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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, JANUARY 19, 2006**

The Legislature convened at 5:03 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augostini, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Howard).

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.

Ms. Nannery made a motion, seconded by Mr. Miller, that the minutes of the December 28, 2005 Legislative Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Howard).

Mr. Schofield noted that the committee minutes for the period December 28, 2005 through January 18, 2006 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. Mather, seconded by Mr. Marinich. **Carried**, Ayes-18, Nays-0, Absent-1 (Howard).

**ANNOUNCEMENTS FROM THE CHAIR**

Chair Schofield requested that the date for the State of the County Address be changed from Wednesday, March 1, 2006 to Monday, February 27, 2006. Mr. Shafer made the motion, seconded by Mr. Schafer. **Carried**, Ayes-18, Nays-0, Absent-1 (Howard).

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

- A. Letters from the County Executive, Barbara J. Fiala:
  - 1. Appointing Terry R. Stark, Director of Employment and Training
  - 2. Appointments to Broome County Veterans Memorial Arena Board of Directors
  - 3. Appointments to Broome County Library Board of Trustees
  - 4. Appointments to Fire Chiefs Board of Directors/Firefighter Association Board of Directors
  - 5. Appointments to Broome County Youth Bureau Advisory Board
  - 6. Appointments to Broome County Office for Aging Advisory Board

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

- A. PETITIONS: None
- B. COMMUNICATIONS:
  - 1. Cornell Cooperative Extension Board of Directors Minutes 10/20/05
  - 2. Environmental Management Council Minutes 12/8/06
  - 3. Broome County Soil & Water Conservation District Directors Minutes 12/13/05
  - 4. Broome County Association of Municipal Clerks Minutes 12/15/06
  - 5. Risk & Insurance-Change in Deferred Compensation Carrier
  - 6. Board of Elections-Consolidation of the City of Binghamton Election Districts 43 and 47
  - 7. Board of Elections-Consolidation of the City of Binghamton Election Districts 3 and 4
  - 8. 2006 Legislative Meeting Schedule
  - 9. Broome County Soil & Water Conservation District Recommended Appointments to Board of Directors

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C. NOTICES:

1. Committee of the Whole-Review of Rules for Administrative Personnel 1/11/06
2. Public Hearing-Local Early Intervention Coordinating Council Meeting 1/26/06

D. REPORTS:

1. Audit and Control-Quarterly Accounts Receivable Analysis 1/06
2. Town of Union 2006 Budget
3. Broome County 2006 Adopted Budget
4. Board of Ethics Annual Report
5. NYSAC-Receipt of Resolution of Conditional Support of Off-Track Betting Corporation (OTB) Customer Cash Rebates to be Ordered with no Further Depletion of OTB Revenues to Counties
6. State Board of Elections-Allocation of funds for the Help America Vote Act
7. Broome County Board of Elections 2005-2006 Election Districts

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

A. Letters from the Chair, Daniel A. Schofield:

1. Designation for Mr. Reynolds 1/28/05
2. Designations for Mr. Lindsey 1/9/06
3. Destinations for Mr. Brunza, Mr. Materese and Mr. Hutchings week of 1/9/06
4. Designation for Mr. Brunza 1/9/06
5. Appointments to Ad Hoc Advisory Committee on Employee Health Benefit Payments

Mr. Kuzel made a motion, seconded by Mr. Materese, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2006 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-18, Nays-0, Absent-1 (Howard).

Mr. Lindsey and Mr. Sanfilippo 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 OR DEFERRED FROM PREVIOUS SESSION**

**RESOLUTION NO. 672**

(Tabled at the December 15, 2005 Session)

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**

Mr. Kuzel made a motion, seconded by Mr. Shafer, to amend the resolution adding a third WHEREAS paragraph as follows:

"WHEREAS, said agreement establishes contracted goals for the program which are:

- 1) To assure the safety of sexually abused children;
- 2) Help families of sexually abused children deal with the trauma of sexual abuse;
- 3) Where possible, help families of sexually abused children correct underlying and individual family dysfunctions that led to the sexual abuse, so that further incidents can be prevented,

and"

**Amendment carried**, Ayes-18, Nays-0, Absent-1 (Howard). Mr. Kuzel then made a motion, seconded by Mr. Shafer, to add another FURTHER RESOLVED paragraph as follows:

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“FURTHER RESOLVED, that case closing criteria for children receiving services under this contract must include a plan for protection from further sexual abuse which requires that the offender has been permanently removed from the family situation, and be it”

Mr. Shafer made a motion to table the resolution to the February 16, 2006 Legislative Session. The Clerk pointed out that the amendment to the resolution would be on the floor at that time. **Motion to table carried**, Ayes-18, Nays-0, Absent-1 (Howard).

## **RESOLUTIONS INTRODUCED AT THIS SESSION**

### **RESOLUTION NO. 1**

By Transportation and Finance Committees  
Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH CINGULAR WIRELESS FOR LEASE OF SPACE FOR THE DEPARTMENT OF AVIATION FOR 2006-2015**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Cingular Wireless for lease of space at the Greater Binghamton Airport with revenue to the County in the amount of \$1,400 per month with a 1.5% annual increase every year following year one (1), for the period January 1, 2006 through December 31, 2015 with four (4) five (5) year mutual options to follow, and

WHEREAS, said services are necessary to provide space, consisting of 170 square feet adjacent to the Water Tower for a small electrical building along with space on the water tower structure, for an antenna and support accessories, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Cingular Wireless, c/o Wireless Asset Management, P.O. Box 2088, Rancho Cordova, California 95741-2088, for lease of space at the Greater Binghamton Airport consisting of 170 square feet adjacent to the Water Tower for a small electrical building along with space on the water tower structure, for an antenna and support accessories, for the period January 1, 2006 through December 31, 2015, and be it

FURTHER RESOLVED, that in consideration of said services, the vendor shall pay the County \$1,400 per month with a 1.5% annual increase every year following year one (1), for the period January 1, 2006 through December 31, 2015, with four (4) five (5) year mutual options to follow, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 210195.0187.207000 (Rental of Real Property Individuals), 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-18, Nays-0, Absent-1 (Howard).

