
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, JULY 20, 2000**

The Legislature convened at 4:06 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-15, Absent-4 (Hudak, O'Day, Pasquale, Shafer). Mr. Pasquale arrived at 4:31 p.m.

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a moment of silence.

Mr. Wike made a motion, seconded by Mr. Burger, that the minutes of the June 22, 2000 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

Mr. Schofield noted that the committee minutes for the period June 16 through July 13, 2000 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 and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. Mather and seconded by Mr. Kolba. **Carried**, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

PUBLIC HEARINGS:

Mr. Schofield opened the Public Hearing for the continuation of Agricultural District No. 4, which includes 10 towns in the County. Mr. Augostini announced that the legal notice for the public hearing was advertised in The Press & Sun Bulletin on Saturday, July 8, 2000 and in the Windsor Standard on Wednesday July 12, 2000.

Mr. Schofield asked if anyone wished to speak for or against the continuation of Agricultural District No. 4.

David Bradstreet, Agricultural Agent, Cornell Cooperation Extension, reported that the Farmland Protection Board has reviewed the District and the work done by the Broome County Department of Planning and Economic Development and recommends that the District be continued for another eight-year period. Mr. Bradstreet said the farms in the district are very viable and are showing the same stability that is going on across the State. These farms generate about \$13 million in sales each year and in the last eight years there has been about \$12 million in capital investments in the District.

William Scanlon, Endicott, asked that two properties owned by him and his wife and one property owned by his son be removed from the District. Mr. Scanlon said these properties are located in the Town of Maine.

Mr. Bradstreet said a neighbor must have pointed out that agricultural activity was going on and that is why the Scanlon property was included. Inclusion in an Agricultural District can only be beneficial, Mr. Bradstreet said. He said there are 110 farms in the District that represents 60-70,000 acres and most of the owners rent out about half of the acres.

Gail Brown, Kirkwood, owner of property in the Town of Colesville that was included in the District, asked for an explanation for the Agricultural Districts.

Mr. Bradstreet, describing the Agricultural Districts, said the Agricultural Districts were established in the 1970s and they primarily protect farm owners with the right to farm their land in a District. This right, he said, is provided under the New York State Right-To-Farm Laws. A District takes nothing away from the landowners and it is no loss to them, he said.

Mr. Scanlon, upon hearing Mr. Bradstreet's description of an Agricultural District, asked that his request to be removed from the District be withdrawn and that he would like to have his properties included. His properties will remain in the District.

Since no one else wished to speak for or against the continuation of Agricultural District No. 4, Mr. Schofield declared the hearing closed.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham: None

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 - 1. Minutes from:
 - a. Binghamton Regional Airport (Progress Meetings #36, #37 and #38)
 - b. Soil and Water Conservation District
 - c. Environmental Management Council
 - d. EMC Natural Resources Committee
 - e. EMC Recycling & Waste Management Committee
 - f. Cornell Cooperative Extension
 - g. Agriculture and Farmland Protection Board
 - 2. Resolution from Ontario County (Urging Counties and Local Workforce Investment Areas to file Workforce Investment Board Certification, Development Plan and Memorandum of Understanding)
 - 3. Town of Maine: Public Hearing, July 11, 2000, 7:00 p.m. (Local Law imposing 3 month moratorium on approval of Subdivisions and of Preliminary/Final Plats of Subdivisions)
- C. Notices: None
- D. Reports:
 - 1. Monthly Report:
 - a. Broome Community College (Budget Transfers, May 2000, Above Minimum Hires, June 2000)
 - 2. 1999 Annual Report:
 - a. Office of the Sheriff
 - 3. Department of Audit and Control: Payroll/Payout Audit for County Executive's Office and Personnel Department

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE:

Letters from the Chair, Daniel A. Schofield:

- 1. Appointing Patrick F. O'Day for Chris W. Burger:
 - a. Voting representative, Public Works Committee, July 12, 2000
 - b. Chair and voting representative, County Administration, Economic Development and Planning Committee, July 13, 2000
- 2. Appointing the following Legislators for Wanda Hudak:
 - a. Thomas A. Hull as voting representative, Health Services Committee, July 11, 2000
 - b. Thomas A. Hull as Chair and Wayne L. Howard as voting representative, Community and Social Services Committee, July 13, 2000

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- c. Arlene Nannery as voting representative, County Administration, Economic Development and Planning Committee, July 13, 2000
3. Appointing the following Legislators for Arthur J. Shafer:
 - a. Brian K. Mather as Chair and Patrick F. O'Day as voting representative, Public Safety and Emergency Services Committee, July 12, 2000
 - b. Brian K. Mather as voting representative, Public Works Committee, July 12, 2000

Mr. Holley 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 2000 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer)..

Mr. Kolba and Ms. Lupardo were designated as participants with Chairman Schofield in the 'Short Roll Call.'

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 333

(Automatic Hold Over)

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AMENDING THE 1999-2000 RULES OF ORDER

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 337

(Held over by Mr. Whalen)

By County Administration, Economic Development & Planning Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PUBLIC EMPLOYEES BENEFIT SERVICES CORPORATION (PEBSO OF NEW YORK) FOR FINANCIAL SERVICES FOR THE BROME COUNTY DEFERRED COMPENSATION PLAN TO 2000-2005

Carried, Ayes-14, Nays-1 (Whalen), Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 357

By Personnel, Finance and Health Services Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING THE HIRING OF JUDY B. BLANDING AS DEPUTY NURSING HOME ADMINISTRATOR FOR HEALTH SERVICES ABOVE THE MINIMUM SALARY

WHEREAS, the Director of Willow Point Nursing Home has recommended the hiring of Judy B. Blanding as Deputy Nursing Home Administrator for Health Services at an annual salary of \$60,000, which is 15% above the minimum salary of \$52,374, and

WHEREAS, Judy B. Blanding is qualified for said position and has experience and/or education which justifies said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Judy B. Blanding as Deputy Nursing Home Administrator for Health Services, Admin. II, Grade F, annual salary of \$60,000, budget line 160077.1000.204000, effective June 26, 2000.

Carried, Ayes-14, Nays-1 (Whalen), Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 358

By Community & Social Services and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING REVISION OF THE OFFICE FOR AGING'S TITLE VII ELDER ABUSE PREVENTION PROGRAM, ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH, AND AMENDING THE AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. FOR 2000

WHEREAS, this County Legislature, by Resolution 539 of 1999, authorized the continued participation in the Title VII Elder Abuse Prevention Program by the Office for Aging, adopted a program budget in connection therewith in the total amount of \$5,500, and authorized an agreement with Action for Older Persons, Inc. for administration of said grant, for the period January 1, 2000 through December 31, 2000, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$2,900 in grant appropriations, and amend the agreement with Action for Older Persons, Inc. to reflect said increase, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title VII Elder Abuse Prevention Program in the total amount of \$8,400 for the period January 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$8,400, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves amending the agreement with Action for Older Persons, Inc., for a total amount of \$8,400, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760827.4457.104349 (Subcontracted Program Expenses), and be it

FURTHER RESOLVED, that Resolution 539 of 1999, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) are 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 359

By Community & Social Services and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING REVISION OF THE LONG TERM CARE OMBUDSMAN GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001

