, and

WHEREAS, said agreement is necessary for software maintenance and support for the Telecom Management System, and

WHEREAS, said agreement expires by its terms on August 19, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$41,740, for the period August 20, 2004 through July 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with PAETEC Software Corporation (f/k/a Pinnacle SoftCom Corporation), One PAETEC Plaza, 600 Willow Brook Office Park, Fairport, New York 14450 for software maintenance and support for the Telecom Management System for the period August 20, 2004 through July 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$41,740 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370056.4449.101000 (Other Operational Expense), and be it

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

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

RESOLUTION NO. 374

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING ACCEPTANCE OF AN OPERATION IMPACT PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005 AND ENTERING INTO AGREEMENTS WITH THE BINGHAMTON POLICE DEPARTMENT, BROOME COUNTY SHERIFF AND BINGHAMTON UNIVERSITY IN CONNECTION THEREWITH

WHEREAS, the District Attorney requests authorization to accept an Operation Project Impact Program Grant and adopt a program budget in the amount of \$126,459 for the period April 1, 2004 through March 31, 2005, and enter into agreements with the Binghamton Police Department and the Broome County Sheriff in connection therewith, and

WHEREAS, said grant program will consist of a multi-agency approach to the development and implementation of a data-driven, multi-faceted strategy to reduce street violence in the City of Binghamton involving the District Attorney, the Binghamton Police Department and the Broome County Sheriff, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$126,459 from New York State Division of Criminal Justice Services, Bureau of Justice Funding, 4 Tower Place, Albany, New York 12203 for the Office of the District Attorney's Operation Impact Program Grant for the period April 1, 2004 through March 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$126,459, and be it

FURTHER RESOLVED that the District Attorney is authorized to enter into an agreement with the City of Binghamton whereby the Binghamton Police Department will utilize \$72,500.00 of the grant monies and the Broome County Sheriff will utilize \$17,500.00 of the grant monies to pay for special patrols, overtime, undercover agents and associated expenses in connection with a special investigation unit combined task force, and be it

FURTHER RESOLVED, that the District Attorney is authorized to enter into an agreement with Binghamton University utilizing up to \$23,270.00 to provide data analysis and mapping, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the

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

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

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

RESOLUTION NO. 375

By Education, Culture and Recreation Committee

Seconded by Mr. Shafer

RESOLUTION CONFIRMING AN APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY CENTRAL LIBRARY BOARD OF TRUSTEES

WHEREAS, Jeffrey P. Kraham, County Executive, pursuant to the authority vested in him by Resolution 221 of 1984, has duly designated and appointed the following named individual to membership on the Broome County Central Library Board of Trustees, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Charles Gregory 205 Fenner Hill Road Port Crane, New York 13833 (Replaces Debra Carson)	New Appointment Term Expires 12/31/04

and

WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 221 of 1984, hereby confirms the appointment of the above-named individual to membership on the Broome County Central Library Board of Trustees for the term indicated, in accordance with his appointment by the County Executive.

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

RESOLUTION NO. 376

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MARSH USA FOR INSURANCE COVERAGE FOR BROOME COUNTY FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 347 of 2003, authorized an agreement with Marsh USA for insurance coverage for county-owned property, boiler and machinery and inland marine at an amount not to exceed \$325,000, for the period August 19, 2003 through August 19, 2004, and

WHEREAS, said services are necessary to procure insurance for county-owned property, and

WHEREAS, said agreement expires by its terms on August 19, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$250,000, for the period August 19, 2004 through October 1, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Marsh USA, P.O. Box 4988, Syracuse, New York 13221-4988, for insurance coverage for county-owned property, boiler and machinery and inland marine for the period August 19, 2004 through October 1, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$250,000 for the term of the agreement, and be it

RESOLVED, that this County Legislature, recognizing the importance of the Empire Zone program, authorizes and directs the Commissioner of Finance to advance the County's share of \$2,634 to the Broome County Empire Zone's program for the period July 1, 2004 through June 30, 2005, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440016.4545.101000 (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-18, Nays-0, Absent-1 (Hull).