### **RESOLUTION NO. 2**

By County Administration and Finance Committees  
Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH PITNEY BOWES FOR LEASE AND MAINTENANCE OF THE DIGITAL MAIL EQUIPMENT THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005-2009**

WHEREAS, this County Legislature, by Resolution 589 of 2005, authorized an agreement with Pitney Bowes for lease and maintenance of a new digital mail machine and 70-pound postage scale, for the Division of Information Technology, at a cost of \$862.79 per month, annual amount not to exceed \$10,353.48 per year, total amount not to exceed \$31,060.44 for the period December 1, 2005 through November 30, 2008, and

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WHEREAS, said agreement was necessary to provide lease and maintenance on the Paragon digital mail machine and the 70-pound Platform postage scale used in the Broome County Mailroom, and

WHEREAS, it is necessary to authorize an amendment to said agreement to correct the pricing to reflect a four year rate of \$862.79 per month, annual amount not to exceed \$10,353.48 per year, total amount not to exceed \$41,413.92 for the period January 1, 2006 through December 31, 2009, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Pitney Bowes, 4100 Old Vestal Road, Vestal, New York 13850 to correct the pricing to reflect a four year rate, for the Department of Information Technology for the period January 1, 2006 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a four year rate of \$862.79 per month, annual amount not to exceed \$10,353.48 per year, total amount not to exceed \$41,413.92, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370049.4411.101000 (Postage and Freight), and be it

FURTHER RESOLVED, that Resolution 589 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-18, Nays-0, Absent-1 (Howard).**

### **RESOLUTION NO. 3**

By County Administration and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH PSR INFORMATION SYSTEMS SERVICES FOR MAINFRAME SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2006**

WHEREAS, the Director of Information Technology requests authorization for an agreement with PSR Information Systems Services for mainframe services for the Division of Information Technology at a cost not to exceed \$2,378, for the period January 1, 2006 through June 30, 2006, and

WHEREAS, said services are necessary to de-install the County's current Shark Enterprise Storage system and mainframe, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with PSR Information Systems Services, 770 Dedham Street, Canton, Massachusetts 02021, for mainframe services, for the Division of Information Technology for the period January 1, 2006 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 \$2,378 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4726.101000 (Contracted Data Processing), 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-18, Nays-0, Absent-1 (Howard).**

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#### RESOLUTION NO. 4

By County Administration and Finance Committees

Seconded by Mr. Shafer

##### **RESOLUTION AUTHORIZING AGREEMENT WITH IBM, INC. FOR INSTALLATION SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2006**

WHEREAS, the Director of Information Technology requests authorization for an agreement with IBM, Inc. for services for the Division of Information Technology at a cost not to exceed \$10,000, said cost including \$8,500 for installation services plus \$1,500 for travel expenses, for the period January 1, 2006 through June 30, 2006, and

WHEREAS, said agreement is necessary to install the IBM 6800 Enterprise Storage Device, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with IBM, Inc., 7100 Highlands Parkway, Smyrna, Georgia 30082, for installation of the IBM 6800 Enterprise Storage Device, for the Division of Information Technology for the period January 1, 2006 through June 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$8,500 for installation services plus \$1,500 for travel expenses, for a total amount not to exceed \$10,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4726.101000 (Contracted Data Processing), 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-1 (Howard), Abstain-1 (Schofield).

#### RESOLUTION NO. 5

By County Administration and Finance Committees

Seconded by Mr. Brunza

##### **RESOLUTION AUTHORIZING AN AGREEMENT WITH SCS, INC. FOR PROFESSIONAL SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2006**

WHEREAS, the Director of Information Technology requests authorization for an agreement with SCS, Inc. for professional services to reconfigure computer equipment in the Division of Information Technology's Computer Room at a cost not to exceed \$11,000, for the period January 1, 2006 through June 30, 2006, and

WHEREAS, said services are necessary to reconfigure and move equipment in the Information Technology Computer Room to accommodate the replacement of the County's Shark ESS and mainframe, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with SCS, Inc., 5788 Widewaters Parkway, Syracuse, New York 13214, for professional services, for the Division of Information Technology for the period January 1, 2006 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 \$11,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4726.101000 (Contracted Data Processing), 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-18, Nays-0, Absent-1 (Howard).

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## RESOLUTION NO. 6

By County Administration and Finance Committees

Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH EXIGENT COMPUTER GROUP, INC. FOR SOFTWARE MAINTENANCE FOR OFFICE OF THE BROOME COUNTY CLERK FOR 2006**

WHEREAS, the County Broome County Clerk requests authorization for an agreement with Exigent Computer Group, Inc. for software maintenance for the Office of the County Clerk at a cost not to exceed \$21,000, for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said services are necessary to provide for the maintenance of the software imaging system, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Exigent Computer Group, Inc., 4000 Executive Parkway, Suite 275, San Ramon, California 94583 for the software maintenance of the software imaging system, for the Office of the County Clerk 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 \$21,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4513.101000 (Software Maintenance), and be it

FURTHER RESOLVED, that the County Executive or 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-18, Nays-0, Absent-1 (Howard).

## RESOLUTION NO. 7

By County Administration and Finance Committees

Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING RETENTION OF \$269,474 BY THE COUNTY CLERK FOR THE COUNTY OF BROOME FROM MORTGAGE TAXES**

WHEREAS, Section 262 of the Tax Law mandates that recording officers are entitled to receive for the county all necessary expenses for the purposes of administration of mortgage taxes in their office and approved allowance by the New York State Tax Commission, and

WHEREAS, the New York State Tax Commission did, by Resolution duly adopted, determine that such mortgage tax expense be approved, at the amount certified to the State Tax Commissioner, by the County Legislature, provided it is a reasonable and necessary allowance for such expenses, and

WHEREAS, the Broome County Clerk has determined that \$269,474 represents the annual amount of expenses incurred by this office in the collection of mortgage taxes due and owing pursuant to New York State Tax Laws, and

WHEREAS, this change represents a \$26,328.60 per annum increase from the previous allowance of \$243,145.40 calculated in 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby determines that the sum of \$269,474 per annum be and hereby is a necessary, reasonable and proper allowance to be received by the County Clerk of the County of Broome for the purpose of administering mortgage taxes in said office, and be it

FURTHER RESOLVED, that revenue from the processing of mortgage taxes shall be credited to budget line 300012.0017.101000 (Mortgage Tax), and be it

FURTHER RESOLVED, that the sum of \$269,474 per annum is hereby certified to the State Tax Commission as the reasonable and proper allowance for such expenses.

