
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, OCTOBER 17, 2002**

The Legislature convened at 5:14 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-19, Absent-0.

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

Mr. Mather made a motion, seconded by Mr. Burger, that the minutes of the Regular Sessions of September 19, 2002 and October 1, 2002 be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the period September 13, 2002 through October 16, 2002 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. Kolba, seconded by Mr. Miller. **Carried.**

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Jeffrey P. Kraham
 - 1. Response to County's Cash Flow status
 - 2. Appointing Arthur Johnson Commissioner of Social Services

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 - 1. Minutes:
 - a. Soil and Water Conservation District
 - b. Environmental Management Council
 - c. Environmental Management Council (RWMC)
 - d. Environmental Management Council Natural Resource Committee
 - e. Landfill Citizens Advisory Committee 5/20/02
 - f. Landfill Citizens Advisory Committee 8/26/02
 - g. Broome County Assoc. Municipal Clerks 9/19/02
 - 2. Audit and Control: Bank Transfer Testing
 - 3. 2002 State Equalization Rates
 - 4. 2002 State Equalization Rates
 - 5. Memo from William Gibson, Jr., Re: legal opinion 2003 proposed budget
 - 6. Town of Nanticoke letter to have sales tax apportionment paid to the Town
 - 7. Purchasing Dept. 2002 Annual Auction Results
 - 8. Finance: Quarterly Report on short-term Aviation operating loan
 - 9. Public Works: Letter Re: Colesville Landfill Remediation Project
 - 10. Letter from NYSAC Re: Receipt of Reso 02-428 Increase Punishment for Public Lewdness
 - 11. Letter from Assemblyman R. Warner Re: Receipt of Reso 02-428 Increase Punishment for Public Lewdness
 - 12. Memo & Reso 242-02 from Allegany County Board of Legislators-Support an increase in the Federal Medical Assistance Percentage for Medicaid Relief
 - 13. 2003 Recommended Broome County Budget
 - 14. 2003-2008 Recommended Capital Improvements Program

C. Notices:

1. Special Meeting Personnel Committee 9/19/02
2. Special Meeting County Admin., Personnel & Finance Committee 10/1/02
3. Special Meeting-Personnel, Com. & Soc. Svcs Committee 10/17/02
4. Special Meeting-Education, Culture & Recreation Committee 10/17/02
5. Special Meeting-Public Works Committee 10/17/02

D. Reports:

1. Broome Community College: Above Minimum Hires, 8/02
2. Broome Community College: Budget Transfers 7/02 & 8/02
3. Personnel: Monthly Attrition, August 2002

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

1. Appointing for W. Wike: W. Hudak as voting representative County Admin. & Finance and W. Howard as Chair Finance; Special County Admin., Personnel & Finance Committee meeting 10/1/02
2. Appointing for J. Sweet: W. Howard as Chair, B. Mather as voting representative County Admin. and W. Howard voting representative Personnel; Special County Admin., Personnel & Finance Committee meeting 10/1/02
3. Appointing for W. Miller: J. Holley voting representative; Personnel & Public Works, 10/8/02
4. Appointing for W. Wike: A. Nannery as voting representative Eco. Dev. & Planning 10/8/02; B. Mather voting representative County Admin. J. Holley voting representative, W. Howard Chair Finance 10/10/02
5. Appointing for M. Whalen: B. Brunza, Community & Social Services 10/9/02
6. Appointments for 10/10/02: Finance Committee-W. Howard as Chair for W. Wike, C. Burger as voting representative for W. Wike and W. Miller as voting representative for B. Mather; Co. Admin. Committee-W. Howard as Chair for J. Sweet, W. Miller as voting representative for J. Sweet

Mr. Holley made a motion, seconded by Mr. Lindsey, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2002 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.
Carried.

Mr. Brunza and Mr. Wike were designated as participants with Chairman Schofield in the 'Short Roll Call'. Resolutions were acted upon out of order, but for the purpose of clarity, they are presented here in numerical order.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 408

(Held over by Mr. Pasquale)

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION DECLARING THE ACQUISITION OF REAL PROPERTY FOR THE DEPARTMENT OF PUBLIC WORKS' COLESVILLE LANDFILL REMEDIATION PROJECT IN THE TOWN OF COLESVILLE, A PROJECT 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

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

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 438

By Public Works Committee

Seconded by Mr. Shafer

RESOLUTION RENDERING "POSITIVE DECLARATION" WITH RESPECT TO THE SUPPLEMENTAL ENVIRONMENTAL REVIEW FOR THE PROPOSED DEVELOPMENT OF A NEW LANDFILL UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, it is necessary to conduct a supplemental environmental review to evaluate various means of entry and egress for the development of a new landfill, 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 therefore necessary to initiate procedures with respect thereto, and

WHEREAS, this County Legislature, by Resolution 298 of 1996, declared its intention to seek "Lead Agency" status with respect to the environmental review of the proposed development of a new landfill and a solid waste composting system, and

WHEREAS, this County Legislature, by Resolution 217 of 2002, declared its intention to seek "Lead Agency" re-designation status with respect to the environmental review of the new landfill, including various means of entry and egress, and

WHEREAS, this County Legislature has obtained "Lead Agency" re-designation status after receiving concurrence from other involved agencies, and

WHEREAS, this project is a Type 1 action as defined in 6 NYCRR 617.6(a)(iv) and the proposed action may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature, based on the Full Environmental Assessment Form attached hereto as Exhibit "A", hereby determines and declares that the development of a new landfill, including entry and egress, may have a significant impact on the environment, and be it

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

Ms. Hudak made a motion to table, seconded by Mr. Burger. **Motion to table carried** Ayes-12 (Brunza, Burger, Harvilla, Holley, Howard, Hudak, Mather, Nanery, O'Day, Pasquale, Sweet, Wike), Nays-7 (Hull, Kolba, Lindsey, Miller, Shafer, Whalen, Schofield).

RESOLUTION NO. 439

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MARK SILVERIO, DVM, CHENANGO ANIMAL HOSPITAL FOR VETERINARIAN SERVICES AND MEDICAL SUPPLIES FOR THE BROOME COUNTY ANIMAL SHELTER FOR 2003

WHEREAS, this County Legislature, by Resolution 493 of 2001, authorized renewal of the agreement with Mark Silverio, DVM, Chenango Animal Hospital for veterinarian services and medical supplies for the Broome County Animal Shelter at an amount not to exceed \$24,000, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to comply with State law that requires animals to be vaccinated against rabies prior to release from an animal shelter and to provide the animal shelter with the necessary medical supplies for sick and injured animals under the care of the shelter throughout the year, provide veterinarian services and medical supplies to the Office of the Sheriff's canines and provide reimbursement to the Broome County Health Department for rabies vaccines, and

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$22,380, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Mark J. Silverio, DVM, Chenango Animal Hospital, 1445 Front Street, Binghamton, New York 13901 for veterinarian and medical supplies for the Broome County Animal Shelter, to the Office of the Sheriff's canines and to provide reimbursement to the Broome County Health Department for rabies vaccines for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$22,380 for the term of the agreement, to be paid as follows:

NTE \$15,000	031476.4742.101000 (Veterinarian Services)
NTE \$ 2,500	450049.4742.101000 (Veterinarian Services)
NTE \$ 4,880	480137.4742.101000 (Veterinarian Services)

and be it

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

RESOLUTION NO. 440

By Economic Development & Planning and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING AMENDMENT OF RESOLUTION 223 OF 2002 AUTHORIZING REVISION OF THE PY2000 WORKFORCE INVESTMENT ACT (WIA) DISLOCATED WORKER GRANT 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 223 of 2002, authorized the continued participation in the Workforce Investment Act (WIA) Dislocated Worker Grant, for the Office of Employment and Training and adopted a program budget in connection therewith in the total amounts of \$1,710,050 for the period July 1, 2000 through June 30, 2002, and

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

WHEREAS, Resolution 223 of 2002 was passed with incorrect budget numbers in Exhibit "A" for the Dislocated Worker Grant, and

WHEREAS, it is necessary at this time to amend Resolution 223 of 2002 to reflect the correct budget for the PY2000 Workforce Investment Act Dislocated Worker Grant annexed hereto as Exhibit "A" in the total amount of \$1,493,164, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 223 of 2002 to reflect the correct budget in the amount of \$1,493,164 for the PY2000 Workforce Investment Act (WIA) Dislocated Worker 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 amended program budget annexed hereto as Exhibit "A" in the total amount of \$1,493,164, and be it

FURTHER RESOLVED, that Resolution 352 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

RESOLUTION NO. 442

By Economic Development & Planning and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING REVISION OF PY2000 WORKFORCE INVESTMENT ACT (WIA) DISLOCATED WORKER GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2003

WHEREAS, this County Legislature, by Resolution 352 of 2000, as amended by Resolutions 79, 326 and 327 of 2001 and Resolution 223 of 2002, as amended by companion resolution, authorized the continued participation in the Workforce Investment Act (WIA) Dislocated Worker Grant for the Office of Employment and Training and adopted a program budget in connection therewith in the total amount of \$1,493,164 for the period July 1, 2000 through June 30, 2002, and

WHEREAS, said grant program provides 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 to reflect an increase of \$155,818 in grant appropriations and extend the grant period to June 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the PY2000 Workforce Investment Act (WIA) Dislocated Worker Grant to reflect an increase of \$155,818 for the extended period July 1, 2000 through June 30, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$1,648,982, and be it

FURTHER RESOLVED, that Resolution 352 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.

