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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, NOVEMBER 21, 2002**

The Legislature convened at 5:07 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augostini, read the fire exit announcement and called the Attendance Roll, Present-17, Absent-2 (O'Day, Shafer).

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. Miller made a motion, seconded by Mr. Mather, that the minutes of the Regular Session of October 17, 2002 and Special Session November 12, 2002 be approved as prepared and presented by the Clerk. **Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

Mr. Schofield noted that the committee minutes for the period October 18, 2002 through November 20, 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. Ms. Hudak pointed out that the Health Committee minutes needed to be corrected to reflect that she voted no on Resolution Intro. No. 80. With that correction noted, a motion to approve the committee minutes was made by Mr. Kolba, seconded by Mr. Mather. **Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**ANNOUNCEMENTS FROM THE CHAIR**

Chair Schofield announced that a Veto Message was received from the County Executive on November 19, 2002. He stated that he would be calling a Special Session on Tuesday, November 26, 2002, at 5:00 p.m. to act on the Veto Message. He then asked the County Attorney if this date was in keeping with the timeline for this process. The County Attorney responded yes, that the budget has to be adopted by November 27, 2002.

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:**

Letters from the County Executive, Jeffrey P. Kraham:

- A. Appointment to the Willow Point Nursing Home Board of Directors
- B. Appointments to the Fish and Wildlife Board

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

- A. Petitions: Requesting Alteration of County Tax Base
- B. Communications:
  - 1. Minutes:
    - a. Environmental Management Council (RWMC) 9/23/02
    - b. Environmental Management Council (EMC) 10/3/02
    - c. Environmental Management Council (NCR) 10/10/02
    - d. Cornell Cooperative Extension 9/19/02
    - e. Broome County Soil & Water Conservation District 10/1/02
    - f. Broome County Association of Clerks 10/17/02
    - g. Broome County Association of Towns & Villages 9/26/02
  - 2. Town of Conklin 2003 Budget
  - 3. Town of Kirkwood 2003 Budget
  - 4. Town of Maine 2003 Budget
  - 5. Town of Binghamton 2003 Budget
  - 6. Town of Fenton 2003 Budget
  - 7. NYSAC-2002 Fall Seminar Adopted Resolutions

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8. Dutchess County-Reso. No. 202237-Public Health Law to Regulate Secondhand Smoke
  9. Schoharie County-Reso. No. 86-Encouraging Support of the Upstate Dairy Industry
  10. Broome County STOP-DWI Program Plan 2003
  11. NYSORPS 2002 State Equalization Rates
  12. Tioga County-Resolution No. 341-02 Encouraging Support of the Upstate Dairy Industry
  13. Memo-DPW-Anticipated 2003 Engineering Division Work Plan
  14. Memo-Risk & Insurance-Workers' Compensation
  15. Resolution-Town of Union, Re: Sales Tax Revenue
  16. Public Information Session-Re: Environmental Info IBM Facility
- C. Notices:
1. Special Committee Meetings – 2003 Budget Review (11/4/02-11/7/02)
- D. Reports:
1. BCC Above Minimum Hire for September 2002
  2. BCC Budget Transfers for September 2002
  3. Department of Finance-Third Quarter 2002 Sales Tax Collections
  4. Department of Finance-Semi-Annual Mortgage Tax Receipts & Distributions
  5. Audit and Control-Payroll Audit-Public Defender 10/02
  6. Audit and Control-Departmental Paid Time Off Records Audit 10/02
  7. Office of the Sheriff-Feasibility Report-Consolidation
  8. Personnel Department-Monthly Attrition 9/02
  9. New York State Office of the Comptroller-Fleet Management of Law Enforcement Vehicles
  10. Broome County DSS & United Way-Temporary Aid for Needy Families (TANF) Block Grant Services Program
  11. Personnel Department-Monthly Attrition 10/02

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

Letters from the Chair, Daniel A. Schofield:

1. W. Hudak for P. O'Day, Transportation Committee and A. Nannery, Public Works Committee 11/4/02
2. W. Miller for P. O'Day-Education, Culture & Recreation 11/5/02
3. B. Brunza for c. Harvilla-Personnel Committee 11/5/02
4. W. Hudak for J. Sweet-Personnel Committee 11/5/02
5. W. Miller for D. Lindsey-Education, Culture & Recreation 11/12/02
6. T. Hull for A. Shafer-Transportation Committee 11/12/02
7. J. Holley for A. Nannery-Public Works Committee 11/14/02
8. W. Howard (Chair), W. Miller (voting representative) for W. Wike-Finance Committee 11/14/02

Mr. Holley made a motion, seconded by Mr. Burger, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2002 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

Mr. Hull and Mr. Whalen 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.

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**RESOLUTIONS HELD OVER FROM PREVIOUS SESSION**

**RESOLUTION NO. 447**

(Held over by Ms. Hudak).

By Personnel, County Administration and Finance Committees

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE COUNTY CLERK**

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 452**

(Held over by Ms. Hudak)

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**

**Carried**, Ayes-13 (Brunza, Burger, Harvilla, Holley, Howard, Hull, Mather, Miller, Nannery, Pasquale, Schofield, Whalen, Wike), Nays-4 (Hudak, Kolba, Lindsey, Sweet), Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 490**

(Held over by Mr. Shafer)

By Finance and Community & Social Services Committees

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AGREEMENT WITH CGR (CENTER FOR GOVERNMENTAL RESEARCH) FOR A MEDICAID COST ANALYSIS FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2002-2003**

Mr. Pasquale made a motion, seconded by Mr. Whalen, to amend this resolution adding the following as a third WHEREAS paragraph:

WHEREAS, it is anticipated that a significant portion of the cost of said agreement will be reimbursed by the Federal and State governments, and

**Amendment carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer). **Resolution as amended carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 499**

(Amended-Automatic Hold Over)

By County Administration, Public Works and Finance Committees

Seconded by Mr. Wike

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 12, 2002, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, MODIFYING CHARGES AT THE COUNTY LANDFILL."**

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTIONS RECALLED AT THIS SESSION**

Mr. Miller made a motion, seconded by Mr. Pasquale, to recall Resolution No. 449 passed at the October 21, 2002 Legislative Session. **Motion to recall Resolution No. 449 carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**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**

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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.

Mr. Miller made a motion, seconded by Mr. Burger, to amend the resolution changing the not-to-exceed annual rate to \$18,167.76 and the term to November 1, 2002 through October 31, 2007. **Amendment carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer). Resolution as amended carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTIONS INTRODUCED AT THIS SESSION**

##### **RESOLUTION NO. 500**

By Finance and Personnel Committees

Seconded by Mr. Hull

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CORPORATE CARE MANAGEMENT FOR CASE MANAGEMENT MONITORING OF BROOME COUNTY'S SELF-INSURED HEALTH PROGRAM FOR 2003**

WHEREAS, this County Legislature, by Resolution 680 of 2001, authorized renewal of an agreement with Corporate Care Management for case management monitoring of Broome County's Self-Insured Health Program at a rate of \$12,457 per month, total amount not to exceed \$149,484 plus actual disbursements incurred by Corporate Care for network access fees, medical records procurement charges, medical consultations, postage, mileage and long distance calls for the period January 1, 2002 through December 31, 2002, 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 \$12,457 per month, total amount not to exceed \$149,484 per year, 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 Corporate Care Management, 1 Kattelville Road, Binghamton, New York 13901 for case management monitoring of Broome County's Self-Insured Health Program for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$12,457 per month, total amount not to exceed \$149,484 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4743.252000 (Claims Administration), and be it

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FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried**, Ayes-16, Nays-1 (Whalen), Absent-2 (O'Day, Shafer).

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### RESOLUTION NO. 501

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PATRICIA A. SALMON, RPH FOR PHARMACY CONSULTANT SERVICES FOR WILLOW POINT NURSING HOME FOR 2003**

WHEREAS, this County Legislature, by Resolution 11 of 2002, authorized renewal of the agreement with Patricia A. Salmon, RPH for pharmacy consultant services for Willow Point Nursing Home at a rate of \$34 per hour, total amount not to exceed \$42,432, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary for pharmacy consultant services at the Willow Point Nursing Home, 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 \$35 per hour, total amount not to exceed \$43,680, 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 Patricia A. Salmon, RPH, 98 Moore Avenue, Binghamton, New York 13903 for pharmacy consultant services for Willow Point Nursing Home 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 \$35 per hour, total amount not to exceed \$43,680, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 101200.4747.204000 (Other Fees for Services), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### RESOLUTION NO. 502

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR ORTHOTIC AND PROSTHETIC SERVICES FOR THE DEPARTMENT OF HEALTH'S PHYSICALLY HANDICAPPED CHILDREN'S PROGRAM FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 576 of 2001, authorized agreements with Hanger Prosthetics and Orthotics, Creative Orthotics and Prosthetics and Klemmt Orthopaedics for orthotic and prosthetic services for the Department of Health's Physically Handicapped Children's Program for an amount not to exceed \$6,000 per vendor (paid at the Medicaid rate), for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide measurement, molds and fittings for orthotic and prosthetic devices to children with handicapping conditions, and

WHEREAS, said agreements expire by their terms on December 31, 2002, and it is desired at this time to renew said agreements on substantially similar terms and conditions, for an amount not to exceed \$6,000 per vendor, per year (paid at the Medicaid rate), for the period January 1, 2003 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various vendors as shown below for orthotic and prosthetic services for the Department of Health's Physically Handicapped Children's Program, for the period January 1, 2003 through December 31, 2004,

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Hanger Prosthetics and Orthotics  
655 Main Street  
Johnson City, NY 13790

Creative Orthotics and Prosthetics  
33 Mitchell Avenue  
Binghamton, New York 13903

Klemmt Orthopaedics  
220 Front Street  
Vestal, New York 13850

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors an amount not to exceed \$6,000 per vendor per year (paid at the Medicaid rate), for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.4707.101000 (Medical and Hospital Services), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 503**

By Economic Development & Planning and Finance Committees      Seconded by Mr. Howard  
**RESOLUTION ESTABLISHING A RENTAL RATE FOR OUTSIDE AGENCIES AT THE BROOME EMPLOYMENT CENTER**

WHEREAS, the Director of Employment and Training requests authorization to establish a rental rate for outside agencies to occupy space at the Broome Employment Center, 171 Front Street, Binghamton, New York, and

WHEREAS, space at the Broome Employment Center would be rented to outside agencies so that their on-site presence would enhance the service to clients of the Center, and

WHEREAS, the annual rental rate, determined by the annual costs and square footage that includes rental fee, security, garbage/recycling, pest control and cleaning services, would be \$13.23 per square foot, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves an annual rental rate of \$13.23 per square foot for outside agencies occupying space at the Broome Employment Center, 171 Front Street, Binghamton, New York, and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 504**

By Economic Development & Planning and Finance Committees      Seconded by Mr. Howard  
**RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INVESTMENT ACT MARKETING/TOLL FREE HELP LINE GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2003**

WHEREAS, this County Legislature, by Resolution 277 of 2002, authorized acceptance of the Marketing/Toll Free Help Line Grant for the Office of Employment and Training and adopted a program budget in connection therewith in the total amount of \$10,000 for the period July 1, 2000 through September 30, 2002, and

WHEREAS, said grant program provides additional PY1999 Workforce Investment Act funding to be used for marketing the one-stop system, incorporating the "Workforce of New York" logo and tag line and access to the National Toll-Free Help Line, and

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WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$5,000 in grant appropriations and extend the term to June 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Investment Marketing/Toll Free Help Line Grant to reflect an increase of \$5,000 and to extend the term to 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 \$15,000, and be it

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

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTION NO. 505**

By Public Works and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AMENDMENT OF THE BROOME COUNTY PUBLIC WORKS PERMIT FEE SCHEDULE**

WHEREAS, this County Legislature, by Resolution 284 of 1989, as amended by Resolution 105 of 1993, authorized the institution of fees for highway work permits pursuant to the New York State Highway Law, and

WHEREAS, it is necessary to authorize an amendment of the Broome County Public Works Permit Fee Schedule to add a penalty fee of \$500 for "Working Without a Permit" to curtail contractors from digging without a permit on roadways under the County's jurisdiction, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the Resolution establishing the Broome County Public Works Permit Fee Schedule to add a penalty fee of \$500 for "Working Without a Permit" to curtail contractors from digging without a permit on roadways under the County's jurisdiction, and be it

FURTHER RESOLVED, that Resolutions 284 of 1989 and 105 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**



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**RESOLUTION NO. 506**

By Finance Committee

Seconded by Mr. Howard

**RESOLUTION APPROVING SALE OF COUNTY-OWNED PROPERTY IN THE TOWN OF VESTAL**

WHEREAS, the County of Broome now owns a certain parcel of real property in the Town of Vestal as a result of an in rem foreclosure, and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said property to Leo Cook, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of the following County-owned property:

|             |   |
|-------------|---|
| Town:       | Vestal  |
| Address:    | 4 Pumphouse Road  |
| Tax Map No. | 157.18-1-28   |
| Buyer:      | Leo Cook<br>2869 NYS Route 26<br>Vestal, New York 13850 |
| Amount:     | \$500   |

and be it

FURTHER RESOLVED, that the payment hereinabove referenced shall be credited to budget line 630004.0212.101000 (Sale of Real Property), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the property listed above to the new owner, together with other such documents as may be necessary to implement the intent of this Resolution.

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 507**

By Finance Committee

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING THE CORRECTION OF A TAX BILL ON A PARCEL IN THE TOWN OF DICKINSON BY CANCELING THE WATER AND SEWER CHARGES AND ACCRUED INTEREST AND PENALTIES**

WHEREAS, it is necessary to correct the tax record for a parcel of real property in the Town of Dickinson by canceling the water and sewer charges and the accrued interest and penalties by virtue of the reason stated on the attached Exhibit "A", now, therefore, be it

RESOLVED, that the tax bill will be corrected on the parcel of real property in the Town of Dickinson for the reason stated on the attached Exhibit "A".