WHEREAS, this County Legislature, by Resolution 143 of 2000, authorized the continued participation in the Long Term Care Ombudsman Grant by the Office for Aging and adopted a program budget in connection therewith in the total amount of \$4,826 for the period April 1, 2000 through March 31, 2001, and

WHEREAS, said grant program provides funding for recruitment and training of Ombudsman volunteers who respond to the concerns and complaints expressed by, or on behalf of, residents of long term care facilities, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$6,718 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's Long Term Care Ombudsman Grant in the amount of \$6,718 for the period April 1, 2000 through March 31, 2001, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$11,544, and be it

FURTHER RESOLVED, that Resolution 143 of 2000, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) are 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 360

By Community & Social Services, Personnel and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING REVISION OF WEATHERIZATION REFERRAL AND PACKAGING PROGRAM (WRAP) FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000

WHEREAS, this County Legislature, by Resolution 362 of 1999, as amended by Resolution 543 of 1999, authorized the continued participation by the Office for Aging in the Weatherization Referral and Packaging Program (WRAP) for the period August 1, 1999 through July 31, 2000 and adopted a program budget in connection therewith in the total amount of \$29,695, and

WHEREAS, said grant program provides for screening and assessment of elderly, low-income housing to determine energy-related needs and to determine if client's needs can be met by the weatherization program, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in grant appropriations and to extend the term of the grant period, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision to the Office for Aging Weatherization Referral and Packaging Program (WRAP) in the amount of \$11,894 for the period August 1, 1999 through November 30, 2000, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$41,589, and be it

FURTHER RESOLVED, that Resolution 362 of 1999, as amended by Resolution 543 of 1999, to the extent consistent herewith, shall remain in full force and effect, and be it

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Frank Cism One Cism's Corner Harpursville, NY 13787	Reappointment Term Expires 12/31/01
Burrell Montz 40 Kenilworth Binghamton, NY 13903	Reappointment Term Expires 12/31/01
Lynne Theophanis 225 Front Street Vestal, NY 13850	Reappointment Term Expires 12/31/01
Marion Percik 29 Orchard Road Binghamton, NY 13905	Reappointment Term Expires 12/31/01
Susan Cowing 24 Edgewood Road Binghamton, NY 13903	New Appointment Term Expires 12/31/01
Joseph Graney 208 S. Jensen Road Vestal, NY 13850	New Appointment Term Expires 12/31/01
Wayne Jennings PO Box 831 Binghamton, NY 13902	New Appointment Term Expires 12/31/01
Jason Price 52 Palmer Hill Road Port Crane, NY 13833	New Appointment Term Expires 12/31/01
Chris Proce 47 Chestnut Street Binghamton, NY 13905	New Appointment Term Expires 8/31/00
Ken Kamlet 405 Colgate Drive Vestal, NY 13850	New Appointment Term Expires 12/31/01
Max Raterman P.O. Box 448 Whitney Point, NY 13862	New Appointment Term Expires 12/31/01

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature hereby confirms the appointments of the above-named individuals to membership on the Broome County Environmental Management Council Board of Directors for the terms indicated, in accordance with their appointment by the Broome County Executive.

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 363

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PRICEWATERHOUSE-COOPERS, LLP (FK/A COOPERS & LYBRAND, LLP) FOR CONSULTING SERVICES FOR RISK AND INSURANCE FOR 2000-2001

WHEREAS, this County Legislature, by Resolution 166 of 1999, authorized the renewal of an agreement with Coopers & Lybrand, LLP, for Broome County Health Care Plan consulting services for the Department of Risk & Insurance at an amount not to exceed \$40,000 for the period April 1, 1999 through March 31, 2000, and

WHEREAS, said services are necessary to provide health benefits consulting services, as they relate to Broome County's employee and retiree health benefits through a self-insured PPO medical plan administered through SIEBA, Ltd. and through fully insured, community-rated HMOs, and

WHEREAS, said agreement expired by its terms on March 31, 2000, and it is desired at this time to renew said agreement for an amount not to exceed \$40,000 for the term April 1, 2000 through March 31, 2001 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with PricewaterhouseCoopers, LLP, One Lincoln Center, Syracuse, New York 13202-9972 for Broome County Health Care Plan consulting services for the Department of Risk and Insurance, for the period April 1, 2000 through March 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$40,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4724.252000 (Actuary Consultants), 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).**

RESOLUTION NO. 364

By Public Safety & Emergency Services and Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AN AMENDMENT TO THE FUNDING AGREEMENT WITH BINGHAMTON UNIVERSITY FOR THE STOP-DWI PROGRAM FOR 2000

WHEREAS, this County Legislature, by Resolution 699 of 1999, authorized agreements with the Office of the Sheriff and various Broome County municipalities for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program for a total of \$134,000 for the period January 1, 2000 through December 31, 2000, 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 the agreement with Binghamton University to allow the amount of \$2,500 to be applied to the cost of purchasing a Data Master breath testing unit rather than a radar unit as originally requested and authorized, and

WHEREAS, the STOP-DWI Coordinator 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 Binghamton University, allowing STOP-DWI funds in the amount of \$2,500 to be applied to the cost of purchasing a Data Master breath testing unit, and be it

FURTHER RESOLVED, that Resolution 699 of 1999, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 365

By Personnel, Finance and Health Services Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING SALARY INCREASES FOR CERTAIN PSYCHIATRISTS EMPLOYED BY THE DEPARTMENT OF MENTAL HEALTH

WHEREAS, the Commissioner of Mental Health has requested that the position of program coordinator be abolished, resulting in a salary savings, and

WHEREAS, the Commissioner of Mental Health has requested an increase in the salaries of Clark P. Gardner and a vacant position, staff psychiatrists, and Ivan Fras, child psychiatrist, employed at the Department of Mental Health in order to encourage retention of these individuals, and

WHEREAS, the Personnel Director has approved of this request, now, therefore, be it

RESOLVED, that effective July 1, 2000, the annual salaries of the following psychiatrists employed in the Department of Mental Health shall be increased as follows:

<u>Psychiatrist</u>	<u>Current Salary</u>	<u>New Salary</u>
Dr. Clark P. Gardner	\$ 98,610	\$106,654
(Vacant)	\$ 95,000	\$103,246
Dr. Ivan Fras	\$107,792	\$112,000

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 366

By Personnel, Health Services and Finance Committees Seconded by Mr. Brunza
RESOLUTION AUTHORIZING REVISION OF HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES FOR 2000

WHEREAS, this County Legislature, by prior resolutions, authorized hourly rates for various non-union, temporary and seasonal employees, and

WHEREAS, it is desired at this time to amend the hourly rate schedule for 2000 for the position as indicated below, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary and seasonal employees for 2000 for the position as indicated below.

**2000
RECOMMENDED SALARY SCHEDULE
NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES**

<u>Department/Title</u>	<u>Current Hourly Rate</u>	<u>Effective Date</u>	<u>Recommended Hourly Rate</u>
Mental Health Staff Psychiatrist (PT)	\$55.53	\$64.02	7/01/00

Carried, Ayes-16, Nays-0, Absent-3 (Hudak, O'Day, Shafer).