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

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## RESOLUTION NO. 8

By Finance Committee  
Seconded by Mr. Brunza

### **RESOLUTION WAIVING THE PENALTY, INTEREST AND RELATED FEES FOR A PARCEL OF PROPERTY IN THE TOWN OF BARKER FOR 2003 AND 2004**

WHEREAS, a certain parcel in the Town of Barker was listed in the wrong name for the tax years of 2003 and 2004, and

WHEREAS, the Director of Real Property Tax Service has filed a report pursuant to Section 554 of the Real Property Tax Law to correct the tax rolls by waiving the penalty, interest and related fees and certain claimed errors have been determined to exist that should be corrected, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the application to correct the tax rolls by waiving the penalty, interest and related fees and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in the amount show below pursuant to Section 554 of the Real Property Tax Law:

Tax Year:	2003
Parcel ID:	049.02-1-36
Town:	Barker
Owner:	James and Mary McGoff 439 County Route 1 Chenango Forks, New York
Amount to be Cancelled:	\$161.11

Tax Year:	2004
Parcel ID:	049.02-1-36
Town:	Barker
Owner:	James and Mary McGoff 439 County Route 1 Chenango Forks, New York
Amount to be Cancelled:	\$168.97

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

## RESOLUTION NO. 9

By Finance Committee  
Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES, PLUS INTEREST AND PENALTIES ON A PARCEL IN THE TOWN OF LISLE**

WHEREAS, it is necessary to clear the tax records of a parcel of real property by virtue of the reason stated below, now, therefore, be it

RESOLVED, that taxes will be cancelled on the following parcels of real property:

Parcel ID:	013.00-2-19
Town/Village:	Lisle
Owner:	Buisson, Joseph
Amount to be Cancelled:	\$447.88 plus interest and penalties
Reason:	Clerical Error

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

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## RESOLUTION NO. 10

By Finance Committee  
Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LEGAL AID FOR SOCIETY OF MID NEW YORK, INC. FOR LEGAL SERVICES FOR THE DEPARTMENT OF AUDIT AND CONTROL FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 590 of 2003, as amended by Resolution 215 of 2004, authorized an agreement with Legal Aid Society of Mid New York, Inc. for legal services for Department of Audit and Control, at rates of \$40 per hour for paralegals and \$60 per hour for attorneys, total amount not to exceed \$184,800 for the period July 1, 2004 through December 31, 2004, and \$40 per hour for paralegals and \$60 per hour for attorneys, total amount not to exceed \$369,600 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide mandated legal defense services in Broome County Family Court for residents of Broome County who are indigent and cannot afford legal counsel, and

WHEREAS, said agreement expired 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 rates of \$40 per hour for paralegals and \$60 per hour for attorneys, total amount not to exceed \$500,000 per year, for the period January 1, 2006 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Legal Aid Society of Mid New York, Inc., 255 Genesee Street, Utica, New York 13501, for legal services for indigent County residents in Broome County Family Court for the Department of Audit and Control for the period January 1, 2006 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates of \$40 per hour for paralegals and \$60 per hour for attorneys, total amount not to exceed \$500,000 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 360008.4738.101000 (Court Assigned Attorneys-Family Court), 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-18, Nays-0, Absent-1 (Howard).**

## RESOLUTION NO. 11

By Finance Committee  
Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING AN AGREEMENT WITH TESTONE, MARSHALL & DISCENZA, LLP FOR AUDITING SERVICES FOR DEPARTMENT OF AUDIT AND CONTROL FOR 2005-2009**

WHEREAS, the Comptroller requests authorization for an agreement with Testone, Marshall & Discenza, LLP for auditing services of financial accounts for the Department of Audit and Control at amounts not to exceed \$151,000 for the year ending December 31, 2005, \$156,700 for the year ending December 31, 2006, \$162,600 for the year ending December 31, 2007, \$168,700 for the year ending December 31, 2008 and \$175,100 for the year ending December 31, 2009, and

WHEREAS, said services are necessary to perform financial and compliance audits required by government and regulatory agencies, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Testone, Marshall & Discenza, LLP, 432 N. Franklin Street, Syracuse, New York 13204, for auditing services for the Department of Audit and Control for the years ending December 31, 2005 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$151,000 for year ending December 31, 2005, \$156,700 for

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year ending December 31, 2006, \$162,600 for year ending December 31, 2007, \$168,700 for year ending December 31, 2008 and \$175,100 for year ending December 31, 2009, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 360008.4722.101000 (Audit 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-18, Nays-0, Absent-1 (Howard).

### **RESOLUTION NO. 12**

By Transportation Committee

Seconded by Mr. Brunza

#### **RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE GREATER BINGHAMTON AIRPORT ADVISORY BOARD**

WHEREAS, Barbara J. Fiala, County Executive, pursuant to the authority vested in her by Resolution 99 of 1989 has duly designated and appointed the following named individual to membership on the Greater Binghamton Airport Advisory Board, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Ari Meisel 45 Lewis Street Binghamton, New York 13901	12/31/08 New Appointment

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 99 of 1989, hereby confirms the appointment of the above-named individual to membership on the Greater Binghamton Airport Advisory Board for the term indicated, in accordance with his appointment by the County Executive.

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

### **RESOLUTION NO. 13**

By Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF THE DAY CARE REGISTRATION PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006**

WHEREAS, this County Legislature, by Resolution 320 of 2004, as amended by Resolution 502 of 2005, authorized and approved the Day Care Registration Program Grant for the Department of Social Services and adopted a program budget in the amount of \$388,074 for the period August 1, 2004 through December 31, 2005, and

WHEREAS, said program grant provides registration and inspection, including investigations and enforcement referrals, of family day care homes and school-age child care programs on the local level, and

WHEREAS, it is desired to renew said program grant in the amount of \$252,589 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 \$252,589 from the New York State Office of Children and Family Services, Bureau of Early Childhood Services, 52 Washington Street, 3 North Building, Rensselaer, New York 12144, for the Department of Social Services Day Care Registration Program Grant for the period January 1, 2006 through December 31, 2006, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$252,589, 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-18, Nays-0, Absent-1 (Howard).**

### **RESOLUTION NO. 14**

By Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CHILDREN'S HOME OF WYOMING CONFERENCE FOR NON-SECURE DETENTION AT HASKINS NON-SECURE DETENTION FACILITY FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006**