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 508**

By Public Works, Education, Culture & Recreation and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING REVISION OF AN AGREEMENT WITH JOHNSON CONTROLS, INC. FOR A SHARED ENERGY PERFORMANCE CONTRACT FOR THE BROOME COUNTY VETERANS MEMORIAL ARENA FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2001-2016**

WHEREAS, this County Legislature, by Resolution 94 of 2001, authorized an agreement with Johnson Controls, Inc. for a Shared Energy Performance Contract at the Broome County Veterans Memorial Arena for the period March 1, 2001 through February 28, 2016, payment for which shall be made solely from the energy savings costs, and

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WHEREAS, said services are necessary to reduce utility costs and to replace out-dated heating, ventilation and air conditioning (HVAC) equipment now at the end of its current useful life and to reduce maintenance cost, and

WHEREAS, to achieve the energy savings, Johnson Controls, Inc. has made capital improvements, including new lighting and HVAC equipment, valued at \$1,982,043 with payments to the Contractor to be made from the energy savings costs, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for a revision of the contract term from March 1, 2001 through February 28, 2016 to March 1, 2002 through December 1, 2017 to allow time to complete construction and budgeting in the Department of Parks and Recreation, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Johnson Controls, Inc., 105 Twin Oaks Drive, Syracuse, New York 13206 for a Shared Energy Performance Contract for the Broome County Veterans Memorial Arena for the Department of Public Works for the new period of March 1, 2002 through December 1, 2017 at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 94 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 509**

By Finance Committee

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AGREEMENT WITH MEL MANASSE AND SON AUCTIONEERS FOR AUCTION SERVICES FOR THE DEPARTMENT OF REAL PROPERTY TAX SERVICES FOR 2003**

WHEREAS, Broome County acquires title to various properties through tax foreclosure proceedings under Article 11 of the Real Property Tax Law, and

WHEREAS, said properties are then sold at public auction to the highest bidder, and

WHEREAS, the Director of Purchasing requested bids for auction services for the County in 2003, and

WHEREAS, Mel Manasse was determined the low bidder, and

WHEREAS, the Director of Real Property Tax Services has requested authorization to enter into an agreement with an auctioneer to conduct the 2003 auction(s), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mel Manasse and Son Auctioneers, 2924 US Route 11, P. O. Box 738, Whitney Point, New York 13862 for auctioneer services at Broome County's Real Property Tax auction(s) for 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the vendor shall receive a commission of 4.5% of the successful bid price, which will be paid by the successful bidder, and be it

FURTHER RESOLVED, that this Legislature hereby authorizes three one-year renewals, at the discretion of the County, contingent on the same rate of commission and terms and conditions hereinabove authorized, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

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### RESOLUTION NO. 510

By County Administration and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH ACS GOVERNMENT SYSTEMS FOR SOFTWARE MAINTENANCE SUPPORT FOR THE OFFICE OF THE BROOME COUNTY CLERK FOR 2003**

WHEREAS, this County Legislature, by Resolution 692 of 2001, authorized an agreement with ACS Government Systems for software maintenance support for the ACS i400 Solutions products for the Office of the Broome County Clerk at a cost not to exceed \$8,511, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary for software maintenance support for the ACS i400 Solutions products in AS/400 format, including DASH support AS/400, Records Indexing, RI Cash Receipts Subsystem, RI Image Plus Subsystem, RI Court Records Subsystem and RI NY Mortgage Tax Subsystem, 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 \$8,511, 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 ACS Government Systems, 1733 Harrodsburg Road, Suite 100, Lexington, Kentucky 40504, for software maintenance support for the ACS i400 Solutions products for the Office of the Broome County Clerk, 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 \$8,511 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4513.101000 (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**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### RESOLUTION NO. 511

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AGREEMENT WITH VARIOUS VENDORS TO PROVIDE VARIOUS SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2003**

WHEREAS, the Director of the Department of Health requests authorization for agreements with various vendors for various services for the Department of Health's Early Intervention Program at rates set by the New York State Department of Health for amounts not to exceed budgeted appropriations, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to provide various services for the Early Intervention Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the following vendors for various services for the Department of Health's Early Intervention Program, for the period January 1, 2003 through December 31, 2003:

Lynne Mary Lewis  
4 Burlington Street  
Binghamton, New York 13903

Lisa Louise Marchuska  
313 Grant Avenue  
Endicott, NY 13760

Meghan McNally  
1695 Allen Glen Road  
Owego, NY 13827

Denese Neigh  
35 Noyes Road  
Vestal, NY 13850



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and Ideal Senior Living Housing Corporation for the Assisted Living Care Services Program for the Department of Social Services for the period January 1, 2000 through December 31, 2002, and

WHEREAS, said services are necessary to provide cost-effective alternatives to nursing home placements for individuals who are eligible for residential health care facility placements and are not in need of nursing home facility placement, and

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at established Medicaid rates, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreements with United Methodist Homes for the Aging of the Wyoming Conference, d/b/a Hilltop Assisted Living Program, 286 Deyo Hill Road, Johnson City, New York 13790, Elizabeth Church-DePaul Corporation, d/b/a St. Louise Manor Assisted Living Program, 861 Front Street, Binghamton, New York 13905 and Ideal Senior Living Housing Corporation, 508 High Avenue, Endicott, New York 13760 to provide services for the Department of Social Services' Assisted Living Care Services Program for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors pursuant to the New York State established Medicaid rates attached hereto as Exhibit "A" and such other New York State approved established Medicaid rates as may be promulgated for 2003, and be it

FURTHER RESOLVED, that the requested rates will continue until such a time as a new rate schedule is approved by New York State, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS Medical Assistance), and be it

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

#### **RESOLUTION NO. 514**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY & CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR FOSTER FAMILY PERSONAL CARE SERVICES FOR ADULTS FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2003**

WHEREAS, this County Legislature, by Resolution 57 of 2000, authorized renewal of an agreement with Family & Children's Society of Broome County, Inc. for foster family personal care services for adults at an amount not to exceed \$1,022.89 per month per client for the period January 1, 2000 through December 31, 2002, and

WHEREAS, said services are necessary for foster family care services for adults, 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 \$1,022.89 per client per month for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for personal care services in connection with the Department of Social Services Foster Family Personal Care Services for Adults Program for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,022.89 per client per month for the term of the agreement, and be it

FURTHER RESOLVED, that the requested rate will continue until such time as a new rate is approved by New York State, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS Medical Assistance), and be it

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

#### **RESOLUTION NO. 515**

By County Administration and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH BLUE OCEAN SOFTWARE, INC. FOR SOFTWARE MAINTENANCE SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2003-2005**

WHEREAS, this County Legislature, by Resolution 12 of 2002, as amended by Resolution 341 of 2002,, authorized an agreement with Blue Ocean Software, Inc. for software installation and a maintenance services agreement for the Division of Information Technology at a cost not to exceed \$4,838.75 for software maintenance and \$ 7,500 for software installation and training, plus expenses of \$1,192.65, total cost not to exceed \$13,531.40, for the period January 17, 2002 through January 31, 2003, which was subsequently revised to the period December 28, 2001 through December 27, 2002, and

WHEREAS, said services are necessary for the maintenance of the Track-IT software package used by Information Technology to track purchases, inventory, software, helpdesk calls and service problems, and

WHEREAS, said agreement expires by its terms on December 27, 2002 and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$11,466.90, for the period December 28, 2002 through December 27, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Blue Ocean Software, Inc., 15310 Amberly Drive, Suite 370, Tampa, Florida 33647, for software maintenance services for the Division of Information Technology for the period December 28, 2002 through December 27, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$11,466.90 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**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

#### **RESOLUTION NO. 516**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS MANAGED CARE ORGANIZATIONS FOR THE DEPARTMENT OF SOCIAL SERVICES' MEDICAID MANAGED CARE PROGRAM (MAX) FOR 2003-2005**

WHEREAS, this County Legislature, by Resolution 157 of 1998, as amended by Resolution 56 of 2000, authorized renewal of the agreements with various managed care organizations for the Department of Social Services' Medicaid Managed Care Program (Max) for the period April 1, 1998 through December 31, 2002, and

WHEREAS, the MAX Program is a voluntary managed care program which provides access to primary care services, and

WHEREAS, through a statewide procurement process, New York State's Department of Health and local social services districts selected managed care organizations that demonstrate a willingness to comply with established participation standards in accordance with acceptable rate schedules within New York State Department of Health guidelines, and

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WHEREAS, New York State's Department of Health obtained a Federal waiver to implement a mandatory managed care program with voluntary enrollments under New York's Partnership Plan commencing April 1, 1996, and

WHEREAS, Broome County Department of Social Services' implementation of the Partnership Plan currently has over 12,120 public assistance and Medicaid eligible recipients with the current enrollment approximately 74% of the County's eligible population, and

WHEREAS, continuation of these agreements as may be authorized by State and Federal Law, including Title XIX of the Social Security Act, Section 1115(a) of the Social Security Act, Social Services Law Sections 364-j and 365, and Article 5, Title II of the Social Services Law of New York has been requested, and

WHEREAS, said agreements expire by their terms on December 31, 2002, and it is desired at this time to renew said agreements on substantially similar terms and conditions, for the period January 1, 2003 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various managed care organizations in accordance with New York State's Partnership Plan procurement process for the period January 1, 2003 through December 31, 2005, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made in accordance with approvals from the New York State Office of Children & Family Services, from budget line 670083.4568.103000 (MMIS Medical Assistance) as authorized by this Legislature by each annual budget, and be it

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

#### **RESOLUTION NO. 517**

By County Administration and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH NY-PENN NUTRITIONAL SERVICES, INC. FOR DIETICIAN CONSULTING SERVICES FOR THE DIVISION OF CENTRAL FOODS FOR 2003**

WHEREAS, this County Legislature, by Resolution 533 of 2001, authorized renewal of an agreement with NY-Penn Nutritional Services, Inc. for dietician consulting services for the Division of Central Foods at a rate of \$42 per hour plus professional liability insurance reimbursement of \$155, total amount not to exceed \$7,071, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary for dietician consulting services at the Broome County Public Safety Facility, 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 total cost not to exceed \$6,510 plus a professional liability insurance reimbursement of \$155, 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 NY-Penn Nutritional Services, Inc., 190 Matthews Street, Binghamton, New York 13905-2558 for dietician consulting services for the Division of Central Foods 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 a total amount not to exceed \$6,510 plus a professional liability insurance reimbursement of \$155 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230045.4741.251000 (Dietary Services), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 518**

By County Administration and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CBORD GROUP, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF CENTRAL FOODS FOR 2003**

WHEREAS, this County Legislature, by Resolution 532 of 2001, authorized renewal of an agreement with CBORD Group, Inc., for software maintenance for the Division of Central Foods at an amount not to exceed \$8,345.09 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to maintain the food service 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 \$7,632.19 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 CBORD Group, Inc., 61 Brown Road, Ithaca, New York 14850 for software maintenance for the Division of Central Foods 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 \$7,632.19, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230045.4513.251000 (Software Maintenance), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 519**

By County Administration and Community & Social Services Committees

Seconded by Mr. Howard

#### **RESOLUTION CALLING FOR THE GOVERNOR AND STATE LEGISLATURE TO CAP MEDICAID IMMEDIATELY**

WHEREAS, since the enactment of the Medicaid program, counties in New York State have been required to share in the costs of services. Counties are mandated by the state to contribute a 25 percent matching share with the exception of certain long-term care and mental health services, and

WHEREAS, counties have minimal authority to manage, control or reduce their Medicaid costs, and therefore serve primarily as a means to transfer a portion of the State's share of Medicaid from the statewide tax base to local property tax bases, and

WHEREAS, in 2001 local taxpayers paid over \$4.3 billion in net Medicaid costs through their local budgets and it is estimated that the net Medicaid local share will increase to \$4.8 billion in 2002 and exceed \$5.4 billion in 2003, and

WHEREAS, for counties outside New York City, the Medicaid local share has doubled between 1990-2001, making Medicaid the largest and most volatile single expense in county budgets, and

WHEREAS, recent actions by the state, including shifting of Medicaid managed care costs to counties, the shifting of state mental health costs to counties, the expansion of various



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Medicaid payment rates, the creation of the Family Health Plus Program and expanded funding for healthcare worker recruitment and retention, has compounded the local Medicaid problem and added to the fiscal crisis currently facing counties, and

WHEREAS, this resurgence of Medicaid growth reflects the underlying problems and funding inequities of the Medicaid program which place unique burdens on counties, jeopardize the long-term fiscal stability of county governments, and add to the burden of regressive local property taxes, and

WHEREAS, it is imperative that the Governor and State Legislature take responsibility for the growth of New York State's program by capping the Medicaid local share at 2001 base levels, and

WHEREAS, this cap would provide local governments significant budgetary relief, and

WHEREAS, this cap would provide county taxpayers with real property tax relief in 2003, now, therefore, be it

RESOLVED, that the Broome County Legislature calls upon the Governor and the State Legislature to make fundamental structural reform to the Medicaid program and provide real property taxpayers with relief by CAPPING MEDICAID NOW, and be it

FURTHER RESOLVED, that the Legislative Clerk is directed to send a copy of this Resolution to Governor George E. Pataki, State Senator Joseph L. Bruno, Assemblyman Sheldon Silver, State Senator Thomas W. Libous, Assemblyman Jay J. Dinga and Assemblyman Robert J. Warner, urging them to support this proposal.

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 520**

By County Administration and Community & Social Services Committees

Seconded by Mr. Howard

#### **RESOLUTION CALLING ON THE PRESIDENT AND THE UNITED STATES CONGRESS TO SUPPORT AN INCREASE IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP) TO PROVIDE NEW YORK COUNTIES WITH MEDICAID RELIEF IMMEDIATELY**

WHEREAS, under Federal Law, local governments are not responsible for any portion of Medicaid funding, however, Congress has given states the ability to require local governments to share in financing the non-federal share of Medicaid costs, and

WHEREAS, Medicaid has become the largest single appropriation in every county budget and with the reemergence of double-digit annual growth rates is siphoning away the limited resources needed to fund other critical budgetary needs at the county level, and

WHEREAS, the National Governor's Association (NGA), including Governor Pataki, have supported a proposal for a temporary increase in the federal medical assistance percentage (FMAP) as an economic stimulus option that would provide more federal funding for state Medicaid programs, and

WHEREAS, the NGA has indicated that it would both help to stimulate the nation's economy and shore up the safety net for low-income families, and

WHEREAS, on January 16, 2002 the Governor and New York State Legislature enacted legislation that provides for a multi-billion, three-year plan to address New York's shortage of health care workers, to financially strengthen New York's hospitals, nursing homes and other health care facilities and increase funding for other important health care programs, and

WHEREAS, this new plan will increase the local Medicaid burden, currently over \$4.3 billion annually, by approximately \$300 million over the next three years from increased reimbursement to hospitals, nursing homes, and home care facilities, and

WHEREAS, this legislation also integrates the funding from an increase in the FMAP of 3% for the next three state fiscal years and relies on this increased federal funding as a major offset to the new local costs, and

WHEREAS, without the increased FMAP, property taxpayers across the state that fund county budgets, will be forced to absorb the resulting increased Medicaid burden in their local tax bill, and

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WHEREAS, the United States Senate has supported a temporary FMAP increase via the Rockefeller-Collins-Nelson-Smith amendment to the Greater Access to Affordable Pharmaceuticals Act of 2001, which would provide counties and New York City with one time Medicaid relief of approximately \$100 million and \$200 million, respectively, now, therefore, be it

RESOLVED, that the Broome County Legislature calls upon the President and the United States Congress to support an increase in the federal medical assistance percentage (FMAP) to provide New York's local taxpayers with relief from the crushing financial burden of the Medicaid program, and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature is hereby directed to forward copies of this Resolution to President George Bush, Senator Charles Schumer, Senator Hillary R. Clinton, Congressman Maurice D. Hinchey, Congressman Sherwood Boehlert and Congressman James T. Walsh.