RESOLUTION NO. 367

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

RESOLUTION AUTHORIZING RENEWAL OF DEPARTMENT OF SOCIAL SERVICES DAY CARE HOMES REGISTRATION GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001

WHEREAS, this County Legislature, by Resolution 330 of 1999, authorized and approved the Day Care Homes Registration Grant for the Department of Social Services and adopted a program budget in the amount of \$111,500 for the period August 1, 1999 through July 31, 2000, and

WHEREAS, said grant program 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 grant program in the amount of \$115,000 for the period August 1, 2000 through July 31, 2001, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$115,000 from the New York State Office of Children and Family Services, Early Childhood Services Division, 40 N. Pearl Street, 11-B, Albany, New York 12243 for the Department of Social Services' Day Care Homes Registration Program Grant, for the period August 1, 2000 through July 31, 2001, 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 \$115,000, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 368

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS TO PROVIDE SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION AND PRESCHOOL EDUCATION PROGRAMS FOR 2000-2001

WHEREAS, the Director of Public Health requests authorization for agreements with various vendors for services for the Department of Health's Early Intervention and Preschool Education Programs, at rates set by the New York State and Broome County Departments of Health, total amount not to exceed budget appropriations, and

WHEREAS, said agreements are necessary to provide various services, including itinerant speech, occupational and physical therapies, special education, medical services (including psychological evaluations, social history, physical examinations and non-physician evaluation), classroom and personal care aides, service coordination, interpreters, nursing services and counseling, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various vendors for services as listed on Exhibit "A" for the Department of Health's Early Intervention and Preschool Programs, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates set by the New York State Department of Health as listed on Exhibit "B" for the period September 1, 2000 through December 31, 2000 for the Early Intervention Program and rates set by the Broome County Department of Health as listed on Exhibit "C" for the period September 1, 2000 through June 30, 2001 for the PreSchool Education Program, total not to exceed budget appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480293.4706.101081 (Rehabilitation and Therapy Services) and 480293.various.101082 (Other Health and Medical Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 369

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS TO PROVIDE SERVICES FOR THE DEPARTMENT OF HEALTH'S PRESCHOOL EDUCATION PROGRAM FOR 2000-2001

WHEREAS, Director of Public Health requests authorization for agreements with various vendors for services related to the Department of Health's Preschool Education Program for the period July 1, 2000 through June 30, 2001, and

WHEREAS, said services are necessary to provide various services, including itinerant speech, occupational and physical therapies, special education, medical services (including psychological evaluations, social history, physical examinations and non-physical evaluation), classroom and personal care aides, service coordination, interpreters, nursing services, counseling and transportation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various vendors listed on Exhibit "A" for services for the Department of Health's Preschool Education Program for the period July 1, 2000 through June 30, 2001, and be it

FURTHER RESOLVED, that the Contractors shall be paid at the rates set by the New York State Department of Education as per the attached Exhibit "B" and Exhibit "C", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.various.101081, total amount not to exceed budget appropriations, 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 370

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING CORRECTION OF REAL PROPERTY TAXES ON PROPERTY IN THE TOWN OF KIRKWOOD

WHEREAS, the Department of Real Property Tax Service requests authorization to correct a Town of Kirkwood tax bill due to an incorrect assessment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the correction of a Town of Kirkwood tax bill for the following property:

Town of Kirkwood
Patricia A. Lenga 146.01-1-62.1
Assessment from 83,400 to 1,000

	<u>Incorrect Tax</u>	<u>Correct Tax</u>
County	\$ 483.00	\$5.80
Town	12.55	.15
Hwy	89.63	1.08
School	1,383.40	16.59
Fire	<u>89.46</u>	<u>1.08</u>
	\$2,058.04	\$24.70

and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to correct the aforementioned tax bill on the County tax rolls.

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 371

By County Administration, Economic Development & Planning Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT OF CHAPTER 240 OF THE BROOME COUNTY RESOLUTIONS, RULES AND REGULATIONS

WHEREAS, this County Legislature, by Resolution 403 of 1998, authorized the amendment of Chapter 240 of the Broome County Resolutions, Rules and Regulations which defined acceptable use of the Broome County Local Area Network and online services access, and

WHEREAS, it is necessary to replace said section with the Broome County Government Automated Information Systems User Policy, and

WHEREAS, the Director of Information Technology has requested said replacement, now, therefore, be it

RESOLVED, that, effective immediately, this County Legislature hereby enacts the following amended Chapter 240 of the Broome County Resolutions, Rules and Regulations as follows:

Information Technology Chapter 240 Automated Information Systems User Policy (AIS)

240-1 PURPOSE

This document establishes uniform policies and responsibilities for users of the Broome County Automated Information Systems (voice and data network, including Internet access, e-mail and voice mail). It promotes the mission of Broome County and provides guidance to protect Broome County AIS resources and to assure adequate security for all information collected, processed, transmitted, stored, or disseminated in its general support systems and major applications. Additional detailed and specific procedural guidelines, particular to Broome County needs and requirements will be issued in the future, as appropriate.

Use of the Broome County Automated Information Systems (AIS), including but not limited to the Internet and the County network, e-mail and voice mail system, is governed by all existing laws, regulations, official County policies and collective bargaining agreements. This policy supplements, but does not replace, any laws, regulations, policies and/or collective bargaining agreement(s) or mandates regarding acceptable workplace behavior.

240-2 SCOPE

Policy provisions apply to all Broome County personnel, contractors acting for Broome County, and all authorized users who access Broome County, networks, and support facilities. "Access" includes users who connect remotely via dial-up, Internet, or any other form of connectivity. Policy provisions also apply to non-Broome County organizations, or their representatives, who are granted access to Broome County AIS resources, including other government agencies and members of the trade community.

Point of Contact: Direct questions concerning this policy can be addressed to the following:

Director
BROOME COUNTY
Division of Information Technology

AIS Security Officer: Network Specialist
Broome County
Division of Information Technology

240-3 GENERAL POLICY STATEMENT

- (1) A Broome County AIS is any automated information or telecommunications system owned, leased, or operated by or for Broome County.
- (2) Broome County will implement at least the minimum security requirements as identified in this policy, to protect AIS resources and information (non-sensitive and sensitive data) processed, stored, or transmitted by the Broome County AIS. Based on risk management, they may apply additional safeguards to provide the most restrictive set of controls (privileges) that permit the performance of authorized tasks (principle of least-privilege).
- (3) Sensitive information in Broome County must be safeguarded against unauthorized disclosure, modification, access, use, destruction, or delay in service.
- (4) Connectivity is prohibited between Broome County, which handles sensitive data and any other systems or networks not under Broome County authority, unless formally approved by the Director, Broome County Information Technology and/or the Telecommunications Manager, as appropriate.
- (5) Automated Information Systems (AIS) are - for official Broome County business only and users have no expectation of privacy while using these resources. Activity of any employee using Broome County AIS resources may be monitored and recorded. Any data stored on a Broome County AIS is considered the property of Broome County, and may be subject to disclosure pursuant to the New York State Freedom of Information Law.
- (6) All persons who use, manage, operate, maintain, or develop Broome County, applications, or data must comply with these policies.

240-4 USER RESPONSIBILITIES

- (1) Protect access IDs, authentication codes (e.g., passwords, personal identification numbers [PIN], encryption codes, etc.) from improper disclosure. Each employee is responsible for all transactions made using his or her password, and for safeguarding his or her password. Logged in workstations shall not be left unattended. Passwords may not be the same as the employee's user ID.
- (2) Access only authorized AIS applications and data necessary to perform approved responsibilities. Due to technical capability of some AIS, access might exceed authority. Access capability however, does not equate to authority (e.g., casual browsing of data is not permitted).
- (3) Notify supervisor and AIS Security Officer when AIS access or authority is no longer required for their authorized tasks.