RESOLUTION NO. 443

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RENEWAL OF THE CHILD PASSENGER SAFETY PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 201 of 2002, authorized and approved the Child Passenger Safety Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$7,850 for the period October 1, 2001 through September 30, 2002, and

WHEREAS, said grant program provides funds to establish fitting stations for child safety seats and staging child safety seat checks in order to reduce the high incidence of improper child seat installation misuse, and

WHEREAS, it is desired to renew said grant program in the amount of \$8,000 for the period October 1, 2002 through September 30, 2003, now, therefore, be it

RESOLUTION NO. 445

By Finance Committee

Seconded by Mr. O'Day

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

WHEREAS, it is necessary to cancel 2002 taxes, interest and penalties on the parcels of real property owned by the County and various towns, which were not transferred into Roll Section 8 in a timely manner to prevent the generation of 2002 Town and County tax bills, plus accrued interest and penalties as identified on the attached Exhibit "A", now, therefore, be it

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

Carried.

RESOLUTION NO. 446

By Health Services Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY HEALTH ADVISORY BOARD

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article VII, Section 703 of the Broome County Charter and Code, has duly designated and appointed the following named individual to membership on the Broome County Health Advisory Board, for the term indicated, subject to confirmation by this County Legislature:

Dr. Kazimieras Snieska
999 Vestal Avenue

New Appointment
Term Expires 12/31/05

Binghamton, New York 13903

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 Article VII, Section 703 of the Broome County Charter and Code, confirms the appointments of the above-named individual to membership on the Broome County Health Advisory Board for the term indicated, in accordance with the appointment by the County Executive.

Carried.

RESOLUTION NO. 447

By Personnel, County Administration and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE COUNTY CLERK

RESOLVED, that in accordance with a request from the County Clerk as contained in PCR #02-327, this County Legislature hereby authorizes the abolishment of (1) Third Deputy County Clerk position, Full Time, at budget line 300012.1000.101000, minimum salary of \$28,540, Grade 14, Union Admin I, and the creation of (1) Deputy County Clerk position, Full Time, at budget line 300012.1000.101000, minimum salary of \$33,146, Grade 17, Union Admin I, effective 9/20/02, and be it

FURTHER RESOLVED, that in accordance with a request from the County Clerk as contained in PCR #02-328, this County Legislature hereby authorizes abolishment of (2) Assistant Motor Vehicle Supervisor positions, Full Time, at budget line 300020.1000.101000, minimum salary of \$28,073, Grade 13, Union BAPA, and the creation of (2) Sr. Motor Vehicle Clerk positions, Full Time, at budget line 300020.1000.101000, minimum salary of \$22,583, Grade 9, Union CSEA, effective 9/20/02, and be it

FURTHER RESOLVED, that in accordance with a request from the County Clerk as contained in PCR #02-329, this County Legislature hereby authorizes abolishment of (1) Second Deputy County Clerk position, Full Time, at budget line 300012.1000.101000, minimum salary of \$33,146, Grade 17, Union Admin I, and the creation of (1) Deputy County Clerk position, Full Time, at budget line 300012.1000.101000, minimum salary of \$33,146, Grade 17, Union Admin I, effective 9/20/02, and be it

FURTHER RESOLVED, that in accordance with a request from the County Clerk as contained in PCR #02-330, this County Legislature hereby authorizes abolishment of (1) First Deputy County Clerk position, Full Time, at budget line 300012.1000.101000, minimum salary of \$36,585, Grade 19, Union Admin I, and the creation of (1) Deputy County Clerk position, Full Time, at budget line 300012.1000.101000, minimum salary of \$33,146, Grade 17, Union Admin I, effective 9/20/02.

Held over 'under the rules' by Ms. Hudak.

RESOLUTION NO. 448

By Finance Committee

Seconded by Mr. O'Day

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

WHEREAS, it is necessary to clear the tax records of parcels of real property listed on attached Exhibit "A" by virtue of the reasons stated on said Exhibit, now, therefore, be it

RESOLVED, that taxes, interest and penalties in the amounts as indicated will be cancelled on the various parcels of real property listed on Exhibit "A".

Carried.

RESOLUTION NO. 449

By Transportation and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION FOR LEASE OF SPACE AT THE BINGHAMTON REGIONAL AIRPORT FOR 2002-2007

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with the Transportation Security Administration for the lease of 950 square feet of space in the terminal building at the Binghamton Regional Airport at an annual rate of \$17,660.50, for the period October 1, 2002 through September 30, 2007, and

WHEREAS, said agreement is necessary for lease of space for the Transportation Security Administration which has responsibility for administering aviation security at U.S. Airports, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Transportation Security Administration, for the lease of 950 square feet of space in the terminal building at the Binghamton Regional Airport for the period October 1, 2002 through September 30, 2007, and be it

FURTHER RESOLVED, that in consideration for the lease of said space, the Contractor shall pay the County an amount not to exceed \$17,660.50 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 210070.0108.207000 (Space Rental-Other), and be it

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

Carried.

RESOLUTION NO. 450

By Transportation and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR LEASE OF SPACE AT THE BINGHAMTON REGIONAL AIRPORT FOR 2002-2007

WHEREAS, this County Legislature, by Resolution 512 of 1992, authorized an agreement with the Federal Aviation Administration for lease of 6,761.43 square feet of space in the

Administration Building at the Binghamton Regional Airport at a rate of \$54,412.93 per year for the period October 1, 1992 through September 30, 2002, and

WHEREAS, said agreement is necessary for lease of space for the FAA to support the air traffic control tower and Airway Facilities Sector Field Office, and

WHEREAS, said agreement expired by its terms on September 30, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$101,858.04 per year, for the period October 1, 2002 through September 30, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Federal Aviation Administration, 1 Aviation Plaza, Jamaica, New York 11434-4809 for lease of 6,331 square feet of space in the terminal building at the Binghamton Regional Airport for the period October 1, 2002 through September 30, 2007, and be it

FURTHER RESOLVED, that in consideration for the lease of said space, the Contractor shall pay the County an amount not to exceed \$101,858.04 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 210070.0108.207000 (Space Rental-Other), and be it

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

RESOLUTION NO. 451

By Transportation and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH CIVIL AIR PATROL, INC. FOR LEASE OF SPACE AT THE BINGHAMTON REGIONAL AIRPORT FOR 2002 THROUGH 2007

WHEREAS, the Broome County Department of Aviation has historically leased space to Civil Air Patrol, Inc., a federally chartered, non-profit corporation utilizing volunteers for aviation education and aircraft search/rescue operations, and

WHEREAS, the Board of Acquisition and Contract, on April 21, 1993, authorized an agreement with Civil Air Patrol, Inc. for lease of space at the Binghamton Regional Airport at a cost not to exceed \$1.00 for the period April 1, 1993 through March 31, 1994, and

WHEREAS, Civil Air Patrol, Inc. has expressed an interest in continuing to lease space in the Airport's terminal building, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Civil Air Patrol, Inc., Maxwell Air Force Base, Montgomery, AL 36112 for the lease of approximately 1,550 square feet in the terminal building at the Binghamton Regional Airport at an amount of \$1.00 annually for the period November 1, 2002 through September 30, 2007, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made to revenue line 210070.0108.207000 (Space Rental -Other), and be it

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

Carried.

RESOLUTION NO. 452

By Transportation Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING THE CHANGING OF THE NAME OF BINGHAMTON REGIONAL AIRPORT, EDWIN A. LINK FIELD, TO GREATER BINGHAMTON AIRPORT, EDWIN A. LINK FIELD

WHEREAS, the Broome County Airport Advisory Board approved a resolution recommending the name of the Binghamton Regional Airport, Edwin A. Link Field be changed to the Greater Binghamton Airport, Edwin A. Link Field, and

WHEREAS, the purpose of the name change is to tie the airport's name into the framework of a marketing strategy for economic development for the Greater Binghamton area, and

WHEREAS, it is desired to retain the recognition afforded to the late Edwin A. Link as an accompaniment of the name Greater Binghamton Airport, an acceptable abbreviated name for the purposes of marketing, advertising and signage would be Greater Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the changing of the name of Binghamton Regional Airport, Edwin A. Link Field to Greater Binghamton Airport, Edwin A. Link Field, and be it

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

Held over 'under the rules' by Ms. Hudak.

