
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, DECEMBER 15, 2005**

The Legislature convened at 5:04 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-17, Absent-2 (Hull, Mather).

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 Nannery.

Mr. Miller made a motion, seconded by Mr. Whalen, that the minutes of the November 17, 2005 Regular Session and November 28, 2005 Special Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Mather).

Mr. Schofield noted that the committee minutes for the period November 17, 2005 through December 14, 2005 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Marinich, seconded by Mr. Schafer. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Mather).

ANNOUNCEMENTS FROM THE CHAIR

The Chair introduced Mr. Sanfilippo, Legislator, District 4. Mr. Sanfilippo, on behalf of the Broome County Legislature, presented a Proclamation to Edward Owen Sweeney, commending him for his achievement of the highest rank awarded by the Boy Scouts of America, that of Eagle Scout.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Barbara J. Fiala
 - 1. Appointments to Broome County Family Violence Prevention Council

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 - 1. Broome County Tentative 2006 Budget Public Hearing Minutes 10/20/05
 - 2. Broome County Industrial Development Agency Meeting Minutes 10/14/05
 - 3. EMC Recycling & Waste Management Committee Minutes 9/19/05
 - 4. Environmental Management Council Meeting Minutes 11/3/05
 - 5. Broome County Fire Advisory Board Meeting Minutes 9/29/05
 - 6. Broome County Association of Municipal Clerks Meeting Minutes 11/17/05
 - 7. Broome County Soil and Water Conservation District Meeting Minutes 11/8/05
 - 8. Memo from County Attorney Regarding Arena and En-Joie Golf Course
 - 9. State of New York Agriculture and Markets Request for Proposals for Farmland Protection Implementation Projects
 - 10. Memo from the Clerk of the Legislature to Broome County Town Clerks Regarding Agricultural Districts Annual 30-Day Review Period
 - 11. Announcement of Bidder's Workshops for RFP Regarding Farmland Protection Implementation Grants Program
 - 12. Memo Regarding Environmental Management Council Volunteer Recruitment
 - 13. Assemblyman Gary Finch-Receipt of "Resolution Opposing Further 'Racinos' Unless Operated by the Catskill Off-Track Betting Corporation" and "Resolution Urging the Amendment of the Real Property Tax Law to Provide Volunteer Firemen

-
- with a Partial Exemption From Real Property Tax” and a Copy of Related Bills in the Assembly
14. Communication to the County Executive Regarding “Changes” Made to the Proposed 2006 Broome County Budget, Summary Sheets, Special Session Minutes and Related Budget Resolutions
 15. Office of Risk and Insurance-Executive Order 05-2 Regarding Safety Glasses
- C. Notices:
1. 30-Day Period for Inclusion of Agricultural Parcels in a Certified Agricultural District
 2. Special Session 11/28/05
 3. Special Personnel and Public Works Committee Meeting 12/15/05
- D. Reports:
1. Town of Sanford 2006 Budget
 2. Town of Windsor 2006 Budget
 3. Town of Lisle 2006 Budget
 4. Town of Nanticoke 2006 Budget
 5. Town of Fenton 2006 Budget
 6. Town of Chenango 2006 Budget
 7. Town of Binghamton 2006 Budget
 8. Town of Triangle 2006 Budget
 9. Town of Vestal 2006 Budget
 10. Town of Colesville 2006 Budget
 11. Town of Conklin 2006 Budget
 12. Office for Aging Plan for Services 2006-2008
 13. Audit and Control Bank Transfer Testing 1/05-6/05
 14. Broome Community College 2004-2005 Annual Report
 15. Broome Community College 2005-2006 Adopted Budget
 16. Town of Kirkwood 2006 Water and Sewer District Budget

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel A. Schofield:
1. Designation for Mr. Sanfilippo 12/7/05
 2. Designation for Mr. Sanfilippo 12/7/05
 3. Designation for Mr. Hull 12/7/05

Mr. Kuzel made a motion, seconded by Mr. Brunza, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2005 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Mather).

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

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 608

(Held over by Mr. Kuzel)

By Transportation and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING SUPPLEMENT NO. 5 TO THE MASS TRANSPORTATION CAPITAL PROJECT AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR A TRANSIT PROJECT FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION

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

RESOLUTION NO. 630

(Held over by Mr. Kuzel)

By Human Services, County Administration and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING AGREEMENT WITH TECHNOLOGY SOLUTIONS FOR SOFTWARE MAINTENANCE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006

Ms. Nannery made a motion, seconded by Mr. Kuzel, to amend the not to exceed amount in the first WHEREAS and first FURTHER RESOLVED paragraphs to \$22,865.58. **Amendment carried**, Ayes-17, Nays-0, Absent-2 (Hull, Mather). **Resolution as amended carried**, Ayes-17, Nays-0, Absent-2 (Hull, Mather).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 654

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 2006

WHEREAS, this County Legislature, by Resolution 513 of 2004, authorized renewal of the agreement with Cornell Cooperative Extension of Broome County for recycling operations education for the Division of Solid Waste Management at an amount not to exceed \$53,126, for the period January 1, 2005 through December 31, 2005, 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, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$54,592, for the period January 1, 2006 through December 31, 2006, 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, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$54,592 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 Program Expenses), and be it

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

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

RESOLUTION NO. 655

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Brunza
RESOLUTION AUTHORIZING RENEWAL OF A LEASE AGREEMENT WITH ISI ASSOCIATES FOR SPACE FOR THE PUBLIC DEFENDER FOR 2006-2008

WHEREAS, this County Legislature, by Resolution 749 of 2000, authorized the renewal of a lease agreement with ISI Associates for the lease of 13,100 square feet of office space in the Kelly Building at the corner of State and Lewis Street in the City of Binghamton for use by the Broome County Public Defender, for the period January 1, 2001 through December 31, 2005, at the following amounts:

\$117,856.19 for calendar year 2001 at the rate of \$ 9,821.34 per month
\$122,570.43 for calendar year 2002 at the rate of \$10,214.20 per month
\$127,473.24 for calendar year 2003 at the rate of \$10,622.77 per month
\$132,527.16 for calendar year 2004 at the rate of \$11,043.93 per month
\$137,830.04 for calendar year 2005 at the rate of \$11,485.83 per month,

and

WHEREAS, said lease agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said lease agreement on substantially similar terms and conditions, at a rate of \$10.50 per square foot for 13,100 square feet of space, for an amount not to exceed \$137,550 per year (\$11,462 per month), for the period January 1, 2006 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the lease agreement with ISI Associates, 84 Court Street, Suite 600, Binghamton, New York 13901 for the lease of 13,100 square feet of office space for the Office of the Public Defender for the period January 1, 2006 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the following rate:

- \$10.50 per square foot for 13,100 square feet of space, for an amount not to exceed \$137,550 per year (\$11,462 per month), for the period January 1, 2006 through December 31, 2008, and

total amount not to exceed \$412,650 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 530006.4422.101000 (Building and Land Rental), and be it

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

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

RESOLUTION NO. 656

By County Administration Committee

Seconded by Mr. Brunza

RESOLUTION ADOPTING THE SCHEDULE OF LEGISLATIVE SESSIONS FOR 2006

RESOLVED, that, in accordance with Rule III of the Rules of Order, this County Legislature hereby adopts the following schedule of Legislative sessions for calendar year 2006:

SESSION SCHEDULE FOR 2006

<u>Day</u>	<u>Date</u>	<u>Meeting Type</u>	<u>Meeting Time</u>
Thursday	January 19	Regular	5:00 pm
Thursday	February 16	Regular	5:00 pm
Wednesday	March 1	Special	5:00 pm
	(County Executive's State of the County Address)		
Thursday	March 23	Regular	5:00 pm
Thursday	April 20	Regular	5:00 pm
Thursday	May 18	Regular	5:00 pm
Wednesday	June 21	Regular	3:30 pm
Wednesday	July 19	Regular	3:30 pm
Wednesday	August 16	Regular	3:30 pm
Wednesday	September 20	Regular	3:30 pm
Monday	October 2	Special	5:00 pm
	(County Executive Presents 2007 County Budget)		

WHEREAS, it would be fair if New York State OTB and such "out-of-state/off-shore" betting operators were similarly burdened with financial support for the New York Racing Association, now, therefore, be it

RESOLVED, that this County Legislature urges the Governor of New York to propose legislation and/or issue determinations that would permit the New York State Off-Track Betting Corporations to pay no more to the New York Racing Association than the most favorable payments similar to those payments charged to and paid by such certain out-of-state and off-shore betting operators, and be it

FURTHER RESOLVED, that the Off-Track Betting Corporations be authorized and empowered to offer such specially funded rebates for customer betting plateaus that will help encourage such betting at the exclusively authorized Off-Track Betting Corporations of New York State, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to send a copy of this Resolution to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, Senator Thomas W. Libous, Assemblywoman Donna A. Lupardo, Assemblyman Clifford Crouch, Assemblyman Gary Finch, the New York State Association of Counties and the President of the Catskill Off-Track Betting Corporation.

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

RESOLUTION NO. 659

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PARK AVENUE ASSOCIATES IN RADIOLOGY, P.C. FOR RADIOLOGY SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2006-2008

WHEREAS, the Board of Acquisition and Contract, on November 4, 2004, authorized renewal of the agreement with Park Avenue Associates in Radiology for radiology services for the Department of Health at an amount not to exceed \$2,500, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement is necessary for radiological diagnostic services for chest x-rays for Chest Clinic patients who test positive for latent and active TB disease, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the current Medicaid rate, total amount not to exceed \$2,500 per year, total amount not to exceed \$7,500 for the period January 1, 2006 through December 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Park Avenue Associates in Radiology, 32-36 Harrison Street, Johnson City, New York 13790 for radiology services for the Department of Health for the period January 1, 2006 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the current Medicaid rate, total amount not to exceed \$2,500 per year, total 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 480228.4434.101066 and 480228.4434.101056 (Medical, Hospital and Lab Expenses), and be it

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

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

RESOLUTION NO. 660

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CHENANGO ANIMAL HOSPITAL FOR RABIES SPECIMEN SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2006

WHEREAS, this County Legislature, by Resolution 646 of 2004, authorized renewal of agreement with Chenango Animal Hospital for rabies specimen services for the Department of Health, at an amount not to exceed \$4,000, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary for animal preparation in support of the Broome County Health Department Rabies Program, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$4,000, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Chenango Animal Hospital, 1445 Front Street, Binghamton, New York 13901 for animal specimen services for the Department of Health for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480137.4703.101275, (Laboratory Services), and be it

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

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

RESOLUTION NO. 661

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE JUVENILE JUSTICE PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 580 of 2004, authorized and approved the continued participation in the Juvenile Justice Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$106,250 and authorized renewal of agreement with Our Lady of Lourdes Hospital to administer said program for the period January 1, 2005 through December 31, 2005, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$106,250, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$106,250 from the New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144-2796 for the Department of Mental Health's Juvenile Justice Program Grant for the period January 1, 2006 through December 31, 2006, 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 \$106,250, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905, to administer said program, for the Department of Mental Health for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$106,250 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.4457.105XXX (Subcontracted Program Expense), and be it

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

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

RESOLUTION NO. 662

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Brunza
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THOMSON WEST FOR ON-LINE LEGAL RESEARCH SERVICES FOR THE OFFICE OF THE DISTRICT ATTORNEY FOR 2006

WHEREAS, this County Legislature, by Resolution 603 of 2004, authorized renewal of the agreement with Thomson West for on-line legal research services for the Office of the District Attorney at an amount not to exceed \$9,675.72, for the period January 1, 2005 through December 31, 2005, 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, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$9,792, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Thomson West, 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, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,792 for the term of the agreement, and be it

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

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

RESOLUTION NO. 663

By County Administration and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GEAC ENTERPRISE SOLUTIONS, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2006

WHEREAS, this County Legislature, by Resolution 556 of 2004, authorized renewal of the agreement with Geac Enterprise Solutions, Inc. for software maintenance for the Division of Information Technology at an amount not to exceed \$52,512, for the period January 1, 2005 through December 31, 2005, and

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

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$56,713, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Geac Enterprise Solutions, Inc., 66 Perimeter Center East, Atlanta, Georgia 30346-1805 for Broome County's MSA Payroll/Personnel software maintenance for the Division of Information Technology for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$56,713 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 her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

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

RESOLUTION NO. 664

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH EXCELLUS HEALTH PLAN, INC. FOR ADMINISTRATIVE SERVICES FOR THE OFFICE OF RISK AND INSURANCE MANAGEMENT FOR 2006

WHEREAS, this County Legislature, by Resolution 605 of 2004, authorized renewal of 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 \$31.46 per month, per employee, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide administrative services for employees enrolled in HMO type self-insured plans, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$33.66 per month, per employee, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Excellus Health Plan, Inc., d/b/a Blue Cross Blue Shield of Central New York, 2 Court Street, 3rd Floor, Binghamton, New York 13901 for administrative services of HMO type self-insured plans for the Office of Risk and Insurance Management for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$33.66 per month, per employee 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 her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

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

RESOLUTION NO. 665

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

Seconded by Mr. Schafer

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 6, 2005, ENTITLED: "A LOCAL LAW ADOPTING ARTICLE XII OF CHAPTER 125 OF THE BROOME COUNTY CODE PROVIDING FOR THE ESTABLISHMENT AND COLLECTION OF FEES BY THE BROOME COUNTY PROBATION DEPARTMENT."