240-5 ACCEPTABLE USE POLICY

OFFICIAL USE

Use of the Internet, e-mail and voice mail must be in the interest of Broome County. Such use should be appropriate in its frequency and duration and related to an employee's assigned duties

Broome County personnel are responsible for ensuring the safe, effective, efficient, and legal use of all government resources. As such, Broome County personnel must:

- (1) Exercise the highest standards of professional conduct and responsible behavior with the information they obtain from or make available to the Internet.
- (2) Assume that anyone in the world can access the Internet and therefore take all necessary steps to preclude the unauthorized disclosure of information.

NON-OFFICIAL USE

Broome County personnel are authorized to use AIS equipment to access the Internet, e-mail and voice mail for personal purposes if the usage is approved by their Supervisors.

Employees should control the frequency and duration of non-official usage to preclude any appearance of impropriety and unnecessary costs to Broome County; in addition, incidental usage should occur on such personal time as breaks, lunch periods, and after-duty hours.

PROHIBITED USE

Any action which violates any U.S., State, or local law, rule, or regulation, or any County or departmental policy is prohibited. It is incumbent upon supervisors to ensure employees are aware that Internet, e-mail and voice mail usage can be monitored and leaves a clear audit trail. The following practices are examples of prohibited activity:

- (1) Using the AIS to harass or discriminate, or in any way that violates any law or County policy against harassment or discrimination. Examples of harassing or discriminatory content includes derogatory or inflammatory remarks about an individual's race, color, age, disability, religion, national origin, or sexual orientation.
- (2) Misrepresenting or attempting to hide your identity.
- (3) Representing personal opinion as official Broome County policy. Remember that your e-mail address identifies you as a Broome County employee.
- (4) Violating licensing or copyright restrictions.
- (5) Engaging in chain letters.
- (6) Downloading commercial software or share-ware without prior approval of the Director.
- (7) Using Internet Chat software (i.e. AOL Instant Messenger, Yahoo Messenger, etc.) without the express permission of the Director.

240-6 VIOLATION OF THIS POLICY

Those who do not adhere to the provisions of this policy may be subject to disciplinary action in accordance with existing disciplinary policy, civil service law, and collective bargaining agreements. Additionally, a user access to AIS resources may be curtailed or discontinued. Any criminal activity will be prosecuted to the full extent of the law.

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 372

By Community & Social Services and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING REVISION OF THE FAMILY VIOLENCE PREVENTION COUNCIL GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000

WHEREAS, this County Legislature, by Resolution 120 of 1985, as amended by subsequent resolutions, the last being Resolution 92 of 2000, authorized the continued participation in the Family Violence Prevention Council Grant Program (f/k/a Ongoing Child Abuse Prevention and Education Grant) and adopted a program budget in connection therewith in the total amount of \$129,998, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Family Violence Prevention Council Grant Program to include an increase in grant appropriations in the amount of \$8,200, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$138,198, and be it

FURTHER RESOLVED, that Resolution 120 of 1985 and all subsequent resolutions, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) are 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 373

By Finance Committee Seconded by Mr. Mather
RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON A PARCEL IN THE TOWN OF KIRKWOOD

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

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

Parcel ID:	162.15-1-18
Town/Village:	Town of Kirkwood
Owner:	Broome County
Amount to be Cancelled:	\$34.44
Reason:	Owned by Broome County

and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to remove the above stated property from the County tax rolls.

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 374

By Transportation and Finance Committees Seconded by Mr. Mather
RESOLUTION ESTABLISHING AN ENTRANCE FEE FOR THE 2000 AVIATION DAY OPEN HOUSE AT THE BINGHAMTON REGIONAL AIRPORT

WHEREAS, the County proposes to conduct an Aviation Day Open House at the Binghamton Regional Airport on August 20, 2000, and

WHEREAS, the purpose of this event is to promote community awareness in connection with the airport and is part of the airport community relations program, and

WHEREAS, there will be exhibits including planes on the field and aircraft performance teams, all of which create expenses in connection with the event, and

WHEREAS, in order to offset, in part, the costs associated with the 2000 Aviation Day Open House, the Commissioner of Aviation proposes an entrance fee schedule, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an admission fee schedule for the Aviation Day Open House Program at the Binghamton Regional Airport to be held on August 20, 2000 as follows:

AVIATION DAY EVENT 2000
ADMISSION FEE SCHEDULE

Adults (16 Years and Older)	\$ 5.00
Children (8 to 16 Years of Age)	\$ 3.00
Children (Under the Age of 8)	Free
Family Ticket Pack (2 Adults and 2 Children)	\$14.00

and be it

FURTHER RESOLVED, that the entrance fees authorized herein shall be deposited in the Aviation Community Relations Trust Account (Fund 60, GL525, Subsidiary 525052) to be used to defray expenses in connection with the Aviation Day Open House, and be it

FURTHER RESOLVED, 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 375

By Finance and Transportation Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING AGREEMENT WITH SMITH WILSON BROS. FOR INSURANCE FOR AVIATION DAY OPEN HOUSE AT THE BINGHAMTON REGIONAL AIRPORT

WHEREAS, Broome County will be conducting an Aviation Day Open House at the Binghamton Regional Airport on August 20, 2000, and

WHEREAS, the purpose of this event is to promote community awareness in connection with the airport and is part of the airport community relations program, and

WHEREAS, in order to satisfy the necessary insurance needs of hosting the Aviation Day Open House event, the Commissioner of Aviation requests authorization for an agreement with Smith Wilson Bros. for August 20, 2000 at a cost not to exceed \$5,396, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Smith Wilson Bros. Insurists, Inc., Division of Haylor Freyer & Coon, Inc., P. O. Box 709, Johnson City, New York 13790-0709, for insurance for Aviation Day Open House for the period August 20, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,396 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Aviation Community Relations Trust Account (Fund 60, GL525, Subsidiary 525052), 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 376

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

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF COMPUTERIZATION PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000 - 2001

WHEREAS, this County Legislature, by Resolution 272 of 1999, authorized and approved the Probation Computerization Grant for the Department of Probation and adopted a program budget in the amount of \$50,000 for the period July 1, 1999 through June 30, 2000, and

WHEREAS, said grant program provides faster retrieval of information and sharing of information with other County Departments and New York State, and

WHEREAS, it is desired to renew said grant program in the amount of \$105,000 for the period August 1, 2000 through July 31, 2001, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$105,000 from the New York State Department of Probation for the Department of Probation's Computerization Program Grant for the period August 1, 2000 through July 31, 2001, 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 \$105,000, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 377

By Public Works Committee

Seconded by Mr. Mather

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE ENVIRONMENTAL REVIEW OF A PROPOSED BROOME COUNTY OUTDOOR PUBLIC SAFETY TRAINING FACILITY

WHEREAS, the County seeks to construct an outdoor public safety training facility, contained within 88 acres of Binghamton Regional Airport buffer property on Commercial Road in the Town of Maine, and

WHEREAS, the Project consists of outdoor firearms ranges, pavilions, an outdoor obstacle course, a classroom training building, fire training facilities including a smoke tower, a burn pit and building, a water drafting tank and associated parking lots, 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 proposed Broome County Outdoor Public Safety Training Facility, and be it

FURTHER RESOLVED, that this County Legislature hereby directs the Broome County Security Division, with the assistance of the Department of Planning and Economic Development and the Environmental Management Council, to coordinate the review of the proposed action with the involved and interested agencies, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the involved and interested agencies.