RESOLUTION NO. 453

By Personnel and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING LABOR AGREEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION (CSEA) FOR JANUARY 1, 2003 THROUGH DECEMBER 31, 2005

WHEREAS, the County of Broome, under the provisions of the Civil Service Law (Taylor Law), has heretofore recognized CSEA as an employee organization for those certain Broome County employees represented by said Union, and

WHEREAS, this County Legislature, by Resolution No. 179 of 1999, authorized a written agreement with the CSEA setting forth the terms and conditions of employment for those employees represented by said Union for the period January 1, 1999 through December 31, 2002, and

WHEREAS, a tentative agreement has been reached with CSEA for the period January 1, 2003 through December 31, 2005, and

WHEREAS, it is desired at this time to renew said labor agreement on the terms and conditions set forth in the "Tentative Agreement Between CSEA Broome County Unit 6150 and County of Broome" attached hereto as Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with CSEA, setting forth the terms and conditions of employment for those employees represented by said Union, for the period January 1, 2003, through December 31, 2005, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 1999 written labor agreement with the exception of those changes listed in the "Tentative Agreement Between CSEA Broome County Unit 6150 and County of Broome" attached hereto as Exhibit "A", 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.

EXHIBIT "A"

**Tentative Agreement Between CSEA Broome County Unit 6150
and County of Broome**

For the purpose of extending the current collective bargaining agreement which expires 12/31/02 the parties agree to the following:

Article 9 - Compensation

Old Language

1. Effective January 1, 1999 all full time employees will receive a \$1,500 increase added to their base salary. Part-time employees will receive a pro-rated increase.

A new salary schedule is attached as Appendix A. All employees whose salary falls between two steps will be rounded up to the nearest step.
2. Effective January 1, 2000 full-time and part-time employees shall receive a 3.5% general wage increase. Minimum salaries shall also increase by 3.5%. The salary schedule is attached as Appendix B.
3. Effective January 1, 2001 full-time and part-time employees shall receive a 3.5% general wage increase. Minimum salaries shall also increase by 3.5%. The salary schedule is attached as Appendix C.
4. Effective January 1, 2002 full-time and part time employees shall receive a 3.5% general wage increase. Minimum salaries shall also increase by 3.5%. The salary schedule is attached as Appendix D.
5. The parties will implement pay equity to be effective January 1, 2002.

New Language

1. Effective January 1, 2003 full-time and part-time employees shall receive 2% general wage increase. Minimum salaries shall also increase by 2%. The salary schedule is attached as Appendix A.
2. Effective January 1, 2004 full-time and part-time employees shall receive a 3% general wage increase. Minimum salaries shall also increase by 3%. The salary schedule is attached as Appendix B.
3. Effective January 1, 2005 full-time and part-time employees shall receive a 3% general wage increase. Minimum salaries shall also increase by 3%. The salary schedule is attached as Appendix C.

*(Salaries for 2003 to be determined by using the 2002 hourly schedule for 37.5 hours/week employees. All future increases to be calculated on hourly rates of pay)

Paragraph 5 - eliminated
Remainder of Article unchanged

Article 24 - Health Insurance

Old Language

- a. The public employer agrees to continue and maintain a health insurance program which provides benefits to employees equal to or greater than the Statewide Blue Cross-Major Medical Plan as the latter existed on January 1, 1981. The County is to pay 100% of the premium for the employee or 90% of the premium of the dependent coverage. Beginning January 1, 2000 the County is to pay 95% of the premium for the employees or 90% of the premium of the dependent coverage. Beginning January 1, 2002 the County is to pay 90% of the premium for the employee or 90% of the premium of the dependent coverage.
- b. Regular part-time employees hired prior to June 1, 1979 shall be entitled to payment of health insurance as set forth above. Regular part-time employees hired on June 1, 1979 or subsequent thereto shall be entitled to premium payments of the County of 50% for single coverage and 50% for family coverage.
- c. All employees moving from a full-time status to a part-time status prior to June 1, of 1979 shall be entitled to a continuation of coverage based on their full-time status.
- d. An Advisory Committee shall be established to monitor and recommend changes in the plan. CSEA will be represented on such committee. Attendance at meetings will not result in loss of pay or charges against accruals.
- e. A pre-admission certification program shall be made part of the County Health Plan.
- f. The prescription card co-pay levels shall change as follows:

Non-generic prescriptions	-	\$5 per prescription
Generic prescriptions	-	\$2 per prescription
Generic not available	-	\$2 per prescription
Mail Order Maintenance		
Prescriptions	-	-0-

Beginning January 1, 2000 the prescription card co-pay levels shall change as follows:

Non-generic prescriptions	-	\$10 per prescription
Generic prescriptions	-	\$ 5 per prescription
Generic not available	-	\$ 5 per prescription
Mail Order Maintenance		
Prescriptions	-	\$0 per prescription

- 9. The parties agree to re-open negotiations for the purpose of discussing the establishment of dental and vision insurance coverage.

New Language

- a. The public employer agrees to continue and maintain a health insurance program which provides benefits to employees equal to or greater than the Statewide Blue Cross-Major Medical Plan as the latter existed on January 1, 1981. The County is to pay 100% of the premium for the employee or 90% of the premium of the dependent coverage. Beginning January 1, 2000 the County is to pay 95% of the premium for the employees or 90% of the premium of the dependent coverage.

Beginning January 1, 2002 the County is to pay 90% of the premium for the employee or 90% of the premium of the dependent coverage.

- b. Regular Part-time employees hired prior to June 1, 1979 shall be entitled to payment of health insurance as set forth above. Regular part-time employees hired on June 1, 1979 or subsequent thereto shall be entitled to premium payments of the County of 50% for single coverage and 50% for family coverage.
- c. All employees moving from a full-time status to a part-time status prior to June 1, of 1979 shall be entitled to a continuation of coverage based on their full-time status.
- d. An Advisory Committee shall be established to monitor and recommend changes in the plan. CSEA will be represented on such committee. Attendance at meetings will not result in loss of pay or charges against accruals.
- e. A pre-admission certification program shall be made part of the County Health Plan.

Beginning January 1, 2003 the prescription card co-pay levels shall change as follows:

Non-generic prescriptions	-	\$10 per prescription
Generic prescriptions	-	\$ 5 per prescription
Mail Order Maintenance Prescriptions	-	\$ 0 per prescription

- f. The parties agree to re-open negotiations for the purpose of discussing the establishment of dental and vision insurance coverage.

*(Rates remain the same)

Article 27 - Longevity Service Pay

Old Language

- a. All full-time employees will be paid longevity service payments upon the completion of each of the following years of service:

<u>Years</u>	<u>Payment</u>
10-14	\$ 600
15-19	800
20-24	1,000
25-29	1,200
30+	1,400

- b. 1. All employees who will begin receiving longevity payments for the first time beginning 1/1/2000 will receive such payments in a lump sum in November of each year.
- 2. All employees who receive or are eligible to receive longevity payments prior to 1/1/2000 will be given a one-time choice to receive their longevity payments in a lump sum.
- c. An unauthorized absence of one year or less or authorized absence without pay shall not result in an interruption of said years of continuous service but shall in no event be used in computation of the said years of continuous service as set forth above.

The longevity increments provided for in the Article shall be in addition to negotiated salary increases due the employee pursuant to the then existing salary schedule or any increase due said employee as a result of a promotion. Such increase shall become payable commencing with the first full pay period following the completions of the years of service required.

New Language

- a. All full-time employees will be paid longevity service payments upon the completion of each of following years of service:

<u>Years</u>	<u>Payment</u>
6-9	\$ 600
10-14	800
15-19	1,000
20-24	1,200
25-29	1,400
30+	1,600

- b. 1 All employees who will begin longevity payments for the first time beginning 1/1/2000 will receive such payments in lump sum in November of each year.
2. All employees who receive or are eligible to receive longevity payments prior to 1/1 /2000 will be given a one-time choice to receive their longevity payments in a lump sum.
- c. An unauthorized absence of one year or less or authorized absence without pay shall not result in an interruption of said years of continuous service but shall in no event be used in computation of the said years of continuous service as set forth above.

The longevity increments provided for in this Article shall be in addition to negotiated salary increases due the employee pursuant to the then existing salary schedule or any increase due said employee as a result of a promotion. Such increase shall become payable commencing with the first full pay period following the completion of the years of service required.