WHEREAS, the laws of the State of New York have been amended to permit the collection of a fee by the local Probation Department for supervision of probationers sentenced to a period of probation upon the conviction of a crime under Article 31 of the Vehicle and Traffic Law, and

WHEREAS, the laws of the State of New York have been amended to permit the local Probation Department to collect a fee whenever such department is ordered to conduct an investigation pursuant to Section 653 of the Family Court Act, and

WHEREAS, the establishment and collection of such fee by the Broome County Probation Department may occur only upon passage of a local law authorizing said fees, now, therefore, be

RESOLVED, that Local Law Intro. No. 6, 2005, entitled: "A Local Law Adopting Article XII of Chapter 125 of the Broome County Code Providing for the Establishment and Collection of Fees by the Broome County Probation Department," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 6, 2005

A Local Law Adopting Article XII of Chapter 125 Providing for the Establishment and Collection of Fees by the Broome County Probation Department

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

Section 1. Chapter 125, Article XII shall be and hereby is added to read as follows:

§125-38. Probation Administration Fee

- A. Every person sentenced to a period of probation for any crime under Article 31 of the Vehicle and Traffic Law and who is subject to supervision by the Broome County Probation Department shall pay to the Broome County Probation Department an administrative fee not to exceed \$30 per month during the period of supervision.
- B. Broome County Probation shall waive such fee in whole or in part as permitted under Section 257-C of the Executive Law when such fees would cause unreasonable hardship on the person convicted, his or her immediate family or any other person who is dependent on such person for financial support.
- C. The administrative fee authorized by this section shall not constitute nor be imposed as a condition of probation.

-
- D. In the event of non-payment of any fees which have not been waived by the Broome County Probation Department, the provisions of Subdivision 6 of §420.10 of the Criminal Procedure Law shall govern for purposes of collection of such fees, and in addition thereto the County may seek to enforce payment and in any other manner permitted by law for enforcement of a debt.

§125-39. Fee Usage

- A. All fees imposed pursuant to this Section shall be paid directly to the Broome County Probation Department to be retained and utilized specifically to augment STOP-DWI probation services in relation to Article 31. The same shall not be considered by the New York State Division of Probation when determining State aid reimbursement pursuant to §246 of the Executive Law.

§125-40. Amendment of Fees

- A. When authorized by State Law, the Broome County Legislature may amend the amount of the fees established herein by Resolution.

§125-41. Accounting of Fees

- A. The Broome County Probation Department shall collect and maintain data regarding the number of fees imposed, the number of fees satisfied, and the total amount of the fees collected.
- B. The Broome County Probation Department shall create a DWI Probation Fee restricted account in order to account for revenues.
- C. The Broome County Probation Department shall utilize these revenues to enhance STOP-DWI probation services in relation to Article 31 of the New York State Vehicle & Traffic Law.

§125-42. Severability

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

Section 2. This Local Law shall become effective January 1, 2006.

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

RESOLUTION NO. 666

By Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING REVISION OF THE HOME ENERGY ASSISTANCE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 477 of 2005, authorized and approved renewal of the Home Energy Assistance Program Grant for the Department of Social Services and adopted a program budget in the total amount of \$182,610 for the period October 1, 2005 through September 30, 2006, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$131,687 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Home Energy Assistance Program Grant to reflect an increase of \$131,687 for the period October 1, 2005 through September 30, 2006, 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 \$314,297, and be it

FURTHER RESOLVED, that Resolution 477 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 667

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY, INC. FOR DRUG TESTING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006

WHEREAS, this County Legislature, by Resolution 575 of 2004, as amended by Resolution 629 of 2005, authorized renewal of agreement with The Addiction Center of Broome County, Inc. for drug testing services for the Department of Social Services at a cost of \$5 per test, total amount not to exceed \$12,500 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to perform specific drug testing that includes monitored urine screen testing performed at the request of the Department of social Services Child Protective Services, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a cost of \$5 per test, total amount not to exceed \$13,500, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Addiction Center of Broome County, Inc., 30 West State Street, Binghamton, New York 13901, for specific drug testing services for the Department of Social Services for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount of \$5 per test, total amount not to exceed \$13,500, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670059.4701.103000 (Medical and Physical Exams), and be it

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

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

RESOLUTION NO. 668

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CRIME VICTIMS ASSISTANCE CENTER, INC. FOR SUPPORT SERVICES FOR VICTIMS OF CHILD ABUSE AND CHILD SEXUAL ABUSE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006

WHEREAS, this County Legislature, by Resolution 557 of 2004, authorized renewal of the agreement with Crime Victims Assistance Center, Inc. for support services for victims of child abuse and child sexual abuse at a cost not to exceed \$14,664, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, the Child Advocacy Center provides a neutral setting and support for victims of abuse in which to collaboratively conduct investigations and provide services, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$15,104, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Crime Victims Assistance Center, Inc., 377 Robinson Street, Binghamton, New York 13904 for support services for victims of child abuse and child sexual abuse for the Department of Social Services for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,104 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

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

RESOLUTION NO. 669

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC CHARITIES FOR SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES COORDINATED CHILDREN'S SERVICES INITIATIVE PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 558 of 2004, authorized renewal of the agreement with Catholic Charities for services for the Coordinated Children's Services Initiative Program at a cost not to exceed \$103,511, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement provides services to children and families to reduce the need for residential placement, including the provision for respite services, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$106,616 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905 for services to children and families to reduce the need for residential placement and to provide respite services for the Department of Social Services for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$106,616 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

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

RESOLUTION NO. 670

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY, INC. FOR COUNSELING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES' FUNCTIONAL FAMILY THERAPY PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 559 of 2004, authorized renewal of the agreement with Catholic Social Services of Broome County, Inc. for intensive counseling services in connection with the Department of Social Services' Functional Family Therapy Program at a cost not to exceed \$320,198 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide short and long term counseling to PINS youth and families at risk of court involvement and placement, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$329,804, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Catholic Charities of Broome County, Inc., 232 Main Street, Binghamton, New York 13905 for counseling services in connection with the Department of Social Services' Functional Family Therapy Program for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$329,804 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

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

RESOLUTION NO. 671

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CHILDREN'S HOME OF WYOMING CONFERENCE FOR COUNSELING SERVICES FOR THE THERAPEUTIC AFTER-SCHOOL PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006

WHEREAS, this County Legislature, by Resolution 563 of 2004, authorized renewal of an agreement with The Children's Home of Wyoming Conference for counseling services for the Department of Social Services' Therapeutic After-School Program at a cost not to exceed \$544,397, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement is necessary to provide intensive services to enable youth at risk to remain at home and enhance family functioning, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$560,729 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901-1696 for intensive counseling services for the Department of Social Services' Therapeutic After-School Program for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$560,729 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

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

RESOLUTION NO. 672

By Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES' SEXUAL ABUSE PROJECT FOR 2006

WHEREAS, this County Legislature, by Resolution 560 of 2004, authorized renewal of the agreement with Family and Children's Society of Broome County, Inc. for counseling services for the Department of Social Services' Sexual Abuse Project at an amount not to exceed \$480,006, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement provides assessment, treatment and counseling services to sexually abused children and their families and treatment of juvenile and adult sex offenders, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$494,406, for the period January 1, 2006 through December 31, 2006, 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 counseling services for the Department of Social Services' Sexual Abuse Project for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$494,406 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

FURTHER RESOLVED, that the County Executive or her 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.

Ms. Nannery made a motion to table the resolution to the January Legislative Session, seconded by Mr. Shafer. **Motion to table to the January Legislative session carried**, Ayes-17, Nays-0, Absent-2 (Hull, Mather).

RESOLUTION NO. 673

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SOS SHELTER, INC. FOR NON-RESIDENTIAL SERVICES TO VICTIMS OF DOMESTIC VIOLENCE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006

WHEREAS, this County Legislature, by Resolution 577 of 2004, authorized renewal of an agreement with SOS Shelter, Inc. for non-residential services to victims of domestic violence at a cost not to exceed \$81,033 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services include a 24-hour hotline, information and referral, advocacy, counseling, education and outreach, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a cost not to exceed \$83,464, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with SOS Shelter, Inc., P.O. Box 393, Endicott, New York 13761 to provide non-residential services to victims of domestic violence for the Department of Social Services for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$83,464 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

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

RESOLUTION NO. 674

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR LABORATORY SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2005

WHEREAS, this County Legislature, by Resolution 606 of 2004, authorized the renewal of an agreement with Our Lady of Lourdes Memorial Hospital for laboratory services for the Department of Health at a cost not to exceed \$40,000, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide laboratory technologist consulting services and laboratory tests for patients of the Sexually Transmitted Disease Clinic, Employee Health Clinic and TB Chest Clinic, and

WHEREAS, it is necessary to authorize the amendment to said agreement to increase the cost by \$10,000 due to the increased number of lab tests as well as increased cost of each test, and

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 the amendment to the agreement with Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905 to increase the amount \$10,000 for laboratory services for the Department of Health for the period January 1, 2005 through December 31, 2005 and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$10,000, total 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 480228.4703.101055/101056/101066 (Lab Services), and be it

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

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

RESOLUTION NO. 675

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Brunza
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CITY OF BINGHAMTON FOR BROOME COUNTY SECURITY TO PROVIDE SECURITY SERVICES AT BINGHAMTON CITY HALL FOR 2006

WHEREAS, the Board of Acquisition and Contract, on June 22, 2005, authorized an agreement with the City of Binghamton for Broome County Security to provide security services at Binghamton City Hall with revenue to the County at an amount not to exceed \$3,200, for the period August 15, 2005 through December 31, 2005, and

WHEREAS, said agreement is necessary to staff the Security Station at Binghamton City Hall for non-court related after hours events and meetings, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County at the rate of \$27.95 per hour, total amount not to exceed \$6,272, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the City of Binghamton, 38 Hawley Street, Binghamton, New York 13901 for Broome County Security to provide security services at Binghamton City Hall for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the City of Binghamton shall pay the County at the rate of \$27.95 per hour, total amount not to exceed \$6,272 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 030080.0220.101000 (Unclassified Revenues), and be it

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

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

RESOLUTION NO. 676

By Public Works and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH C&S ENGINEERS, INC. FOR PROFESSIONAL ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES AT THE COLESVILLE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 499 of 2004, authorized an agreement with C&S Engineers, Inc. for professional engineering and construction management services at the Colesville Landfill for the Division of Solid Waste Management at a cost not to exceed \$169,256 for the period November 1, 2004 through October 31, 2005, and

WHEREAS, said services are necessary to provide design and construction management services associated with the necessary repairs to the closure cap at the Colesville Landfill, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term of the agreement to June 30, 2006 at no additional cost, to allow for use of C&S during construction next spring and summer, 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 C&S Engineers, Inc., 499 Colonel Eileen Collins Boulevard, Syracuse, New York 13212 to extend the term of the agreement at no additional cost for the period of November 1, 2004 through June 30, 2006, and be it

FURTHER RESOLVED, that Resolution 499 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 677

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT OF RESOLUTION 566 OF 2005 AUTHORIZING THE SALE OF COUNTY PROPERTIES FROM THE 2005 TAX SALE AUCTION

WHEREAS, this County Legislature, by Resolution 566 of 2005, authorized the conveyance of certain real property to the successful bidders in the 2005 Broome County tax sale as indicated in Exhibit "A", and

WHEREAS, it is necessary to amend Exhibit "A" of said resolution to reflect the correct purchase price of \$2,000 for Tax Map No. 189.19-1-9, now, therefore, be it

RESOLVED, that Resolution 566 of 2005 Exhibit "A" Tax Map No. 189.19-1-9 should be corrected as follows:

Serial:	003-1305
Town:	Vestal
Tax Map No.:	189.19-1-9
Address:	228 Grippen Hill Road
Lot Size:	100x218
Cls:	311
Bid Amount:	\$2,000
Successful Bidder:	Miriam M. Abdu-Rashid 17 Frederick Street, Apt. #3 Binghamton, NY 13901

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

RESOLUTION NO. 678

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION APPROVING SALE OF COUNTY PROPERTY TO FORMER OWNER

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

WHEREAS, the Director of Real Property Tax Service advises that the former owners of a certain property have requested to have the property sold back to them, and the Director and the sponsoring committee recommends that such request be granted, now, therefore, be it

RESOLVED, that the sale back to the former owner of the parcel listed below for the amount as stated is hereby approved by this County Legislature based on the unusual circumstances, as determined by the sponsoring committee:

Serial:	003-478
Town:	Fenton
Address:	681 Stratmill Road
Tax ID:	130.00-1-12
Lot Size:	6.40 acres
Cls:	314
Sellback Amount	\$3,593.99 plus accrued interest and penalties
Purchaser:	Bruce S./Connie L. Strong 685 Stratmill Road Binghamton, NY 13904

and be it

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

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

RESOLUTION NO. 679

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH RMSCO INC. FOR WORKERS COMPENSATION THIRD PARTY ADMINISTRATION SERVICES FOR THE OFFICE OF RISK AND INSURANCE FOR 2006-2009

WHEREAS, this County Legislature, by Resolution 704 of 2000, authorized an agreement with RMSCO, Inc. for Workers' Compensation Third Party Administration Services for the Office of Risk and Insurance at a cost not to exceed \$100,000 per year, total amount not to exceed \$500,000 for the period January 1, 2001 through December 31, 2005, and

WHEREAS, said services are necessary for comprehensive claims handling, cost containment efforts, appropriate reporting for members of the program and actuarial and rehabilitation services in connection with Broome County's Workers' Compensation Program, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$100,000 per year, total amount not to exceed \$300,000, for the period January 1, 2006 through December 31, 2009 with two (2) 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 RMSCO, Inc., 115 Continuum Drive, Liverpool, New York 13088 for Workers' Compensation Third Party Administration Services for the Office of Risk and Insurance for the period January 1, 2006 through December 31, 2008 with two (2) 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 \$100,000 per year, total amount not to exceed \$300,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050070.4742.253000 (Claims Administration), and be it

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

RESOLUTION NO. 680

By Economic Development & Planning, Personnel and Finance Committees
Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 358 OF 2005 AUTHORIZING ACCEPTANCE OF FUNDS FROM THE OFFICE OF EMPLOYMENT AND TRAINING TO SUPPORT THE POSITION OF EXECUTIVE DIRECTOR OF THE WORKFORCE INVESTMENT BOARD IN THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 358 of 2005, authorized the acceptance of funds in the amount of \$45,000 from the Office of Employment and Training to support the position of Executive Director of the Workforce Investment Board in the Department of Planning and Economic Development for the period June 1, 2005 through December 31, 2005, and

WHEREAS, said funding will be used to support the expenses for the Executive Director of the Workforce Investment Board, and

WHEREAS, it is necessary to authorize an amendment to Resolution 358 of 2005 to change the period to June 1, 2005 through March 31, 2006, and

WHEREAS, the Commissioner of Planning and Economic Development 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 Resolution 358 of 2005 to change the period to June 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that Resolution 358 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 681

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE ELDER ABUSE OUTREACH PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006

WHEREAS, this County Legislature, by Resolution 627 of 2004, authorized and approved continued participation in the Elder Abuse Outreach Program Grant for the Office for Aging and adopted a program budget in the amount of \$126,074 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides services to elders with mental or physical impairments and to protect them from physical, sexual or emotional abuse, neglect or exploitation, and

WHEREAS, it is desired to renew said program grant in the amount of \$129,759 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$80,813 from the Broome County Department of Social Services, for the Office for Aging's Elder Abuse Outreach Program Grant for the period January 1, 2006 through December 31, 2006, 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 \$129,759, and be it

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

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

RESOLUTION NO. 682

By Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF TITLE III-E FAMILY CAREGIVER PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006

WHEREAS, this County Legislature, by Resolution 626 of 2004, as amended by Resolution 536 of 2005, authorized and approved continued participation in the Title III-E Family Caregiver Program Grant for the Office for Aging and adopted a program budget in the amount of \$189,453 for the period January 1, 2005 through December 31, 2005, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$147,324 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$131,004 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Title III-E Family Caregiver Program Grant for the period January 1, 2006, through December 31, 2006, 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 \$147,324, and be it

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

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

RESOLUTION NO. 683

By Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE TITLE IIIC-2 HOME DELIVERED MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006

WHEREAS, this County Legislature, by Resolution 623 of 2004, as amended by Resolution 615 of 2005, authorized and approved continued participation in the Title IIIC-2 Home Delivered Meals Program Grant for the Office for Aging and adopted a program budget in the amount of \$642,305 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides home delivered meals to eligible individuals age 60 and over in accordance with standards established by the Older Americans Act and the New York State Office for Aging, and

WHEREAS, it is desired to renew said program grant in the amount of \$643,894 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$109,290 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Title IIIC-2 Home Delivered Meals Program Grant for the period January 1, 2006 through December 31, 2006, 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 \$643,894, and be it

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

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

RESOLUTION NO. 684

By Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE TITLE IIIC-1 CONGREGATE MEALS PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006

WHEREAS, this County Legislature, by Resolution 622 of 2004, as amended by Resolution 614 of 2005, authorized and approved continued participation in the Title IIIC-1 Congregate Meals Program Grant for the Office for Aging and adopted a program budget in the amount of \$913,428 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides senior center operations, including meals, health and educational programs and access to benefits and operates in accordance with the standards established by the Older Americans Act and the New York State Office for Aging, and

WHEREAS, it is desired to renew said program grant in the amount of \$967,880 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$325,681 from the New York State Office for Aging, Empire State Agency Building 2, Albany,

New York 12223-0001, for the Office for Aging's Title IIIC-1 Congregate Meals Program Grant for the period January 1, 2006 through December 31, 2006, 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 \$967,880, and be it

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

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

RESOLUTION NO. 685

By Human Services, Personnel, County Administration and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF TITLE III-B SUPPORTIVE SERVICES GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006

WHEREAS, this County Legislature, by Resolution 621 of 2004, as amended by Resolution 427 of 2005, authorized and approved continued participation in the Title III-B Supportive Services Program Grant for the Office for Aging and adopted a program budget in the amount of \$668,596, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides a variety of services, including transportation, information and assistance, legal assistance, shopping services and caregiver services, and

WHEREAS, it is desired to renew said program grant in the amount of \$681,003 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$255,947 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York, 12223-0001 for the Office for Aging's Title III-B Supportive Services Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts a program budget annexed hereto as Exhibit "A" in the total amount of \$681,003, and be it

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

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

RESOLUTION NO. 686

By Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF MENTAL HEALTH OUTREACH PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006

WHEREAS, this County Legislature, by Resolution 542 of 2004, authorized and approved continued participation in the Mental Health Outreach Program Grant for the Office for Aging and adopted a program budget in the amount of \$45,351 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant 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 program grant in the amount of \$46,843 for the period January 1, 2006 through December 31, 2006, 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, 2006 through December 31, 2006, 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 \$46,843, and be it

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

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

RESOLUTION NO. 687

By Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE ROBERT WOOD JOHNSON FOUNDATION PROGRAM GRANT FOR THE OFFICE FOR AGING FUTURES II PROJECT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 30 of 2005, as amended by Resolution 539 of 2005, authorized and approved continued participation in the Robert Wood Johnson Program Grant for the Office for Aging's Future II Project and adopted a program budget in the amount of \$311,926 for the period February 1, 2005 through January 31, 2006, and

WHEREAS, said program grant provides data for a comprehensive community needs assessment for the elderly, and

WHEREAS, it is desired to renew said program grant in the amount of \$188,312 for the period February 1, 2006 through January 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$175,000 from the Robert Wood Johnson Foundation, P.O. Box 2316, Princeton, New Jersey 18543-2316, for the Office for Aging's Futures II Project for the period February 1, 2006 through January 31, 2007, 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 \$188,312, and be it

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

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

RESOLUTION NO. 688

By Human Services, County Administration and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SYNERGY SOFTWARE TECHNOLOGY, INC. FOR SOFTWARE LICENSE, MAINTENANCE AND TRAINING FOR THE OFFICE FOR AGING AND COMMUNITY ALTERNATIVE SYSTEMS AGENCY FOR 2006

WHEREAS, this County Legislature, by Resolution 420 of 2003, authorized an agreement with Synergy Software Technology, Inc. for software license, maintenance, data conversion and training for the Division of Information Technology at an amount not to exceed \$62,947, for the period November 1, 2003 through December 31, 2005, and

WHEREAS, said agreement is necessary to provide license renewal, maintenance and training for the Office for Aging and Community Alternative Systems Agency, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$23,890, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Synergy Software Technology, Inc. 159 Pearl Street, Essex Junction, Vermont 05452 for software license, maintenance and training for the Office for Aging and Community Alternative Systems Agency for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,890 for the term of the agreement, and be it

FURTHER RESOLVED, that an amount not to exceed \$10,390 shall be made from budget line 680033.4359.101000 (Computer Software and Supplies), and an amount not to exceed \$13,500 shall be made from budget lines 761122.4359.105017, 761148.4359.105079 and 761155.4359.105077 (Computer Software and Supplies), and be it

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

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

RESOLUTION NO. 689

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006

WHEREAS, this County Legislature, by Resolution 628 of 2004, as amended by Resolution 194 of 2005, authorized and approved continued participation in the Foster Grandparents Program Grant for the Office for Aging and adopted a program budget in the amount of \$290,872 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant is an intergenerational program that matches low-income elderly with special needs children to share experiences and offer support, and

WHEREAS, it is desired to renew said program grant in the amount of \$290,992 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$264,005 from the Corporation for National Service, 801 Arch Street, Suite 103, Philadelphia, Pennsylvania 19107-2416, for the Office for Aging's Foster Grandparents Program Grant for the period January 1, 2006 through December 31, 2006, 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 \$290,992, and be it

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

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

RESOLUTION NO. 690

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH UNITED HEALTH SERVICES FOR SERVICES FOR THE OFFICE FOR AGING'S AGING FUTURES II PROJECT FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 334 of 2005, authorized an agreement with United Health Services for services for the Office for Aging's Aging Futures II Project at a cost not to exceed \$10,200 for the period August 1, 2005 through January 31, 2006, and

WHEREAS, said agreement is necessary to develop a program to identify and support caregivers of older persons who were recently discharged from a hospital, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term through July 31, 2006, at no additional cost to the County, 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 the agreement with United Health Services, 35-57 Harrison Street, Johnson City, New York 13790, to extend the term through July 31, 2006, for a new period of October 1, 2005 through July 31, 2006, at no additional cost to the County, for the Office for Aging's Aging Futures II Project, and be it

FURTHER RESOLVED, that Resolution 334 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 691

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH LOURDES HOSPITAL FOR SERVICES FOR THE OFFICE FOR AGING'S AGING FUTURES II PROJECT FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 429 of 2005, authorized an agreement with Lourdes Hospital for services for the Office for Aging's Aging Futures II Project at a cost not to exceed \$10,000 for the period October 1, 2005 through January 31, 2006, and

WHEREAS, said agreement is necessary to develop a program to identify and support caregivers of older persons who were recently discharged from a hospital, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term through July 31, 2006, at no additional cost to the County, 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 the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905, to extend the term through July 31, 2006, for a new period of October 1, 2005 through July 31, 2006, at no additional cost to the County, for the Office for Aging's Aging Futures II Project, and be it

FURTHER RESOLVED, that Resolution 429 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 692

By Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF MEDICAID MANAGED CARE PROGRAM (MAX) GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006

WHEREAS, this County Legislature, by Resolution 156 of 2005, authorized and approved continued participation in the Medicaid Managed Care Program (MAX) Grant for the Department of Social Services and adopted a program budget in the amount of \$135,000 for the period April 1, 2005 through March 31, 2006, and

WHEREAS, the Medicaid Managed Care Program is a voluntary managed care program that provides access to primary care services for approximately 6,200 Medicaid recipients, and