RESOLUTION NO. 379

By Education, Culture and Recreation Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN APPLICATION FOR AN ENVIRONMENTAL CONSERVATION URBAN AND COMMUNITY FORESTS PROGRAM GRANT

WHEREAS, the Commissioner of Parks and Recreation requests authorization for permission to apply to New York State Department of Environmental Conservation for a project grant under the Urban and Community Forests Program, and

WHEREAS, said grant program will be used to plant trees at Broome County Parks and other Broome County facilities, and

WHEREAS, as a requirement of this program, approval of the governing body of the municipality in which the project will be located must be obtained, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Parks and Recreation to file an application for 50% matching funds in the amount not to exceed \$10,000, and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to this County for said grant, and be it

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

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

RESOLUTION NO. 380

By Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH ROYAL CARE PHARMACY SERVICES FOR UNIT DOSE MEDICATION AND INTRAVENOUS PHARMACY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 296 of 2003, authorized renewal of an agreement with Royal Care Pharmacy Services for unit dose medication and intravenous pharmacy services for the Willow Point Nursing Home at an amount not to exceed \$1,300,000 for the period August 1, 2003 through July 31, 2004, and

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

WHEREAS, said agreement expired by its terms on July 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an increased amount not to exceed \$1,500,000, for the period August 1, 2004 through July 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Royal Care Pharmacy Services, 100 Saratoga Village Boulevard, P.O. Box 2469, Malta, New York 12020-8469 for unit dose medication and intravenous pharmacy services for the

Willow Point Nursing Home for the period August 1, 2004 through July 31, 2005, with an option for a one-year renewal, at the same cost and 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 an amount not to exceed \$1,500,000 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-18, Nays-0, Absent-1 (Hull).

RESOLUTION NO. 381

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES FROM THE 2004 TAX SALE AUCTION AND THE SALE OF A 2000 IN REM FORECLOSURE PROPERTY TO THE FORMER OWNER

WHEREAS, the County of Broome owns certain parcels of real property as a result of in rem foreclosures, and

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

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction was held on July 27, 2004 and all bids submitted were tabulated, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 2004 Broome County tax sale as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that the sale back to a former owner of the parcel listed in Exhibit "B" for the amount as stated is hereby approved by this County Legislature based on the unusual circumstances of such case, as determined by your sponsoring committee as well as the undue hardship to the former owner that the failure to approve such sale would cause, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed in Exhibits "A" and "B" to the successful bidders and the former owner in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

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

RESOLUTION NO. 382

By Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH MCCUE ADVERTISING AND PUBLIC RELATIONS, INC. FOR AN ANTI-SMOKING ADVERTISING CAMPAIGN FOR THE DEPARTMENT OF HEALTH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 209 of 2003, as amended by Resolution 179 of 2004, authorized an agreement with McCue Advertising and Public Relations, Inc. for an anti-smoking advertising campaign for the Department of Health's Tobacco Control and Insurance Initiatives Program Grant at an amount not to exceed \$108,546, for the period June 1, 2003 through July 31, 2004, and

WHEREAS, said agreement expires by its terms on July 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$76,506, for the period August 1, 2004 through July 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with McCue Advertising and Public Relations, Inc., 91 Riverside Drive, Binghamton, New York 13905 for an anti-smoking advertising campaign for the Department of Health's Tobacco Control and Insurance Initiatives Program Grant for the period August 1, 2004 through July 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$76,506 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-18, Nays-0, Absent-1 (Hull).

RESOLUTION NO. 383

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH SEQUOIA VOTING SYSTEMS FOR THE SOFTWARE LICENSE FOR AN OPTICAL SCAN ABSENTEE BALLOT SYSTEM FOR THE BOARD OF ELECTIONS FOR 2004-2005

WHEREAS, the Commissioners of Elections request authorization for an agreement with Sequoia Voting Systems for the software license for an Optical Scan Absentee Ballot System for the Board of Elections at a cost not to exceed \$3,000, for the period July 1, 2004 through June 30, 2005, and

WHEREAS, said software license agreement is necessary for the use of the Optical Scan Ballot System during primary, general and special elections, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Sequoia Voting Systems, P.O. Box 116977, Atlanta, Georgia 30368-6977 for a software license agreement for an Optical Scan Absentee Ballot System for the Board of Elections for the period July 1, 2004 through June 30, 2005, 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-18, Nays-0, Absent-1 (Hull).