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

#### **RESOLUTION NO. 521**

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AGREEMENT WITH ROBERT CORNELL FOR PHYSICAL THERAPIST ASSISTANT SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2002**

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with Robert Cornell for physical therapist assistant services for patients at the Willow Point Nursing Home at a rate of \$25 per hour, total amount not to exceed \$9,000, for the period October 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide physical therapist assistant services to patients at the Willow Point Nursing Home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Robert Cornell, New Berlin, New York, for physical therapist assistant services, for the Willow Point Nursing Home 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 at the rate of \$25 per hour, total 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 160242.4706.204000 (Rehab and Therapy Services), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

#### **RESOLUTION NO. 522**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION ADOPTING THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM PLAN FOR 2003**

WHEREAS, this County Legislature, by Resolution 522 of 1981 established the Special Traffic Options Program for Driving While Intoxicated (STOP- DWI) Program pursuant to New York State Vehicle and Traffic Law, and

WHEREAS, this County Legislature, by Resolution 540 of 2001, approved and adopted the 2002 Comprehensive Plan for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program, and

WHEREAS, the Broome County STOP-DWI Program has prepared a comprehensive plan for submission to the New York State Commissioner of Motor Vehicles for the Broome County STOP-DWI Program for 2003, a copy of said plan having been filed with the Clerk of the Legislature, and

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WHEREAS, the Broome County STOP-DWI Advisory Board has reviewed this plan, agrees and endorses the recommendations and strategies contained therein and requests this County Legislature to approve and adopt said plan accordingly, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the 2003 Comprehensive Plan for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program, a copy of which has been filed with the Clerk of the Legislature, and be it

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

**Carried,** Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 523**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF FUNDING AGREEMENTS WITH COUNTY DEPARTMENTS, OUTSIDE AGENCIES AND VARIOUS BROOME COUNTY MUNICIPALITIES FOR THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM FOR 2003**

WHEREAS, this County Legislature, by Resolution 699 of 1999, authorized renewal of funding agreements with the City of Binghamton, Town of Vestal and the Villages of Endicott and Johnson City for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program in the total amount of \$252,000 for the period January 1, 2000 through December 31, 2002, and

WHEREAS, this County Legislature, by Resolution 586 of 2000 authorized the renewal of funding agreements with the Office of the Broome County Sheriff, City of Binghamton, Town of Vestal, Villages of Deposit, Endicott, Johnson City and Port Dickinson, New York State Police, New York State Park Police and Binghamton University for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program in the total amount of \$38,500 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, this County Legislature, by Resolution 541 of 2001 authorized the renewal of funding agreements with County departments, outside agencies and Broome County municipalities for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program in the total amount of \$64,250 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said agreements are necessary to provide funding to continue local law STOP-DWI enforcement efforts, and

WHEREAS, it is desired at this time to renew agreements with County departments, outside agencies and Broome County municipalities as shown on Exhibit "A" for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program in the total amount of \$200,305 for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of funding agreements with various County departments, outside agencies and municipalities as shown on Exhibit "A" for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that the funding to each of said departments, outside agencies and municipalities shall not exceed the amounts as shown on Exhibit "A", total amount not to exceed \$200,305, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 820001.4349.101051 (Miscellaneous Operational Supplies) and 820001.4457.101051 (Subcontracted Program Expense), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

#### **RESOLUTION NO. 524**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF THE INTENSIVE SUPERVISION PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003**

WHEREAS, this County Legislature, by Resolution 651 of 2001, authorized and approved the Intensive Supervision Program Grant for the Department of Probation and adopted a program budget in the amount of \$205,720 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said grant program is an alternative to incarceration, and

WHEREAS, it is desired to renew said grant program in the amount of \$213,902 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 \$125,100 from the New York State Division of Probation and Correctional Alternatives for the Intensive Supervision Program and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$213,902 for the period January 1, 2003 through December 31, 2003, and be it

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

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

#### **RESOLUTION NO. 525**

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF THE EARLY INTERVENTION ADMINISTRATION/CHILD FIND PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 578 of 2001, authorized and approved the continued participation in the Early Intervention Administration/Child Find Program Grant for the Department of Health and adopted a program budget in the amount of \$129,450 for the period October 1, 2001 through September 30, 2002, and

WHEREAS, said grant program provides funding to identify and register infants and children with suspected disabilities and developmental delays and refers them to the Early Intervention Program to ensure they are provided with appropriate services, and

WHEREAS, it is desired to renew said grant program in the amount of \$129,450 for the period October 1, 2002 through September 30, 2003, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$129,450 from the New York State Department of Health, Division of Family and Local Health, Corning Tower, Empire State Plaza, Albany, NY 12237-0657 for the Department of Health's Early Intervention Administration/Child Find Program 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 \$129,450, and be it

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

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 526**

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 580 of 2001, authorized and approved the continued participation in the Children with Special Health Care Needs Program Grant for the Department of Health and adopted a program budget in the amount of \$20,000 for the period October 1, 2001 through September 30, 2002, and

WHEREAS, said grant program provides aid in determining the children with special needs, identifies relevant issues and works with State agencies to resolve such issues, and

WHEREAS, it is desired to renew said grant program in the amount of \$20,000 for the period October 1, 2002 through September 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the New York State Department of Health, Division of Family and Local Health, Corning Tower, Empire State Plaza, Albany, New York 12237-0657, for the Department of Health's Children with Special Health Care Needs Program 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 \$20,000, and be it

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

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

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

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employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 527**

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF THE CHILDHOOD LEAD POISONING PREVENTION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003**

WHEREAS, this County Legislature, by Resolution 599 of 2001, authorized and approved continued participation in the Childhood Lead Poisoning Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$73,317 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said grant program supports the Broome County Health Department's Childhood Lead Poisoning Prevention Program, and

WHEREAS, it is desired to renew said grant program in the amount of \$73,417 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 \$73,417 from the Childhood Lead Poisoning Prevention Program, Bureau of Child & Adolescent Health, New York State Department of Health, Tower Building, Empire State Plaza, Albany, New York 12237 for the Department of Health's Childhood Lead Poisoning Prevention 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 \$73,417, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 528**

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH LOURDES HOSPITAL PHARMACY DEPARTMENT FOR PRESCRIPTION DRUGS FOR THE DEPARTMENT OF HEALTH FOR 2002**

WHEREAS, the Board of Acquisition and Contract, on December 19, 2001, authorized an agreement with Lourdes Hospital Pharmacy Department for prescription drugs for the Department of Health at a cost not to exceed \$2,500, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said agreement provides unit doses and individual packaging of prescription drugs used by the STD and TB Clinics, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the cost \$2,500, total amount not to exceed \$5,000, and

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WHEREAS, the Director of Public 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 Lourdes Hospital Pharmacy Department, 169 Riverside Drive, Binghamton, New York 13905, to increase the cost \$2,500, total amount not to exceed \$5,000, for prescription drugs for the Department of Health for the period January 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4365.101055 and 480228.4365.101056 (Prescription Drugs), and be it

FURTHER RESOLVED, that CA No. 10-720-1 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### RESOLUTION NO. 529

By Finance Committee

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE NEW YORK STATE TAX LAW**

WHEREAS, the County Clerk and the Commissioner of Finance have presented their report concerning mortgage tax receipts for the period April 2002 through September 2002, pursuant to Section 261 of the New York State Tax Law, and the same has been apportioned to the various municipalities thereto, now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay the Treasurer of the City of Binghamton and to respective Supervisors of the 23 Towns and Villages of Broome County, those accounts listed:

| Semi-Annual Mortgage Tax Distribution<br>April 2002 through September 2002 |                           |             |
|--|---------------------------|-------------|
| Dickinson  | Village of Port Dickinson | \$ 5,196.41 |
|  | Outside                   | 30,607.58   |
| Lisle  | Village of Lisle          | 340.68      |
|  | Outside                   | 6,482.35    |
| Sanford  | Village of Deposit        | 1,306.13    |
|  | Outside                   | 16,485.17   |
| Triangle   | Village of Whitney Point  | 1,881.69    |
|  | Outside                   | 9,251.64    |
| Union  | Village of Johnson City   | 41,186.50   |
|  | Village of Endicott       | 37,162.54   |
|  | Outside                   | 254,051.84  |
| Windsor  | Village of Windsor        | 1,878.31    |
|  | Outside                   | 31,059.53   |
| Barker   |                           | 18,322.99   |
| Binghamton<br>(Town)   |                           | 53,664.84   |

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Semi-Annual Mortgage Tax Distribution  
April 2002 through September 2002

|            |            |
|------------|------------|
| Chenango   | 96,892.33  |
| Colesville | 23,664.19  |
| Conklin    | 35,259.23  |
| Fenton     | 38,857.87  |
| Kirkwood   | 57,702.45  |
| Maine      | 32,895.38  |
| Nanticoke  | 7,812.11   |
| Vestal     | 196,207.80 |
| City of    | 255,928.94 |
| Binghamton |            |

Total \$1,254,098.50

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 530**

By County Administration and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IBM CORPORATION FOR LEASE OF SOFTWARE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2003**

WHEREAS, this County Legislature, by Resolution 663 of 2001, authorized an agreement with IBM Corporation for lease of various mainframe software products for the Division of Information Technology in the amount of \$84,000, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary for the continued functioning of the Division of Information Technology and includes all IBM software products for major mainframe operating systems, 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 \$60,156, 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 IBM Corporation, 27 Commerce Drive, Cranford, New Jersey 07016 for lease of various mainframe software products 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 \$60,156 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4515.101000 (Software 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**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 531**

By Health Services and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR LABORATORY SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2003**

WHEREAS, this County Legislature, by Resolution 670 of 2001, authorized renewal of the agreement with Our Lady of Lourdes Memorial Hospital for laboratory services for the Department of



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Health at an amount not to exceed \$33,600, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide laboratory technologist consulting services and laboratory tests for patients of the Sexually Transmitted Disease Clinic and Employee Health 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, for an amount not to exceed \$40,233, 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 Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905 for laboratory services for the Department of 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 \$40,233 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4703.101055 (Lab Services) and 480228.4703.101066 (Lab Services), and be it

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

### **RESOLUTION NO. 532**

By County Administration, Public Works and Finance Committees                      Seconded by Mr. Kolba  
**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 13, 2002 ENTITLED "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, REGARDING LANDFILL FEES"**

RESOLVED, that Local Law Intro. No. 13, 2002, entitled: "A Local Law Amending Chapter 179 of the Broome County Charter and Code, as amended, regarding landfill fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

#### **LOCAL LAW INTRO. NO. 13, 2002**

##### **"A Local Law Amending Chapter 179 of the Broome County Charter and Code, as Amended, Regarding Landfill Fees"**

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

Section 1. Chapter 179-9 A (3) (a) and (b) of the Broome County Charter and Code, as amended, be and hereby is amended to read as follows:

Section 179-9 Fees and Charges:

- (3) (a) Construction/demolition waste, nonfriable asbestos, bulk metals and pallets: \$45 per ton
  - [1] Friable asbestos and other similar particulate material: \$100 per ton
- (b) Tires
  - [1] With rim size up to and including 16 inches: \$1.25 per tire; bulk loads: [~~\$85~~] \$95 per ton. Rims need not be removed.
  - [2] Larger sizes up to and including 42 inches in outside diameter: [~~\$2.50~~] \$6.00 per tire. Bulk loads: [~~\$85~~] \$95 per ton. Rims need not be removed.

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Section 2. Section 179-35 of the Broome County Charter and Code, as amended, be and hereby is amended to read as follows:

“Upon payment of any tipping fee imposed by the County, the County shall accept any materials source-separated pursuant to this article at a designated solid waste management facility or through special collections, including but not limited to household hazardous wastes. The tipping fee imposed shall be [~~\$70~~] \$38.80 per ton, adjusted annually based on the Consumer Price Index for the Northeast, provided, however, that the tipping fee shall be waived for participating haulers.

Section 3. Except as herein above amended, Chapter 179 of the Broome County Charter and Code, as amended, shall remain in full force and effect.

Section 4. This Local Law shall become effective upon filing with the Secretary of State.

Material in [brackets] deleted  
Material underlined added

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 533**

By County Administration and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF THE DIVISION OF INFORMATION TECHNOLOGY'S AGREEMENT WITH IBM CORPORATION FOR COMPUTER HARDWARE MAINTENANCE FOR THE BROOME COUNTY CLERK'S OFFICE FOR 2003**

WHEREAS, this County Legislature, by Resolution 548 of 2001, authorized renewal of the agreement with IBM Corporation for computer hardware maintenance for the Broome County Clerk's Office at an amount not to exceed \$16,626.72, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said agreement provides for the maintenance of computer hardware equipment, including maintenance on any equipment added during the year, 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 \$14,142.72, 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 IBM Corporation, 27 Commerce Drive, Cranford, New Jersey 07016 for computer hardware maintenance for the Broome County Clerk's Office 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 \$14,142.72 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4514.101000 (Hardware Maintenance), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

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### RESOLUTION NO. 534

By County Administration and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IBM CORPORATION FOR COMPUTER HARDWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2003**

WHEREAS, this County Legislature, by Resolution 547 of 2001, authorized renewal of the agreement with IBM Corporation for computer hardware maintenance for the Division of Information Technology at an amount not to exceed \$64,175.26, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary for maintaining the mainframe and AS400 equipment, including maintenance of any equipment added during the year, 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 \$24,919.26, 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 IBM Corporation, 27 Commerce Drive, Cranford, New Jersey 07016 for computer hardware 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 \$24,919.26 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4514.101000 (Hardware Maintenance), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### RESOLUTION NO. 535

By Transportation and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NATIONAL CENTER FOR BICYCLING & WALKING FOR BMTS FOR 2002-2003**

WHEREAS, the Director of BMTS requests authorization for a cooperative agreement with the National Center for Bicycling & Walking for training and workshop services (Broome County's contribution not to exceed \$7,000) for the period October 30, 2002 through June 30, 2003, and

WHEREAS, said agreement will allow the contractor to provide travel expenses for BMTS's designated Project Coordinator to attend a training workshop, will provide eight one-half day Walkable Community Workshops in our BMTS region as well as pre-workshop briefing and post workshop debriefing, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the National Center for Bicycling & Walking, 1506 21<sup>st</sup> NW Washington, DC 20036, for training and workshop services, for BMTS for the period October 31, 2002 through June 30, 2003, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440115.4747.104658 (Professional Services), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

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**RESOLUTION NO. 536**

By County Administration and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AMENDMENT 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, it is necessary to authorize the amendment of said agreement to provide for an additional 40 hours of service at the rate of \$140 per hour, total amount not to exceed \$5,600, and to extend the term of the agreement to December 31, 2003, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment of the agreement with MPR Technologies, Inc., 5010 Campuswood Drive, East Syracuse, New York 13057 for additional network support in the amount of \$5,600 (40 hours at \$140 per hour), for the Division of Information Technology for the period May 1, 2002 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$5,600, total 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 Resolutions 161 and 241 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 537**

By Health Services Committee

Seconded by Mr. Howard

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

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

| <u>NAME</u>   | <u>TERM EXPIRING</u>                     |
|---|--|
| Robert J. Ford<br>108 Highland Avenue<br>Binghamton, New York 13905 | New Appointment<br>Term Expires 12/31/04 |

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XIV of the Broome County Charter and Administrative Code, hereby confirms the appointment of the

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above-named individual to membership on the Willow Point Nursing Home Board of Directors for the term indicated, in accordance with his appointment by the County Executive.