WHEREAS, it is desired to renew said program grant in the amount of \$135,000 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$135,000 in State and Federal Aid, for the Department of Social Services Medicaid Managed Care Program (MAX) for the period January 1, 2006 through December 31, 2006, 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 \$135,000, and be it

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

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

RESOLUTION NO. 693

By Human Services Committee

Seconded by Mr. Brunza

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FAMILY VIOLENCE PREVENTION COUNCIL

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the authority vested in her by Resolution 477 of 1985, has duly designated and appointed the following named individuals to membership on the Broome County Family Violence Prevention Council, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRES</u>
Gervlyne Auguste 457 County Knoll Drive Endwell, New York 13760	Reappointment 12/31/08
Mark Capobianco 3629 Matthews Drive Endwell, New York 13760	Reappointment 12/31/08
Claudia Edwards 60 Dean Street Deposit, New York 13754	Reappointment 12/31/08
Robert Ford 108 Highland Avenue Binghamton, New York 13905	Reappointment 12/31/08
Arthur Johnson 95 Phelps Street Binghamton, New York 13901	Reappointment 12/31/08
Gerald Mollen 4209 Emerson Place Vestal, New York 13850	Reappointment 12/31/08
Raymond Serowik 2104 Ford Road Endicott, New York 13760	Reappointment 12/31/08

Lorraine Wilmot 20 East Street Binghamton, New York 13904	Reappointment 12/31/08
Dr. Kevin Wright 86 Hill Road Whitney Point, New York 13862	Reappointment 12/31/08
Lori Accardi 531 Castleman Road Vestal, New York 13850	New Appointment 12/31/09
Raini Baudendistel 377 Robinson Street Binghamton, New York 13904	New Appointment
Carrie Fleider 16 Albert Street Johnson City, New York 13790	New Appointment 12/31/09
Catherine Harvey 10 Peninsula Drive Binghamton, New York 13901	New Appointment 12/31/09
John Lynch 436 Crescent Lane Vestal, New York 13850	New Appointment 12/31/09
Margherita Rossi 33 Brookfield Road Binghamton, New York 13903	New Appointment 12/31/09
Beth Saxton 5 Edgebrook Road Binghamton, New York 13903	New Appointment 12/31/09
Rev. Larry Simpson 1416 Flora Street Endicott, New York 13760	New Appointment 12/31/09

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 477 of
1985 confirms the appointments of the above-named individuals to membership on the Broome
County Family Violence Prevention Council for the terms indicated, in accordance with their
appointment by the County Executive.

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

RESOLUTION NO. 694

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE FAMILY RESOURCE AND SUPPORT (RESPIRE) PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 85 of 2005, authorized and approved continued participation in the Family Resource and Support Program Grant for the Department of Health and adopted a program budget in the amount of \$16,892 for the period October 1, 2004 through September 30, 2005, and

WHEREAS, said program grant provides respite services for children (birth to three years old) and their families through the Department of Health's Early Intervention Program, and

WHEREAS, it is desired to renew said program grant in the amount of \$16,892 for the period October 1, 2005 through September 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$16,892 from the New York State Department of Health, Early Intervention Program, Corning Tower, Empire State Plaza, Albany, New York 12237-0657, for the Department of Health's Family Resource and Support (Respite) Program Grant for the period October 1, 2005 through September 30, 2006, 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 \$16,892, and be it

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

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

RESOLUTION NO. 695

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CORPORATE CARE MANAGEMENT FOR WORKER'S COMPENSATION CASE MANAGEMENT FOR THE OFFICE OF RISK AND INSURANCE FOR 2006-2008

WHEREAS, this County Legislature, by Resolution 655 of 2001, authorized renewal of an agreement with Corporate Care Management for worker's compensation case management for the Office of Risk and Insurance at an amount not to exceed \$63,750 per year, for the period January 1, 2002 through December 31, 2005, and

WHEREAS, said services are necessary to provide nurse case management for worker's compensation claims for Broome County employees on an "as needed" basis, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$52,500 per year, for the period January 1, 2006 through December 31, 2008, with two (2) 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 Corporate Care Management, 1 Kattelville Road, Binghamton, New York 13901 for worker's

compensation case management for Broome County employees on an "as needed" basis for the Office of Risk and Insurance for the period January 1, 2006 through December 31, 2008, with two (2) 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 \$52,500 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050070.4479.253000 (Case Assessment), and be it

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

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

RESOLUTION NO. 696

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH COUGHLIN & GERHART, LLP AND LEVENE, GOULDIN & THOMPSON, LLP FOR LEGAL REPRESENTATION AT THE WORKERS' COMPENSATION BOARD FOR THE OFFICE OF RISK AND INSURANCE FOR 2006-2008

WHEREAS, the Risk Manager requests authorization for an agreement with Coughlin & Gerhart, LLP and Levene, Gouldin & Thompson, LLP, for legal representation at the Workers' Compensation Board for the Office of Risk and Insurance at a rate of \$105 per hour, total amount not to exceed \$33,000, for the period January 1, 2006 through December 31, 2008, and

WHEREAS, said services are necessary for third party administrative services for the Broome County Self-Insured Workers' Compensation Plan, including legal representation before the Workers' Compensation Board, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with Coughlin & Gerhart, LLP, 20 Hawley Street, P.O. Box 2039, Binghamton, New York 13902-2039 and with Levene, Gouldin & Thompson, LLP, 450 Plaza Drive, Vestal, New York 13850 for legal representation at the Workers' Compensation Board, for the Office of Risk and Insurance for the period January 1, 2006 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay each Contractor at a rate of \$105 per hour, total amount not to exceed \$33,000 for the term of both agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050070.4736.253000 (Legal Charges and Fees), and be it

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

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

RESOLUTION NO. 697

By County Administration and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH NY-PENN NUTRITION SERVICES, INC. FOR DIETITIAN CONSULTING SERVICES FOR THE DIVISION OF CENTRAL FOODS FOR 2006

WHEREAS, this County Legislature, by Resolution 530 of 2004, authorized renewal of an agreement with NY-PENN Nutrition Services, Inc. for dietitian consulting services for the Division of Central Foods at a cost of \$6,210 plus a professional liability insurance reimbursement of \$155, total amount not to exceed \$6,365, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary for dietitian consulting services at the Broome County Public Safety Facility, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a cost of \$6,413 plus professional liability insurance reimbursement of \$155, total amount not to exceed \$6,568, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with NY-PENN Nutrition Services, Inc., 74 LaGrange Street, Binghamton, New York 13905-1718 for dietitian consulting services for the division of Central Foods for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount of \$6,413 plus \$155 for professional liability insurance reimbursement, total amount not to exceed \$6,568, 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

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

RESOLUTION NO. 698

By County Administration and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CBORD GROUP, INC. FOR SOFTWARE MAINTENANCE AND TRAINING FOR THE DIVISION OF CENTRAL FOODS FOR 2006

WHEREAS, this County Legislature, by Resolution 529 of 2004, authorized an agreement with CBORD Group, Inc. for software maintenance for the Division of Central Foods at a cost of \$9,462 plus \$3,000 for training, total amount not to exceed \$12,462, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to maintain the software license that runs purchasing and production at the Division of Central Foods, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$9,775 plus \$3,000 for training, for the period January 1, 2006 through December 31, 2006, 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 and training for the Division of Central Foods for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount of \$9,775 plus \$3,000 for training, total amount not to exceed \$12,775, 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 her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Mather).

RESOLUTION NO. 699

By Transportation, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE JOB ACCESS REVERSE COMMUTE/TEMPORARY ASSISTANCE FOR NEEDY FAMILIES GRANT FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006

WHEREAS, this County Legislature, by Resolution 412 of 2001, as amended by Resolution 363 of 2005, authorized and approved the Job Access Reverse Commute/Temporary Assistance for Needy Families Grant for the Department of Public Transportation and adopted a program budget in the amount of \$1,435,742 for the period August 1, 2001 through December 31, 2005, and

WHEREAS, said program grant provides for the introduction of Sunday transit services as well as increased service on week nights and Saturdays, and

WHEREAS, it is desired to renew said program grant in the amount of \$502,725 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$225,000 from the Federal Transit Administration, One Bowling Green, New York, New York 10004 and \$251,725 from New York State Department of Transportation, Passenger Transportation Division, 50 Wolf Road, Albany, New York 12232 for the Department of Public Transportation's Job Access Reverse Commute/Temporary Assistance for Needy Families Program Grant for the period January 1, 2006 through December 31, 2006, 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 \$502,725, and be it

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

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

RESOLUTION NO. 700

By Transportation and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH MCFARLAND-JOHNSON, INC. FOR CONSULTING SERVICES FOR THE GREATER BINGHAMTON AIRPORT FOR 2006

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland-Johnson, Inc. for consulting services for the Greater Binghamton Airport at no cost to the County, for the period January 1, 2006 through August 31, 2006, and

WHEREAS, said services are necessary to provide research, design and construction observation services during capital projects, and

WHEREAS, said agreement would in no way bind the Broome County Department of Aviation from negotiating or entering into a contract with another consulting firm for any and all work at the Greater Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., 49 Court Street, P.O. Box 1980, Binghamton, New York 13902, for

consultant services, for the Greater Binghamton Airport for the period January 1, 2006 through August 31, 2006, and be it

FURTHER RESOLVED, that said services shall be provided at no cost to the County for the term of the agreement, and be it

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

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

RESOLUTION NO. 701

By Transportation and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING ADJUSTMENTS TO THE PUBLIC PARKING FEES AT THE GREATER BINGHAMTON AIRPORT

WHEREAS, this County Legislature, by Resolution 341 of 1999, established current parking rates at the Greater Binghamton Airport, and

WHEREAS, the Commissioner of Aviation deems it necessary to amend current rates to generate revenue while staying competitive with other airports and parking providers in the area, now, therefore, be it

RESOLVE, that this County Legislature hereby approves and authorizes the following schedule of parking fees at the Greater Binghamton Airport:

SHORT TERM

First Half Hour	\$.75
Second Half Hour	\$.50
First Through 4 th Hour	\$ 1.25 per hour
5 th and 6 th Hour	\$ 1.50 per hour
Maximum Daily	\$ 8.00 per day
Maximum Weekly	\$ 40.00 per week

LONG TERM

1 st Through 3 rd Hour	\$ 1.50 per hour
4 th Hour	\$ 2.00 per hour
Maximum Daily Rate	\$ 6.50 per day
Maximum Weekly \$	\$ 32.50 per week

FURTHER RESOLVED, that the revenue from said fees shall be credited to budget line 210153.0487.207000 (Parking Operation Revenue), and be it

FURTHER RESOLVED, that the foregoing parking fees shall, in each case, include the applicable New York State Sales Tax, and be it

FURTHER RESOLVED, that this Resolution shall become effective January 1, 2006.

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

RESOLUTION NO. 702

By Public Works and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AN INTERMUNICIPAL AGREEMENT WITH TIOGA COUNTY FOR THE COLLECTION OF HAZARDOUS WASTE GENERATED IN TIOGA COUNTY FOR 2006

WHEREAS, this County Legislature, by Resolution 22 of 2005, authorized renewal of an intermunicipal agreement with Tioga County allowing for the collection of hazardous waste from households and conditionally exempt small quantity generators at the Broome County Hazardous

Waste Facility with revenue to the County for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement generates revenue to Broome County to offset a portion of the operating expenses at the Hazardous Waste Facility and, by providing this collection service to Tioga County, will enhance the regional economy and benefit the region's environment, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the intermunicipal agreement with Tioga County for the collection of hazardous waste from households and conditionally exempt small quantity generators of hazardous wastes located in Tioga County for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that Tioga County residents will be allowed access to the Broome County Hazardous Waste Facility during scheduled collection days during the months of April through November for the disposal of hazardous waste, following the facility's guidelines, and be it

FURTHER RESOLVED, the following charges will apply to Tioga County, its residents and businesses:

- Tioga County will pay an annual fee of \$3,200 plus a disposal fee of \$0.75 per pound for all wastes brought to the facility by Tioga County residents
- Tioga County businesses and institutions meeting the criteria of "conditionally exempt small quantity generators (CESQGs)" will be permitted access to the facility on a year-round basis, during all scheduled days of operation subject to an annual fee of \$80 and a disposal fee of \$0.75 per pound,

and be it

FURTHER RESOLVED, that the revenue hereinabove received shall be credited to budget line 230078.0609.206000 (Permits) and 230078.0621.206000 (Disposal Fees), and be it

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

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

RESOLUTION NO. 703

By County Administration and Economic Development & Planning Committees
Seconded by Mr. Schafer

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 7 OF 2005, ENTITLED "A LOCAL LAW REVISING THE BOUNDARIES OF THE TRIPLE CITIES EMPIRE ZONE"

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

WHEREAS, a Triple Cities Economic Development Zone was created in 1994, and subsequently revised in 1999, that included parcels in the Village of Johnson City, the City of Binghamton, the Village of Endicott, the Town of Union and Broome County, and

WHEREAS, said Economic Development Zones were then transformed by New York State Legislature into Empire Zones as of January 1, 2001, and

WHEREAS, the State of New York determined that said empire zone was not a "Census Tract" Empire Zone as authorized under Section 958(a) of the General Municipal Law, but rather a "County" Empire Zone as authorized by Section 958(c) of the General Municipal Law, hence the County of Broome authorized, pursuant to Broome County Local Law Permanent No. 2 of 2002 the revision and redesignation of certain areas as an Empire Zone within the meaning of said statute

within the County of Broome and such redesignation was approved by the New York State Commissioner of Economic Development, and

WHEREAS, the New York State Legislature and Governor have enacted into law changes to the Empire Zones Program whereby each existing Empire Zone must reconfigure its existing zone acreage into a maximum of six "distinctive and separate contiguous" areas, the boundaries of said areas to be included in said Empire Zone shall be as set forth in Exhibit "A", and

WHEREAS, the Legislature of Broome County, the City of Binghamton, the Village of Johnson City, the Village of Endicott and the Town of Union must agree to any amendments to said Zone for the same to take effect, and

WHEREAS, public notice of the proposed boundary redesignations must be given and a public hearing held, and

RESOLVED, that Local Law Intro. No. 7 of 2005, entitled "A Local Law Redesignating the Boundaries of the Triple Cities Empire Zone" be and the same hereby is adopted and approved in accordance with the Broome County Charter and all applicable statutes and law pertaining thereto.