Article 34 - Labor Management Committee

Old Language

1. There shall be a Countywide Labor-Management Committee whose Purpose shall be to discuss and seek solutions to problems, both immediate and future. The Committee shall normally consist of two (2) representatives of each County and the Union. Representatives from individual Departments, both Union and Management, may be required to be present at these meetings when departmental issues have been brought to this forum. This Committee shall meet on a monthly basis.
2. In departments, where either Union or Management deem it necessary a labor-management committee will be established. The purpose of the committee will be to discuss and seek solutions to problems, both immediate and future. The committee shall consist of at least two (2) representatives of each the Department and the Union. The Committee shall meet a minimum of every other month.

New Language

1. There shall be a Countywide Labor-Management Committee whose purpose shall be to discuss and seek solutions to workplace issues and inequities, both immediate and future. The Committee shall normally consist of two (2) representatives of the County and of the Union. Representatives from individual Departments, both Union and Management, may be required to be present at these meetings when specific departmental issues have been brought to this forum. This Committee shall meet on a monthly basis,
2. In departments where either Union or Management deem it necessary, a labor-management committee will be established. The purpose of the committee will be to discuss and seek solutions to problems, both immediate and future. The Committee shall consist of at least two (2) representatives of each the Department and the Union. The Committee shall meet a minimum of every other month.

(On September 5, 2002, the original document signed by JoAnn Mastronardi, President, Broome County CSEA Unit 6150; Charles Gregory, CSEA Labor Relations Specialist; Doreen Reigles, CSEA President Local 804; and Thomas H. Behan, Broome County Director of Employee Relations.)

Carried.

RESOLUTION NO. 454

By Personnel and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH AMTEK MANAGEMENT SERVICES CORPORATION FOR DEVELOPMENT AND PRODUCTION OF EMPLOYEE HANDBOOK AND PERSONNEL POLICY AND PROCEDURE MANUAL

WHEREAS, this County Legislature, by Resolution 607 of 2001, authorized an agreement with Amtek Management Services Corporation to develop and produce a Broome County Employee Handbook and Personnel Policy and Procedure Manual at an amount not to exceed \$14,500 plus out-of-pocket expenses for mileage not to exceed \$1,500, total amount not to exceed \$16,000, for the period December 1, 2001 through November 30, 2002, and

WHEREAS, said agreement will provide an Employee Handbook and Personnel Policy and Procedure Manual, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for a six month extension of the contract at no additional cost, that will allow for completion of the Employee Handbook and Personnel Policy and Procedure Manual, and

WHEREAS, the Personnel Officer 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 Amtek Management Services Corporation, 220 West Manlius Street, P.O. Box 118, East Syracuse, New York 13057 to provide for a six month extension of the contract at no additional cost, to complete the Employee Handbook and Personnel Policy and Procedure Manual for the period December 1, 2002 through May 31, 2003, and be it

FURTHER RESOLVED, that Resolution 607 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.

RESOLUTION NO. 455

By Health Services & Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH VARIOUS VENDORS FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM AND PRESCHOOL EDUCATION PROGRAM FOR 2002-2003

WHEREAS, the Director of Public Health requests authorization for an agreement with various vendors for services for the Department of Health's Early Intervention Program for the period November 1, 2002 through December 31, 2003 and the Preschool Education Program for the period November 1, 2002 through June 30, 2003 at rates set by New York State Department of Health and Broome County Department of Health, at a cost not to exceed budgeted appropriations, and

WHEREAS, said services are necessary to provide speech therapy and evaluation for Early Intervention and speech therapy for Preschool Education (3-5), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with various vendors as shown on Exhibit "A", for services, for the Department of Health's Early Intervention Program for the period November 1, 2002 through December 31, 2003 and the Preschool Education (3-5) Program for the period November 1, 2002 through June 30, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates set by the New York State Department of Health as shown on Exhibit "B" and the Broome County Health Department as shown on Exhibit "C", total amount not to exceed budgeted appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480293.various.101082 and 480293.4706.101081 (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.

RESOLUTION NO. 456

By County Administration and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MPR TECHNOLOGIES, INC. FOR NETWORK SUPPORT SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2003

WHEREAS, this County Legislature, by Resolution 161 of 2002, as amended by Resolution 241 of 2002, authorized an agreement with MPR Technologies, Inc. for network support services for the Division of Information Technology at an amount not to exceed \$18,200, for the period May 2, 2002 through December 31, 2002, and

WHEREAS, said services provide general network support, including but not limited to network problem determination, network software support, hardware support and firewall support, and

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$23,800, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with MPR Technologies, Inc., 5010 Campuswood Drive, East Syracuse, New York 13057 for network problem determination, network software support, hardware support and firewall support for the Division of Information Technology for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,800 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4726.101000 (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.

Following a poll of the County Administration Committee, Ms. Sweet **withdrew this resolution** from the floor.

RESOLUTION NO. 457

By County Administration, Health Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH QS TECHNOLOGIES, INC. FOR SOFTWARE MAINTENANCE FOR THE DEPARTMENT OF HEALTH'S CLINICS DIVISION FOR 2003

WHEREAS, this County Legislature, by Resolution 536 of 2001, authorized renewal of the agreement with QS Technologies, Inc. for software maintenance for the Department of Health's Clinics Division at an amount not to exceed \$12,136.32, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary for maintenance of the Department of Health's Clinics Division AS/400 Patient Care Management System software, and

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$12,621.77, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with QS Technologies, Inc., Bank of America Plaza, Suite 1106, P.O. Box 847, Greenville, South Carolina, 29602 for software maintenance for the Department of Health's Clinic Division AS/400 Patient Care Management System for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,621.77 for the term of the agreement, and be it

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

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

RESOLUTION NO. 458

By County Administration and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GEAC ENTERPRISE SOLUTIONS, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2003

WHEREAS, this County Legislature, by Resolution 496 of 2001, authorized renewal of the agreement with Geac Enterprise Solutions, Inc. for software maintenance for the Division of Information Technology at an amount not to exceed \$41,736.11, for the period January 1, 2002 through December 31, 2002, and

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

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$45,076.28, for the period January 1, 2003 through December 31, 2003 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Geac Enterprise Solutions, Inc., 66 Perimeter East, Atlanta, Georgia 30346-1805 for Broome

County's MSA Payroll/Personnel software maintenance for the Division of Information Technology for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$45,076.28 for the term of the agreement, and be it

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

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

RESOLUTION NO. 459

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF ZONE 6 LAW ENFORCEMENT TRAINING PROJECT GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, the Office of the Sheriff requests authorization to accept a Zone 6 Law Enforcement Training Project Grant and adopt a program budget in the amount of \$17,527 for the period October 1, 2002 through September 30, 2003, and

WHEREAS, said grant program will provide for the purchase of new breath test instruments for the Regional Law Enforcement Academy, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$17,527 from the New York State Department of Motor Vehicles, 6 Empire State Plaza, Albany, New York 12228 for the Office of the Sheriff's Zone 6 Law Enforcement Training Project Grant for the period October 1, 2002 through September 30, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$17,527, and be it

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

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

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

RESOLUTION NO. 460

By Health Services and Finance Committees Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY, INC. FOR THE RENTAL OF OFFICE SPACE FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2003

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with The Addiction Center of Broome County, Inc. for use of offices, including the use of the conference room, telephone lines, computer lines and utilities for the Department of Mental Health at a total cost not to exceed \$9,100, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said agreement will provide for the use of two offices, including the use of the conference room, telephone lines, computer lines and utilities for the MICA Intensive Case Managers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Addiction Center of Broome County, Inc., 30 West State Street, Binghamton, New York 13901, for the use of offices, including the use of the conference room, telephone lines, computer lines and utilities, for the Department of Mental Health's MICA Intensive Case Managers for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,100 for the MICA Intensive Case Managers for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4422.104XXX (Building and Land Rental), and be it

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

Carried.

RESOLUTION NO. 461

By Health Services, Personnel and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH ADMINISTRATIVE SUPPORT GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 178 of 2002, authorized and approved the Mental Health Administrative Support Grant for the Department of Mental Health and adopted a program budget in the amount of \$29,466 for the period June 1, 2002 through December 31, 2002, and

WHEREAS, said grant program provides funding for a Principal Account Clerk responsible for monitoring the Office of Mental Health regulations and Broome County procedures, and

WHEREAS, it is desired to renew said grant program in the amount of \$50,726 for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,726 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Mental Health Administrative Support Grant for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$50,726, and be it

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

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

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

Carried.