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTION NO. 538**

By Transportation and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AGREEMENT WITH THE BOYD GROUP/ASRC INC. FOR AIR SERVICE CONSULTANT SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2002-2004**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with The Boyd Group/ASRC, Inc. for air service consultant services for the Department of Aviation at a cost of \$17,500 per year, total cost not to exceed \$35,000 for the period September 15, 2002 through September 14, 2004, and

WHEREAS, said services are necessary to assist the Broome County Department of Aviation in improving/expanding the level of commercial air service at the Binghamton Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Boyd Group/ASRC, Inc., 78 Beaver Brook Canyon Road, Evergreen, Colorado 80439 for air service consultant services for the Department of Aviation for the period September 15, 2002 through September 14, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount of \$17,500 per year, total amount not to exceed \$35,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 210195.4449.207000 (Other Operational Expenses), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTION NO. 539**

By Transportation and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AGREEMENT WITH FIRSTAIR GROUP, INC. FOR LEASE OF SPACE IN THE FREIGHT BUILDING AT THE BINGHAMTON REGIONAL AIRPORT**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with FirstAir Group, Inc. for lease of approximately 2,880 square feet of space in the freight building on a month to month basis, beginning October 1, 2002, with revenue to the County of \$501.50 per month, and

WHEREAS, said lease is necessary to provide space to FirstAir Group, Inc. for ground vehicle repair service for locally based air carriers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with FirstAir Group, Inc., 2514 Airport Road, Johnson City, New York 13790 for the lease of approximately 2,880 square feet of space in the airport freight building beginning October 1, 2002, and be it

FURTHER RESOLVED, that in consideration of said lease, the Contractor shall pay the County an amount not to exceed \$501.50 per month on a month to month basis, and be it

FURTHER RESOLVED, that the revenue shall be credited to budget line 210112.0120.207000 (Freight Building 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, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

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### RESOLUTION NO. 540

By Education, Culture and Recreation Committee

Seconded by Mr. Howard

#### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE FISH AND WILDLIFE BOARD**

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Section II-0501 of the New York State Environmental Conservation Law, has duly designated and appointed the following named individuals to membership on Fish and Wildlife Board, for the terms indicated, subject to confirmation by this County Legislature:

| <u>NAME</u>  | <u>TERM EXPIRING</u>                   |
|--|--|
| Harry C. Woodfield<br>419 Upper Stella Ireland Road<br>Binghamton, New York 13905-5937 | Reappointment<br>Term Expires 12/31/03 |
| Donald Sherwood<br>6 Beartown Road<br>Port Crane, New York 13833                       | Reappointment<br>Term Expires 12/31/03 |

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Section II-0501 of the New York State Environmental Conservation Law, confirms the appointments of the above-named individuals to membership on the Fish and Wildlife Board for the terms indicated, in accordance with their appointment by the County Executive.

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### RESOLUTION NO. 541

By Personnel and Finance Committee

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH UNITED HEALTH SERVICES FOR DRUG AND ALCOHOL TESTING/TRAINING FOR THE PERSONNEL DEPARTMENT FOR 2003**

WHEREAS, this County Legislature, by Resolution 597 of 1999, authorized an agreement with United Health Services for drug and alcohol testing for the Department of Personnel, payment in accordance with a rate schedule attached as Exhibit "A" to said Resolution, total amount not to exceed budgeted appropriations, for the period January 1, 2000 through December 31, 2002, and

WHEREAS, said services are necessary to conduct drug and alcohol testing for Broome County employee commercial drivers license holders, as required by the United States Department of Transportation, 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 the rate schedule attached hereto as Exhibit "A" and not to exceed budgeted appropriations, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of an agreement with United Health Services, 10-42 Mitchell Avenue, Binghamton, New York 13903 for drug and alcohol testing/training for the Department of Personnel, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate schedule attached hereto as Exhibit "A" and not to exceed budgeted appropriations for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4703.254000 (Lab 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.

EXHIBIT "A"

| Service  | UHS Site Fee                               | Broome Co. Site Fee |
|--|--|---------------------|
| DOT Urine Drug Test<br>Including Lab Fee, Collection Fee,<br>MRO Services  | \$44 per test                              | \$49 per test       |
| Breath Alcohol Testing<br>Including Confirmation   | \$24 per test                              | \$26 per test       |
| After hours, 24 hr/day Service,<br>Including Access for up to four uses  | \$280 per year                             |                     |
| After hours, 24 hr/day Service.<br>Charged for each access in addition<br>to the above listed four uses                    | \$85 per access above 1 <sup>st</sup> four |                     |
| Randomization Services   | \$1,100 per year                           |                     |
| Drug/Alcohol Training for<br>Employees/Supervisors<br>Two programs, one hour in length,<br>required by DOT for Supervisors | \$85 per hour long program                 |                     |
| Follow-up Testing Program<br>Testing 6 times per year  | \$275 per person/per year                  |                     |

**Carried,** Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 542**

By Health Services and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH F. KEITH KENNEDY, M.D., P. C. FOR MEDICAL DIRECTOR SERVICES FOR WILLOW POINT NURSING HOME FOR 2003**

WHEREAS, this County Legislature, by Resolution 569 of 2001, authorized the renewal of an agreement with F. Keith Kennedy, M.D., P.C. for Medical Director Services for Willow Point Nursing Home at an amount not to exceed \$65,236, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary as New York State requires that a Medical Director be part of the medical staff at Willow Point Nursing Home, 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 \$65,236, 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 F. Keith Kennedy, M.D., P.C., 21 Mitchell Avenue, Binghamton, New York 13903 for medical director services for Willow Point Nursing Home 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 \$65,236 for the term of the agreement, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160044.4712.204000 (Physician Services), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

#### **RESOLUTION NO. 543**

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PROFESSIONAL HOME CARE FOR OXYGEN THERAPY SERVICES FOR WILLOW POINT NURSING HOME FOR 2003**

WHEREAS, this County Legislature, by Resolution 694 of 2001, authorized renewal of an agreement with Professional Home Care for oxygen therapy services for Willow Point Nursing Home at an amount not to exceed \$30,000 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide oxygen therapy services to residents at the Willow Point Nursing Home, 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 \$30,000, 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 Professional Home Care, 4401 Vestal Parkway East, Vestal, New York 13850 for oxygen therapy services for Willow Point Nursing Home 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 \$30,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160101.4363.204000 (Medical Lab and Clinic Supplies) and 160101.4512.204000 (Outside Rentals-Machinery), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

#### **RESOLUTION NO. 544**

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

Seconded by Mr. Howard

#### **RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE TO AMEND COUNTY LAW SECTION 303 TO ALLOW BROOME COUNTY TO INCREASE THE SURCHARGE FOR ACCESS LINES FOR THE ENHANCED 911 EMERGENCY TELEPHONE SYSTEM**

WHEREAS, this County Legislature, by Local Law No. 11, 1989, imposed a local surcharge for an enhanced emergency telephone system, and

WHEREAS, the surcharge rate for the enhanced emergency telephone system was established at \$.35 per access line pursuant to the guidelines of Section 303 of the New York State County Law, and

WHEREAS, Broome County is desirous of increasing the surcharge from \$.35 to \$.70 per access line to provide the necessary funding for the operation, maintenance and the purchase of equipment for the 911 system, now, therefore, be it

RESOLVED, that this County Legislature hereby petitions the New York Legislature and Governor to amend Section 303 of the New York State County Law to increase the surcharge for







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WHEREAS, said grant program provides funding for in-home assessment, mental health counseling and treatment for seriously mentally ill elders over 60 years of age, and

WHEREAS, it is desired to renew said grant program in the amount of \$40,118 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 \$18,000 from United Health Services, Business Direct, 10-42 Mitchell Avenue, Binghamton, New York 13903, for the Office for Aging's Mental Health Outreach Program 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 \$40,118, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTION NO. 548**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF SENIOR MEDICARE VOLUNTEER PATROL PROJECT GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS TO ADMINISTER SAID PROGRAM FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 640 of 2001, authorized and approved the Senior Medicare Volunteer Patrol Project for the Office for Aging, adopted a program budget in the amount of \$8,000 and authorized an agreement with Action for Older Persons to administer said program for the period July 1, 2001 through June 30, 2002, and

WHEREAS, said grant program provides for the recruitment and training of volunteers to identify and report Medicaid/Medicare fraud and abuse, and

WHEREAS, it is desired to renew said grant program in the amount of \$8,000, adopt a program budget and renew the agreement with Action for Older Persons to administer said program for the period July 1, 2002 through June 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$8,000 from New York State Office for Aging, Empire State Agency, Building 2, Albany, New York 12223-0001, for the Office for Aging's Senior Medicare Volunteer Patrol Project for the period July 1, 2002 through June 30, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$8,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Action for Older Persons to administer said program grant for the Office for Aging for the period July 1, 2002 through June 30, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$8,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760850.4457.104700 (Subcontract Program Expense) and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 549**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LEGAL AID FOR BROOME AND CHENANGO, INC. FOR LEGAL SERVICES FOR THE ELDERLY FOR THE OFFICE FOR AGING FOR 2003**

WHEREAS, this County Legislature, by Resolution 562 of 2001 authorized renewal of an agreement with Legal Aid for Broome and Chenango, Inc. for legal services to elderly County residents for the Office for Aging at the rate of \$39 per hour, total amount not to exceed \$25,000, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, the Broome County Office for Aging is required by federal regulations to commit funds for legal services for the elderly (Title III-B, Older Americans Act), 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 the rate of \$39 per hour, total cost not to exceed \$25,000, 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 Legal Aid for Broome and Chenango, Inc., 30 Fayette Street, P.O. Box 2011, Binghamton, NY 13902-2011 for legal services to Broome County residents over the age of 60 whose income exceeds the eligibility guide lines of the Legal Aid for Broome and Chenango, Inc. 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 the rate of \$39 per hour, total amount not to exceed \$ 25,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760751.4457.104690 (Subcontracted Program Expense), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

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**RESOLUTION NO. 550**

By Community & Social Services, Health Services and Finance Committees  
Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS NURSING FACILITIES FOR INSTITUTIONAL RESPITE SERVICES FOR THE OFFICE FOR AGING FOR 2003**

WHEREAS, this County Legislature, by Resolution 632 of 2001, authorized agreements with various nursing home facilities for institutional respite services at various rates of reimbursement for the Office for Aging for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary for institutional respite services for the Title III-E Caregiver Program, and

WHEREAS, said agreements expire by their terms on December 31, 2002, and it is desired at this time to renew the Willow Point Nursing Home and Ideal Senior Living Center agreements at the current Medicaid rates and on substantially similar terms and conditions and establish a new agreement with Woodland Manor Assisted Living at a rate of \$130 per day for standard care, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the following agreements for institutional respite care for the Office for Aging's Title III-E Caregiver Grant at the rates indicated, for the period January 1, 2003 through December 31, 2003:

|  |                       |
|--|-----------------------|
| Willow Point Nursing Home<br>3700 Old Vestal Road<br>Vestal, NY 13850    | Current Medicaid Rate |
| Ideal Senior Living Center<br>508 High Avenue<br>Endicott, NY 13760      | Current Medicaid Rate |
| Woodland Manor Assisted Living<br>505 Clubhouse Road<br>Vestal, NY 13805 | Standard Care \$130   |

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the rates indicated, total amounts not to exceed budget appropriations for the terms of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760967.4457.104694 (Subcontracted Program Expense), and be it

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

**RESOLUTION NO. 551**

By Community & Social Services and Finance Committees  
Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VETERANS ADMINISTRATION HEALTHCARE NETWORK UPSTATE NEW YORK AT SYRACUSE FOR SOCIAL DAY CARE SERVICES FOR VETERANS UNDER THE OFFICE FOR AGING'S CSE ADULT DAY CARE PROGRAM FOR 2003**

WHEREAS, this County Legislature, by Resolution 675 of 2000, as amended by Resolution 508 of 2001, authorized renewal of the agreement with Veterans Administration Healthcare Network Upstate New York at Syracuse for social day care services to veterans under the Office for Aging's CSE Adult Day Care Program with revenue to Broome County of \$32 per client per day or \$16 per client per half day for the period January 1, 2001 through December 31, 2002, and

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WHEREAS, said agreement provides social day care services to veterans residing in Broome County, 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 \$34 per client per day or \$18 per client per half day, 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 Veterans Administration Healthcare Network Upstate New York at Syracuse, 800 Irving Avenue, Syracuse, New York 13210, for social day care services to veterans under the Office for Aging's CSE Adult Day Care Program for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$34 per client per day or \$18 per client per half day for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760983.0142.104626 (Office for Aging Fees), and be it

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

### **RESOLUTION NO. 552**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS VENDORS FOR IN-HOME RESPITE SERVICES FOR THE OFFICE FOR AGING'S TITLE III-E FAMILY CAREGIVER GRANT FOR 2003**

WHEREAS, this County Legislature, by Resolution 552 of 2001, authorized renewal of the agreements with various vendors for in-home respite services for the Office for Aging's Title III-E Family Caregiver Grant at a rate of \$13.25 per hour, total cost not to exceed budgeted appropriations, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide in-home respite care to caregivers in Broome County, and

WHEREAS, said agreements expire by their terms on December 31, 2002, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at a rate of \$13.25 per hour for respite services and the current Medicaid rate for nurse supervisors, total amount not to exceed budgeted appropriations, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with the following vendors for in-home respite services for the Office for Aging's Title III-E Family Caregiver Grant for the period January 1, 2003 through December 31, 2003:

|  |   |
|--|---|
| Stafkings Healthcare Systems<br>P.O. Box 1015<br>Binghamton, New York 13902-1015 | Family & Children's Society of Broome County<br>257 Main Street<br>Binghamton, New York 13905 |
|--|---|

|  |   |
|--|---|
| Interim Healthcare Systems<br>38 Front Street, Suite D<br>Binghamton, New York 13905 | Homemakers of Broome County (d/b/a Caregivers)<br>189 Riverside Drive<br>Johnson City, New York 13790 |
|--|---|