LOCAL LAW INTRO. NO. 7 OF 2005

Resolution Adopting Local Law Intro. No. 7 of 2005 Entitled "A Local Law Revising the Boundaries Of the Triple Cities Empire Zone"

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

Section 1: The County Legislature hereby requests approval from the New York State Commissioner of Economic Development to redesignate the boundaries of the Triple Cities Empire Zone as attached hereto as Exhibit "A", and made a part hereof.

Section 1: That copies of this resolution shall be forwarded to the Village of Johnson City, the Village of Endicott, the Town of Union, the City of Binghamton, and the Empire State Development in Albany.

Section 3: That this local law shall take effect upon filing with the Secretary of State.

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

RESOLUTION NO. 704

By County Administration and Economic Development & Planning Committees
Seconded by Mr. Schafer

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 8 OF 2005, ENTITLED "A LOCAL LAW REVISING THE BOUNDARIES OF THE BROOME COUNTY EMPIRE ZONE"

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

WHEREAS, a Broome County Economic Development Zone was created in 1998, and subsequently revised in 1999, that included parcels in the Village of Johnson City, the City of Binghamton, the Village of Endicott, the Town of Union and Broome County, and

WHEREAS, said Economic Development Zones were then transformed by New York State Legislature into Empire Zones as of January 1, 2001, and

WHEREAS, the New York State Legislature and Governor have enacted into law changes to the Empire Zones Program whereby each existing Empire Zone must reconfigure its existing zone acreage into a maximum of six "distinctive and separate contiguous" areas, the boundaries of said areas to be included in said Empire Zone shall be as set forth in Exhibit "A", and

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

WHEREAS, public notice of the proposed boundary redesignations must be given and a public hearing held, and

RESOLVED, that Local Law Intro. No. 8 of 2005, entitled "A Local Law Redesignating the Boundaries of the Broome County Empire Zone" be and the same hereby is adopted and approved in accordance with the Broome County Charter and all applicable statutes and law pertaining thereto.

LOCAL LAW INTRO. NO. 8 OF 2005

**Resolution Adopting Local Law Intro. No. 8 of 2005
Entitled "A Local Law Revising the Boundaries
Of the Broome County Empire Zone"**

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

Section 1. The County Legislature hereby requests approval from the New York State Commissioner of Economic Development to redesignate the boundaries of the Broome County Empire Zone as attached hereto as Exhibit "A", and made a part hereof.

Section 2. That copies of this resolution shall be forwarded to the Town of Kirkwood and the City of Binghamton, and the Empire State Development in Albany.

Section 3. That this local law shall take effect upon filing with the Secretary of State.

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

RESOLUTION NO. 705

By Public Works and Economic Development & Planning Committees Seconded by Mr. Brunza
**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY
WITH RESPECT TO THE HAWKINS POND LAND EXCHANGE**

WHEREAS, it is necessary to complete an environmental impact statement for the Hawkins Pond Land Exchange, and

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

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

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the Hawkins Pond Land Exchange, and directs the Department of Planning and Economic Development to coordinate review of the proposed action with the other involved and interested agencies.

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

RESOLUTION NO. 706

By Economic Development & Planning and Finance Committees Seconded by Mr. Brunza
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE SOUTHERN
TIER EAST REGIONAL PLANNING DEVELOPMENT BOARD FOR SERVICES IN SUPPORT
OF THE WATER AND SANITARY SEWER INVENTORY PROJECT FOR THE DEPARTMENT
OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2005-2006**

WHEREAS, this County Legislature, by Resolution 391 of 2005, authorized an agreement with the Southern Tier East Regional Planning Development Board (STERPDB) for services in

support of the Water and Sanitary Sewer Inventory Project for the Department of Planning and Economic Development with revenue to the County in the amount of \$5,000 for the period January 1, 2005 through December 31, 2006, and

WHEREAS, STERPDB has received a Federal grant to create a consistent region-wide Geographic Information System (GIS) to include information concerning the location of public water and sanitary sewer facilities, and

WHEREAS, it is necessary to authorize an amendment to increase said agreement by \$5,000, total amount not to exceed \$10,000, for the period January 1, 2005 through December 31, 2006, and

WHEREAS, the Commissioner of Planning and Economic Development 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 Southern Tier East Regional Planning Development Board to increase the revenue of said agreement by \$5,000, total amount not to exceed \$10,000, for the Department of Planning and Economic Development for the period January 1, 2005 through December 31, 2006, and be it

FURTHER RESOLVED, that revenue received pursuant to the agreement herein above authorized shall be credited to budget line 440016.0070.101000 (Fees for Services), and be it

FURTHER RESOLVED, that Resolution 391 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 707

By Economic Development & Planning Committee

Seconded by Mr. Sanfilippo

RESOLUTION AUTHORIZING APPLICATION FOR A NEW YORK STATE DEPARTMENT OF STATE QUALITY COMMUNITIES PROGRAM GRANT TO PREPARE A PROGRAM PLAN FOR THE BROOME COUNTY ECONOMIC DEVELOPMENT DELIVERY SYSTEM

WHEREAS, the New York State Department of State offers grants to municipalities through the Quality Communities Program to encourage collaboration among municipalities in addressing environmental, land use and economic development opportunities, and

WHEREAS, said grant would provide \$75,000 to prepare a program plan for the County's Economic Development Delivery System that would implement one of the key recommendations of the BCPlan, the creation of a "one-stop-shop for economic development decision making," and

WHEREAS, said plan would include an inventory of all of the agencies and incentives offered locally, outlining the legal structure, staffing, funding and incentives and services offered by each agency and a series of case studies/models for economic development cooperation, and

WHEREAS, the Commissioner of Planning and Economic Development is requesting authorization to apply for a New York State Department of State Quality Communities Program Grant in the amount of \$75,000 for the preparation a program plan for the County's Economic Development Delivery System, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves application to the New York Department of State Quality Communities Program Grant in the amount of \$75,000 for the preparation of a program plan for the Broome County Economic Development Delivery System, and be it

FURTHER RESOLVED, that the County Executive or her 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. Schafer made a motion, seconded by Mr. Materese, to amend to substitute the following for Resolution No. 707:

RESOLUTION AUTHORIZING APPLICATIONS FOR TWO NEW YORK STATE DEPARTMENT OF STATE QUALITY COMMUNITIES PROGRAM GRANTS FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

WHEREAS, the New York State Department of State offers grants to municipalities through the Quality Communities Program to encourage collaboration among municipalities in addressing environmental, land use and economic development opportunities, and

WHEREAS, the Commissioner of Planning and Economic Development is requesting authorization to apply for a New York State Department of State Quality Communities Program Grant in the amount of \$80,000 for the preparation a program plan for the County's Economic Development Delivery System that would implement one of the key recommendations of the BCPlan, the creation of a "one-stop-shop for economic development decision making," and

WHEREAS, said plan would include an inventory of all of the agencies and incentives offered locally, outlining the legal structure, staffing, funding and incentives and services offered by each agency and a series of case studies/models for economic development cooperation, and

WHEREAS, the Commissioner of Planning and Economic Development is also requesting authorization to apply for a second New York State Department of State Quality Communities Program Grant in the amount of \$100,000 for revision of the Susquehanna Heritage Area Management Plan in order to survey and assess the current historic districts in all County municipalities and further identify other potential Heritage Area districts so as to make recommendations to add municipalities to the Heritage Area System, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves application for a New York Department of State Quality Communities Program Grant in the amount of \$80,000 for the preparation of a program plan for the Broome County Economic Development Delivery System, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves application for a second New York Department of State Quality Communities Program Grant in the amount of \$100,000 for revision of the Susquehanna Heritage Area Management Plan, and be it

FURTHER RESOLVED, that the County Executive or her 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.

Amendment carried, Ayes-17, Nays-0, Absent-2 (Hull, Mather).

Resolution as amended carried, Ayes-17, Nays-0, Absent-2 (Hull, Mather).

RESOLUTION NO. 708

By County Administration and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH GENERAL CODE PUBLISHERS CORPORATION FOR UPDATE OF THE BROOME COUNTY CHARTER AND CODE BOOK FOR 2006

WHEREAS, this County Legislature, by Resolution 651 of 2004, authorized renewal of the agreement with General Code Publishers Corporation for codification, publication and updates of the Broome County Charter and Code and Local Laws, on an as needed basis, at a cost not to exceed \$3,550 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$3,500, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with General Code Publishers Corporation, 72 Hinchey Road, Rochester, New York 14624 for codification, publication and updates of the Broome County Charter and Code and Local Laws on an as needed basis for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 240028.4747.101000 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 709

By Human Services and Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH THE UNITED WAY OF BROOME COUNTY, INC. FOR SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES' BUILDING BRIGHTER FUTURES FOR BROOME FOR 2006

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with the United Way of Broome County, Inc. for services for the Department of Social Services' Building Brighter Futures for Broome at a cost not to exceed \$550,000, for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said agreement is necessary to provide development opportunities to parents, providers, and families and promote effective parenting by providing Parents and Children Together (PACT) to 125 additional families and to make available a team of health and safety consultants to families, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the United Way of Broome County, Inc., PO Box 550, Binghamton, New York 13902-0550 for services for the Department of Social Services' Building Brighter Futures for Broome for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$550,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

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

RESOLUTION NO. 710

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH COORDINATED CARE SERVICES, INC. FOR CONTRACT COORDINATING AND ANALYSIS FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006

WHEREAS, this County Legislature, by Resolution 159 of 2005 authorized renewal of the agreement with Coordinated Care Services, Inc. for consultant services for the Department of Social Services at a cost not to exceed \$35,000 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement is necessary to coordinate County activities with contract service providers to establish performance expectations while monitoring County Planning and Management performance and also perform Medicaid expenditure analysis and contract analysis while also monitoring for Purchase of Service contracts in 2006, and

WHEREAS, said agreement expires by its terms on December 31, 2005, 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, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Coordinated Care Services, Inc., 1099 Jay Street, Building J, Rochester, New York 14611-1153 for contract coordinating and analysis for the Department of Social Services for the period January 1, 2006 through December 31, 2006, 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 670018.4747.103000 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 711

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GOODHOPE YOUTH HOME, INC. FOR NON-SECURE DETENTION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006

WHEREAS, this County Legislature, by Resolution 561 of 2004, authorized renewal of agreement with Goodhope Youth Home, Inc. for non-secure detention services for the Department of Social Services at an amount not to exceed \$350,880, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide non-secure detention services to youths who are court-ordered into placement, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$175,440, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Goodhope Youth Home, Inc., 4010 McIntyre Road, Trumansburg, New York 14886 for non-secure detention services for the Department of Social Services for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$175,440 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670117.4582.103000 (Foster Care NS Detention Out-of- County), and be it