WHEREAS, this County Legislature, by Resolution 562 of 2004, authorized renewal of the agreement with The Children's Home of Wyoming Conference for non-secure detention at Haskins Non-Secure Detention Facility for the Department of Social Services at an amount not to exceed \$749,832 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide non-secure detention at Haskins for court ordered persons in need of supervision, juvenile delinquents and related detention services, and

WHEREAS, said agreement expired 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 \$772,327, 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 non-secure detention at Haskins Non-Secure Detention Facility for court ordered persons in need of supervision, juvenile delinquents and related 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 \$772,327 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670117.4581.103000 (Foster Care NS DET-Haskins), 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-18, Nays-0, Absent-1 (Howard).**

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## RESOLUTION NO. 15

By Human Services and Finance Committees

Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR HOMEMAKER AND PARENT AIDE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006**

WHEREAS, this County Legislature, by Resolution 576 of 2005, authorized renewal of the agreement with Family and Children's Society of Broome County, Inc. for homemaker and parent aide services for the Department of Social Services at an amount not to exceed \$250,525, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement provides homemaker and parent aide services for at-risk families and adults, and

WHEREAS, said agreement expired 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 \$258,041, 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 homemaker and parent aide 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 \$258,041 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-18, Nays-0, Absent-1 (Howard).

## RESOLUTION NO. 16

By Human Services and Finance Committees

Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING AGREEMENT WITH TECHNOLOGY SOLUTIONS FOR SOFTWARE MAINTENANCE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006**

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with Technology Solutions for software maintenance for the Department of Social Services at a cost not to exceed \$20,981.80, for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said agreement is necessary for software maintenance for Collaborative Care 4 Kids (CC4K) and Day Care related Imaging software, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Technology Solutions, 5820 Main Street, Suite 102, Williamsville, New York 14221, for software maintenance, 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 \$20,981.80 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670513.4513.105XXX (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-18, Nays-0, Absent-1 (Howard).

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**RESOLUTION NO. 17**

By Human Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS FROM THE BROOME COMMUNITY COLLEGE FOUNDATION FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006**

WHEREAS, the Commissioner of Social Services requests authorization to accept funds from the Broome Community College Foundation in the amount of \$96,200 for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said funds will be used for various child welfare services that focus on early childhood education, healthy children and effective parenting for infants and toddlers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$96,200 from the Broome Community College Foundation, PO Box 1017, Binghamton, New York 13902 for the Department of Social Services for the period January 1, 2006 through December 31, 2006, 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-18, Nays-0, Absent-1 (Howard).

**RESOLUTION NO. 18**

By Human Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AGREEMENT WITH THE YWCA OF BINGHAMTON/BROOME COUNTY FOR SERVICES RELATED TO THE TODAY'S JOURNEY PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2006**

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with the YWCA of Binghamton/Broome County for services related to the Today's Journey Program for the Department of Social Services at a cost not to exceed \$83,019, for the period February 1, 2006 through December 31, 2006, and

WHEREAS, said agreement will provide a supportive, sober, stable living environment for women recovering from alcohol and substance abuse and their dependent children, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the YWCA of Binghamton/Broome County, 80 Hawley Street, Binghamton, New York 13901 for services related to the Today's Journey Program for the Department of Social Services for the period February 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 \$83,019 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670513.4747.105112 (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-18, Nays-0, Absent-1 (Howard).

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## RESOLUTION NO. 19

By Health Services and Finance Committees

Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER FOR SIGNING SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2006**

WHEREAS, this County Legislature, by Resolution 582 of 2005, authorized an agreement with Southern Tier Independence Center for signing services for the Department of Mental Health at the rate of \$45 per hour, total amount not to exceed \$6,000, for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said agreement provides signing services that are necessary to comply with applicable New York State regulations, and

WHEREAS, it is necessary to authorize an amendment to said agreement to modify the rate information to \$50 per hour for Certified Interpreters, \$40 per hour for Pre-Certified Interpreters and \$65 per hour for Emergency and Weekend Interpreters for signing services for the Department of Mental Health, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Southern Tier Independence Center, 24 Prospect Avenue, Binghamton, New York 13901 to correct the rate information to \$50 per hour for Certified Interpreters, \$40 per hour for Pre-Certified Interpreters and \$65 per hour for Emergency and Weekend Interpreters, total amount not to exceed \$6,000 for the period January 1, 2006 through December 31, 2006 for signing services for the Department of Mental Health, and be it

FURTHER RESOLVED, that Resolution 582 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-18, Nays-0, Absent-1 (Howard).

## RESOLUTION NO. 20

By Health Services, Personnel and Finance Committees

Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING REVISION OF THE PREVENTIVE DENTISTRY/DENTAL SEALANT PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006**

WHEREAS, this County Legislature, by Resolution 513 of 2005, authorized and approved renewal of the Preventive Dentistry/Dental Sealant Program Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$41,250 for the period October 1, 2005 through June 30, 2006, and

WHEREAS, said program grant promotes good oral hygiene to Broome County school children by providing dental exams, cleanings, sealants and educational services, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$1,044 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Preventive Dentistry/Dental Sealant Program Grant to reflect an increase of \$1,044 for the period October 1, 2005 through June 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 \$42,294, and be it

FURTHER RESOLVED, that Resolution 513 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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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-18, Nays-0, Absent-1 (Howard).**

### **RESOLUTION NO. 21**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH BURR AND REID, LLP FOR DELINQUENT ACCOUNT COLLECTION SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2006-2009**

WHEREAS, the Public Health Director requests authorization for an agreement with Burr and Reid, LLP, for delinquent account collection services for the Department of Health at a rate of 25% of amounts recovered after commencement of legal action, a rate of 20% of amounts recovered prior to commencement of legal action, and a rate not to exceed 35% for referral of accounts to corresponding counsel, for the period January 1, 2006 through December 31, 2009, and

WHEREAS, said services are necessary to follow up on all delinquent accounts for collection as required, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Burr and Reid, LLP, P.O. Box 2308, Binghamton, New York 13902-2308, for delinquent account collection services, for the Department of Health for the period January 1, 2006 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of 25% of amounts recovered after commencement of legal action, a rate of 20% of amounts recovered prior to commencement of legal action, and a rate not to exceed 35% for referral of accounts to corresponding counsel, for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue resulting in the delinquent account collection hereinabove authorized shall be credited to budget line 480228.0070.101000 (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-18, Nays-0, Absent-1 (Howard).**