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$13.25 per hour for respite services and the current Medicaid rate for nurse supervisors, total amount not to exceed budgeted appropriations for the term of the agreement, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760967.4457.104694 (Subcontracted Program Expense), and be it

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

### **RESOLUTION NO. 553**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR SOCIAL DAY CARE SERVICES FOR LONG TERM HOME HEALTH CARE CLIENTS FOR THE OFFICE FOR AGING FOR 2003**

WHEREAS, this County Legislature, by Resolution 555 of 2001, authorized renewal of the agreement with Our Lady of Lourdes Memorial Hospital for social day care services for Long Term Home Health Care clients for the Office for Aging with revenue to Broome County of \$32 per client per day, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide social day care to Long Term Home Health Care clients, 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 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 Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905 for social day care services for Long Term Home Health Care clients for the Office for Aging for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$34 per client, per day for a full day of social day care for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760983.0538.104626 (Long Term Home Health Care Fees), and be it

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

### **RESOLUTION NO. 554**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR DELIVERY OF MEALS TO LONG TERM HOME HEALTH CARE CLIENTS FOR THE OFFICE FOR AGING FOR 2003**

WHEREAS, this County Legislature, by Resolution 557 of 2001, authorized renewal of the agreement with Our Lady of Lourdes Memorial Hospital for delivery of meals to Long Term Home Health Care clients with revenue to Broome County of \$8 per day (Meals on Wheels) and \$3 per day (Congregate) per client for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide home delivered meals to Long Term Home Health Care clients, 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, with revenue to Broome County of \$8.50 per day (Meals on Wheels) and \$3.25 per day (Congregate) per client, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905 for delivery of meals to Long Term Home Health Care clients for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$8.50 per day (Meals on Wheels) and \$3.25 per day (Congregate) per client for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760736.0142.104691 and 760744.0538.104692 (Long Term Home Health Care Fees), and be it

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

### **RESOLUTION NO. 555**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE TOWN OF UNION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE OFFICE FOR AGING'S NUTRITION PROGRAM TITLE III-C-1 GREATER ENDICOTT SENIOR COMMUNITY CENTER FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 556 of 2001, authorized renewal of the agreement with the Town of Union for Community Development Block Grant revenue in the amount of \$26,700 for the Office for Aging's Nutrition Program, Title III-C-1 Greater Endicott Senior Community Center, for the period October 1, 2001 through September 30, 2002, and

WHEREAS, said funds partially offset operating expenses associated with the Greater Endicott Senior Community Center, 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, for an amount not to exceed \$26,700, for the period October 1, 2002 through September 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Town of Union, 3111 East Main Street, Endwell, New York 13760 for Community Block Grant revenue for the Office for Aging's Nutrition Program, Title III-C-1 Greater Endicott Senior Community Center for the period October 1, 2002 through September 30, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$26,700 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760736.0900.104591 and 760736.0900.104691 (Other Federal Revenue), and be it

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

### **RESOLUTION NO. 556**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH METRO INTERFAITH HOUSING MANAGEMENT CORPORATION FOR THE OFFICE FOR AGING'S CONGREGATE MEAL PROGRAM FOR 2003**

WHEREAS, this County Legislature, by Resolution 598 of 2001, as amended by Resolution 351 of 2002, authorized renewal of the agreement with Metro Interfaith Housing Management Corporation for the Office for Aging's congregate meal program for residents at 110 Chenango Street, Binghamton and Lincoln Court Senior Housing Center, Binghamton with revenue to Broome





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### **RESOLUTION NO. 558**

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

#### **RESOLUTION AUTHORIZING RENEWAL OF THE INTEGRATED SOCIAL DAY CARE FOR THE ELDERLY GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003**

WHEREAS, this County Legislature, by Resolution 561 of 2001, authorized and approved the Integrated Social Day Care for the Elderly Grant for the Office for Aging and adopted a program budget in the amount of \$29,320 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said grant program provides a social day care setting for mentally-challenged individuals and other clients, and

WHEREAS, it is desired to renew said grant program in the amount of \$34,056 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 \$12,700 from the New York State Office of Mental Retardation and Development Disabilities, c/o Broome Developmental Services, 229-231 State Street, 1<sup>st</sup> Floor, Binghamton, New York 13901, for the Integrated Social Day Care for the Elderly Grant for the Office for Aging 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 \$34,056, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 559**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS ORGANIZATIONS FOR LEASE OF SPACE FOR THE OFFICE FOR AGING'S NUTRITION PROGRAMS AND SENIOR CENTERS FOR 2003**

WHEREAS, this County Legislature, by Resolution 552 of 2001, authorized renewal of the agreements with various property owners for lease of space for Senior Community Centers and Meals on Wheels programs for the period January 1, 2002 through December 31, 2002, and

WHEREAS, lease space is needed for the activities of the senior community and for the Meals on Wheels program so that meals can be delivered to central points where volunteers will pick up and deliver meals to residents of Broome County, and

WHEREAS, said agreements expire by their terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, 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 agreements with various organizations as listed in Exhibits "A, and C through G" for lease space

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for Senior Community Centers and Meals on Wheels sites 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 Contractors the amounts listed in Exhibits "A and C through G", for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines listed for each organization in Exhibits "A and C through G", 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.

**EXHIBIT A**

| <u>LESSOR</u>   | <u>PURPOSE</u>                   | <u>COST</u>                | <u>LINE</u>            | <u>CA #</u> |
|---|----------------------------------|----------------------------|------------------------|-------------|
| Fairview United Methodist Church<br>254 Robinson Street<br>Binghamton, New York 13904 | Eastside Senior Community Center | \$270 month<br>NTE \$3,240 | 760736.4422<br>.104691 | 292-70      |

**EXHIBIT C**

| <u>LESSOR</u>   | <u>PURPOSE</u>                  | <u>COST</u>                | <u>LINE</u>            | <u>CA #</u> |
|---|---------------------------------|----------------------------|------------------------|-------------|
| Village of Deposit<br>146 Front Street<br>Deposit, New York 13754 | Deposit Senior Community Center | \$155 month<br>NTE \$1,860 | 760736.4422<br>.104691 | 292-26      |

**EXHIBIT D**

| <u>LESSOR</u>  | <u>PURPOSE</u>  | <u>COST</u>                | <u>LINE</u>            | <u>CA #</u> |
|--|-----------------|----------------------------|------------------------|-------------|
| West Presbyterian Church<br>80 Main Street<br>Binghamton, New York 13905 | Meals on Wheels | \$555 month<br>NTE \$6,660 | 760744.4422<br>.104692 | 292-241     |

**EXHIBIT E**

| <u>LESSOR</u>  | <u>PURPOSE</u>  | <u>COST</u>   | <u>LINE</u>            | <u>CA #</u> |
|--|-----------------|---|------------------------|-------------|
| Chenango Bridge First United Methodist Church<br>740 River Road<br>Chenango Bridge, New York 13745 | Meals on Wheels | No cost for space County reimburses Church for phone expenses | 760744.4412<br>.104692 | 292-296     |





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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 563**

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AMENDING RESOLUTION 374 OF 2002, AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR THE OFFICE FOR AGING FOR 2002-2004**

WHEREAS, this County Legislature, by Resolution 374 of 2002, authorized acceptance of a Robert Wood Johnson Foundation Grant, adopted a program budget in the amount of \$196,411 and authorized agreements with various vendors to administer said program for the period August 1, 2002 through January 31, 2004, and

WHEREAS, it is necessary to authorize an amendment to Exhibit "B" to add "plus travel expenses" to the amount of \$5,000 for Visions, Inc., and

WHEREAS, the Director of the Office for Aging 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 Exhibit "B" of Resolution 374 of 2002, adding "plus travel expenses" to the amount of \$5,000 allocated to Visions, Inc., 17 Spring Valley Road, Arlington, MA 02476, for the period August 1, 2002 through January 31, 2004, and be it

FURTHER RESOLVED, that Resolution 374 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 564**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE SOUTHERN TIER CHAPTER OF THE AMERICAN RED CROSS FOR SHOPPER AND SUPPORTIVE SERVICES FOR THE OFFICE FOR AGING FOR 2003**

WHEREAS, this County Legislature, by Resolution 91 of 2001, authorized an agreement with the Southern Tier Chapter of the American Red Cross for shopper and supportive services for the Office for Aging for the period April 1, 2001 through December 31, 2002, and

WHEREAS, the shopper service program provides support and assistance to those persons age 60 and older who are homebound, unable to go out alone, without friends or relatives who are able and willing to assist them and who are not eligible for service under other funding sources, and

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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 \$25,000, 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 the Southern Tier Chapter, American Red Cross, 620 East Main Street, Endicott, New York 13760 for shopper and supportive services for the Office for Aging 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 \$25,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760751.4457.104690 (Subcontracted Program Expense), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 565**

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR RECYCLING OPERATIONS EDUCATION FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2003**

WHEREAS, this County Legislature, by Resolution 648 of 2001, authorized renewal of the agreement with Cornell Cooperative Extension of Broome County for solid waste education technical assistance for the Division of Solid Waste Management at an amount not to exceed \$52,467, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary for education, planning and research for recycling operations, 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 \$52,467, 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 Cornell Cooperative Extension of Broome County, 840 Front Street, Binghamton, New York 13905 for recycling operations education for the Division of Solid Waste 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 an amount not to exceed \$52,467 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230078.4457.206000 (Subcontracted Programs), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 566**

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH K & A RADIOLOGIC TECHNOLOGY, INC. FOR RADIOLOGIC SERVICES FOR WILLOW POINT NURSING HOME FOR 2003**

WHEREAS, this County Legislature, by Resolution 571 of 2001, authorized renewal of the agreement with K & A Radiologic Technology, Inc. to bill Willow Point Nursing Home directly for

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radiologic services for eligible Medicare Part A residents at an amount not to exceed \$36,000 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide radiologic services to residents at Willow Point Nursing Home, 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 \$36,000, for the period January 1, 2003 through December 31, 2003, with three (3) one-year renewal options by mutual consent at the same costs, terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with K & A Radiologic Technology, Inc., 193 Riverside Drive, Johnson City, New York 13790, to bill Willow Point Nursing Home directly for radiologic services for eligible Medicare Part A residents for the period January 1, 2003 through December 31, 2003, with three (3) one-year renewal options by mutual consent at the same costs, terms and conditions, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$36,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4747.20400 (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-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 567**

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

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEFENDERS ASSOCIATION FOR PURCHASE OF A PUBLIC DEFENSE CASE MANAGEMENT SYSTEM (PDCMS) AND RELATED MAINTENANCE SUPPORT FOR THE OFFICE OF THE PUBLIC DEFENDER FOR 2002-2003**

WHEREAS, the Public Defender requests authorization for an agreement with the New York State Defender's Association for the purchase of a Public Defense Case Management System (PDCMS) at a cost not to exceed \$9,380 and the related maintenance support at a cost not to exceed \$3,000, total cost not to exceed \$12,380, for the Office of the Public Defender for the period December 1, 2002, through November 30, 2003, and

WHEREAS, said system provides the Office of the Public Defender with a tool to help track cases, identify conflicts of interest, automatically generate documents and create reports, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Defenders Association, 194 Washington Avenue, Suite 500, Albany, New York 12210, for purchase of a Public Defense Case Management System (PDCMS) and the related maintenance support for the period December 1, 2002, through November 30, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,380 for the purchase of the PDCMS and an amount not to exceed \$3,000 for the related maintenance support for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 530006.4359.101000 (Computer Software and Supplies), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**



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**RESOLUTION NO. 568**

By Economic Development & Planning and Finance Committees  
Seconded by Mr. Howard

**RESOLUTION AUTHORIZING REVISION OF VARIOUS PROGRAM GRANTS UNDER THE WORKFORCE INVESTMENT ACT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2003**

WHEREAS, this County Legislature, by Resolution 352 of 2000, as amended by various resolutions, authorized continued participation in the Workforce Investment Act (WIA) Youth Grant for the Office of Employment and Training and adopted a program budget in connection therewith in the total amount of \$789,402 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 youth and adults, and

WHEREAS, it is necessary at this time to revise said youth program to reflect a decrease of \$144,591 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Investment Act (WIA) Youth Grant to reflect a decrease of \$144,591 for the period July 1, 2000 through June 30, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$644,811, and be it

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

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

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

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

**Carried,** Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 569**

By Public Safety & Emergency Services, Personnel and Finance Committees  
Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT (STEP) FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 49 of 2002, as amended by Resolution 333 of 2002, authorized and approved the Selective Traffic Enforcement Program Grant (STEP) for the Office of the Sheriff and adopted a program budget in the amount of \$12,210 for the period October 1, 2001 through September 30, 2002, and

WHEREAS, said grant program will assist in reducing aggressive driving, speeding and impaired driving-related motor vehicle crashes, and

WHEREAS, it is desired to renew said grant program in the amount of \$13,402 for the period October 1, 2002 through September 30, 2003, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$13,402 from the New York State Governor's Traffic Safety Committee, Department of Motor Vehicles, 6 Empire State Plaza, Albany, New York 12228 for the Office of the Sheriff's Selective Traffic Enforcement Program (STEP) 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 \$13,402, and be it

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

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 570**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF "BUCKLE UP NEW YORK" 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 43 of 2002, authorized and approved the "Buckle Up New York" Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$10,002 for the period October 1, 2001 through September 30, 2002, and

WHEREAS, said grant program is part of a statewide campaign designed to increase seat belt usage, reducing serious injury or death in traffic accidents, and

WHEREAS, it is desired to renew said grant program in the amount of \$11,097 for the period October 1, 2002 through September 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,097 from the Governor's Traffic Safety Committee, Department of Motor Vehicles, Empire State Plaza, Albany, New York 12228, for the "Buckle Up New York" Program Grant for the Office of the Sheriff 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 \$ 11,097, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 571**

By Health Services and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY LIVING PARTNERSHIP/HRI PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AN AGREEMENT WITH HEALTH RESEARCH, INC. TO ADMINISTER SAID PROGRAM FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 669 of 2001, authorized and approved continued participation in the Department of Health's Healthy Living Partnership/HRI Program Grant, adopted a program budget in the amount of \$144,500 and authorized an agreement with Health Research, Inc., to administer said program for the period September 30, 2001 through September 29, 2002, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$129,200, adopt a program budget and renew the agreement with Health Research, Inc. to continue to administer said program for the period September 30, 2002 through June 29, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$129,200 from the New York State Department of Health for the Department of Health's Healthy Living Partnership HRI Program Grant for the period September 30, 2002 through June 29, 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 \$129,200, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Health Research, Inc., One University Place, Rensselaer, New York 12144-3455, to administer said grant for the Department of Health for the period September 30, 2002 through June 29, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$129,200 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4715.104XXX (Other Health and Medical Services), and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