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

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

RESOLUTION NO. 712

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL FOR LABORATORY SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2006

WHEREAS, this County Legislature, by Resolution 606 of 2004, as amended by companion resolution, authorized renewal of the agreement with Our Lady of Lourdes Hospital for laboratory services for the Department of Health at an amount not to exceed \$50,000, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide laboratory technologist consulting services and laboratory tests for patients of the Sexually Transmitted Disease Clinic, Employee Health Clinic and TB Chest Clinic, and

WHEREAS, said agreement expires by its terms on December 31, 2005, 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 January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 for laboratory services for the Department of Health for the period January 1, 2006 through December 31, 2006, 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 480228.4703.101055/101056/101066 and 480376.4703.105088 (Lab Services), and be it

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

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

RESOLUTION NO. 713

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AN AGREEMENT WITH CMS IMAGING SOLUTIONS FOR THE LEASE AND MAINTENANCE OF A COPY MACHINE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006-2011

WHEREAS, the Purchasing Agent has advertised for and received bids for lease and maintenance agreements for the Toshiba e-studio450 copy machine, and

WHEREAS, following a review of all bids received by the Purchasing Agent, it was determined that CMS Imaging Solutions submitted the low bid for the Toshiba e-studio450 copy machine, and

WHEREAS, the Purchasing Agent requests authorization, based on a competitive bid which contained terms and conditions of said leases, to enter into a lease and maintenance agreement with CMS Imaging Solutions for a Toshiba e-studio450 copier for the Medicaid Chronic Care Unit at the Department of Social Services for the period January 1, 2006 through December 31, 2011, now, therefore, be it

RESOLVED, that this County Legislature hereby approves a lease and maintenance agreement with CMS Imaging Solutions, 1 Lewis Street, Binghamton, New York 13901 for the lease and maintenance of a Toshiba e-studio450 copier for the period January 1, 2006 through December 31, 2011, and be it

FURTHER RESOLVED, that in consideration of said lease agreement, the County shall pay the Contractor at a rate of \$106.80 per month for the lease of said copier and \$70.25 per month for the maintenance of said copier for a combined monthly total of \$177.05, total amount not to exceed \$10,623 for the term of the agreement, and be it

FURTHER RESOLVED, that said agreement shall include an overage rate of .005 in excess of 11,000 copies per month as specified in the bid, and be it

FURTHER RESOLVED, that payments for the leases hereinabove authorized shall come from budget line 670018.4518.101000 (Copy Machine Rentals), and be it

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

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

RESOLUTION NO. 714

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH IBM GLOBAL FINANCE FOR A FINANCIAL SERVICES AGREEMENT AND PSR AND SCS FOR THE PURCHASE, INSTALLATION AND MAINTENANCE OF A DATA STORAGE SYSTEM FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2006-2010

WHEREAS, the Director of Information Technology requests authorization for an agreement with IBM Global Finance for financial services and PSR and SCS for the purchase, installation, maintenance and software lease of the Shark Enterprise Data Storage System for the Division of Information Technology at a cost not to exceed \$16,367 per month for 60 months, total cost not to exceed \$982,020, for the period January 1, 2006 through December 31, 2010, and

WHEREAS, said services are necessary for the financing and the purchase, installation, maintenance, software lease of the Shark Enterprise Data Storage System and the migration of the old system and data to the new Enterprise storage system, and

WHEREAS, the County will contract with PSR and SCS to perform the necessary services to install the Shark Enterprise Data Storage System and to provide the maintenance services under a financial arrangement with IBM Global Finance for the term of this agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with IBM Global Finance, 1140 Milton Hall Place, Charlotte, North Carolina 28270, for financial services relative to the acquisition of the Shark Enterprise Data Storage System, for the Division of Information Technology for the period January 1, 2006 through December 31, 2010, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with PSR, 770 Dedham St., Canton, Massachusetts 02021 and SCS, 5788 Widewaters Parkway, Syracuse, New York 13214, for the installation and maintenance of the hardware and software for the Shark Enterprise Data Storage System, for the Division of Information Technology for the period January 1, 2006 through December 31, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall finance the cost of this project through IBM Global Finance at the rate of \$16,367 per month for 60 months, total amount not to exceed \$982,020, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4516.101000 (Hardware Rental), and be it

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

Carried, Ayes-16, Nays-0, Abstain-1 (Schofield), Absent-2 (Hull, Mather).

RESOLUTION NO. 715

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING ACCEPTANCE OF RADIO PAGERS FROM TRI COUNTY COMMUNICATIONS

WHEREAS, the Director of Emergency Services requests authorization to accept a donation of twenty (20) radio pagers from Tri County Communications, and

WHEREAS, said radio pagers will be used to notify Emergency Services staff and team members, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a donation of twenty (20) radio pagers from Tri County Communications, 110 Broad Avenue, Binghamton, New York 13904, and be it

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

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

RESOLUTION NO. 716

By Economic Development & Planning Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR A U.S. HOUSING AND URBAN DEVELOPMENT GRANT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to submit an application for a U.S. Housing and Urban Development (HUD) Grant for the creation of a business incubator at the Broome Corporate Park, and

WHEREAS, said application would seek a \$248,525 HUD Grant to be used to renovate an existing building in the Broome Corporate Park to create a four-unit business incubator, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves submission of an application for a U.S. Housing and Urban Development Grant for the creation of a business incubator at the Broome Corporate Park for the Department of Planning and Economic Development, and be it

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

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

RESOLUTION NO. 717

By Education, Culture & Recreation Committee

Seconded by Mr. Brunza

RESOLUTION RECOMMENDING THE BROOME COUNTY LIBRARY BOARD OF TRUSTEES ADOPT RULES AND REGULATIONS ON THE USE OF COMPUTERS AT THE BROOME COUNTY PUBLIC LIBRARY

WHEREAS, the computers at the Broome County Public Library were installed for the convenience of library patrons using and participating in library activities, and

WHEREAS, it has been determined that a number of library patrons have been using the library's computers to browse the internet to view pornography, and

WHEREAS, some of these people are also known to be using the library's computers to view pornography by bringing into the library their own diskettes, which also can be a source of introducing a virus or other harmful affects into the library computer system, and

WHEREAS, members of the Broome County Legislature believe this is an inappropriate use of County property, now, therefore, be it

RESOLVED, that this County Legislature recommends that the Broome County Library Board of Trustees take immediate steps to curb the use of library computers to view pornographic material by establishing rules and regulations for the use of computers at the library, and be it

FURTHER RESOLVED, that anyone violating said rules and regulations be banned from any further use of the library computers, and be it

FURTHER RESOLVED, that the Library Board of Trustees include a provision in said rules and regulations for an appeal process for library patrons accused of violating said rules and regulations, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to send a copy of this Resolution to Broome County Library Director Donna Riegel and to the Broome County Library Board of Trustees.

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

RESOLUTION NO. 718

By Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AN AMENDMENT TO THE HOURLY RATE SCHEDULE FOR NON- UNION, TEMPORARY AND SEASONAL EMPLOYEES FOR 2006

WHEREAS, this County Legislature by Resolution 20 of 2005, as amended by Resolutions 88 and 210 of 2005, authorized amendments to the hourly rates for various non-union, temporary and seasonal employees for 2005, and

WHEREAS, it is desired at this time to amend the hourly rate schedule for 2006 as indicated on the attached Exhibit "A", effective January 1, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary and seasonal employees for 2006 as indicated on attached Exhibit "A" effective January 1, 2006.

2006 RECOMMENDED HOURLY RATE SCHEDULE NON-UNION, TEMPORARY, SEASONAL

The provisions of the Fair Labor Standards Act will apply to the positions listed on the schedule. All rates remain the same unless otherwise indicated. The effective date is January 1, 2005 unless otherwise indicated.

<u>DEPARTMENT</u>	<u>UNION CODE</u>	<u>HOURLY RATE</u>
<u>All Departments:</u>		
Laborer-Seasonal	52	<u>6.75</u>
Student Assistant	52	<u>6.75</u>
Intern (High School)	52	<u>6.75</u>
Intern (College)	52	9.00
Intern (Legal)	52	10.00
Engineering Aide	52	6.89
Legal Associate	52	17.00
<u>Aviation</u>		
Parking Attendant*	52	
Entry	52	<u>6.75</u>
After 6 months	52	<u>6.89</u>
After 12 months	52	<u>7.25</u>
After 24 months	52	<u>7.61</u>
Airport Maintenance	52	<u>6.75</u>

*Pay will be time and one-half for work on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas.

\$.25/hour for that assigned person trained and capable of programming the parking fee Computer system.

\$.25/hour for that assigned person to be on call to handle problems related to fee computers, ticket splitters and sick time in the absence or unavailability of the parking manager.

<u>County Attorney</u>		
Legal Associate (40)	52	17.00
<u>District Attorney</u>		
Legal Associate	52	17.00
<u>Elections</u>		
Election Clerk	52	9.25
County Custodian of Voting Machines	52	250.00 (per election)
Election Night Data Entry Operator	52	40.00 (lump sum)
<u>Emergency Services</u>		
Senior Fire Investigator	52	10.50
Fire Investigator	52	8.40
Deputy Fire Coordinator	52	8.40
<u>Health</u>		
TB Med Observer/Interpreter	52	12.00
Medical Director-Employee		
Health Services	01	60.00
Medical Director STD/HIV Clinic	01	55.00
Medical Director TB	01	45.00
<u>Highway</u>		
Seasonal Motor Equipment	52	10.58
<u>Mental Health</u>		
Staff Psychiatrist (PT)	01	64.02
Staff Psychiatrist (FT)	01	n/a
Psychology Assistant (PT)	52	12.40
<u>Office for Aging</u>		
Senior Aide Trainee	52	<u>6.75</u>
<u>Parks & Recreation</u>		
Arena Police	52	20.00
Receptionist Typist	52	8.75
Waterfront Director (40)	52	8.75
Assistant Waterfront Dir. (40)	52	8.25
Boathouse Director (40)	52	7.50
Lifeguard (40)	52	8.00
Recreation Specialist	52	7.00
Small Craft Specialist (40)	52	8.00
Skate Guard (40)	52	<u>6.75</u>
Laborer (40)	52	<u>6.75</u>
Attendant (40)	52	<u>6.75</u>
Boat Tender (40)	52	<u>6.75</u>
Clerk (40)	52	7.50
Head Usher (40)	52	8.50
Usher (40)	52	7.50
Naturalist-Seasonal (40)	52	10.00

All titles except waterfront staff will receive \$.10/hr. for each certification in:

1. ARC Standard First Aid or Equivalent
2. ARC CPR-BLS or Equivalent
3. ARC Lifeguard Training – ARC or Equivalent (Boat Tenders only)
4. ARC Outboard Boating & Water Safety ARC (Boat Tenders only)

Authorize the payment of a \$50 allowance to Lifeguards, Waterfront Directors and Assistant Waterfront Directors who become certified or recertified in CPR and who complete a minimum of eight weeks of employment with a final evaluation that recommends rehire with payment to be made to eligible employees in the final paycheck. (Resol. 01-365 effective 7/23/2001)

<u>Personnel</u>		
Test Administrator	52	6.75
<u>Planning/BMTS</u>		
Traffic Counter	52	7.50
Engineering Aide	52	6.89
<u>Public Defender</u>		
Legal Associate	52	17.00
<u>Public Works</u>		
Court Attendant	52	7.15
Court Attendant	52	8.15
Senior Court Attendant	52	9.29
Security Officer (40)	52	9.00
Security Officer-Seasonal (40)	52	9.00
Laborer (40)	52	6.75
<u>Sheriff</u>		
Chaplain	52	13.70
<u>Solid Waste Management/Landfill</u>		
Laborer (40)	52	6.75
<u>WPNH</u>		
Unit Aide	52	6.75

\$.10/hr. increase for each year of service, to start again after each minimum wage increase.
Carried, Ayes-17, Nays-0, Absent-2 (Hull, Mather).

RESOLUTION NO. 719

By Finance and Public Works Committees Seconded by Mr. Schafer

RESOLUTION AMENDING THE 2005 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2005 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501407	Highway Reconstruction	605,692	0	605,692	0
<u>Local Finance Law Section 11</u>					
	<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>How Financed:</u>
	2005	10	20	0	<u>Current Revenue</u>
					0

TO:

		Estimated Construction Cost:			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502380	Highway Reconstruction	605,692	98,587	507,105	0
		Local Finance Law Section 11		How Financed:	
<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>	
2005	10	20	0	0	

Description: Reconstruct various County Roads based on need.