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## RESOLUTION NO. 22

By Human Services and Finance Committees

Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH WBNG-TV FOR PHONE BANK SERVICES FOR THE OFFICE FOR AGING FUTURES II PROJECT FOR 2005**

WHEREAS, this County Legislature, by Resolution 540 of 2005, authorized an agreement with WBNG-TV for phone bank services for the Office for Aging Futures II Project a cost not to exceed \$7,500 for the period November 1, 2005 through December 31, 2005, and

WHEREAS, said phone bank services is an effective way to conduct and offer follow up contacts to seniors to ensure their educational and service needs have been met, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term of the agreement to November 1, 2005 through January 31, 2006, at no additional cost to the County, and

WHEREAS, the Director of 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 WBNG-TV, 560 Columbia Drive, Suite 1, Johnson City, New York 13790 to extend the term of the agreement to November 1, 2005 through January 31, 2006, at no additional cost to the County, for phone bank services for the Office for Aging Futures II Project, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$7,500, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4448.105010 (Advertising & Promotion), and be it

FURTHER RESOLVED, that Resolution 540 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-18, Nays-0, Absent-1 (Howard).

## RESOLUTION NO. 23

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. Brunza

### **RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE FOR THE AUTHORITY TO EXCHANGE A PORTION OF HAWKINS POND NATURE AREA LAND FOR AN ADJOINING PARCEL OF LAND IN THE TOWN OF WINDSOR**

WHEREAS, the Commissioner of Parks and Recreation and the Director of Real Property Tax Service request authorization to exchange a parcel of land in the Town of Windsor adjoining the Hawkins Pond Nature Area for an equally sized portion of park land as illustrated in the attached Exhibit "A", and

WHEREAS, the portion of said park to be exchanged contains a dwelling for which the Department of Parks and Recreation has no further use, and

WHEREAS, the parcel of property owned by the County is vacant land more suitable for use as park land, and

WHEREAS, once the exchange is made, the Commissioner of Parks and Recreation and the Director of Real Property Tax Services can dispose of the property and dwelling in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, and

WHEREAS, such an exchange requires parkland alienation legislation by the New York State Legislature, compliance with the state Environmental Quality Review Act, and appraisals and surveys of both parcels, now, therefore, be it

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RESOLVED, this County Legislature requests that New York State Legislature adopt legislation authorizing the exchange of a portion of Hawkins Pond Nature Area land with an adjoining equally sized parcel of land in the Town of Windsor as illustrated in the attached Exhibit "A", 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 Clerk of this Legislature in conjunction with the Commissioner of Planning and Economic Development and the Commissioner of Parks and Recreation is hereby directed to send a copy of this Resolution and all supporting documentation to the New York State Senate and Assembly home rule offices, Senator Thomas W. Libous, Assemblywoman Donna Lupardo, Assemblyman Clifford W. Crouch and Assemblyman Gary D. Finch.

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

#### **RESOLUTION NO. 24**

By Economic Development & Planning and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION DESIGNATING THE RECONSTRUCTION AND/OR RENOVATION OF THE GEORGE HARVEY JUSTICE BUILDING AS THE PREFERRED PROJECT FOR USE OF TOBACCO BOND PROCEEDS**

WHEREAS, in the latter part of the year 2005, municipalities in New York State had an opportunity to receive additional tobacco settlement revenues, and

WHEREAS, Broome County opted to receive said revenues, and

WHEREAS, several eligible projects were included in the County's 2006-2011 Capital Improvement Program (CIP), and

WHEREAS, the County must select which projects, meeting bond expenditure guidelines, shall be funded with said tobacco settlement revenues, now, therefore, be it

RESOLVED, that the George Harvey Justice Building be and hereby is designated as the project for which 2005 tobacco bond proceeds in the amount of \$17,154,817.71, together with accrued interest, will be expended.

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

#### **RESOLUTION NO. 25**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF THE CHILD PASSENGER SAFETY PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2005-2006**

WHEREAS, this County Legislature, by Resolution 636 of 2004, authorized and approved renewal of the Child Passenger Safety Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$7,800 for the period October 1, 2004 through September 30, 2005, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$13,500 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 \$13,500 from the New York State's Traffic Safety Committee, Department of Motor Vehicles, 6 Empire State Plaza, Albany, NY 12228 for the Office of the Sheriff's Child Passenger Safety Program Grant for the period October 1, 2005 through September 30, 2006, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$13,500, 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-18, Nays-0, Absent-1 (Howard).**

### **RESOLUTION NO. 26**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A NARCOTICS CONTROL PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2005-2006**

WHEREAS, the Broome County Sheriff requests authorization to accept a Narcotics Control Program Grant and adopt a program budget in the amount of \$100,000 for the period July 1, 2005 through September 30, 2006, and

WHEREAS, said program grant provides funding to equip and train the Broome County Emergency Response Team in advanced techniques to respond to drug trafficking and emergency and terrorist incidents, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$75,000 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203-3764 for the Office of the Sheriff's Narcotics Control Program Grant for the period July 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 \$100,000, 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-18, Nays-0, Absent-1 (Howard).**

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## RESOLUTION NO. 27

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

### **RESOLUTION AUTHORIZING AN AMENDMENT TO THE FUNDING AGREEMENTS WITH COUNTY DEPARTMENTS, OUTSIDE AGENCIES AND VARIOUS BROOME COUNTY MUNICIPALITIES FOR THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP- DWI) PROGRAM FOR 2006**

WHEREAS, this County Legislature, by Resolution 648 of 2005 authorized the renewal of funding agreements as shown on Exhibit "A" with County departments, outside agencies and Broome County municipalities for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant for the period January 1, 2006 through December 31, 2006, and

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

WHEREAS, it is necessary to authorize an amendment to said funding agreements to move the Vestal Police Department from contract CA1512-1 (Task Force Patrol Program) to contract CA1512 (Task Force Overtime Program) for the same amount of funding at \$15,000 for the period January 1, 2006 through December 31, 2006, and

WHEREAS, the Coordinator of the STOP-DWI Program 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 funding agreements with County departments, outside agencies and Broome County municipalities for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Program Grant to move the Vestal Police Department from contract CA1512-1 (Task Force Patrol Program) to contract CA1512 (Task Force Overtime Program) for the same amount of funding at \$15,000 for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 820001.4610.101051 (Personal Services), and be it

FURTHER RESOLVED, that Resolution 648 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-18, Nays-0, Absent-1 (Howard).