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### **RESOLUTION NO. 572**

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AMENDMENTS TO AGREEMENTS WITH VARIOUS VENDORS FOR OUTREACH AND EDUCATION SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP BREAST AND CERVICAL CANCER SCREENING PROGRAM FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 173 of 2002, authorized agreements with various vendors for outreach and education services for the Department of Health's Healthy Living Partnership Breast and Cervical Cancer Screening Program, total amount not to exceed \$43,843 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, it is necessary to authorize amendments of the agreements with the Tioga Opportunities Program and the YWCA to increase travel monies for subcontractors in the included counties, and

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

RESOLVED, that this County Legislature hereby authorizes amendments to the agreements with various vendors as listed on Exhibit "A", increasing travel monies for subcontractors in the counties included in the Department of Health's Healthy Living Partnership Breast and Cervical Cancer Screening Program for the period April 1, 2002 through March 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said amendments, the County shall pay the Contractors total amounts not to exceed those shown on Exhibit "A" for the terms of the agreements, and be it

FURTHER RESOLVED, that Resolution 173 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 573**

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER TO PROVIDE SIGNING SERVICES FOR VARIOUS PROGRAMS FOR THE DEPARTMENT OF HEALTH FOR 2003**

WHEREAS, this County Legislature, by Resolution 620 of 2001, authorized renewal of the agreement with Southern Tier Independence Center to provide signing services for various Health Department programs at the rate of \$40 per hour for certified interpreters and \$30 per hour for non-certified interpreters, total amount not to exceed \$3,000 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to comply with applicable New York State regulations, 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 the rate of \$45 per hour for certified interpreters, \$35 per hour for non-certified interpreters and \$60 per hour for emergency interpreters, total amount not to exceed \$3,000, 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 Southern Tier Independence Center, 24 Prospect Avenue, Binghamton, New York 13901 for signing services for various Health Department programs for the period January 1, 2003 through December 31, 2003, and be it

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FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$45 per hour for certified interpreters, \$35 per hour for non-certified interpreters and \$60 per hour for emergency interpreters, total amount not to exceed \$3,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4715.various (Other Health and Medical Services), and be it

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

#### **RESOLUTION NO. 574**

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING REVISION OF YOUTH TOBACCO ENFORCEMENT AND PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 358 of 2002, authorized the continued participation in the Youth Tobacco Enforcement and Prevention Program Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$32,289 for the period October 1, 2002 through September 31, 2003, and

WHEREAS, said grant program supports the Department of Health's activities in youth tobacco use enforcement and prevention, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$8,720 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Youth Tobacco Enforcement and Prevention Program Grant to reflect an increase of \$8,720 for the period October 1, 2002 through September 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$41,009, and be it

FURTHER RESOLVED, that Resolution 358 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried**, Ayes-13 (Brunza, Burger, Harvilla, Holley, Hull, Kolba, Mather, Miller Pasquale, Sweet, Whalen, Wike, Schofield), Nays-4 (Howard, Hudak, Lindsey, Nannery), Absent-2 (O'Day, Shafer).

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### **RESOLUTION NO. 575**

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING REVISION OF TRAFFIC SAFETY AWARENESS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 357 of 2002, authorized the continued participation in the Traffic Safety Awareness Program Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$61,508 for the period October 1, 2002 through September 30, 2003, and

WHEREAS, said grant program supports local programs, public education events and activities designed to reduce mortality and morbidity related to traffic accidents, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$20,884 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Traffic Safety Awareness Program Grant to reflect a decrease of \$20,884 for the period October 1, 2002 through September 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 \$40,624, and be it

FURTHER RESOLVED, that Resolution 357 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 576**

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LOURDES HOSPITAL PHARMACY DEPARTMENT FOR PRESCRIPTION DRUGS FOR THE DEPARTMENT OF HEALTH FOR 2003**

WHEREAS, the Board of Acquisition and Contract, on December 19, 2001, as amended by companion resolution, authorized an agreement with Lourdes Hospital Pharmacy Department for prescription drugs for the Department of Health at a cost not to exceed \$5,000, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said agreement provides unit doses and individual packaging of prescription drugs used by the STD and TB Clinics, 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 \$5,000, 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 Lourdes Hospital Pharmacy Department, 169 Riverside Drive, Binghamton, New York 13905 for prescription drugs for the Department of Health for the period January 1, 2003 through December 31, 2003, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4365.101055 and 480228.4365.101056 (Prescription Drugs), and be it

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

#### **RESOLUTION NO. 577**

By County Administration and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TIER TECHNOLOGIES, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2003**

WHEREAS, this County Legislature, by Resolution 498 of 2001, as amended by Resolution 198 of 2002, authorized an agreement with Tier Technologies, Inc. for software maintenance for the Division of Information Technology at an amount not to exceed \$69,700, for the period January 1, 2002 through December 31, 2002, and

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

WHEREAS, said agreement expires by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$69,700, 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 Tier Technologies, Inc., 1350 Treat Boulevard, Suite 250, Walnut Creek, California 94596 for 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 \$69,700 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, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTION NO. 578**

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF THE TANF SERVICES BLOCK GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003**

WHEREAS, this County Legislature, by Resolution 215 of 2001, as amended by Resolutions 224 and 317 of 2002, authorized and approved the OTDA -approved TANF Services Block Grant for the Department of Social Services and adopted a program budget in the amount of \$1,840,942 for the period January 1, 2001 through December 31, 2002, and

WHEREAS, said grant program is designed to assist TANF recipients to achieve self-sufficiency and transition from welfare to work, and focuses on families, youths, domestic violence, and drug and alcohol screening rehabilitation, and

WHEREAS, it is desired to renew said grant program in the total amount of \$860,864 for the period January 1, 2003 through December 31, 2003, and

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WHEREAS, the New York State Office of Temporary and Disability Assistance (OTDA) approved block grant funds of \$331,072, and the carrying forward of prior allocated TANF Block Grant funds totaling an additional \$529,792, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$331,072 from the New York State OTDA Federal funds in accordance with the OTDA-approved TANF Services Block Grant, for the Department of Social Services 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 \$860,864, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 579**

By Public Works and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH UNITED HEALTH SERVICES FOR AUDIOMETRIC AND RESPIRATOR FIT EXAMINATIONS FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 531 of 2001, authorized an agreement with United Health Services for audiometric and respirator fit examinations for the Department of Public Works at a total amount not to exceed \$4,123, for the period October 1, 2001 through September 30, 2002, and

WHEREAS, such examinations are required by the New York State Department of Labor, and

WHEREAS, said agreement expired by its terms on September 30, 2002, and it is desired at this time to renew said agreement on similar terms and conditions, for an amount not to exceed \$2,523 for respirator fit examinations and for an amount not to exceed \$1,808 for audiometric examinations, for the period October 1, 2002 through September 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Business Direct, United Health Services, Corporate Offices, 10-42 Mitchell Avenue, Binghamton, New York 13903 for audiometric and respirator fit examinations for the Department of Public Works for the period October 1, 2002 through September 30, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$87 per respirator fit examination, total amount not to exceed \$2,523, and \$16 per audiometric examination, total amount not to exceed \$1,808, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 030122.4715.301000 and 030148.4715.302000 (Other Health and Medical Services), and be it





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now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Stafkings Healthcare Systems, Inc., 66 Hawley Street, Binghamton, New York 13902 for temporary nursing staff services for the Willow Point Nursing Home 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 the rates listed, total amount not to exceed \$5,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160085.5072.204000 (Nursing Services), and be it

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

**Carried,** Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 582**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FEDERAL BUREAU OF INVESTIGATION FOR LEASE OF TOWER SPACE FOR EMERGENCY SERVICES COMMUNICATIONS SYSTEM FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 114 of 2002, authorized renewal of an agreement with the Federal Bureau of Investigation of the United States Department of Justice for lease of the tower facility at Hawkins Hill, Site 66 Tower in the Town of Binghamton, providing revenue to the County of \$125 per month, total revenue amount of \$1,500 for the period October 1, 2001 through September 30, 2002, 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, with revenue to the County of \$125 per month, total revenue amount of \$1,500, for the period October 1, 2002 through September 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Federal Bureau of Investigation of the United States Department of Justice, ERF Building 27958A, Quantico, Virginia 22135 for lease of the Hawkins Hill, Site 66 Tower, for the period October 1, 2002 through September 30, 2003, and be it

FURTHER RESOLVED, that in consideration of said lease the United States Department of Justice shall pay the County \$125 per month, total revenue amount of \$1,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 460006.0464.101000 (Other Local Governments), and be it

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

**Carried,** Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

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**RESOLUTION NO. 583**

By Public Safety & Emergency Services, Personnel and Finance Committees  
Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AID TO PROSECUTION GRANT FOR THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 457 of 2001, authorized and approved renewal of the Aid to Prosecution Grant for the District Attorney and adopted a program budget in the amount of \$171,116 for the period April 1, 2001 through March 31, 2002, and

WHEREAS, said grant program provides funds for the salary of a Senior Assistant District Attorney and 64% of the salary of the Chief Assistant District Attorney, and

WHEREAS, it is desired to renew said grant program in the total amount of \$175,190 for the period April 1, 2002 through March 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$135,829 from the New York State Division of Criminal Justice Services, 4 Tower Plaza, Albany, NY 12203, for the District Attorney's Aid to Prosecution Grant for the period April 1, 2002 through March 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 \$175,190, and be it

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

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

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

**Carried,** Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 584**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WEST GROUP FOR ON-LINE LEGAL RESEARCH SERVICES FOR THE OFFICE OF THE DISTRICT ATTORNEY FOR 2003**

WHEREAS, this County Legislature, by Resolution 656 of 2001, authorized an agreement with West Group for on-line legal research services for the Office of the District Attorney at an amount not to exceed \$5,400, for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide on-line legal research capability for the attorneys assigned to the Office of the District Attorney, 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 \$8,640, 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 West Group, 109 Maplehurst Road, Rochester, New York 14617 for on-line legal research services for the Office of the District Attorney, 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 \$8,640 for the term of the agreement, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 330001.4311.101000 (Books and Subscriptions), and be it

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

#### **RESOLUTION NO. 585**

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

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A WORKFORCE DEVELOPMENT SERVICES GRANT FROM TIOGA COUNTY FOR THE COUNTY EXECUTIVE'S ECONOMIC DEVELOPMENT DIVISION AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002- 2003**

WHEREAS, the County Executive requests authorization to accept a Workforce Development Services Grant from Tioga County and adopt a program budget in the amount of \$10,000 for the period September 1, 2002 through August 31, 2003, and

WHEREAS, said grant program provides funding for Temporary Help Administrative Services provided to Tioga County by the Workforce Development Board, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,000 from Tioga County for the Workforce Development Services Grant for the County Executive's Economic Development Division for the period September 1, 2002 through August 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 \$ 10,000, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTION NO. 586**

By Finance Committee

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AGREEMENT WITH NEW YORK MUNICIPAL ADVISORS CORPORATION (NYMAC) FOR CONSULTING SERVICES FOR THE DEPARTMENT OF FINANCE FOR 2003 THROUGH 2006**

WHEREAS, New York Municipal Advisors Corporation (NYMAC) is an organization offering professional services relating to the planning, preparing and marketing of municipal financial issues, and

WHEREAS, the Commissioner of Finance requests authorization for an agreement with New York Municipal Advisors Corporation (NYMAC) for the period January 1, 2003 through and including December 31, 2006, and

WHEREAS, said services are necessary to provide professional services to the County of Broome in connection with the various County capital projects bond sales, note issuances, the

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sale of tax sale certificates and other financing activities as requested by the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New York Municipal Advisors Corporation (NYMAC), 76 North Broadway, Suite 4010, Hicksville, New York 11801, for professional services in connection with the marketing of municipal bonds and capital notes, note issuances, and sales of tax sales certificates of the County of Broome, for the period January 1, 2003 through and including December 31, 2006, and be it

FURTHER RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay for said professional services including the preparation, printing and distribution of an Official Statement and Notice of Sale/Bid Form at the time of issuing serial bonds, in an amount of \$12,500 per issue, and be it

FURTHER RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay for said professional services including the preparation, printing and distribution of a Note Official Statement and Notice of Sale/Bid Form at the time of issuing notes, in an amount of \$5,000 per issue, and be it

FURTHER RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay for the said professional services at the time such tax sale certificates are sold, a fee of \$5,900 per issue, and be it

FURTHER RESOLVED, that for any additional services including but not limited to analysis of and assistance with financing through the State Revolving Fund a fee to be charged not to exceed \$100 per hour, and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

#### **RESOLUTION NO. 587**

By Health Services Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A CHEMICAL DEPENDENCY SERVICES 2003 GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003**

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Chemical Dependency Services 2003 Grant and adopt a program budget in the amount of \$307,635 for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said grant program will provide evaluations and assessments to Department of Social Services clients and forensic services at the Public Safety Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$84,388 from the New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203-3526 for the Department of Mental Health's Chemical Dependency Services 2003 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 \$307,635, and be it

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

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

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTION NO. 588**

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AGREEMENT WITH MVP HEALTH PLAN, INC. FOR BEHAVIORAL HEALTH SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2003-2007**

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with MVP Health Plan, Inc. to provide behavioral health services to clients that have "MVP Health Plan" coverage for the Department of Mental Health with revenue to Broome County of \$25,000, for the period January 1, 2003 through December 31, 2007, and

WHEREAS, said services are necessary to provide initial evaluations, individual therapy, group therapy, family therapy and medication management services to clients that have MVP Health Plan coverage, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with MVP Health Plan, Inc., 625 State Street, Schenectady, New York 12305 for behavioral health services, for the Department of Mental Health for the period January 1, 2003 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$25,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 470013.0077.101000 (Client Fees), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTION NO. 589**

By Health Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AGREEMENT WITH EXCELLUS FOR BEHAVIORAL HEALTH SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2003-2007**

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with Excellus to provide behavioral health services to clients that have "Excellus" coverage for the Department of Mental Health with revenue to Broome County of \$200,000, for the period January 1, 2003 through December 31, 2007, and

WHEREAS, said services are necessary to provide initial evaluations, individual therapy, group therapy, family therapy and medication management services to clients that have Excellus coverage, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Excellus, 165 Court Street, Rochester, New York 14647 for behavioral health services, for the Department of Mental Health for the period January 1, 2003 through December 31, 2007, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 470013.0077.101000 (Client Fees), and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

#### **RESOLUTION NO. 590**

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING ACCEPTANCE OF A TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) SERVICES BLOCK GRANT THROUGH THE DEPARTMENT OF SOCIAL SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH'S EMPLOYMENT RETENTION ADVANCEMENT (ERA) PROJECT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003**

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Temporary Assistance to Needy Families (TANF) Services Block Grant through the Department of Social Services for the Department of Mental Health's Employment Retention Advancement (ERA) Project and adopt a program budget in the amount of \$50,000 for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said grant program supplies funds for the ERA project to provide assessment, diagnosis and brief vocational goal-oriented psychotherapy to TANF recipients to help them seek positive employment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 through the Broome County Department of Social Services for the Department of Mental Health's Employment Retention Advancement (Era) Project 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 \$50,000, and be it