NOTE: The Federal/Other funds are reimbursements from FEMA for emergency repairs during the spring floods. Public works had to suspend planned work to address flood repairs. This project will permit the department to reschedule their planned maintenance and repairs without the appropriations lapsing at the end of the budget year.

and be it,

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

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

RESOLUTION NO. 720

By Human Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT TO THE APPLICATION FOR STATE AID AND EXECUTION OF CONTRACTS FOR THE YOUTH BUREAU DEVELOPMENT/DELINQUENCY PREVENTION PROGRAMS (YDDP) FOR 2005

WHEREAS, this County Legislature, by Resolution 91 of 2005, authorized the Youth Bureau State Aid Applications and established appropriations for the 2005 Youth Bureau Development/Delinquency Prevention Program, and

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

WHEREAS, it is necessary to authorize the amendments to said contracts to increase the allocation to Catholic Charities of Broome County by \$4,210 for a new total allocation of \$12,210 and to eliminate the allocation of \$3,097 for the Whitney Point Youth Club as listed in the attached Exhibit "A", and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreements with Catholic Charities of Broome County to increase the allocation by \$4,210 for a new total allocation of \$12,210 and to eliminate the allocation of \$3,097 for the Whitney Point Youth Club as listed in the attached Exhibit "A", for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that Resolution 91 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 721

By Finance Committee

Seconded by Mr. Schafer

RESOLUTION AMENDING THE UNIFORM RETIREE AND VESTED FORMER EMPLOYEE/SURVIVING SPOUSE HEALTH PLAN RULES

WHEREAS, this County Legislature established, by Resolution 354 of 2000, as amended by Resolution 609 of 2001, the Uniform Retiree and Vested Former Employee/Surviving Spouse Health Plan Rules, and

WHEREAS, it is desired at this time to amend said rules to change the retiree's annual contribution for health care coverage, now, therefore, be it

RESOLVED, that [Resolution 354 of 2000] the Uniform Retiree and Vested Former Employee/Surviving Spouse Health Plan Rules are amended as follows:

I. Definitions

"Retired Employee" or "Retiree" means any former Broome County employee, Broome County Library employee, Broome Community College employee or elected Broome County official that has ten years of full-time equivalent employment or service in office with the County, who is not entitled to health benefits pursuant to a collective bargaining agreement and who is receiving a benefit from the New York State Employees Retirement System or in the case of a former Broome Community College employee, the TIAA-CREF or Teacher's Retirement Systems.

"Elected Official" means the County Executive, a County Legislator, County Clerk, District Attorney, and Sheriff.

"Surviving Spouse" means the widow or widower of a deceased Retired Employee.

"Vested Former Employee" means any former employee or elected official of Broome County, with ten years of full-time equivalent service, who is not receiving a benefit from the New York State Employees Retirement System.

"Health benefits" shall mean any of the health insurance plans currently offered by the County to any of its active employees.

"Contribution" shall mean the annual amount that a Retiree is billed for health benefits.

"Co-pay" shall mean the amount that a Retiree is required to pay for a retail prescription medication supply of 35 or fewer days.

"Medicare credit" shall mean the \$28.60 per Medicare enrollee per month partial reimbursement for the Medicare Part B premium that the County pays to Retirees and their spouses from County service before January 1, 1996.

"Gross Household Income" means social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment, all as reported on the applicant's income tax return for the calendar year ending prior to the date of the application but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income for all household members.

II. Retiree Health Plan

Retired Employees are entitled to receive health benefits for their natural life (subject to the provisions of Part VI below), provided that the Retired Employee maintains coverage continuously with one of the Broome County health benefits plans from the date of retirement, and further provided that the Retiree has at least two years of qualified participation in a health benefits plan.

Effective [January 1, 2002] January 1, 2006, the Retiree's annual contribution shall be [10] 15% of the premium charged to Broome County by third party providers, or in the case of the Broome County Self-Insured Health Benefits Plan, the premium equivalent amount as determined by the Broome County Risk and Insurance Manager. The contribution shall be payable in equal bi-monthly installments. The amount of the Medicare credit, if any, shall first be deducted from the bi-monthly installment and the Retiree shall be billed only for the balance due. In the event that the amount of the Medicare credit exceeds the bi-monthly installment due, a check for the balance shall be issued to the Retiree.

III. Vested Former Employee and Surviving Spouse Benefit

Vested Former Employees and Elected Officials are entitled to receive health benefits, if they so elect, for their natural life (subject to the provisions of Part VI below), provided that the Vested Former Employee or Elected Official maintains coverage continuously with one of the Broome

County health benefits plans from the date of his or her termination of employment with Broome County and provided further that the Vested Former Employee has at least two years of qualified participation in a Health Benefits Plan as of the separation from service date. Exception: a former employee with ten years of qualified service shall not be entitled to purchase or maintain any such health benefits if that employee was terminated for gross misconduct.

A Surviving Spouse is entitled to receive individual health benefits, if he or she so elects, for his or her natural life (subject to the provisions of Part VI below), provided that the Surviving Spouse maintains coverage continuously with one of the Broome County health benefits plans from the date of death of his or her spouse and provided further that his or her spouse maintained health coverage continuously from the date of his or her separation from service with Broome County.

A Surviving Spouse may continue family health benefits for the dependent children of his/her deceased spouse, subject to the ordinary health plan rules regarding dependent coverage. The Surviving Spouse's and Vested Former Employee's annual contribution to the cost of health benefits shall be 100% of the premium charged to Broome County by third party providers, or in the case of the Broome County Self-Insured Health Benefits Plan, the premium equivalent amount as determined by the Broome County Risk and Insurance Manager. The annual contribution shall be payable in bi-monthly installments.

IV. Annual Contribution Waiver or Reduction

Any Retiree whose gross household income is less than the amount of the senior citizens tax exemption income limit fixed by the Broome County Legislature pursuant to Section 185-31(A) of the Broome County Charter and Code shall be entitled to a waiver of the annual contribution. Application for the annual contribution waiver shall be made on a form prescribed by the Office of Risk and Insurance and subscribed to by the Retiree or the Retiree's legal representative. The Office of Risk and Insurance may require any reasonable proof of income to be attached to the waiver application. All annual contribution waiver applications shall be made no later than April 1st of the current plan year. Approved waivers shall be effective for the period from May 1st through April 30th of the following year. A waiver must be approved annually and will not continue in effect in the subsequent plan year beyond April 30th.

The Surviving Spouse of a former County employee that retired prior to January 1, 2002 whose gross household income is less than the amount of the senior citizens tax exemption income limit fixed by the Broome County Legislature pursuant to Section 185-31(A) of the Broome County

Charter and Code shall be charged 50% of the annual contribution. Application for the annual contribution reduction shall be made on a form prescribed by the Office of Risk and Insurance and subscribed to by the Surviving Spouse or the Surviving Spouse's legal representative. The Office of Risk and Insurance may require any reasonable proof of income to be attached to the application for reduction. All annual contribution reduction applications shall be made no later than April 1st of the current plan year. Approved reductions shall be effective for the period from May 1st through April 30th of the following year. A reduction must be approved annually and will not continue in effect in the subsequent plan year beyond April 30th.

The Office of Risk & Insurance shall notify all Retirees and Surviving Spouses via written communication of the availability of the contribution waiver or reduction. Such written correspondence must be included with the billing for the first bi-monthly installment or via a first class mailing mailed within 15 days of the first bi-monthly billing statement.

Notwithstanding paragraph 1 of Part IV hereof, the Risk and Insurance Manager is authorized to issue an immediate waiver or reduction of contribution for the balance of the current plan

year, at any time during the plan year, whenever the Retiree or his legal representative can show that he has experienced an unforeseen economic hardship. Any such emergency waiver by the Risk and Insurance Manager shall be issued in writing.

V. Drug Co-Pay Provisions

Category	Retail		Mail Order (90 day supply)	
	Generic & "DAW"	Brand Name	Generic & "DAW"	Brand Name
Waiver or reduction qualified	\$2	\$5	\$4	\$10
Ordinary plan	\$5	\$10	\$10	\$20
Joint Survivor	\$7	\$15	\$14	\$30

VI. Coordination with Medicare

In order to qualify or remain qualified for health benefits, Retired Employees, Vested Former Employees and Surviving Spouses, upon becoming Medicare Eligible, must enroll in both Parts A and B of the Medicare Program and remain enrolled for so long as they receive health benefits.

VII. Joint Survivor Benefit

Effective January 1, 2006, in lieu of the annual contribution amount defined in Part II Paragraph 2, a Retired Employee, upon termination of eligible service from Broome County, may make a one time irrevocable election for a joint survivor benefit as follows:

The amount of the annual contribution shall be 30% of premium charged to Broome County by third party providers, or in the case of the Broome County Self-Insured Health Benefits Plan, the premium equivalent amount as determined by the Broome County Risk and Insurance Manager. If the former employee's spouse predeceases the former employee, then the former employee shall be charged in accordance with Part II Paragraph 2.

Upon the death of the Retiree, the Surviving Spouse, shall be charged an annual contribution of 30% of the premium charged to Broome County by third party providers, or in the case of the Broome County Self-Insured Health Benefits Plan, the premium equivalent amount as determined by the Broome County Risk and Insurance Manager.

VIII. Annual & Lifetime Major Medical Limits

The annual major medical coverage cap shall be \$50,000 per participant. The Lifetime Major Medical cap shall be \$500,000 participant.

Annual Deductible

The annual deductible for major medical shall be as follows:

Category	Annual Deductible per person
Waiver or reduction qualified	\$75
Ordinary plan	\$100
Joint Survivor	\$125

Commercial Insurance Products

Any health benefit product offered by Broome County to Retirees or Vested Former Employees, other than the Broome County Self-Insured Health Plan, is offered subject to all the rules of the issuing carrier.

Eligibility Interpretation

The Risk and Insurance Manager and Personnel Officer shall jointly decide on the eligibility for coverage under this plan consistent with the intent and purpose of this resolution. In the event that the Risk and Insurance Manager and Personnel Officer cannot agree on the eligibility of a person that has applied for coverage pursuant to this plan, the County Executive or his designee shall determine the eligibility after due consideration of all of the facts, circumstances and controlling laws.

Failed. Ayes-1 (Whalen), Nays-16, Absent-2 (Hull, Mather).

RESOLUTION NO. 722

By Finance and Personnel Committee

Seconded by Mr. Schafer

RESOLUTION AMENDING THE PERSONNEL RULES FOR BROOME COUNTY ADMINISTRATIVE PERSONNEL

WHEREAS, this County Legislature, by Resolution 220 of 1977 as thereafter amended, adopted personnel rules for administrative personnel, and

WHEREAS, the Personnel Officer has proposed corrections and amendments to Article 16 – Health Insurance summarized as shown below, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the corrections and amendments to Article 16 of the Personnel Rules for Administrative Personnel as summarized below, and be it

ARTICLE 16 – HEALTH INSURANCE

1. Effective [January 1, 2004] January 1, 2006, employees covered under these Rules shall be offered the opportunity to participate in the Broome County Self-Insurance Health Benefits Program, or any subsequent Plan adopted by the County. The County shall pay [90%] 85% of the premium for the employee's coverage and [90%] 85% of the premium for dependent coverage. Premium

payments by the employee will be deducted from their bi-weekly payroll. Any questions in regards to the details of this plan should be referred to the Department of Personnel,

and be it

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

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

RESOLUTION NO. 723

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH MVP HEALTH PLAN FOR ADMINISTRATIVE SERVICES FOR THE OFFICE OF RISK AND INSURANCE FOR 2006

WHEREAS, this County Legislature, by Resolution 615 of 2004, authorized renewal of an agreement with MVP Health Plan for Administrative Services for the Office of Risk and Insurance at an amount not to exceed \$29.95 per month per employee, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide administrative services for employees enrolled in HMO type self-insured plans, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$31.15 per employee per month, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with MVP Health Plan, 625 State Street, Schenectady, New York 12305 for Administrative Services for the Office of Risk and Insurance for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$31.15 per employee per month for the term of the agreement, and be it

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

RESOLUTION NO. 724

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION ESTABLISHING RATE OF COMPENSATION FOR NON-UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2006

RESOLVED, that all non-union Administrative I and Administrative II personnel, except for those positions set forth below, will receive a two point six (2.6) percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2005 base salary to become effective January 1, 2006, and be it

FURTHER RESOLVED, that all non-union Attorney personnel AT-1 through AT-6, except for those positions set forth below, will receive a two point six (2.6) percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2005 base salary to become effective January 1, 2006, and be it