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 378

By Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AN AGREEMENT WITH SIBLEY NURSING PERSONNEL SERVICE, INC. FOR TEMPORARY NURSING SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2000

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with Sibley Nursing Personnel Service, Inc. for temporary nursing services at a cost not to exceed \$10,000 for the period June 1, 2000 through December 31, 2000, and

WHEREAS, in order to provide staff relief at various times, additional staff is necessary to maintain safety levels as required by State standards, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Sibley Nursing Personnel Service Inc., 635 James Street, Suite 201, Syracuse, New York 13203 for temporary nursing services at the Willow Point Nursing Home for the period June 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$28.00 per hour for Registered Nurses, \$22.00 per hour for Licensed Practical Nurses and \$13.75 per hour for Certified Nursing Assistants, plus time and one-half for overtime and holidays as follows: Easter Sunday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Eve (evening shift), Christmas Day, New Year's Eve (evening shift) and New Year's Day, total cost not to exceed \$10,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 160085.5072.204000 (Nursing Services-Aides) and 160085.4711.204000 (Nursing Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 379

By Community & Social Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF SERVICES AND TRAINING RESOURCES FOR INDIVIDUALS IN VOCATION EDUCATION PROGRAM (STRIVE) GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001 AND AUTHORIZING RENEWAL OF AGREEMENT WITH BROOME COMMUNITY COLLEGE FOR SERVICES IN CONNECTION THEREWITH

WHEREAS, this County Legislature, by Resolution 288 of 1999, authorized and approved the renewal of the Department of Social Services' Services and Training Resources for Individuals in Vocation Education Program (STRIVE) Grant and adopted a program budget in the amount of \$54,156 for the period July 1, 1999 through June 30, 2000, and

WHEREAS, said grant program provides for eligible recipients of Temporary Assistance to Needy Families (TANF) to achieve economic independence by successfully completing vocationally oriented associate degree programs for the purpose of entering into long-term stable employment in their field of study, and

WHEREAS, said grant program expires by its terms on June 30, 2000 and it is desired to renew said grant in the amount of \$40,684 for the period July 1, 2000 through June 30, 2001, and

WHEREAS, it is requested that the agreement for contract services with Broome Community College to provide programs for individuals in this STRIVE Program be renewed for this same period, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$30,513 from the United States Department of Health & Human Services and \$10,171 from the New York State Department of Social Services for the period July 1, 2000 through June 30, 2001, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$ 40,684, and be it

FURTHER RESOLVED, that this County Legislature hereby approves the continued agreement with Broome Community College to provide programs for individuals within the STRIVE Program for the period July 1, 2000 through June 30, 2001, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 380

By Community & Social Services and Finance Committees Second by Mr. Mather
RESOLUTION AUTHORIZING AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY TO ADMINISTER THE RUNAWAY AND HOMELESS YOUTH ACT GRANT (TRANSITIONAL LIVING/SUPPORTED RESIDENCE) FOR THE YOUTH BUREAU FOR 2000

WHEREAS, Executive Director of the Youth Bureau requests authorization for an agreement with Catholic Charities of Broome County to administer the Transitional Living/Supported Residence portion of the Runaway Homeless Youth Act Grant, total amount not to exceed \$30,000, for the period January 1, 2000 through December 31, 2000, and

WHEREAS, said grant program provides opportunities and support to teenagers who come from historically dysfunctional families by providing them with positive role models, a safe haven and support network to help them gain independence, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Catholic Charities of Broome County, 232 Main Street, Binghamton, New York 13905 to administer the Transitional Living/Supported Residence portion of the Runaway Homeless Youth Act Grant for the for the period January 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$30,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 640052.4457.XXXXXX (Youth Service Program), 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 381

By County Administration, Economic Development & Planning and Health Services Committees
Seconded by Mrs. Sweet

RESOLUTION OPPOSING THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES PROPOSED MEDICAID REGULATIONS AFFECTING THE STATES' USE OF INTERGOVERNMENTAL TRANSFERS TO FUND THE MEDICAID PROGRAM

WHEREAS, the United States Department of Health and Human Services is contemplating issuing a new Medicaid regulation that will substantially constrain the States' ability to use intergovernmental transfers as a means to fund the Medicaid program, and

WHEREAS, the primary payer source at all New York State County-operated nursing home facilities is the Medicaid program and the loss of this revenue would impact New York State's 2000-2001 Fiscal Budget by nearly \$500 million, and

WHEREAS, over 80 percent of all residents at the Broome County Willow Point Nursing Home are receiving Medicaid reimbursement to pay for the services they receive and said proposed regulation would have an adverse effect on the County's ability to provide adequate care for the vulnerable, frail elderly and disabled resident patients, and

WHEREAS, any disruption of the Intergovernmental Transfer Program would have a devastating effect on the health services provided to the resident patients in New York State County-operated nursing facilities, now, therefore, be it

RESOLVED, that this County Legislature is opposed to any new United States Department Health and Human Services proposal to issue new Medicaid regulations that would substantially affect the use of Intergovernmental Transfers to fund the Medicaid program, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Senators Daniel P. Moynihan and Charles Schumer, Congressmen Maurice D. Hinchey, Sherwood Boehlert, James T. Walsh and New York State Association of Counties.

Carried, Ayes-16, Nays-0, Absent-3 (Hudak, O'Day, Shafer).

RESOLUTION NO. 382

By Finance Committee

Seconded by Mr. Mather

RESOLUTION CONFIRMING THE APPOINTMENT OF THOMAS R. AUGOSTINI TO MEMBERSHIP ON THE BOARD OF DIRECTORS OF THE CATSKILL REGIONAL OFF-TRACK BETTING CORPORATION

WHEREAS, Daniel A. Schofield, chairman of the Broome County Legislature, pursuant to the powers vested in him by Local Law No. 6 of 1976 and Racing, Pari-Mutuel, Wagering and Breeding Law Section 502, has duly designated and appointed, pending confirmation by this Legislature, Thomas R. Augostini to membership on the Board of Directors of the Catskill Regional Off-Track Betting Corporation for a term expiring December 31, 2000, and

WHEREAS, it is desired at this time, in accordance with the provisions of Local Law No. 6 of 1976 and Racing, Pari-Mutual, Wagering and Breeding Law Section 502, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provision of Local Law No. 6, 1976 and Racing, Pari-Mutual, Wagering and Breeding Law Section 502, does hereby confirm the appointment of Thomas R. Augostini, 70 Martin Avenue, Johnson City, New York 13790 to membership on the Board of Directors of the Catskill Regional Off-Track Betting Corporation in accordance with her appointment by the Legislative Chairman, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to file a copy of this confirming resolution with the Catskill Regional Off-Track Betting Corporation.