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

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

#### **RESOLUTION NO. 591**

By Finance Committee

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AGREEMENT WITH MVP SELECT CARE, INC. FOR ADMINISTRATIVE SERVICES FOR THE OFFICE OF RISK AND INSURANCE MANAGEMENT FOR 2003**

WHEREAS, the Manager of the Office of Risk and Insurance Management requests authorization for an agreement with MVP Select Care, Inc. for administrative services for the HMO type self-insured plans for the Office of Risk and Insurance Management at a cost not to exceed \$28 per month per enrollee, for the period January 1, 2003 through December 31, 2003, and

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WHEREAS, said services are necessary to provide administrative services for employees enrolled in HMO type self-insured plans, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with MVP Select Care, Inc., 4100 Old Vestal Road, Vestal, New York 13850, for administrative services, 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 an amount not to exceed \$28 per month per enrollee for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4549.252000 (Services to Participants), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 592**

By Finance Committee

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AGREEMENT WITH EXCELLUS HEALTH PLAN, INC. FOR ADMINISTRATIVE SERVICES FOR THE OFFICE OF RISK AND INSURANCE MANAGEMENT FOR 2003**

WHEREAS, the Manager of the Office of Risk and Insurance Management requests authorization for an agreement with Excellus Health Plan, Inc., d/b/a Blue Cross Blue Shield of Central New York, for administrative services of HMO type self-insured plans for the Office of Risk and Insurance Management at a cost not to exceed \$28 per month per enrollee, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to provide administrative services for employees enrolled in HMO type self-insured plans, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Excellus Health Plan, Inc., d/b/a Blue Cross Blue Shield of Central New York, 344 South Warren Street, Syracuse, New York, for administrative services, 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 an amount not to exceed \$28 per month per enrollee for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4549.252000 (Services to Participants), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 593**

By Community & Social Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH UNITED HEALTH SERVICES FOR DENTAL SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 464 of 2001, authorized an agreement with United Health Services for dental services for the Department of Social Services at a cost not to exceed \$50,000 for the period September 1, 2001 through August 31, 2002, and



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WHEREAS, said services are necessary to provide dental services to Medicaid patients thereby saving on costly out-of-town transportation, 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 \$50,000, for the period September 1, 2002 through August 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with United Health Services, 33-37 Harrison Street, Johnson City, New York 13790 for dental services for the Department of Social Services for the period September 1, 2002 through August 31, 2003, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670018.4747.103000 (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-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTION NO. 594**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING THE BROOME COUNTY SECURITY DIVISION TO INCREASE THE CHARGE FOR ATTENDANCE AT THE PEACE OFFICER ACADEMY**

WHEREAS, this County Legislature, by Resolution 429 of 1998 authorized the Broome County Security Division to impose a charge not to exceed \$125 per person for attendance at the Peace Officer Academy, with the exception of Broome County Security Division personnel, and

WHEREAS, the Public Safety and Emergency Services Committee of the County Legislature has recommended an increase in the fee imposed due to additional costs for class materials and administrative expenses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of Security to impose a charge not to exceed \$200 per person for attendance at the Peace Officer Academy, with the exception of Broome County Division of Security personnel, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 030030.0220.101000 (Unclassified Revenues), and be it

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

FURTHER RESOLVED, that this Resolution shall take effect on February 1, 2003.

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

#### **RESOLUTION NO. 595**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING RENEWAL OF THE JUVENILE INTENSIVE SUPERVISION PROGRAM GRANT FOR DEPARTMENT OF PROBATION, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENTS WITH CATHOLIC CHARITIES AND THE ROBERSON MUSEUM FOR RELATED PROGRAM SERVICES FOR 2003**

WHEREAS, this County Legislature, by Resolution 649 of 2001, authorized and approved the Juvenile Intensive Supervision Program Grant for the Department of Probation, adopted a program budget in the amount of \$165,647 and authorizing agreements with Catholic Charities

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and the Roberson Museum for related program services for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said grant program is designed to reduce the number of out-of-home placements of juvenile delinquents while maintaining community safety and providing treatment services, education and community service opportunities for targeted youths, and

WHEREAS, it is desired to renew said grant program in the total amount of \$164,062, adopt a program budget and renew agreements with Catholic Charities and the Roberson Museum for related program services 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 \$139,000 from the New York State Division of Probation and Correctional Alternatives, for the Department of Probation's Juvenile Intensive Supervision 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 \$164,062, and be it

RESOLVED, that this County Legislature hereby authorizes agreements with Catholic Charities, 232 Main Street, Binghamton, New York 13905 and the Roberson Museum and Science Center, 30 Front Street, Binghamton, New York 13905, for related program services for the Department of Probation's Juvenile Intensive Supervision Program for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Catholic Charities an amount not to exceed \$34,350 and shall pay the Roberson Museum an amount not to exceed \$11,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 280065.4457.104XXX (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**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 596**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AN INCREASE IN THE RENTAL FEE FOR PARKING SPACES IN THE EDWIN L. CRAWFORD COUNTY OFFICE BUILDING DURING ARENA EVENTS**

WHEREAS, this County Legislature, by Resolution 600 of 1986, as amended by Resolution 586 of 1997, authorized opening the basement of the County Office Building for parking during certain Arena events and charging a fee of \$2.00 or use of parking card for said parking, and

WHEREAS, the Public Safety and Emergency Services Committee of the County Legislature has recommended raising the fee to \$3.00 or use of parking card in order to bring such costs closer in line to fees charged by other downtown lots during Arena events, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes an increase in the parking fee for rental of spaces in the Edwin L. Crawford County Office Building during certain Arena events to \$3.00 per space or use of parking card, and be it

FURTHER RESOLVED, that Resolution 600 of 1986 and Resolution 586 of 1997, 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.

**Held over 'under the rules'** by Mr. Howard.

### **RESOLUTION NO. 597**

By Health Services and Finance Committees

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENT WITH CHANNING BETE COMPANY, INC. FOR PROFESSIONAL SURVEY SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2002**

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with Channing Bete Company, Inc. for professional survey services for the Department of Mental Health's State Incentive Cooperative Agreement (SICA) Program Grant at a cost not to exceed \$7,500, for the period November 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide student surveys and administration instructions that measure and assess the risk and protective factors associated with adolescent alcohol, tobacco and other drug use, and

WHEREAS, Channing Bete Company, Inc. will analyze the information obtained from these surveys and provide narrative reports with tables and graphs summarizing the results of the survey responses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Channing Bete Company, Inc., P.O. Box 84-5897, Boston, Massachusetts 02884-5897 for professional survey services, for the Department of Mental Health for the period November 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 \$7,500 for the term of the agreement, and be it

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

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

**Carried**, Ayes-16, Nays-1 (Hudak), Absent-2 (O'Day, Shafer).

### **RESOLUTION NO. 598**

By Public Works, Education, Culture & Recreation and Finance Committees

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH DELTA ENGINEERS, PC FOR ENGINEERING AND CONSTRUCTION REVIEW SERVICES FOR THE BROOME COUNTY VETERANS MEMORIAL ARENA SKYBOX PROJECT FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 344 of 2002, authorized an agreement with Delta Engineers, PC for engineering and construction review services for the Department of Public Works at a cost not to exceed \$154,800, for the period September 1, 2002 through December 31, 2003, and

WHEREAS, said agreement provides for the design and construction review services for the new skyboxes at the Broome County Veterans Memorial Arena, and

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WHEREAS, it is necessary to authorize the amendment of said agreement to provide for the installation of a fire protection sprinkler system at a cost of \$9,560 as required by the Department of State, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Delta Engineers, PC, 164 Court Street, Binghamton, New York 13901, for engineering and construction review services for the Broome County Veterans Memorial Arena Skybox Project for the Department of Public Works for the period September 1, 2002 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 \$9,560, total cost not to exceed \$164,360, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Arena Renovations Capital Improvement Project, and be it

FURTHER RESOLVED, that Resolution 344 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### **RESOLUTION NO. 599**

By Finance, and Health Services Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING BUDGET TRANSFERS AND POSITION CHANGE REQUESTS FOR THE DEPARTMENT OF HEALTH**

RESOLVED, that in accordance with a request from the Director of Public Health to move funding to create (1) Public Health Nurse and (1) Public Health Sanitarian position on the Public Health Preparedness and Response to Bio-terrorism Grant as requested in BF# 003878 & 003879, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

|      | <u>Index code</u> | <u>Subject</u> | <u>Project</u> | <u>Title</u>              | <u>Amount</u> |
|------|-------------------|----------------|----------------|---------------------------|---------------|
| FROM | 480301            | 4319           | 104687         | Office Supplies           | 87            |
|      | 480301            | 4349           | 104687         | Misc. Op. Supplies        | 161           |
|      | 480301            | 4459           | 104687         | Reserve for Program       | 33,262        |
|      | 480301            | 4715           | 104687         | Other Health & Med.       | 19,250        |
| TO   | 480301            | 1500           | 104687         | Salaries – Part Time      | 11,973        |
|      | 480301            | 2460           | 104687         | Communication Equipment   | 21,160        |
|      | 480301            | 4359           | 104687         | Comp. Software/Supplies   | 2,700         |
|      | 480301            | 4606           | 104687         | Telephone Billing         | 550           |
|      | 480301            | 4609           | 104687         | Data Proc. Chargeback     | 9,100         |
|      | 480301            | 4610           | 104687         | Personal Svcs. Chargeback | 711           |
|      | 480301            | 8010           | 104687         | Retirement                | 567           |
|      | 480301            | 8030           | 104687         | FICA                      | 916           |
|      | 480301            | 8040           | 104687         | Workers' Compensation     | 112           |
|      | 480301            | 8050           | 104687         | Life Insurance            | 8             |
|      | 480301            | 8060           | 104687         | Health Insurance          | 4,734         |
|      | 480301            | 8063           | 104687         | Disability Insurance      | 47            |
|      | 480301            | 8070           | 104687         | Unemployment Insurance    | 182           |

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and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Public Health as contained in PCR#02-353, this County Legislature hereby authorizes the increase in FTE from .25 to .3 for (1) Public Health Nurse position, Part Time, at budget line 480301.1500.104687, minimum salary of \$31,629 FTE, Grade 17, Union CSEA, effective date 11/25/02, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Public Health as contained in PCR#02-354, this County Legislature hereby authorizes the creation of (1) Public Health Sanitarian position, Part Time, at budget line 480301.1500.104687, minimum salary of \$31,629 FTE, Grade 17, Union CSEA, effective date 11/25/02, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Public Health to move funding to create (1) Public Health Sanitarian and (1) Public Health Technician position on the Broome Enhanced Water Program Grant as requested in BF# 003886 & 003887, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

|      | <u>Index code</u> | <u>Subobject</u> | <u>Project</u> | <u>Title</u>               | <u>Amount</u> |
|------|-------------------|------------------|----------------|----------------------------|---------------|
| FROM | 480301            | 1000             | 104645         | Salaries – Full Time       | 4,264         |
|      | 480301            | 2110             | 104645         | Office Equipment           | 4,000         |
|      | 480301            | 4609             | 104645         | Data Processing Chargeback | 5,075         |
|      | 480301            | 8060             | 104645         | Health Insurance           | 58            |
|      | 480301            | 8070             | 104645         | Unemployment Insurance     | 88            |
| TO   | 480301            | 1500             | 104645         | Salaries – Part Time       | 8,021         |
|      | 480301            | 4319             | 104645         | Office Supplies            | 2,500         |
|      | 480301            | 4349             | 104645         | Misc. Oper. Supplies       | 20            |
|      | 480301            | 4615             | 104645         | Gasoline Chargeback        | 1,000         |
|      | 480301            | 4616             | 104645         | Fleet Svcs. Chargeback     | 1,000         |
|      | 480301            | 8010             | 104645         | State Retirement           | 378           |
|      | 480301            | 8030             | 104645         | Social Security            | 276           |
|      | 480301            | 8040             | 104645         | Workers' Compensation      | 284           |
|      | 480301            | 8050             | 104645         | Life Insurance             | 1             |
|      | 480301            | 8063             | 104645         | Disability Insurance       | 5             |

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Public Health as contained in PCR#02-355, this County Legislature hereby authorizes the creation of (1) Public Health Sanitarian position, Part Time, at budget line 480301.1500.104645, minimum salary of \$31,629 FTE, Grade 17, Union CSEA, effective date 11/25/02, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Public Health as contained in PCR#02-356, this County Legislature hereby authorizes the creation of (1) Public Health Technician position, Part Time, at budget line 480301.1500.104645, minimum salary of \$27,196 FTE, Grade 14, Union CSEA, effective date 11/25/02, 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**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

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### RESOLUTION NO. 600

By Finance, Health Services and Economic Development & Planning Committees  
Seconded by Mr. Howard

#### RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR THE DEPARTMENTS OF HEALTH, FINANCE, AND PLANNING AND ECONOMIC DEVELOPMENT

RESOLVED, that in accordance with a request from the Director of Public Health, in order to maximize expenditures for the Healthy Worksites of Broome, Chenango, Tioga and Delaware Counties grant as requested in BF# 003883, 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            | 1500             | 104638         | Salaries – Part Time     | 1,159         |
|       | 480301            | 4462             | 104638         | Travel, Hotel, and Meals | 305           |
|       | 480301            | 8030             | 104638         | Social Security          | 41            |
|       | 480301            | 8040             | 104638         | Workers' Compensation    | 62            |
|       | 480301            | 8070             | 104638         | Unemployment Insurance   | 100           |
| To:   | 480301            | 1600             | 104638         | Salaries – Temporary     | 836           |
|       | 480301            | 8060             | 104638         | Health Insurance         | 831           |

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Public Health, in order to maximize expenditures for the Healthy Living Partnership grant as requested in BF# 003881 & 003882, 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             | 104647         | Salaries – Full Time       | 31,918        |
|       | 480301            | 1500             | 104647         | Salaries – Part Time       | 6,108         |
|       | 480301            | 8030             | 104647         | Social Security            | 834           |
|       | 480301            | 8040             | 104647         | Workers' Compensation      | 496           |
|       | 480301            | 8063             | 104647         | Disability Insurance       | 30            |
|       | 480301            | 8070             | 104647         | Unemployment Insurance     | 383           |
| To:   | 480301            | 1600             | 104647         | Salaries – Temporary       | 26,861        |
|       | 480301            | 4311             | 104647         | Books and Supplies         | 555           |
|       | 480301            | 4319             | 104647         | Office Supplies            | 1,000         |
|       | 480301            | 4346             | 104647         | Training and Ed. Supplies  | 500           |
|       | 480301            | 4411             | 104647         | Postage and Freight        | 681           |
|       | 480301            | 4419             | 104647         | General Office Expenses    | 50            |
|       | 480301            | 4448             | 104647         | Advertising and Promotions | 300           |
|       | 480301            | 4457             | 104647         | Subcontracted Program Exp. | 4,000         |
|       | 480301            | 4461             | 104647         | Mileage and Parking        | 2,309         |
|       | 480301            | 4462             | 104647         | Travel, Hotels and Meals   | 200           |
|       | 480301            | 4463             | 104647         | Education and Training     | 306           |
|       | 480301            | 4610             | 104647         | Personal Svcs. Chargeback  | 955           |
|       | 480301            | 8060             | 104647         | Health Insurance           | 2,052         |