FURTHER RESOLVED, that all County Executive-appointed positions shall remain at the 2004 salary level for his/her position and such appointive positions shall include:

Administrative Assistant to County Executive	Director of Information Services
CASA Director	Director of Office for Aging
Commissioner of Aviation	Director of Public Health
Commissioner of Community Mental Health Svcs	Director of Purchasing
Commissioner of Finance	Director of RPTS III
Commissioner of Parks and Recreation	Executive Assistant to County Executive
Commissioner of Planning and Econ. Dev.	Executive Assist to County Exec
Commissioner of Public Works	Exec Director of Youth Bureau
Commissioner of Social Services	Nursing Home Administrator
Commissioner of Public Transportation	Personnel Officer
County Attorney	Probation Director III
Deputy County Executive	Public Defender
Director of Budget and Research	STOP DWI Coordinator
Director of Emerg Svcs/Fire Coordinator	Veteran's Director

and be it

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

**EXHIBIT A
RATE OF COMPENSATION FOR NON UNION ADMINISTRATIVE PERSONNEL
FOR FISCAL YEAR 2006**

ADMINISTRATIVE I					ADMINISTRATIVE II		
	2005 (37.5)	2005 (40)	2006 (37.5)	2006 (40)		2005	2006
<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>
7	20,405	21,767	20,936	22,333	A	50,181	51,486
8	21,380	22,805	21,936	23,398	B	52,833	54,207
9	22,411	23,905	22,994	24,527	C	55,485	56,928
10	23,496	24,953	24,107	25,602	D	58,137	59,649
11	24,641	26,284	25,282	26,967	E	60,790	62,371
12	25,850	27,574	26,522	28,291	F	63,442	65,091
13	27,127	28,936	27,832	29,688	G	66,094	67,812
14	28,472	30,278	29,212	31,065	H	70,868	72,711
15	29,890	31,883	30,667	32,712	I	73,520	75,432
16	31,384	33,478	32,200	34,348	J	81,477	83,595
17	32,967	35,164	33,824	36,078	K	84,129	86,316
18	34,633	36,943	35,533	37,904	L	88,903	91,214
19	36,388	38,813	37,334	39,822	M	93,677	96,113
20	38,246	40,740	39,240	41,799	N	98,452	101,012
21	40,201	42,833	41,246	43,947	O	103,226	105,910
22	42,268	45,043	43,367	46,214			

ADMINISTRATIVE I					ADMINISTRATIVE II		
Grade	2005 (37.5) Minimum	2005 (40) Minimum	2006 (37.5) Minimum	2006 (40) Minimum	Grade	2005 Minimum	2006 Minimum
23	44,474	47,376	45,630	48,608			
24	46,742	49,826	47,957	51,121			
25	49,165	52,443	50,443	53,807			
26	51,728	55,176	53,073	56,611			
27	54,422	58,051	55,837	59,560			
28	57,266	61,083	58,755	62,671			
29	60,270	64,288	61,837	65,959			

MISCELLANEOUS OFFICIALS

Chairman, Legislature	7,500	Res 68-388
Commissioner of Elections	7,500	Res 99-513
Coroner	25,500	Res 90-491
County Clerk	68,941	Res 98-518
County Executive	87,989	Res 04-571
District Attorney	125,600	NYS Law SEC 700B
Legislator *	12,500	Res 98-520
Sheriff	76,103	Res 98-518

ATTORNEY

Grade	2005 Minimum	2006 Minimum	2005 Maximum	2006 Maximum
AT1	44,605	45,765	51,298	52,632
AT2	55,345	56,784	63,648	65,303
AT3	67,278	69,027	77,288	79,297
AT4	79,211	81,270		
AT5	85,178	87,393		
AT6	97,110	99,635		

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

RESOLUTION NO. 725

By Personnel, Economic Development & Planning and Finance Committees
 Seconded by Mr. Sanfilippo

RESOLUTION AUTHORIZING HIRING OF GAIL DOMIN AS PLANNER AT ABOVE THE MINIMUM SALARY FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

WHEREAS, the Commissioner of Planning and Economic Development has recommended the hiring of Gail Domin as a Planner, CSEA, Grade 18, Step 2 at an annual salary of \$38,052 (6% above the minimum), and

WHEREAS, Gail Domin is qualified as a Planner and has experience and education to justify said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Gail Domin, 31 Woodcrest Way, Conklin, New York 13748 as Planner, CSEA, Grade 18, Step 2 at an annual salary of \$38,052 (6% above the minimum), at budget line 440016.1000.101000, effective November 19, 2005.

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

RESOLUTION NO. 726

By Public Works Committee

Seconded by Mr. Brunza

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO REVISION OF THE BOUNDARIES OF THE TRIPLE CITIES EMPIRE ZONE IN THE TOWN OF UNION, VILLAGES OF ENDICOTT AND JOHNSON CITY AND THE CITY OF BINGHAMTON AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to revise the boundaries of the Triple Cities Empire Zone in the Town of Union, Villages of Endicott and Johnson City and the City of Binghamton to stimulate economic growth, and

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

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

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

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of revisions to the Triple Cities Empire Zone in the Town of Union, the Villages of Endicott and Johnson City and the City of Binghamton, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that the revisions of the Triple Cities Empire Zone will not have a significant effect on the environment, and be it

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

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

RESOLUTION NO. 727

By Economic Development and Planning Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE DEPARTMENT OF STATE SHARED MUNICIPAL SERVICES INCENTIVE PROGRAM

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to submit a grant application for New York State Department of State to encourage collaboration among municipalities in addressing potential shared services, and

WHEREAS, said application would seek \$100,000 to be used to create a shared service matrix that would demonstrate existing and potential shared services and provide municipalities with methods of attaining shared services goals, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves submission of an application to the New York State Department of State, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to

form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

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

RESOLUTION NO. 728

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

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH NEW WORLD SYSTEMS FOR DATA CONVERSION SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005-2006

WHEREAS, the Director of Information Technology requests authorization for an agreement with New World Systems for data conversion services for the Division of Information Technology at a cost not to exceed \$24,800, for the period December 15, 2005 through June 30, 2006, and

WHEREAS, said services are necessary to convert data in the Sheriff's business office for automatic sharing of said data with the Sheriff's Civil Office and the 911 Emergency Services System, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New World Systems, 888 West Big Beaver Road, Suite 1100, Troy, Michigan 48084, for data conversion services, for the Division of Information Technology for the period December 15, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$24,800 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the following budget lines: \$23,500 from 450015.4449.101000 and \$1,300 from 450064.4449.101000 (Other Operational Expenses), and be it

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

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

RESOLUTION NO. 729

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH IBM CREDIT, LLC FOR THE BROOME COUNTY CLERK'S OFFICE FOR THE LEASE/PURCHASE OF COMPUTER HARDWARE, SOFTWARE, AND SUPPLIES FOR 2003-2008

WHEREAS, this County Legislature, by Resolution 175 of 2003, authorized an agreement with Exigent Computer Group, 400 Executive Parkway, Suite 275, San Romon, California 94583, for the purchase, installation, and maintenance of an IBM AS400 I-Series 800 and additional software and with Mainline Information Systems, 1700 Summit Lake Drive, Tallahassee, Florida 32311, for the purchase, installation, and maintenance of a 420 gigabyte disc drive to add to the Shark Enterprise Data Storage System for the period June 1, 2003 through December 31, 2008, at a total cost not to exceed \$492,606.25, and

WHEREAS, this County Legislature, by the same Resolution authorized an agreement with IBM Credit, LLC, 56 Briar Hill Road, Orchard Park, NY 14127, to provide financing in the amount of \$442,606.25 (\$10,059.23 per month for 44 months), and

WHEREAS, the balance of the purchase price, in the amount of \$50,000, was paid from budget line 300012.4359.101000 (Computer Software, Hardware, and Supplies), and

WHEREAS, it is now necessary to authorize the amendment of said agreement to provide for financing in the amount of \$444,432.02 (\$10,100.73 per month for 44 months), and

WHEREAS, said amendment is necessary to account for an increased total payment resulting from a seven month delinquency on the part of the County in making the first scheduled

payment, which payment was ultimately deferred and combined with the last scheduled payment, and

WHEREAS, the Broome County Clerk 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 IBM Credit, LLC, 56 Briar Hill Road, Orchard Park, NY 14127, to provide financing in the amount of \$444,432.02 (\$10,100.73 per month for 44 months), for the Broome County Clerk' Office, and be it

FURTHER RESOLVED, that Resolution 175 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her 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-15, Nays-0, Abstain-1 (Schofield), Absent-3 (Hull, Mather, Miller).

RESOLUTION NO. 730

By Public Works and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH LEBOEUF, LAMB, GREENE & MACRAE, LLP FOR CONSULTING SERVICES IN CONNECTION WITH THE VERTICAL EXPANSION AT THE NANTICOKE LANDFILL FOR 2005

WHEREAS, this County Legislature, by Resolution 659 of 2004, as amended by Resolutions 175 and 359 of 2005, authorized an agreement with LeBoeuf, Lamb, Greene & MacRae, LLP for consulting services in connection with the vertical expansion at the Nanticoke Landfill at a cost not to exceed \$45,000 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, as the result of said amendments LeBoeuf, Lamb, Greene & MacRae have been retained to represent the County in litigation involving Meridian/Broome Landfill Gas Associates/Broome Energy Resources in connection with the landfill gas-to-energy project at a total amount not to exceed \$115,000 plus costs and disbursements, and

WHEREAS, it is necessary to authorize an amendment to the agreement with LeBoeuf, Lamb, Greene and MacRae, LLP to increase the total amount of the agreement by \$100,000, total amount not to exceed \$215,000, and

WHEREAS, the County Attorney 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 LeBoeuf, Lamb, Greene & MacRae, L.L.P., 99 Washington Avenue, Suite 2020, Albany, New York 12210-2820 to provide that in consideration of said services the County shall pay the Contractor an additional amount not to exceed \$100,000 total amount not to exceed \$215,000, plus costs and disbursements, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4736.501319 1995 Landfill Expansion Project (Legal charges and fees), and be it

FURTHER RESOLVED, that Resolutions 659 of 2004, 175 and 359 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried, Ayes-16, Nays-0, Absent-3 (Hull, Mather, Miller).

RESOLUTION NO. 731

By Public Works Committee

Seconded by Mr. Shafer

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BROOME COUNTY LANDFILL TIPPING FEES AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to amend the Broome County Charter and Code with respect to the tipping fee for the disposal of auto shredder residue (fluff) at the Broome County Landfill, and

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

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

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

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the modification of tipping fees at the Broome County Landfill for the disposal of auto shredder residue (fluff), and be it

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

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

Carried, Ayes-16, Nays-0, Absent-3 (Hull, Mather, Miller).

RESOLUTION NO. 732

By County Administration, Public Works and Finance Committees

Seconded by Mr. Materese

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 9, 2005, 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. 9, 2005, 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. 9, 2005

"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)(g) of the Broome County Charter and Code, as amended, be and hereby is amended to read as follows:

Section 179-9 Fees and Charges

A. Landfill Charges

(3)(g) Auto Shredder Fluff: [~~\$25~~] \$23.50 per ton. To be accepted from in-county and out- of-county processors on an as-needed basis and used as an

alternative daily cover material subject to rules and regulations as may be promulgated by the Division of Solid Waste from time to time and provided the processor(s) furnish(es) documentation showing the fluff to have been tested and to be in compliance with applicable Department of Environmental Conservation requirements and/or the Environmental Conservation Law.

Section 2. 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 (Hull, Mather).

RESOLUTION NO. 733

By Public Works Committee

Seconded by Mr. Brunza

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO REVISION OF THE BOUNDARIES OF THE BROOME COUNTY EMPIRE ZONE IN THE TOWNS OF KIRKWOOD, VESTAL AND CITY OF BINGHAMTON AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to revise the boundaries of the Broome Empire Zone in the Town of Kirkwood, Vestal and City of Binghamton to stimulate economic growth, and

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

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

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

WHEREAS, said revisions may have an impact on the environment, now, therefore, be it
RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of revisions to the Broome County Empire Zone in the Towns of Kirkwood, Vestal and the City of Binghamton, and be it

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

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

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

Mr. Howard made a motion to adjourn, seconded by Mr. Whalen. **Motion to adjourn carried**, Ayes-17, Nays-0, Absent-2 (Hull, Mather). The meeting was adjourned at 6:37 p.m.

This page intentionally left blank.