## RESOLUTION NO. 28

By Public Works and Finance Committees  
Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF WINDSOR AND BROOME COUNTY FOR THE TRADE OF WINTER SNOW MAINTENANCE SERVICES**

WHEREAS, the Commissioner of Public Works requests authorization for an intermunicipal agreement with the Town of Windsor to trade snow maintenance services on Edson Road (County Road) and Place Road (Town Road) at an annual cost to the County of \$5,950 for a two-year period commencing with the execution of the agreement and to provide the oil for an oil and chip sealing project on six-tenths of a mile on the town's Scouten Road at a cost not to exceed \$3,900, and

WHEREAS, said agreement would include the transfer of 2.45 miles of Edson Road and an adjoining spur to the Town of Windsor and the transfer of .75 miles of Place Road to the County for snow and ice removal, for a net transfer to the Town of 1.7 miles of roadway, and

WHEREAS, the County, in consideration of said trade, would pay the Town of Windsor \$3,500 per centerline mile for snow and ice removal on 1.7 miles of road at an annual cost of

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\$5,950 for a two-year period commencing with the execution of the agreement and provide the oil for an oil and chip sealing project on six-tenths of a mile on the town's Scouten Road at a cost not to exceed \$3,900, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement with the Town of Windsor to trade snow maintenance services on Edson Road (County Road) and Place Road (Town Road) for a two-year period commencing with the execution of the agreement and provide the oil for an oil and chip sealing project on six-tenths of a mile on the Town's Scouten Road, and be it

FURTHER RESOLVED, that the County, in consideration of said trade, will pay the Town of Windsor \$3,500 per centerline mile for snow and ice removal on 1.7 miles of road at an annual cost of \$5,950, total cost not to exceed \$11,900 for the term of the agreement, and provide the oil for an oil and chip sealing project on six-tenths of a mile on the town's Scouten Road at a cost not to exceed \$3,900, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 030130.4512.301000 (Other Rentals – Machinery), 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-18, Nays-0, Absent-1 (Howard).

## **RESOLUTION NO. 29**

By Public Works Committee

Seconded by Mr. Brunza

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

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

WHEREAS, the Airport Road Bridge (BIN 3349530) Replacement Project in the Town of Maine has been determined under the New York State Environmental Quality Review Act to have no substantial effect on the environment in that it involves only the replacement of the existing bridge, and

WHEREAS, a public information meeting for said project was conducted by the Department of Public Works and the consulting engineering firm of C & S Engineers, Inc. on October 14, 2004, and

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

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

RESOLVED, that this County Legislature hereby finds the Department of Public Works Airport Road (CR 69) Bridge (BIN 3349530) Replacement Project in the Town of Maine to be "de

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minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

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

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

### RESOLUTION NO. 30

By Personnel, Education, Culture & Recreation and Finance Committees

Seconded by Mr. Brunza

#### RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR PUBLIC LIBRARY

RESOLVED, that in accordance with a request contained in PCR# 05-342 from the Broome County Public Library, this County Legislature hereby authorizes changing a Librarian II position, Union Code 30 (CSEA), Grade 18, minimum salary \$37,725 to a Librarian I position, Union Code 30 (CSEA), Grade 16, minimum salary \$33,890, at budget line 841007.1000.304000, effective from September 19, 2005.

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

### RESOLUTION NO. 31

By Personnel, Health Services and Finance Committees

Seconded by Mr. Brunza

#### RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR CASA

RESOLVED, that in accordance with a request contained in PCR# 06-18 from the CASA Department, this County Legislature hereby authorizes changing a Public Health Nurse position, Union Code 04 (CSEA), Grade 17, minimum salary \$34,095 to a Sr. Registered Professional Nurse position, Union Code 04 (CSEA), Grade 16, minimum salary \$32,413 at budget lines 680033.1000.101000, effective January 1, 2006.

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

### RESOLUTION NO. 32

By Finance and Health Services Committees

Seconded by Mr. Brunza

#### RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENT OF HEALTH

RESOLVED that in accordance with a request from the Director of Public Health, in order to move funds to maximize the 2005-2006 HIV Care Network Grant as requested by BF#005488 and 005489, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>\$ Amount</u>
FROM:	480376	1500	105024	Salaries, Part-Time	6,251
	480376	8010	105024	State Retirement	742
	480376	8030	105024	Social Security	494
	480376	8040	105024	Workers Compensation	129
	480376	8050	105024	Life Insurance	6
	480376	8060	105024	Disability Insurance	29
	480376	8070	105024	Unemployment Ins.	65
TO:	480376	4319	105024	Office Supplies	1,290
	480376	4349	105024	Misc, Operating Sup.	270
	480376	4462	105024	Travel, Hotel, Meals	570
	480376	4463	105024	Education & Training	300
	480376	4466	105024	Advisory Board	300

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<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>\$ Amount</u>
480376	4609	105024	Data Processing Chgbck	1,800
480376	4610	105024	Personal Services	2,146
480376	4615	105024	Gasoline	40
480376	4616	105024	Fleet Services	100
480376	4617	105024	Duplicating & Printing	700
480376	4618	105024	Office Supplies Chgbck	200

FURTHER RESOLVED that in accordance with a request from the Director of Public Health, in order to move appropriations to close the WIC 04/05 Grant as requested by BF#005500 and 005501, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>\$ Amount</u>
FROM:	480301	1000	104942	Salaries, Full-Time	7,081
	480301	4449	104942	Other Operational Exp.	13,223
TO:	480301	1600	104942	Salaries, Temporary	6,738
	480301	1700	104942	Salaries, Overtime	1,672
	480301	4311	104942	Books and Subscrip.	61
	480301	4319	104942	Office Supplies	6,933
	480301	4346	104942	Training & Education	263
	480301	4349	104942	Misc Operational Exp.	1,711
	480301	4429	104942	Buildings & Grounds	140
	480301	4462	104942	Travel, Hotels, Meals	485
	480301	4614	104942	Other Chgbk Exp.	39
	480301	4615	104942	Gasoline Chgbk	189
	480301	4617	104942	Duplicating & Printing	290
	480301	4618	104942	Office Supplies Chgbk	1,753
	480301	8063	104942	Disability Insurance	30