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Public Health, in order to maximize expenditures for the Colorectal Cancer Screening and Prostate Cancer Education Program grant as requested in BF# 003884, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds for 2002:

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|       | <u>Index code</u> | <u>Subobject</u> | <u>Project</u> | <u>Title</u>           | <u>Amount</u> |
|-------|-------------------|------------------|----------------|------------------------|---------------|
| From: | 480301            | 1500             | 104649         | Salaries – Part Time   | 7,741         |
|       | 480301            | 8040             | 104649         | Workers' Compensation  | 176           |
|       | 480301            | 8063             | 104649         | Disability Insurance   | 41            |
|       | 480301            | 8070             | 104649         | Unemployment Insurance | 155           |
| To:   | 480301            | 1600             | 104649         | Salaries – Temporary   | 6,804         |
|       | 480301            | 4461             | 104649         | Mileage and Parking    | 549           |
|       | 480301            | 4610             | 104649         | Personal Services      | 760           |
|       |                   |                  |                | Chargeback             |               |

and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Finance, in order to provide funding for appropriation shortage for Other Community College Tuition as requested in BF# 003009, 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: | 900084            | 4752             | 101000         | Contingent Account              | 30,000        |
| To:   | 900092            | 4508             | 101000         | Other Community College Tuition | 30,000        |

and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Finance, in order to provide funding to pay for Rte 17 Lighting Contracts as requested in BF# 003578, 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: | 390005            | 4736             | 101000         | Legal Charges and Fees | 73,000        |
| To:   | 440016            | 4747             | 101000         | Contracted Services    | 73,000        |

and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).**

### RESOLUTION NO. 601

By Finance, Public Works and Transportation Committees Seconded by Mr. Howard

#### RESOLUTION AMENDING THE 2002 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2002 Capital Improvement Program is hereby amended as follows:

TO:

| <u>Code</u> | <u>Project Name</u>        | <u>Total</u> | <u>Estimated Construction Cost:</u> |                      |                        | <u>County</u> |
|-------------|----------------------------|--------------|-------------------------------------|----------------------|------------------------|---------------|
|             |                            |              | <u>State</u>                        | <u>Federal/Other</u> |                        |               |
| TBA         | Airport Fence Improvements | 104,371      | 5,219                               | 93,934               |                        | 5,218         |
|             |                            |              | <u>Local Finance Law Sec. 11</u>    |                      | <u>How Financed:</u>   |               |
|             | <u>Year Start</u>          | <u>YPU</u>   | <u>Subd.</u>                        | <u>Bond</u>          | <u>Current Revenue</u> |               |
|             | 2002                       | 5            | 35                                  | 0                    | 5,218 *                |               |

Description: To purchase and install fencing material and any other material and services associated with the Airport perimeter, with the intent to strengthen the perimeter fence barrier around the airport.

\* 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-1 (Brunza), Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 602**

Finance, Public Works and Transportation Committees Seconded by Mr. Miller

**RESOLUTION AMENDING THE 2002 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 2002 Capital Improvement Program is hereby amended as follows:

TO:

| <u>Code</u> | <u>Project Name</u>                 | <u>Total</u> | <u>Estimated Construction Cost:</u> |                      |                      | <u>County</u>          |
|-------------|-------------------------------------|--------------|-------------------------------------|----------------------|----------------------|------------------------|
|             |                                     |              | <u>State</u>                        | <u>Federal/Other</u> |                      |                        |
| TBA         | Airport Access Control Improvements | 55,556       | 2,778                               | 50,000               |                      | 2,778                  |
|             |                                     |              | <u>Local Finance Law Sec. 11</u>    |                      |                      |                        |
|             |                                     |              | <u>YPU</u>                          | <u>Subd.</u>         | <u>How Financed:</u> |                        |
|             |                                     |              |                                     |                      | <u>Bond</u>          | <u>Current Revenue</u> |
|             |                                     |              | 5                                   | 35                   | 0                    | 2,778 *                |
|             |                                     |              | <u>Year Start</u>                   |                      |                      |                        |
|             |                                     |              | 2002                                |                      |                      |                        |

Description: To improve security access control to Hangar III and the West Ramp Area. This includes but is not limited to security identification access control card readers, alarm points, magnetic locks and other associated equipment. This would allow access to this area to be strictly monitored and restricted to those with valid authorization to enter.

\* 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-1 (Brunza), Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 603**

By Finance, Public Works and Education, Culture & Recreation Committees

Seconded by Mr. Hull

**RESOLUTION AMENDING THE 2002 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 2002 Capital Improvement Program is hereby amended as follows:

FROM:

| <u>Code</u> | <u>Project Name</u> | <u>Total</u> | <u>Estimated Construction Cost:</u> |                      |                      | <u>County</u>          |
|-------------|---------------------|--------------|-------------------------------------|----------------------|----------------------|------------------------|
|             |                     |              | <u>State</u>                        | <u>Federal/Other</u> |                      |                        |
| 501378      | Arena Renovations   | 340,000      | 0                                   | 0                    |                      | 340,000                |
|             |                     |              | <u>Local Finance Law Sec. 11</u>    |                      |                      |                        |
|             |                     |              | <u>YPU</u>                          | <u>Subd.</u>         | <u>How Financed:</u> |                        |
|             |                     |              |                                     |                      | <u>Bond</u>          | <u>Current Revenue</u> |
|             |                     |              |                                     |                      | 340,000*             | 340,000                |
|             |                     |              | <u>Year Start</u>                   |                      |                      |                        |
|             |                     |              | 2002                                |                      |                      |                        |



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Description: General renovations to the Arena. Including but not limited to engineering and design, locker room renovations, and sound systems upgrade.

\* Authority to bond is granted as a contingency in the event the transfer to capital herein authorized does not take place prior to the date the funds are needed for the capital project.

and be it,

FURTHER RESOLVED, that the General Fund is amended as follows:

|                         | <u>Index Code</u> | <u>Subobject</u> | <u>Project</u> | <u>Title</u>                       | <u>Amount</u> |
|-------------------------|-------------------|------------------|----------------|------------------------------------|---------------|
| Increase Revenue:       | 541003            | 0618             | 101000         | State Aid – Culture and Recreation | 340,000       |
| Increase Appropriation: | 541003            | 9004             | 101000         | Transfer to Capital                | 340,000       |

and be it

FURTHER RESOLVED, that the 2002 Capital Improvement Program is hereby amended as follows:

TO:

| <u>Code</u> | <u>Project Name</u>         | <u>Total</u> | <u>Estimated Construction Cost:</u> |                      | <u>County</u> |
|-------------|-----------------------------|--------------|-------------------------------------|----------------------|---------------|
|             |                             |              | <u>State</u>                        | <u>Federal/Other</u> |               |
| 501378      | Arena and Forum Renovations | 415,000      | 0                                   | 0                    | 415,000       |

  

| <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> |
| 2002              | 5                                | 35           | 415,000*             | 415,000                |

Description: General renovations to the Arena and Forum. Including but not limited to engineering and design, locker room renovations, sound systems upgrade and miscellaneous interior wall treatments.

\* Authority to bond is granted as a contingency in the event the transfer to capital herein authorized does not take place prior to the date the funds are needed for the capital project.

and be it,

FURTHER RESOLVED, that the General Fund is amended as follows:

|                         | <u>Index code</u> | <u>Subobject</u> | <u>Project</u> | <u>Title</u>                       | <u>Amount</u> |
|-------------------------|-------------------|------------------|----------------|------------------------------------|---------------|
| Increase Revenue:       | 541003            | 0618             | 101000         | State Aid - Culture and Recreation | 415,000       |
| Increase Appropriation: | 541003            | 9004             | 101000         | Transfer to Capital                | 415,000       |

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-1 (Hudak), Absent-2 (O'Day, Shafer).

**RESOLUTION NO. 604**

By Finance, Public Works and Public Safety & Emergency Services Committees  
 Seconded by Mr. Mather

**RESOLUTION AMENDING THE 2002 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 2002 Capital Improvement Program is hereby amended as follows:

FROM:

| <u>Code</u> | <u>Project Name</u>      | <u>Total</u> | Estimated Construction Cost: |                        | <u>County</u> |
|-------------|--------------------------|--------------|------------------------------|------------------------|---------------|
|             |                          |              | <u>State</u>                 | <u>Federal/Other</u>   |               |
| 502362      | Renovate Garage Facility | 10,000       | 0                            | 0                      | 10,000        |
|             |                          |              | How Financed:                |                        |               |
|             | <u>Year Start</u>        | <u>YPU</u>   | <u>Bond</u>                  | <u>Current Revenue</u> |               |
|             | 2002                     | 15           | 0                            | 10,000                 |               |

TO:

| <u>Code</u> | <u>Project Name</u>      | <u>Total</u> | Estimated Construction Cost: |                        | <u>County</u> |
|-------------|--------------------------|--------------|------------------------------|------------------------|---------------|
|             |                          |              | <u>State</u>                 | <u>Federal/Other</u>   |               |
| 502362      | Renovate Garage Facility | 6,250        | 0                            | 0                      | 6,250         |
|             |                          |              | How Financed:                |                        |               |
|             | <u>Year Start</u>        | <u>YPU</u>   | <u>Bond</u>                  | <u>Current Revenue</u> |               |
|             | 2002                     | 15           | 0                            | 6,250                  |               |

FROM:

| <u>Code</u> | <u>Project Name</u>           | <u>Total</u> | Estimated Construction Cost: |                        | <u>County</u> |
|-------------|-------------------------------|--------------|------------------------------|------------------------|---------------|
|             |                               |              | <u>State</u>                 | <u>Federal/Other</u>   |               |
| 501374      | Communication Van Replacement | 112,000      | 0                            | 0                      | 112,000       |
|             |                               |              | How Financed:                |                        |               |
|             | <u>Year Start</u>             | <u>YPU</u>   | <u>Bond</u>                  | <u>Current Revenue</u> |               |
|             | 2002                          | 5            | 112,000                      | 0                      |               |

TO:

| <u>Code</u> | <u>Project Name</u>           | <u>Total</u> | Estimated Construction Cost: |                        | <u>County</u> |
|-------------|-------------------------------|--------------|------------------------------|------------------------|---------------|
|             |                               |              | <u>State</u>                 | <u>Federal/Other</u>   |               |
| 501374      | Communication Van Replacement | 115,750      | 0                            | 0                      | 115,750       |
|             |                               |              | How Financed:                |                        |               |
|             | <u>Year Start</u>             | <u>YPU</u>   | <u>Bond</u>                  | <u>Current Revenue</u> |               |
|             | 2002                          | 5            | 112,000                      | 3,750                  |               |

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

**Carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer).

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**RESOLUTION NO. 605**

By Finance Committee

Seconded by Mr. Mather

**RESOLUTION AMENDING A BOND RESOLUTION DATED AUGUST 22, 2002 HERETOFORE ADOPTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF BROOME, NEW YORK, ON SUCH DATE, WITH RESPECT TO THE MAXIMUM ESTIMATED COST AND PLAN OF FINANCING THEREFORE**

WHEREAS, the bond resolution adopted by this County Legislature on August 22, 2002 (Resolution 02-378) set forth a maximum estimated cost for Arena Renovations in the amount of \$340,000, and

WHEREAS, the State has provided an additional \$75,000 in grants from the Office of Parks, Recreation and Historic Preservation to provide general operating support for the Broome County Department of Parks and Recreation, and

WHEREAS, the Commissioner of Parks and Recreation has requested authorization to utilize said increase in grant funding to provide renovations not only to the Broome County Veterans Memorial Area (Arena) and but also the Forum, and

WHEREAS, in order to fund the renovations at the Arena and Forum, it is necessary to increase the amount of the bond authorized by Bond Resolution dated August 22, 2002 (Resolution 02-378) by \$75,000, and

WHEREAS, it is the intent of this County Legislature to revise the maximum estimated cost for this resolution in light thereof, now, therefore, be it

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

Section 1. Section 1 of the Bond Resolution referenced in the preambles hereto is hereby amended, in part, so that the following description of the Project entitled "Arena Renovations" shall read as follows:

| <u>Project Name/P.P.U./LFL Section 11.00</u>  | <u>Maximum Estimated Cost</u> |
|---|-------------------------------|
| Area and Forum Renovations (5 years, Sub. 35) | \$415,000                     |

Increasing the total from \$340,000 to \$415,000

Section 2. Section 3 of said Bond Resolution is also hereby amended so that the aggregate maximum estimated cost so set forth therein is increased by \$75,000 to \$415,000 and the plan of financing set forth therein is amended to increase the amount of serial bonds to be issued by \$75,000 to \$415,000.

Section 3. This Resolution to the extent inconsistent with Resolution 378 of 2002 supercedes and amends said prior Bond Resolution.

Section 4. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 5. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a



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**RESOLUTION NO. 607**

By Finance Committee

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING THE ISSUANCE OF BUDGET NOTES OF THE COUNTY OF BROOME IN AN AMOUNT NOT TO EXCEED \$4,400,000 TO PAY THE NET COSTS OF MEDICAID AND OTHER MANDATED SOCIAL SERVICE PROGRAMS**

WHEREAS, the estimated net cost of Medicaid and other mandated social service programs 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 increased net cost of Medicaid and other mandated social service programs, it is necessary to authorize the issuance of Budget notes of the County of Broome in an amount not to exceed \$4,400,000, now, therefore, be it

RESOLVED, by this County Legislature of Broome County New York, that pursuant to Section 29.00 par. a, sub. 2 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 \$4,400,000 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 increased net costs of Medicaid and other mandated social service programs for which there is no appropriation in the 2002 budget, 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, and be it

FURTHER RESOLVED, that this county legislature hereby authorizes and directs the Director of Real Property Tax Service and the Commissioner of Finance to state as a separate line item or items on 2003 Broome County Real Property Tax Bills the amount of the tax levy appropriated to pay the principal and interest of the budget note herein authorized. Said line item or items to be titled "Budget Note – 2002 Medicaid and other Mandated Social Service Programs".

**Carried**, Ayes-16, Nays-1 (Brunza), Absent-2 (O'Day, Shafer).

Mr. Howard made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried**, Ayes-17, Nays-0, Absent-2 (O'Day, Shafer). The meeting was adjourned at 5:55 p.m.