RESOLUTION NO. 462

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IVAN FRAS FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2003

WHEREAS, this County Legislature, by Resolution 588 of 2001, authorized renewal of the agreement with Ivan Fras for psychiatric services for the Department of Mental Health at a rate of \$78 per hour, total amount not to exceed \$60,840, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide forensic and child psychiatric services to clients of the Department of Mental Health, and

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$80 per hour, total amount not to exceed \$41,600, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Ivan Fras, 33 Avon Road, Binghamton, New York 13905 for psychiatric services for the Department of Mental Health for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$80 per hour, total amount not to exceed \$41,600 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for 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-1 (Hudak).**

RESOLUTION NO. 463

By Health Services and Finance Committees

Seconded by Mr. O'Day

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

WHEREAS, this County Legislature, by Resolution 666 of 2001, as amended by Resolution 271 of 2002, authorized and approved the continued participation in the Mental Health Juvenile Justice Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$123,750 and authorized renewal of agreement with Our Lady of Lourdes Hospital to administer said program for the period January 1, 2002 through December 31, 2002, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$93,750, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$93,750 from the New York State Office of Children and Family Services, for the Department of Mental Health's Juvenile Justice Program Grant for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$93,750, and be it

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

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$91,406 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4457.104XXX (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) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried.

RESOLUTION NO. 464

By Health Services, Personnel and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH CASEWORKER GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 586 of 2001, authorized and approved the renewal of the Mental Health Caseworker Grant for the Department of Mental Health and adopted a program budget in the amount of \$37,525 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said grant program provides a caseworker to help clients navigate health systems and to assist with job training, and

WHEREAS, it is desired to renew said grant program in the amount of \$40,419 for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$28,420 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Mental Health Caseworker Grant for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$40,419, 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

WHEREAS, said grant program provides for a Mentally Ill Abuser Program through the Broome County Department of Mental Health, and

WHEREAS, it is desired to renew said grant program in the amount of \$289,205 for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$195,412 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Mentally Ill Chemical Abuser (MICA) Intensive Case Management Program Grant for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$289,205, and be it

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

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

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

Carried.

RESOLUTION NO. 467

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BAL M. NEMANI, MD FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2001-2002

WHEREAS, this County Legislature, by Resolution 461 of 2001, authorized an agreement with Bal M. Nemani, MD for psychiatric services for the Department of Mental Health at a rate of \$76 per hour, total cost not to exceed \$72,960, for the period September 1, 2001 through December 31, 2002, and

WHEREAS, there are currently over 250 active cases of children with serious emotional problems and the County is required to provide psychiatric services to those individuals, and

WHEREAS, due to the increased demand of Dr. Nemani's services it is necessary to authorize the amendment of said agreement to increase the cost by \$15,000, total amount not to exceed to \$87,960, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Bal M. Nemani, MD, 80 Oak Street, Binghamton, New York 13905-4625 to increase the cost by \$15,000, total amount not to exceed to \$87,960 for psychiatric services for clients of the Department of Mental Health for the period September 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 \$87,960, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

FURTHER RESOLVED, that Resolution 461 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.

RESOLUTION NO. 468

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH REPORTERS TRANSCRIPTION CENTER FOR TRANSCRIPTION SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2003

WHEREAS, this County Legislature, by Resolution 590 of 2001, authorized renewal of the agreement with Reporters Transcription Center for transcription services for the Department of Mental Health at an amount not to exceed \$20,000 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide transcription services via the telephone system as well as taped dictation with a guaranteed turnaround time of 24-36 hours, and

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$.13 per line, total amount not to exceed \$20,000, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Reporters Transcription Center, 71 State Street, Binghamton, New York 13901 for transcription services for the Department of Mental Health for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$.13 per line, total amount not to exceed \$20,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

Carried.

RESOLUTION NO. 469

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE RESEARCH FOUNDATION AT BINGHAMTON UNIVERSITY FOR GRADUATE STUDENT TRAINING IN THE DEPARTMENT OF MENTAL HEALTH FOR 2003

WHEREAS, this County Legislature, by Resolution 591 of 2001, authorized renewal of an agreement with The Research Foundation at Binghamton University for graduate student training in the Department of Mental Health at an amount not to exceed \$24,852, for the period January 1, 2002 through December 31, 2001, and

WHEREAS, said agreement is sponsored by Broome County to provide graduate psychology students with clinical training in the Broome County community while they provide services for the Mental Health Clinic, and

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$24,852, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Research Foundation at Binghamton University, Office of Research and Sponsored Programs,

P.O. Box 6000, Binghamton, New York 13902 for graduate student training in the Department of Mental Health for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$24,852 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

RESOLUTION NO. 470

By Community & Social Services, Health Services Personnel and Finance Committees
Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF THE TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) ENHANCED CASE MANAGEMENT PROJECT GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 215 of 2001, authorized and approved acceptance of the state-approved TANF Services Block Grant through the Department of Social Services for the Department of Mental Health's Enhanced Case Management Project and adopted a program budget in the amount of \$314,788 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, the County Executive was authorized to extend the term of the agreement to December 31, 2002, and

WHEREAS, said grant program will assist TANF recipients by providing enhanced case management services for drug and alcohol assessment and treatment, and

WHEREAS, it is desired to renew said grant program in the amount of \$54,050 for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$54,050 from New York State through the Department of Social Services for the Department of Mental Health's TANF Enhanced Case Management Project Grant for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$54,050, and be it

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

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

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

RESOLUTION NO. 471

By Health Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH UNI/CARE SYSTEMS, INC. FOR SOFTWARE MAINTENANCE FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2003

WHEREAS, this County Legislature, by Resolution 589 of 2001, authorized an agreement with UNI/CARE SYSTEMS, INC. for software maintenance for the Department of Mental Health at a cost not to exceed \$15,600, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary for software maintenance fees and telephone support, and

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$15,600, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with UNI/CARE SYSTEMS, INC., 540 North Tamiami Trail, Sarasota, Florida 34236 for software maintenance and telephone support, for the Department of Mental Health for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,600 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

RESOLUTION NO. 472

By Health Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RENEWAL OF A SUPPORTED EMPLOYMENT PROGRAM GRANT FOR THE OFFICE OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER (STIC) TO ADMINISTER SAID PROGRAM FOR 2003

WHEREAS, this County Legislature, by Resolution 403 of 2002, authorized and approved the Supported Employment Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$6,780 and authorized an agreement with Southern Tier Independence Center (STIC) to administer said program for the period July 1, 2002 through December 31, 2002, and

WHEREAS, said grant program provides vocational evaluation, counseling and training programs, sheltered employment and vocational guidance to help individuals with disabilities improve their quality of life through productive employment, and

WHEREAS, it is desired to renew said grant program in the amount of \$20,340, adopt a program budget and renew the agreement with Southern Tier Independence Center (STIC) to continue to administer said program for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,340 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Office of Mental Health's Supported Employment Grant for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$20,340, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Southern Tier Independence Center (STIC), 24 Prospect Avenue, Binghamton, New York 13901, to administer said program grant for a total amount of \$20,340, for the Department of Mental Health for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20,340 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5079.104XXX (Contracted Services – STIC), and be it

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

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

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

Carried.

RESOLUTION NO. 473

By Health Services, Personnel and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF VOCATIONAL SUPPORT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 584 of 2001, authorized and approved the Vocational Support Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$100,000 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said grant program provides assistance to mentally ill individuals striving to achieve their vocational goals, and

WHEREAS, it is desired to renew said grant program in the amount of \$100,000 for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$100,000 from New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Vocational Support Program Grant for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$100,000, 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.

RESOLUTION NO. 474

By Health Services, Personnel and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF FORENSIC PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 587 of 2001, authorized and approved the Forensic Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$148,987 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said grant program provides mental health services to clients in the legal system and helps minimize the need for hospitalization by providing a more intensive program for those inmates, and

WHEREAS, it is desired to renew said grant program in the amount of \$148,982 for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$148,982 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Forensic Program Grant for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$148,982, and be it

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

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

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

Carried.

RESOLUTION NO. 475

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BAL M. NEMANI, MD FOR PSYCHIATRIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2003

WHEREAS, this County Legislature, by Resolution 461 of 2001, as amended by companion resolution, authorized an agreement with Bal M. Nemani, MD for psychiatric services for clients of the Department of Mental Health at a rate of \$76 per hour, total amount not to exceed \$87,960, for the period September 1, 2001 through December 31, 2002, and

WHEREAS, there are currently over 250 active cases of children with serious emotional problems and the County is required to provide psychiatric services to those individuals, and

WHEREAS, due to staff vacancies said agreement is necessary to provide necessary psychiatric services, and

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$78 per hour, total amount not to exceed \$101,400, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Bal M. Nemani, MD, 80 Oak Street, Binghamton, New York 13905-4625 for psychiatric services for clients of the Department of Mental Health for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$78 per hour, total amount not to exceed \$101,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for 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-3 (Burger, Hudak, Hull).**

RESOLUTION NO. 476

By Economic Development and Planning Committee

Seconded by Mr. O'Day

RESOLUTION ACCEPTING "THE BROOME COUNTY PLAN FOR SUSTAINABLE DEVELOPMENT"

WHEREAS, this County Legislature, by Resolution 391 of 2001, authorized an agreement with Angelou Economics for consulting services in connection with the development of a countywide action plan for economic and community development, and

WHEREAS, said plan has been completed, titled "The Broome County Plan for Sustainable Development" and presented to members of this County Legislature and to various public and community organizations for their comments on the Plan, and

WHEREAS, said Plan has been available on the Internet for anyone in the County to access, to read and to enter their comments on the Plan, and

WHEREAS, all viable comments on said Plan have been incorporated into the final version of the Plan, now, therefore, be it

RESOLVED, that this County Legislature hereby accepts "The Broome County Plan For Sustainable Development", and be it

FURTHER RESOLVED, that "The Broome County Plan For Sustainable Development" shall be filed with the Clerk of this County Legislature and with the Commissioner of Planning Economic Development as the economic and development strategy for Broome County.