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 383

By Health Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING ACCEPTANCE OF HIV CARE NETWORK GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001

WHEREAS, since the NY-Penn Health Systems Agency is scheduled to close, the Director of Public Health requests authorization to accept an HIV Care Network Grant and adopt a program budget in the amount of \$67,937 for the period July 1, 2000 through March 31, 2001, and

WHEREAS, said grant program provides funding for the administration of the NY-Penn Region HIV Care Network, a local coalition responsible for defining the local HIV/AIDS epidemic, planning and coordination of services and raising public awareness, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$67,937 from the New York State Department of Health, 5 Penn Plaza, c/o Women's Services, New York, New York 10001 for the Department of Health's HIV Care Network Grant for the period July 1, 2000 through March 31, 2001, 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 \$67,937, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 384

By Public Works and County Administration, Economic Development & Planning Committees
Seconded by Mr. Mather

RESOLUTION RENDERING A "NEGATIVE DECLARATION" WITH RESPECT TO THE ENVIRONMENTAL REVIEW OF AGRICULTURAL DISTRICT NO. 4 UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, pursuant to the Agricultural and Markets Law, this County Legislature heretofore established Agricultural District No. 4, and

WHEREAS, the State Environmental Quality Review Act requires Agricultural Districts to be reviewed every eight years for a determination of environmental impact, and

WHEREAS, Broome County Agricultural District No. 4 is scheduled for an eight-year review, and

WHEREAS, this County Legislature has responsibility for SEQRA compliance when Agricultural Districts undergo an eight-year **review, and**

WHEREAS, this County Legislature, by Resolution 569 of 1999 designated itself lead agency with respect to the Environmental Review of Broome County Agricultural District No. 4, now, therefore, be it

RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the continuation of Agricultural District No. 4 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 "A".

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 385

By Public Works and County Administration, Economic Development & Planning Committees
Seconded by Mr. Mather

RESOLUTION ADOPTING A PLAN OR PROPOSAL FOR THE CONTINUATION OF BROOME COUNTY AGRICULTURAL DISTRICT NO. 4 LOCATED WITHIN THE TOWNS OF BARKER, BINGHAMTON, CHENANGO, COLESVILLE, CONKLIN, FENTON, KIRKWOOD, MAINE, SANFORD, UNION AND WINDSOR FOR AN ADDITIONAL EIGHT (8) YEAR PERIOD PURSUANT TO SECTION 303 OF THE AGRICULTURE AND MARKETS LAW

WHEREAS, this County Legislature, by Resolution 353 of 1975, created Broome County Agricultural District No. 4 within the Towns of Barker, Binghamton, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Sanford, Union and Windsor, and

WHEREAS, pursuant to the provisions of the New York State Agriculture and Markets Law, this County Legislature conducted an eight-year review of Agricultural District No. 4, and by Resolution 142 of 1984 and Resolution 87 of 1992, this County Legislature adopted a plan to continue Broome County Agricultural District No. 4 for an additional eight years, and

WHEREAS, pursuant to the provisions of the New York State Agriculture and Markets Law, this County Legislature has conducted an eight-year review of Agricultural District No. 4, and

WHEREAS, during the statutory 30-day period for public review commencing April 13, 2000, following publication on April 10, 2000 in the Press & Sun Bulletin and April 12, 2000 in the Windsor Standard, of the notice of said period for public review, as provided for and permitted by Section 303, paragraph 8 of Article 25-AA of the New York State Agriculture and Markets Law, no modifications to Broome County Agricultural District No. 4 were filed, and

WHEREAS, the Broome County Planning and Economic Development Department and the Broome County Agricultural and Farm Land Protection Board by reports duly filed, have recommended that said Broome County Agricultural District No. 4 be continued for an additional eight-year period except that both the Planning Department and the Broome County Agricultural and Farm Land Protection Board have recommended modifications to Agricultural District No. 4 as follows:

Parcels to be added to Agricultural District No. 4 in the following towns:

Binghamton

177.14-1-7	161.19-1-1	161.18-1-24.12
177.18-1-5	161.18-1-25	161.18-1-23
161.18-1-24-21	161.18-1-24.11	

Chenango

076-4-2-15	067.02-1	093.02-1-7
076-4-2-16	067.01-1-13	093.02-1-19
076.01-1-5	067.01-1-6	093.02-1-20
067.02-1-4	067.08-1-1	093.04-1-11

Colesville

070.04-1-55	097.00-1-46	117.03-1-6
071.03-1-27	097.00-1-15	118.04-2-11
071.03-1-26	097.00-1-14	119.00-2-19
082.00-1-9	097.00-1-16	110.00-2-17
082.00-02-1-2	098.04-1-25	119.00-2-18
082.02-1-4	098.04-1-10	119.00-2-10
082.04-2-3	101.04-1-7	119.00-2-11
099.02-1-15	102.01-1-6	119.03-1-14
100.01-1-15	102.02-1-10	135.02-1-11
100.01-1-15	102.02-1-11.1	135.02-2-7
100.01-1-14	102.01-1-4	136.00-1-24
082.03-1-17	114.00-1-16	136.00-2-6
097.00-1-15	102.04-1-18	136.00-2-8
097.00-1-16	103.00-1-3	136.00-1-23
084.04-1-1	103.2-1-1	
084.04	102.04-1-8	

Conklin

161.04-2-26	193.03-1-30	209.00-1-19
161.04-2-7	209.00-1-1.2	209.00-1-17
161.19-1-3	209.00-1-20	209.00-1-1
161.04-1-1.2		

Fenton

057.04-1-9	068.02-1-23	112.04-1-39
058.03-1-31	068.02-1-22	112.04-1-38
058.03-1-45	068.02-1-21	112.04-1-37
058.00-1-2	129.02-1-11	113.03-3-50
058.04-1-27	112.04-1-40	130.00-1-2
068.02-1-25	112.04-1-23.1	

Maine

064.01-1-25	063.03-1-13	108.01-1-12
064.03-2-2	091.03-1-16.111	091.03-1-22
064.03-1-16	090.02-1-15	091.03-1-26
064.04-1-18	090.02-1-16.1	091.03-1-27
074.02-1-15	092.02-1-16	092.03-1-20

Kirkwood

195.00-1-5	195.00-1-12	195.00-1-31
195.00-1-8	195.00-1-27	211.00-11
195.00-1-9	195.00-1-28	212.00-1-12
195.00-1-10	195.00-1-29	212.00-1-13
195.00-1-11	195.00-1-30	

Sanford

103.00-2-24	103.00-1-29	120.01-1-3
103.00-2-22	120.01-1-2	120.01-1-19
120.01-1-1	120.01-1-22	120.01-1-6

Union

108.04-1-2	110.03-1-18	126.02-2-5
108.04-1-5	110.03-1-40	126.02-2-7
109.03-1-26	126.02-1-9	127.01-1-12
109.04-1-31	126.02-1-52	127.01-1-1

Windsor

152.00-1-10	184.04-1-12	198.03-1-211
152.00-1-1	196.00-1-11.1	199.03-1-18
167.00-1-13	196.00-1-12	200.00-1-27
167.00-1-14	183.02-6-8	214.02-1-1
167.00-1-15	182.04-1-13	230.00-1-13
167.00-1-39	198.00-1-13.111	230.00-1-5
167.00-1-40	198.03-1-3	230.00-1-21
181.03-1-4	198.04-1-3	230.01-1-11
181.03-1-15	198.04-1-1.2	
182.03-1-32	198.04-1-1.1	

Parcels to be deleted in Agricultural District No. 4 in the following towns:

Colesville

118.02-1-8
118.02-1-9

Windsor

196.00-1-24

and it is the intention of this County Legislature that said recommended modifications be accepted and approved by this County Legislature, in that Broome County Agricultural District No. 4 except as so modified, shall otherwise be approved and adopted as originally created, and

WHEREAS, the Public Hearing has been duly advertised in accordance with the provisions of the Agriculture and Markets Law on the question of the continuation by the Broome County Legislature of Broome County Agricultural District No. 4 located within the Towns of Barker, Binghamton, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Sanford, Union and Windsor, County of Broome, New York for an additional eight-year period, and

WHEREAS, in order to further the continuation of said plan for Broome County Agricultural District No. 4 as modified in the Towns of Barker, Binghamton, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Sanford, Union and Windsor, it is necessary that this County Legislature, pursuant to Section 303 of the New York State Agriculture and Markets Law adopt such plan or proposal and submit the same for approval and certification to the Commissioner of Agriculture and Markets of the State of New York for that department's review and recommendation, now, therefore, be it

RESOLVED, that this County Legislature hereby adopts a plan or proposal for the continuation of an additional eight years of Broome County Agricultural District No. 4 located within the Towns of Barker, Binghamton, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Sanford, Union and Windsor within the County of Broome, New York except that this County Legislature approves, adopts and accepts the modifications to said district in accordance with the recommended modification of the Broome County Planning and Economic Development Department and the Broome County Agricultural and Farm Land Protection Board as aforesaid which shall result in the modifications as follows:

Parcels to be added to Agricultural District No. 4 in the following towns:

Binghamton

177.14-1-7	161.19-1-1	161.18-1-24.12
177.18-1-5	161.18-1-25	161.18-1-23
161.18-1-24-21	161.18-1-24.11	

Chenango

076-4-2-15	067.08-1-1	093.02-1-7
076-4-2-16	067.02-1	093.02-1-19
076.01-1-5	067.01-1-13	093.02-1-20
067.02-1-4	067.01-1-6	093.04-1-11

Colesville

070.04-1-55	097.00-1-46	117.03-1-6
071.03-1-27	097.00-1-15	118.04-2-11
071.03-1-26	097.00-1-14	119.00-2-19
082.00-1-9	097.00-1-16	110.00-2-17
082.00-02-1-2	098.04-1-25	119.00-2-18
082.02-1-4	098.04-1-10	119.00-2-10
082.04-2-3	101.04-1-7	119.00-2-11
099.02-1-15	102.01-1-6	119.03-1-14
100.01-1-15	102.02-1-10	135.02-1-11
100.01-1-15	102.02-1-11.1	135.02-2-7
100.01-1-14	102.01-1-4	136.00-1-24
082.03-1-17	114.00-1-16	136.00-2-6
097.00-1-15	102.04-1-18	136.00-2-8
097.00-1-16	103.00-1-3	136.00-1-23
084.04-1-1	103.2-1-1	
084.04	102.04-1-8	

Conklin

161.04-2-26	193.03-1-30	209.00-1-19
161.04-2-7	209.00-1-1.2	209.00-1-17
161.19-1-3	209.00-1-20	209.00-1-1
161.04-1-1.2		

Fenton

057.04-1-9	068.02-1-23	112.04-1-39
058.03-1-31	068.02-1-22	112.04-1-38
058.03-1-45	068.02-1-21	112.04-1-37
058.00-1-2	129.02-1-11	113.03-3-50
058.04-1-27	112.04-1-40	130.00-1-2
068.02-1-25	112.04-1-23.1	

Maine

064.01-1-25	063.03-1-13	108.01-1-12
064.03-2-2	091.03-1-16.111	091.03-1-22
064.03-1-16	090.02-1-15	091.03-1-26
064.04-1-18	090.02-1-16.1	091.03-1-27
074.02-1-15	092.02-1-16	092.03-1-20

Kirkwood

195.00-1-5	195.00-1-12	195.00-1-31
195.00-1-8	195.00-1-27	211.00-11
195.00-1-9	195.00-1-28	212.00-1-12
195.00-1-10	195.00-1-29	212.00-1-13
195.00-1-11	195.00-1-30	

Sanford

103.00-2-24	103.00-1-29	120.01-1-3
103.00-2-22	120.01-1-2	120.01-1-19
120.01-1-1	120.01-1-22	120.01-1-6

Union

108.04-1-2	110.03-1-18	126.02-2-5
108.04-1-5	110.03-1-40	126.02-2-7
109.03-1-26	126.02-1-9	127.01-1-12
109.04-1-31	126.02-1-52	127.01-1-1

Windsor

152.00-1-10	184.04-1-12	198.03-1-211
152.00-1-1	196.00-1-11.1	199.03-1-18
167.00-1-13	196.00-1-12	200.00-1-27
167.00-1-14	183.02-6-8	214.02-1-1
167.00-1-15	182.04-1-13	230.00-1-13
167.00-1-39	198.00-1-13.111	230.00-1-5
167.00-1-40	198.03-1-3	230.00-1-21
181.03-1-4	198.04-1-3	230.01-1-11
181.03-1-15	198.04-1-1.2	
182.03-1-32	198.04-1-1.1	

Parcels to be deleted in Agricultural District No. 4 in the following towns:

Colesville

118.02-1-8
118.02-1-9

Windsor

196.00-1-24

and said Agricultural District located within the Towns of Barker, Binghamton, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Sanford, Union and Windsor, as herein approved and modified is hereby continued for an additional eight (8) year period in accordance with provisions of Section 303 of the New York State Agriculture and Markets Law, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature pursuant to Section 303 of the New York State Agriculture and Markets Law is hereby directed on behalf of this County Legislature to submit to the Commissioner of Agriculture and Markets a certified copy of this Resolution and a copy of the plan or proposal for the continuation of Broome County Agricultural District No. 4 located in the Towns of Barker, Binghamton, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Sanford, Union and Windsor, which proposal heretofore has been filed with the Clerk of this Legislature and with the Broome County Clerk and the Broome County Planning and Economic Development Department and the Broome County Agricultural and

Farm Land Protection Board, it being noted herein that less than 180 days have passed from the date said proposal was submitted to this body to the date of adoption of this Resolution.

Mr. Miller made a motion, seconded by Mr. Howard, to amend the resolution deleting parcel 067.08-1-1 in the Town of Chenango, adding parcel 209.00-1-30 Town of Binghamton, and adding parcels 110.03-1-19 and 109.04-02-11 Town of Union. **Motion to amend carried**, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer). **Resolution as amended carried**, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 386

By Personnel, Public Works, Health Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR DPW, HEALTH, AND MENTAL HEALTH