RESOLUTION NO. 384

By Finance and Health & Human Services Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR HEALTH

RESOLVED, that in accordance with a request from the Director of Health to modify the appropriations to maximize the Diabetes Prevention Grant as requested in BF#005155, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Federal/Other</u>		
502373	Snow Removal Equipment	253,535	6,338	240,859	6,338	

<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>
2004	NA	NA	0	6,338

and be it

FURTHER RESOLVED, that the 2004 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Federal/Other</u>		
501384	Runway 16/34 Rehab - Design	480,000	8,267	277,862	193,871	

<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>
2004	10	20(b)	40,000	153,871

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Federal/Other</u>		
501384	Runway 16/34 Rehab - Design	341,770	6,218	200,017	135,535	

<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>
2004	10	20(b)	40,000	95,535

FURTHER RESOLVED, that the 2004 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Federal/Other</u>		
502374	Wildlife Hazard Study	60,000	1,500	57,000	1,500	

<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>
2004	NA	NA	0	1,500

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	
502374	Wildlife Hazard Study	24,395	610	23,176	609

<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>
2004	NA	NA	0	609

and be it

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

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

RESOLUTION NO. 386

By County Administration Committee

Seconded by Mr. Shafer

RESOLUTION SUPPORTING THE NEW YORK STATE ADVISORY PANEL ON TRANSPORTATION POLICY FOR 2025 AS IT PREPARES THE STATEWIDE TRANSPORTATION MASTER PLAN

WHEREAS, the New York State Advisory Panel on Transportation for 2025 will conduct public hearings and hold meetings to develop a Statewide Transportation Master Plan that will meet the future needs and expectations of the traveling public and commercial enterprises, and

WHEREAS, the County of Broome wishes to express its support for those transportation projects imperative to the residents of the State of New York to improve public safety, efficiency and environmental protection, and

WHEREAS, the County of Broome further supports these various transportation projects as an integral part of a coordinated effort throughout the State to foster and facilitate economic development as each of the various projects will enhance tourism, job creation, and business development throughout the State of New York, and

WHEREAS, the designation of New York State Route 17 to I-86 and Route 15 to I-99 will provide a highway network with connection to every interstate highway located within New York State and interstates leading into Pennsylvania, now, therefore, be it

WHEREAS, the State's ability to provide competitively priced commercial airfares and to promote general aviation activities is necessary for a healthy business climate and the increasingly critical tourism market not only to the Broome County area through the Greater Binghamton Regional Airport, but airports throughout the State, and

WHEREAS, there is a vital need to optimize the significant investment that has been made in public bus transportation in Broome County and throughout the State to insure that all residents can access work, shopping and recreational sites, and to further promote usage as a means of reducing street and highway congestion and environmentally harmful emissions, and

WHEREAS, in order to meet new higher federal emission standards, the advancement of diesel retrofits to reduce particulate emissions and nitrogen oxide emissions is essential, and

WHEREAS, rail freight is a critical mode of transportation sustaining thousands of manufacturing jobs in Broome County and throughout the State and the Southern Tier Line owned by Norfolk Southern Railroad, and other rail lines must be satisfactorily maintained and upgraded to retain rail service as a viable means of freight transportation in New York, now, therefore, be it

RESOLVED, that the County of Broome does hereby support the New York State Advisory Panel on Transportation for 2025 as it develops a Statewide Transportation Master Plan that will meet the future needs and expectations of the traveling public and commercial enterprises, and be it

FURTHER RESOLVED, that the County of Broome does hereby support the following transportation projects and policies to be considered by the New York State Advisory Panel on Transportation for 2025 in the development of Statewide Transportation Master Plan, i.e., completion of the conversion of New York State Route 17 to I-86, Pennsylvania I-99 corridor, promotion of the various regional airports, including the Greater Binghamton Regional Airport, advancement of diesel retrofits to meet higher federal emission standards, and promotion of commercial, freight and public transportation (bus and rail), and be it

FURTHER RESOLVED, that the County of Broome does further support and encourage the development of policy guidelines and a dedicated Federal and State funding stream for those projects, including the aforementioned projects, that meet predetermined policy guidelines as developed by the New York State Advisory Panel on Transportation for 2025 for inclusion within the Statewide Transportation Master Plan, and be it

FURTHER RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward a certified copy of this Resolution to Joseph Boardman, Commissioner of the New York State Department of Transportation, and Chairman for the New York State Advisory Panel on Transportation for 2025, the Honorable George Pataki, Governor of the State of New York and the New York State Association of Counties.

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

Mr. Howard made a motion to adjourn, seconded by Mr. Marinich. Motion to adjourn carried, Ayes-18, Nays-0, Absent-1 (Hull). The meeting was adjourned at 5:10 p.m.

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