Carried.

RESOLUTION NO. 477

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MARSH USA, INC. FOR EMPLOYEE BOND INSURANCE FOR THE OFFICE OF RISK AND INSURANCE FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 477 of 2001, authorized renewal of an agreement with Marsh USA, Inc. for employee bond insurance for the Office of Risk and Insurance at an amount not to exceed \$8,402 for the period September 1, 2001 through August 31, 2002, and

WHEREAS, said services are necessary to provide required bonds for employees, and

WHEREAS, said agreement expired by its terms on August 31, 2002 and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$9,089 for the period September 1, 2002 through August 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Marsh USA, Inc., 500 Linden Oaks, P. O. Box 92866, Rochester, New York 14692 for employee bond insurance for the Office of Risk and Insurance for the period September 1, 2002 through August 31, 2003, and be it

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at an increased rate of \$2.05 per employee per month, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Security Mutual Life Insurance Company of New York, P.O. Box 1625, Binghamton, New York 13902-1625 for claims administration of the CSEA employees' short-term disability insurance for the Office of Risk and Insurance Management for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$2.05 per employee per month for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4743.254000 (Claims Administration), and be it

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

Carried.

RESOLUTION NO. 480

By Finance Committee

RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,760,375 BUDGET NOTES OF THE COUNTY OF BROOME TO PAY THE COST OF MEDICAID

WHEREAS, the estimated cost of Medicaid exceeds the amount budgeted in the 2002 Budget and there are no other funds available with which to pay such costs, and

WHEREAS, in order to meet the unanticipated cost of Medicaid, it is necessary to authorize the issuance of Budget notes of the County of Broome in an amount not to exceed \$2,760,375, now, therefore, be it

RESOLVED, by this County Legislature of Broome County New York, that pursuant to Section 29.00 of the Local Finance Law, the Commissioner of Finance be and hereby is authorized to issue and sell Budget notes of the County of Broome in an amount not to exceed \$2,760,375, which shall mature in the year 2003 and which shall be included in the annual tax levies as provided by Section 29.00 of the Local Finance Law, the proceeds of which, to the amount of the par value thereof, to be used by the Commissioner of Finance to the extent necessary to pay the cost of Medicaid, and be it

FURTHER RESOLVED, the County Executive, Commissioner of Finance, Budget Director and Comptroller are hereby authorized to implement the intent and purpose of this Resolution including but not limited to authorizing and making any necessary bookkeeping entries in the appropriate appropriations and revenue lines in the 2003 Budget.

Resolution died for lack of a second.

RESOLUTION NO. 481

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AGREEMENT WITH ULTRA VIOLET, INTERIORS & ILLUSTRATION FOR DESIGN SERVICES AT THE BC VETERANS MEMORIAL ARENA FOR 2002

WHEREAS, the Commissioner of Parks requests authorization for an agreement with Ultra Violet, Interiors & Illustration for design services at the BC Veterans Memorial Arena at a cost not to exceed \$2,750 for the period September 15, 2002 through October 31, 2002, and

WHEREAS, said services are necessary to determine and develop a concept for interior painting at the BC Veterans Memorial Arena using AHL team colors, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Ultra Violet, Interiors & Illustration, 545 King Hill Road, Newark Valley, New York 13811, for design services at the BC Veterans Memorial Arena for the period September 15, 2002 through October 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,750 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 655035.4429.501349 (Veterans Memorial Arena Enhanced Grant Capital Project), 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-13, Nays-6 (Brunza, Holley, Hudak, Mather, Sweet, Wike).

RESOLUTION NO. 482

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF PROBATION ELIGIBLE DIVERSION PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, the Director of Probation requests authorization to accept a Probation Eligible Diversion Program Grant and adopt a program budget in the amount of \$166,147 for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said grant program is being established to keep non-violent drug abusers out of State facilities and to ensure that probationers released from custody are actively supervised in the community, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$135,000 from the New York State Division of Probation and Correctional Alternatives for the Department of Probation's Probation Eligible Diversion Program Grant for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$166,147, and be it

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

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

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

Carried.

RESOLUTION NO. 483

By Public Safety & Emergency Services, Personnel and Finance Committees
Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF PRE-TRIAL RELEASE PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 650 of 2001, authorized and approved the Pre-Trial Release Program Grant for the Department of Probation and adopted a program budget in the amount of \$127,048 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said grant program services are designed to reduce the unsentenced inmates at the Broome County Public Safety Facility by providing the necessary information to enable the court to decide the least restrictive method necessary to secure an inmate's appearance in court without detention and/or for those inmates unable to post bail, and

WHEREAS, it is desired to renew said grant program in the amount of \$101,915 for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$60,000 from the New York State Department of Probation and Correctional Services for the Department of Probation's Pre-Trial Release Program Grant for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$101,915, and be it

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

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

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

Carried.

RESOLUTION NO. 484

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH LOURDES YOUTH SERVICES FOR YASI (YOUTH ASSESSMENT AND SCREENING INSTRUMENT) SOFTWARE TRAINING FOR THE DEPARTMENT OF PROBATION AND THE DEPARTMENT OF SOCIAL SERVICES FOR 2002

WHEREAS, the Director of the Youth Bureau requests authorization for an agreement with Lourdes Youth Services for YASI (Youth Assessment and Screening Instrument) Software Training for the Department of Probation and the Department of Social Services at a cost not to exceed \$9,000 for the period October 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide training for 15 people in a new software program, and

WHEREAS, said program augments case management by helping to pinpoint the "targets" of services needed in individual case plans and increasing outcome predictability, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Lourdes Youth Services, 303 Main Street, Binghamton, New York 13905, for the Department of Probation

and the Department of Social Services for the period October 1, 2002 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 \$9,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 640052.4457.104618 (Subcontracted Services), and be it

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

Carried.

RESOLUTION NO. 485

By Finance and County Administration Committees

Seconded by Mr. Kolba

RESOLUTION REQUESTING AN AMENDMENT TO THE NEW YORK STATE TAX LAW WITH REGARD TO THE SALES AND COMPENSATING USE TAX IN BROOME COUNTY

WHEREAS, the tax law currently authorizes the County of Broome to impose a four percent sales and compensating use tax, and

WHEREAS, the County of Broome is seeking an additional one percent sales and compensating use tax to be used toward the payment of the County's share of Medicaid and related expenses and called the "Medicaid Tax", now, therefore, be it

RESOLVED, that Broome County requests the New York State Legislature adopt an amendment to the Tax Law authorizing and empowering the County of Broome to impose an additional one percent sales and compensating use tax, and be it

FURTHER RESOLVED, that this additional one percent sales and compensating use tax shall be used toward the payment of the County's share of Medicaid and related expenses and called the "Medicaid Tax" and be it

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

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

RESOLUTION NO. 486

By Finance Committee

Seconded by Mr. Kolba

BY RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME COUNTY GOVERNMENT FOR FISCAL YEAR 2003

WHEREAS, this County Legislature, by an accompanying Resolution 487 of 2002, has adopted a budget for fiscal year 2003, now, therefore, be it

RESOLVED, that the several amounts specified in such budget under the various categories and the various objects of expense in the 2003 tentative budget under the recommended column, unless a specific change or correction has been made in the same, in which case such change or corrected figure shall apply, shall be the amount appropriated for such items, effective January 1, 2003, and be it

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

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

RESOLUTION NO. 487

By Finance Committee

Seconded by Mr. Kolba

RESOLUTION ADOPTING THE BROOME COUNTY BUDGET AND ESTABLISHING RATE OF COMPENSATION FOR NON UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2003

RESOLVED, that the tentative budget of the County of Broome, including the County's 2003 Capital Budget, as corrected and amended to \$274,704,517; be and it hereby is adopted as the budget for the County of Broome, for the year commencing January 1, 2003 and ending December 31, 2003 and be it

FURTHER RESOLVED, that all non-union Administrative I personnel, will receive a 2 percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2002 base salary to become effective January 1, 2003, and be it

FURTHER RESOLVED, that all non-union Administrative II personnel, will receive a 0 percent salary increase for the fiscal year beginning January 1, 2003, and be it