FURTHER RESOLVED that in accordance with a request from the Director of Public Health, in order to move appropriations to close the WIC 04/05 Grant as requested by BF#005502 and 005503, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>\$ Amount</u>
FROM:	480301	4459	105097	Reserve for Program	39,864
TO:	480301	1000	105097	Salaries, Full-Time	12,304
	480301	1600	105097	Salaries, Temporary	19,739
	480301	4319	105097	Office Supplies	75
	480301	4461	105097	Mileage & Parking	404
	480301	4462	105097	Travel Hotels and Meals	600
	480301	4463	105097	Education & Training	100
	480301	4606	105097	Telephone Chgbk	840
	480301	4618	105097	Office Supply Chgbk	130
	480301	8010	105097	State Retirement	1,415
	480301	8030	105097	Social Security	941
	480301	8040	105097	Workers Compensation	246
	480301	8050	105097	Life Insurance	7
	480301	8060	105097	Health Insurance	2,904
	480301	8063	105097	Disability Insurance	36
	480301	8070	105097	Unemployment Insurance	123

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

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### RESOLUTION NO. 33

By Education, Culture & Recreation and Finance Committees  
Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH ANDREW L. CAIN AS EN-JOIE GOLF COURSE SUPERINTENDENT FOR THE DEPARTMENT OF PARKS AND RECREATION FOR 2006**

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with Andrew L. Cain as En-Joie Golf Course Superintendent for the Department of Parks and Recreation at a cost not to exceed \$61,000, for the period February 1, 2006 through December 31, 2006, with the option for two renewal periods, contingent upon Broome County continuing to manage said golf course, and

WHEREAS, said services are necessary to manage the day-to-day building and grounds operation at the En-Joie Golf Course, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Andrew L. Cain, 281 Mulberry Avenue #2, Elmira Heights, New York 14903 as En-Joie Golf Course Superintendent for the Department of Parks and Recreation, for the period February 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 \$61,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 850008.4747.309000 (Other Fees for Services), and be it

FURTHER RESOLVED, that the contractor shall not be an employee of the County, and be it

FURTHER RESOLVED, that this Legislature hereby authorizes two (2) renewal periods, by mutual consent, contingent upon Broome County continuing to manage said golf course, for the periods January 15, 2007 through December 15, 2007 and January 15, 2008 through December 15, 2008 at a cost not to exceed \$61,000 for each period and under the same terms and conditions hereinabove authorized, 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-18, Nays-0, Absent-1 (Howard).

### RESOLUTION NO. 34

By Finance Committee  
Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH SEVERAL CONTRACT AGENCIES SUPPORTED BY BROOME COUNTY FOR 2006**

WHEREAS, the County has contributed financial support to numerous agencies and organizations involved in various fields of endeavor which benefit aid or assist with the many needs of the broad spectrum of the Broome County community, and

WHEREAS, it is the desire of this Legislature to give approval for the execution of the contracts with such agencies, said contracts to be in general form heretofore used, subject to and conditioned upon the financial allocations made and accounting procedure prescribed by the County Law Department to each respective contract agency in the 2006 Broome County Budget, and

WHEREAS, said financial support shall be distributed in the following manner:

- Aid up to and including \$10,000 shall be distributed in one lump sum payment
- Aid between \$10,001 and up to and including \$50,000 shall be distributed in semi-annual payments
- Aid in excess of \$50,000 shall be distributed on a quarterly basis,

now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes the County Executive or her duly authorized representative to execute such agreements, approved as to form by the Department of Law, with the contract 2006 Broome County Budget as follows:

<u>Agency</u>	<u>Amount</u>
ACCORD Dispute Resolution Center	\$11,861
Broome Arts Council	\$193,925
Broome County Bicentennial	\$20,000
Broome County Convention Bureau	\$400,000
Broome County Historical Society	\$35,000
Broome County Soil and Conservation District	\$84,000
Cornell Cooperative Extension Association	\$433,913
Discovery Center	\$13,466
Four County Library System	\$39,900
Opportunities For Broome	\$38,592
Southern Tier East Regional Planning Board (Paid from Planning Department)	\$31,055
Southern Tier Zoological Society	\$366,250
Veterans Support Council (Paid from the Mental Health Department)	\$30,000
Total	\$1,697,962

and be it

FURTHER RESOLVED, that said contract shall be in form substantially similar to those used in prior years for each specific agency conditioned upon and limited to the monetary amount and funding distribution criteria as set forth herewith and/or as approved in the 2006 County Budget, and to be subject to any necessary approvals required by the State or Federal Government or for any other valid reason which may require the approval of Federal or State government and to be conditioned upon the submission and filing with the Clerk of this said Legislature and County Executive a written annual report, detailing the agency's use of these funds received from the County during the previous calendar year, and be it

FURTHER RESOLVED, that each agency receiving funds from Broome County Government shall be subject to annual audits by the County Comptroller and shall provide, upon the request of the County Executive, all documents pertaining to or dealing with current and/or past individual program funding, and be it

FURTHER RESOLVED, that any contract which provides for payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released and any contract which provides for two or more periodic payments during the contract term, said annual report shall be filed prior to the release of the second payment provided for by said contract and such payments are further subject to the provisions of Resolutions 262 of 1978 and 243 of 1979.

Mr. Mather made a motion, seconded by Mr. Hull, to amend the Veterans Support Council amount from \$30,000 to \$34,570. **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Howard).  
**Resolution as amended carried**, Ayes-18, Nays-0, Absent-1 (Howard).

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### RESOLUTION NO. 35

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING THE EXCHANGE OF COUNTY AND STATE ROADS AND BRIDGES IN VARIOUS TOWNS AND THE VILLAGE OF PORT DICKINSON BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Commissioner of Public Works requests authorization for the exchange of portions of various County roads and bridges for various State roads and bridges between the County and the New York State Department of Transportation (NYSDOT), and

WHEREAS, said authorization is necessary to transfer 25.1 miles of County roads and seven bridges in the Towns of Colesville, Conklin, Kirkwood and Union as described in the attached Exhibit "A" and the acceptance of 26.7 miles of State roads and five bridges in the Towns of Colesville, Conklin, Fenton and the Village of Port Dickinson as described in the attached Exhibit "B", and