FURTHER RESOLVED, that all non-union Attorney personnel AT-1 through AT-3, will receive a 2 percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2002 base salary to become effective January 1, 2003, and be it

FURTHER RESOLVED, that all non-union Attorney personnel AT-4 through AT-6, will receive a 0 percent salary increase for the fiscal year beginning January 1, 2003, and be it

FURTHER RESOLVED, that all non-union Administrative I, Administrative II and Attorney position minimums are established pursuant to the schedule attached hereto as Exhibit "A", and be it

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

RATE OF COMPENSATION FOR NON UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2003

ADMINISTRATIVE I				
	2002	2002	2003	2003
	(37.5)	(40)	(37.5)	(40)
<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Minimum</u>
7	19,234	20,517	19,619	20,927
8	20,152	21,496	20,555	21,926
9	21,124	22,533	21,546	22,984
10	22,148	23,520	22,591	23,990
11	23,226	24,775	23,691	25,271
12	24,366	25,991	24,853	26,511
13	25,570	27,275	26,081	27,821
14	26,838	28,540	27,375	29,111
15	28,174	30,052	28,737	30,653
16	29,583	31,556	30,175	32,187
17	31,075	33,146	31,697	33,809
18	32,645	34,822	33,298	35,518

ADMINISTRATIVE I				
	2002	2002	2003	2003
	(37.5)	(40)	(37.5)	(40)
<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Minimum</u>
19	34,299	36,585	34,985	37,317
20	36,050	38,401	36,771	39,169
21	37,893	40,374	38,651	41,181
22	39,842	42,457	40,639	43,306
23	41,921	44,656	42,759	45,549
24	44,059	46,966	44,940	47,905
25	46,343	49,433	47,270	50,422
26	48,758	52,009	49,733	53,049
27	51,298	54,718	52,324	55,812
28	53,979	57,577	55,059	58,729
29	56,811	60,598	57,947	61,810

ADMINISTRATIVE II		
	2002	2003
<u>GradeGrade</u>	<u>Minimum</u>	<u>Minimum</u>
A	47,300	47,300
B	49,800	49,800
C	52,300	52,300
D	54,800	54,800
E	57,300	57,300
F	59,800	59,800
G	62,300	62,300
H	66,800	66,800
I	69,300	69,300
J	76,800	76,800
K	79,300	79,300
L	83,800	83,800
M	88,300	88,300
N	92,800	92,800
O	97,300	97,300

ATTORNEY				
	2002	2003	2002	2003
Grade	Minimum	Minimum	Maximum	Maximum
AT1	42,045	42,886	48,353	49,320
AT2	52,168	53,211	59,994	61,194
AT3	63,416	64,684	72,851	74,308
AT4	74,664	74,664		
AT5	80,288	80,288		
AT6	91,536	91,536		

Miscellaneous Officials:		
Chairman, Legislature	7,500	Res 68-388
Commissioner of Elections	7,500	Res 99-513
Coroner	25,500	Res 90-491
County Clerk	64,020	Res 98-518
County Executive	86,264	Res 98-518
District Attorney	125,600	NYS Law SEC 700B
Legislator	12,500	Res 98-520
Sheriff	70,671	Res 01-518

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

RESOLUTION NO. 488

By Finance Committee

Seconded by Mr. Kolba

RESOLUTION APPROVING THE 2003-2008 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2003 Capital Budget and the 2003-2008 Capital Improvement Program as accompanying the tentative budget for 2003, and as corrected and amended is hereby approved and adopted as the 2003 Capital Budget and 2003-2008 Capital Improvement Program for the County of Broome, and be it

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

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

RESOLUTION NO. 489

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING THE ADDITION OF SEPARATE LINE ITEM(S) TO THE BROOME COUNTY REAL PROPERTY TAX BILLS COMMENCING JANUARY 1, 2003

WHEREAS, the cost to county governments throughout the state of state-mandated programs, primarily Medicaid benefits, has risen dramatically, and

WHEREAS, the percentage of the Broome County annual budget expended to support Medicaid and other state-mandated programs has continually increased, and

RESOLUTION NO. 491

By Finance and Personnel Committees

Seconded by Mr. O'Day

RESOLUTION AMENDING AND RESTATING THE DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF BROOME COUNTY

WHEREAS, the New York State Deferred Compensation Board ("the Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board ("the Regulations"), has promulgated a model Deferred Compensation Plan (the Plan) for adoption by municipalities within the State of New York that offer employees a Deferred Compensation Plan, and

WHEREAS, this County Legislature, pursuant to Resolution No. 238 of 1984, in accordance with Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Broome County, and

WHEREAS, the Board has from time to time amended and restated the Model Plan so as to conform with Internal Revenue Code changes and to clarify various provisions of the Plan, the last amended and restated Plan having been promulgated effective January 1, 2000, and

WHEREAS, this County Legislature, by Resolution No. 284 of 2000, adopted the amended and restated Model Deferred Compensation Plan promulgated by the Board effective January 1, 2000, and

WHEREAS, effective January 1, 2002, the board again amended and restated the Model Plan in the forms set forth in the copy on file with the Clerk of the Legislature to make technical corrections to bring the plan into conformity with recent revisions to the Internal Revenue Code excluding increased caps on contributions, and

WHEREAS, the Board has offered for adoption the amended and restate Model Plan to each Plan sponsored by a local employer in accordance with the Regulations, and

WHEREAS, upon due deliberations and having received the recommendation of the Deferred Compensation Committee, this County Legislature has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Broome County by adopting the amended and restated Model Plan promulgated by the Board, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the Deferred Compensation Plan for Employees of Broome County effective June 1, 2002 by adopting the amended and restated Model Plan promulgated by the New York State Deferred Compensation Board effective January 1, 2002 in the form on file with the Clerk of the Legislature, and be it

FURTHER RESOLVED, that the Deferred Compensation Committee is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried.

RESOLUTION NO. 492

By Finance, Public Works and Transportation Committees

Seconded by Mr. Wike

RESOLUTION AMENDING THE 2001 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2001 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>State</u>	<u>Federal/Other</u>	<u>County</u>
502354	Engineered Material Arresting System (EMAS)	6,000,000	300,000	5,400,000	300,000

<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	10	11(14)	0	300,000

TO:

Code	Project Name	Total	Estimated Construction Cost:		County
			State	Federal/Other	
502354	Engineered Material Arresting System (EMAS)	8,138,778	406,939	7,324,900	406,939

Year Start	Local Finance Law Sec. 11		How Financed:	
	YPU	Subd.	Bond	Current Revenue
2001	10	11(14)	0	406,939

Comments: The County Share (Current Revenue) will be paid for with PFC.

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-16, Nays-3 (Brunza, Sweet, Whalen).

RESOLUTION NO. 493

By Finance, Personnel and Community & Social Services Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING THE BUDGET TRANSFER AND POSITION CHANGE REQUEST FOR OFFICE FOR AGING

RESOLVED, that in accordance with a request from the Director of the Office for Aging, to move funding in order to create a Human Services Program Coordinator III position, as requested in BF# 003623, 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:	760850	4457	104679	Subcontracted Expenses	78,009
TO:	760850	1000	104679	Salaries-Full Time	59,515
	760850	8010	104679	State Retirement	2,262
	760850	8030	104679	Social Security	4,488
	760850	8040	104679	Workers' Compensation	476
	760850	8050	104679	Life Insurance	24
	760850	8060	104679	Health Insurance	11,244

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Office for Aging as contained in PCR#02-339 this County Legislature hereby authorizes the creation of (1) Human Services Program Coordinator III position, Full Time, at budget line 760850.1000.104679, minimum salary of \$43,838, Grade 23, Union BAPA, effective date 10/21/02, and be it

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

Carried.

RESOLUTION NO. 494

By Finance and Health Services Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR HEALTH

RESOLVED, that in accordance with a request from the Director of Health in order to maximize expenditures for the Dental Sealant grant, as requested in BF# 003863 and 003864 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds for 2002:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
From:	480301	1000	104586	Salaries – Full Time	1,026
	480301	1500	104586	Salaries – Part Time	951
	480301	4319	104586	Office Supplies	482
	480301	4359	104586	Computer Software	770
	480301	4606	104586	Telephone Billing	450
	480301	4617	104586	Duplicating/Printing	25
	480301	8010	104586	State Retirement	405
	480301	8030	104586	Social Security	168
	480301	8040	104586	Workers' Compensation	493
	480301	8050	104586	Life Insurance	1
	480301	8060	104586	Health Insurance	21
	480301	8063	104586	Disability Insurance	44
To:	480301	4461	104586	Mileage and Parking	782
	480301	4462	104586	Travel, Hotel and Meals	168
	480301	8070	104586	Unemployment Insurance	3,886

and be it

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

Carried.