WHEREAS, the New York State Department of Transportation (NYSDOT) agrees with the transfer of these roads to improve jurisdictional realignment of said roads for maintenance responsibilities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the transfer of 25.1 miles of County roads and seven bridges in the Towns of Colesville, Conklin, Kirkwood and Union as described in the attached Exhibit "A" and the acceptance of 26.7 miles of State roads and five bridges in the Towns of Colesville, Conklin, Fenton and the Village of Port Dickinson as described in the attached Exhibit "B", and be it

FURTHER RESOLVED, that this acceptance of the aforescribed state roads and bridges is contingent upon New York State legislation accepting the aforescribed County roads and bridges, 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-18, Nays-0, Absent-1 (Howard).**

### RESOLUTION NO. 36

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INC. FOR PROFESSIONAL LABORATORY SERVICES AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2005**

WHEREAS, this County Legislature, by Resolution 478 of 2004, authorized an agreement with Buck Environmental Laboratories, Inc. for professional laboratory services at the Nanticoke Landfill for the Division of Solid Waste Management at rates set forth in the attached Exhibit "A", total cost not to exceed \$86,422.30, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary for groundwater, leachate and soil monitoring at the Nanticoke Landfill, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term of the agreement by three months and to increase the total amount of the agreement by \$8,000 for the period January 1, 2005 through March 31, 2006, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Buck Environmental Laboratories, Inc., 3821 Buck Drive, P.O. Box 5150, Cortland, New York 13045, to extend the term of the agreement by three months and to increase

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the total amount of the agreement by \$8,000, total cost not to exceed \$94,422.30, for the period January 1, 2005 through March 31, 2006, and be it

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

FURTHER RESOLVED, that Resolution 478 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-18, Nays-0, Absent-1 (Howard).

### **RESOLUTION NO. 37**

Public Works and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION RESCINDING RESOLUTION 645 OF 2005 AUTHORIZING THE RENEWAL OF THE AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INC. FOR PROFESSIONAL LABORATORY SERVICES AT THE BROOME COUNTY LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 645 of 2005, authorized the renewal of the agreement with Buck Environmental Laboratories, Inc., 3821 Buck Drive, P.O. Box 5150, Cortland, New York 13045, for professional laboratory services at rates set forth in the attached Exhibit "A", for an amount of \$81,000 per year, total cost not to exceed \$162,000 for the term of the agreement, for the Division of Solid Waste Management, for the period January 1, 2006 through December 31, 2007, and

WHEREAS, said services were for groundwater, leachate and soil monitoring at the Broome County Landfill, and

WHEREAS, the Commissioner of Public Works requests that Resolution 645 of 2005 be rescinded due to the fact that Buck Environmental Laboratories' response to the County's Request for Proposals came in as the second lowest in price and requesting new proposals will be in the County's best interest, now, therefore, be it

RESOLVED, that this County Legislature hereby rescinds Resolution 645 of 2005, 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-18, Nays-0, Absent-1 (Howard).

### **RESOLUTION NO. 38**

By Personnel, Economic Development & Planning and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION CONFIRMING APPOINTMENT OF TERRY R. STARK AS EMPLOYMENT AND TRAINING DIRECTOR I, OFFICE OF EMPLOYMENT AND TRAINING**

WHEREAS, the Broome County Executive, pursuant to the powers vested in her by Article III, Section C311 of the Broome County Charter and Administrative Code, has duly designated and appointed, pending confirmation by this Legislature, Terry R. Stark as Employment and Training Director I, Office of Employment and Training, at the 2004 annual base salary of \$61,594, Grade F Admin II, effective January 1, 2006, and

WHEREAS, Terry R. Stark is fully qualified to fill the position of Employment and Training Director I, Office of Employment and Training, and

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WHEREAS, it is desired at this time, pursuant to the provisions of Article III, Section C311 of the Broome County Charter and Administrative Code, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of Terry R. Stark, 75 Kneeland Avenue, Binghamton, New York 13905, as Employment and Training Director I, Office of Employment and Training, at the 2004 annual base salary of \$61,594, Grade F Admin II, effective January 1, 2006, in accordance with her appointment by the County Executive.

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

### **RESOLUTION NO. 39**

By Education, Culture & Recreation Committee

Seconded by Mr. Brunza

#### **RESOLUTION CREATING THE EN-JOIE GOLF COURSE ADVISORY COMMITTEE**

WHEREAS, by permanent Resolution 05-354 this Legislature authorized an inter-municipal agreement between Broome County and the Village of Endicott for County management of En-Joie Golf Course and related facilities, and

WHEREAS, the County of Broome and the Village of Endicott executed the authorized inter-municipal agreement as of September 14, 2005, and under said agreement the County Parks Department is responsible to manage En-Joie Golf Course, its restaurant, pro shop, concessions, driving range, and related facilities as a public golf facility, and

WHEREAS, this County Legislature desires to create an En-Joie Golf Course Advisory Committee to offer assistance and advice in managing the operations of the golf course, now, therefore, be it

RESOLVED, the name of the new organization shall be the Broome County En-Joie Golf Course Advisory Committee (hereinafter called "the Committee"), as established by the Broome County Legislature (hereinafter called "the Legislature"), and be it

FURTHER RESOLVED, the goals and purpose of the Committee shall include:

1. Provide assistance and advice concerning the management, operations and long term goals of En-Joie Golf Course.
2. Provide a forum where interested parties can meet and share ideas concerning En-Joie Golf Course.
3. Provide assistance and advice to the County Executive, Legislature and other County agencies as appropriate and as requested.

and be it

FURTHER RESOLVED, the Committee shall consist of eleven voting members who shall be selected by the County Executive and confirmed by the Legislature; at least two members of the Committee shall also be members of the Legislature, one from the majority party and one from the minority party, and be it

FURTHER RESOLVED, that members of the Committee shall receive no compensation for their services, and be it

FURTHER RESOLVED, that the Committee shall select its own officers and establish its own by-laws and rules of procedure, and be it

FURTHER RESOLVED, that the Committee shall meet at least four times per year and such additional times as needed; minutes shall be taken at each meeting and mailed to Committee members, the County Executive and Clerk of the Legislature, and be it

FURTHER RESOLVED, the term of office for each Committee member shall be one year, and no Committee member may be selected more than four consecutive years, and be it

FURTHER RESOLVED, that this Committee shall be advisory only and shall be abolished upon termination of the inter-municipal agreement as hereinabove set forth.

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

Mr. Brunza made a motion to adjourn, seconded by Mr. Shafer. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Howard). The meeting was adjourned at 5:48 p.m

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