RESOLUTION NO. 495

By County Administration and Finance Committees

Seconded by Mr. Kolba

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 10, 2002, ENTITLED: "A LOCAL LAW IMPOSING A SPECIAL MOTOR VEHICLE USE FEE IN BROOME COUNTY AND AUTHORIZING THE COLLECTION OF SAID FEE BY THE COMMISSIONER OF THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES ON BEHALF OF BROOME COUNTY."

WHEREAS, Broome County is now facing serious financial challenges brought about by forces beyond the control of this County Legislature, and

WHEREAS, said financial challenges have forced the County Executive and the Legislature to impose spending restrictions in the 2003 Budget that affect services to County residents unless new sources of revenue are generated, now, therefore, be it

RESOLVED, that Local Law Intro. No. 10, 2002, entitled: "A local law imposing a special Motor Vehicle Use Fee in Broome County and authorizing the collection of said Fee by the Commissioner of the New York State Department of Motor Vehicles on behalf of Broome County," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 10, 2002

**A Local Law Imposing a Special Motor Vehicle Use Fee
In Broome County and Authorizing the Collection
Of Said Fee by the Commissioner of the New York State
Department of Motor Vehicles on Behalf of Broome County**

SECTION 1. LEGISLATIVE INTENT

The Broome County Legislature hereby finds and determines that the New York State Tax Laws allow the Commissioner of the New York State Department of Motor Vehicles to collect a special Motor Vehicle Use Fee imposed by the County.

The Broome County Legislature further finds and determines that imposing a local fee on the vehicles registered in Broome County will generate additional revenues for the County.

Therefore, the purpose of this law is to impose a special Motor Vehicle Use Fee on vehicle registration and authorize the collection of said fee by the New York State Department of Motor Vehicles.

SECTION 2. DEFINITIONS

- A. "Passenger Motor Vehicle." Any motor vehicle subject to the registration fee as provided for in Section 401 subdivision six of the Vehicle and Traffic Law, as amended.
- B. "Buses." The term buses shall have the same meaning as defined in Section 104 of the Vehicle and Traffic Law, as amended.
- C. "Truck." the term truck shall have the same meaning as defined in Section 158 of the Vehicle and Traffic Law, as amended.

SECTION 3. IMPOSITION OF USE FEE

- A. Pursuant to the Vehicle and Traffic Law and Section 1202(c) of the Tax Law, a special Motor Vehicle Use Fee on vehicle registrations is hereby imposed on motor vehicles registered within Broome County. Such fee shall be charged in accordance with the following schedule:
 - 1. A fee of five dollars (\$5.00) per year for passenger motor vehicles of a type commonly used for non-commercial purposes owned by residents of Broome County, and weighing thirty-five hundred pounds or less.
 - 2. A fee of ten dollars (\$10.00) per year for passenger motor vehicles of a type commonly used for non-commercial purposes owned by residents of Broome County, and weighing more than thirty- five hundred pounds.
 - 3. A fee of ten dollars (\$10.00) per year for trucks, buses and other such commercial motor vehicles used principally in connection with business carried on within Broome County, except when owned and used in connection with the operation of a farm by the owner or tenant thereof.
- B. The fee shall be paid for all registrations and renewals of registrations for which the registration fee is established in Section 401(6)(a) or (7) of the Vehicle and Traffic Law.

-
1. The fee shall be applicable to an original or renewal registration transaction only, and not to a reregistration transaction. If a fee for a registration transaction is due, no County Motor Vehicle Use Fee shall be due on that transaction.
 2. The applicability of such fee shall be determined based upon the information on the application for registration, as well as any additional documentation required by the Commissioner of Motor Vehicles.
 3. The receipt for payment of such fee may be the registration certificate, whether or not it indicates the amount of the fee paid.

SECTION 4. EXEMPTIONS

- A. A fee imposed by this local law shall not be imposed upon any vehicle exempt from the registration fee pursuant to the Vehicle and Traffic Law.
- B. The fee imposed by this local law shall not be imposed upon non- profit, religious, charitable or educational organizations qualified for exemption with the New York State Department of Taxation and Finance.

SECTION 5. ADMINISTRATION AND COLLECTION OF FEE BY COMMISSIONER OF THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES

- A. As authorized under Tax Law Section 1202(c), the Motor Vehicle Use Fee shall be administered and collected on behalf of Broome County by the Commissioner of the New York State Department of Motor Vehicles or his agent.
- B. Pursuant to Tax Law Section 1202(c), the New York State Commissioner of Motor Vehicles is authorized, on behalf of Broome County, to make the payment of such fee a condition precedent to the registration or registration renewal of any vehicle subject to the fee imposed by this local law.
- C. The County Executive of Broome County is hereby authorized and directed to negotiate and enter into an agreement with the Commissioner of the New York State Department of Motor Vehicles for the implementation of this local law, and such agreement shall provide for the exclusive method of collection, custody and remittal of the proceeds of any such fee and for the payment by the County of the reasonable expenses incurred by the New York State Department of Motor Vehicles in connection with the collection and administration of said fee. Such agreement shall also provide that the Broome County Commissioner of Finance, upon request, not more frequently than once in each calendar year, at a time agreed upon by the State Comptroller, shall audit the accuracy of the payments, distributions and remittances to Broome County pursuant to this local law.
- D. The said agreement shall set forth, in detail, policies and procedures for collection for underpayment and for refunds. Such agreement shall also set forth procedures for deposit and retention of funds and indemnification.

SECTION 6. JUDICIAL REVIEW

Any determination made hereunder by the County of Broome shall be reviewable pursuant to Article 78 of the Civil Practice Law and Rules.

SECTION 7. RECOVERY OF FEE

Wherever any person fails to pay the fee due hereunder, proceedings to recover such fees, as well as any applicable penalties and/or interest, shall be the responsibility of Broome County, as set forth in the agreement. A final penalty schedule shall be subject to the approval of the Broome County Legislature.

SECTION 8. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 9. EFFECTIVE DATE

This local law shall take effect January 1, 2003.

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

RESOLUTION NO. 496

By Finance Committee

Seconded by Mr. Kolba

RESOLUTION AMENDING RESOLUTION 180 OF 1965, ENTITLED: "RESOLUTION IMPOSING TAXES ON SALES AND USE OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, OCCUPANCY OF HOTEL ROOMS, ADMISSION CHARGES AND CLUB DUES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK", AS LAST AMENDED BY RESOLUTION NO. 636 OF 1994, IN RELATION TO THE ALLOCATION OF SALES TAX RECEIPTS

WHEREAS, since 1965 Broome County has distributed to the cities, towns and villages within the County a portion of the 3% sales tax received by the County, and

WHEREAS, Broome County is facing serious financial problems as a result of state mandates and must find new sources of revenue, and

WHEREAS, this County Legislature desires to limit the amount of the 3% sales tax distributed to the cities, towns and villages within the County to the amount distributed to the cities, towns and villages within the County to such municipalities during the period from April 2002 through January 2003, now, therefore, be it

RESOLVED, that section 14 of Resolution 180 of 1965, as last amended by Resolution 636 of 1994, is hereby amended to add a new subdivision "g" to read as follows:

- g. Anything hereinabove contained to the contrary notwithstanding, commencing with the distribution by the County to the cities, towns and villages within the County to be made on or about April 15, 2004, said municipalities shall receive fifty percent (50%) of such three percent sales tax collected, in accordance with the distribution formula established herein, provided, however, that the total distribution by the County to the cities, towns and villages within the County for any annual period commencing on or about April 15 and ending the following January 15 shall not exceed the aggregate total distribution by the County to the cities, towns and villages within the County for the annual period commencing on or about April 15, 2002 and ending on or about January 15, 2003.

and be it

Section 179-9. Fees and Charges

2. Commencing January 1, 2003, the following charges will apply at the County Landfill.
 - (a) Vehicle weighed and vehicle load billed at [~~\$40~~] \$38 per ton for the first 20,000 tons deposited annually at the County Landfill; \$37 per ton for waste between 21,000 and 40,000 tons deposited annually at the County Landfill; \$36 per ton for waste exceeding 40,000 tons deposited annually at the County Landfill; a portion of said fee shall be dedicated to a fund payable to the host communities of the landfill to be divided among the host communities as set forth in the Host Community Benefit Agreement dated December 1996.

SECTION 2. This local law shall take effect January 1, 2003.

Matters in (brackets) deleted
Matters underlined added

Mr. Shafer made a motion, seconded by Mr. Lindsey, to leave the per ton charge for the first 20,000 tons at \$40 per ton. **Amendment carried**, Ayes-19, Nays-0. A local law amended on the floor is an automatic hold over. **Automatic hold over 'under the rules'**.

Mr. Miller made a motion to adjourn, seconded by Mr. Brunza. **Motion to adjourn carried**. The meeting was adjourned at 6:25 p.m.

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