RESOLVED, that in accordance with a request from the Commissioner of Public Works as contained in PCR#00-343, this County Legislature hereby authorizes the abolishment of (1) Maintenance Worker position, Full Time, at budget line 030031.1000.101000, minimum salary of \$10.49/hr, Grade NA, Union ASCME, and the creation of (1) Automotive Mechanic position, Full Time, at budget line 030007.1000.101000, minimum salary of \$24,502, Grade 13, Union CSEA, effective date 7/21/00, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health as contained in PCR#00-332, this County Legislature hereby authorizes the abolishment of (1) Traffic Safety Program Coordinator position, Full Time, at budget line 480301.1000.104337, minimum salary of \$28,120, Grade 17, Union CSEA, and the creation of (1) Public Health Educator position, Full Time, at budget line 480301.1000.104337, minimum salary of \$29,582, Grade 18, Union CSEA, effective date 07/24/00, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health as contained in PCR#00-334, this County Legislature hereby authorizes the abolishment of (1) Public Health Educator position, Full Time, at budget line 480301.1000.104430, minimum salary of \$29,582, Grade 18, Union CSEA, and the creation of (2) Public Health Educator position, Part Time, at budget line 480301.1500.104430, minimum salary of \$29,582 FTE, Grade 18, Union CSEA, effective date 07/24/00, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health as contained in PCR#00-253, 00-254, 00255, 00-256 this County Legislature hereby authorizes the abolishment of (4) Public Health Nurse Practitioner positions, Part Time, at budget line 480228.1500.101000, minimum salary of \$36,275FTE, Grade 22, Union CSEA, and the creation of (4) Nurse Practitioner positions, Part Time, at budget line 480228.1500.101000, minimum salary of \$46,931, Grade 27, Union CSEA, effective date 1/1/00, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health as contained in PCR#00-244 this County Legislature hereby authorizes the abolishment of (1) Community Mental Health Nurse Practitioner position, Full Time, at budget line 470013.1000.101000, minimum salary of \$46,931, Grade 27, Union CSEA, and the creation of (1) Nurse Practitioner position, Full Time, at budget line 470013.1000.101000, minimum salary of \$46,931, Grade 27, Union CSEA, effective date 1/1/00, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health as contained in PCR#00-316, this County Legislature hereby authorizes the abolishment of (1) Mental Health Program Coordinator position, Full Time, at budget line 470013.1500.101000, minimum salary of \$42,152, Grade 23, Union BAPA, effective date 06/26/2000, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health as contained in PCR#00-312, this County Legislature hereby authorizes the abolishment of (1) Mental Health Program Coordinator position, Full Time, at budget line 470013.1000.101000, minimum salary of \$42,152, Grade 23, Union BAPA, and the creation of

(1) Mental Health Clinic Services Director position, Full Time, at budget line 470013.1000.101000, minimum salary of \$47,384, Grade 24, Union BAPA, effective date 06/22/00.

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 387

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING AGREEMENT WITH JUSTICE BENEFITS, INC. FOR GRANT RECOVERY SERVICES FOR THE OFFICE OF THE BROOME COUNTY SHERIFF FOR 2000-2004

WHEREAS, the Broome County Sheriff requests authorization for an agreement with Justice Benefits, Inc. (JBI) for state and federal grant recovery services for the period July 1, 2000 through June 30, 2004, at a cost not to exceed 22% of any revenue received by the County as a result of grants obtained through the services of JBI, and

WHEREAS, said services are necessary to maximize the potential for receiving federal and state grants in connection with the operation of the Broome County Correctional Facility and work of the Broome County Sheriff, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Justice Benefits, Inc., a business unit of Unificare, LLC, 2010 Valley View, Suite 30, Dallas, TX 75234, for grant recovery services for the Broome County Sheriff for the period July 1, 2000 through June 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed 22% of actual monies received by Broome County as the result of grants obtained through the services of Justice Benefits, Inc. for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.0584.101000 (Public Safety Grant-Federal) and 450023.0460.101000 (Other State Aid), 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 388

By County Administration, Economic Development & Planning and Finance Committees
Seconded by Mr. Mather

RESOLUTION AUTHORIZING ACCEPTANCE OF 2000 TANF SUMMER YOUTH EMPLOYMENT PROGRAM FOR THE OFFICE OF EMPLOYMENT AND TRAINING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH TIOGA COUNTY FOR 2000

WHEREAS, the Director of Employment and Training requests authorization to accept a 2000 TANF Summer Youth Employment Program Grant, to adopt a program budget in the amount of \$309,435 and to enter into an agreement with Tioga County for the period April 1, 2000 through September 30, 2000, and

WHEREAS, said grant program provides full wage subsidy paid summer employment to youth (ages 14-19) participants from income-eligible families in Broome and Tioga Counties, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$309,435 from the New York State Department of Labor, State Office Building Campus, Albany, New York 12240 for the Office of Employment and Training's 2000 TANF Summer Youth Employment Program Grant for the period April 1, 2000 through September 30, 2000, 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 \$309,435, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves the allocation of \$52,387 to Tioga County to administer said program grant in Tioga County for the period April 1, 2000 through September 30, 2000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 720730.4538.104XXX (Tioga County), and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 389

By Community & Social Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT-IN-AID PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001

WHEREAS, the Director of Office for Aging requests authorization to accept a Grant-In-Aid Program Grant and adopt a program budget in the amount of \$30,000 for the period April 1, 2000 through March 31, 2001, and

WHEREAS, said grant program provides funds for the purchase of meals on wheels hot boxes, truck generator and racks for the delivery truck, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$25,000 from the New York State Office for Aging, Empire State Agency Bldg. 2, Albany, New York 12223-0001 for the Office for Aging's Grant-in-Aid Program Grant for the period April 1, 2000 through March 31, 2001, 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 \$30,000, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 390

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT, FOR COURT SECURITY SERVICES FOR 2000-2001

WHEREAS, this County Legislature, by Resolution 519 of 1999, authorized renewal of an agreement with the Unified Court System of the State of New York, Sixth Judicial District, for court security services with revenue to the County in the amount of \$568,000, and

WHEREAS, said services are necessary for maintaining security in Supreme Court, County Court, Family Court and Binghamton City Court, and

WHEREAS, said agreement expired by its terms on March 31, 2000, and it is desired at this time to renew said agreement for the period April 1, 2000 through March 31, 2001 on substantially similar terms and conditions with an increase in revenue not to exceed \$610,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Unified Court System of the State of New York, Sixth Judicial District, State Office Building, 44 Hawley Street, Binghamton, New York 13901 for court security services for the period April 1, 2000 through March 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the Unified Court System of the State of New York, Sixth Judicial District, shall pay to the County of Broome the sum of \$610,000 for reimbursement of allowable costs incurred by the County of Broome in providing the services required under the terms of this agreement, and be it

FURTHER RESOLVED, that the revenue realized pursuant to such agreement shall be credited to budget line 031450.0038.101000 (Security Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 391

By Finance and Education, Culture & Recreation Committees Seconded by Mr. Mather
RESOLUTION ADOPTING THE BUDGET FOR BROOME COMMUNITY COLLEGE FOR SEPTEMBER 1, 2000 THROUGH AUGUST 31, 2001

WHEREAS, Broome Community College receives funding from four major areas: Broome County Government and other sponsor's support, tuition, and state aid, as well as miscellaneous offset revenue for its specific and general expenses, and

WHEREAS, New York State Law sets ceilings for tuition charges and State aid to ensure an equitable distribution of financial responsibility among the sponsoring local government, students and State government, and

WHEREAS, pursuant to the Broome County Charter and Code, Article XXIII-A, Broome Community College has submitted a proposed budget for the year commencing September 1, 2000 and ending August 31, 2001, and

WHEREAS, on July 11, 2000, a public hearing was held on this proposed budget and the budget message submitted by the County Executive and copies of the proposed budget and the budget message have been available for inspection and/or procurement for at least seven days prior to this hearing pursuant to this County's Charter and Code, now, therefore, be it

RESOLVED, that the proposed unrestricted budget of Broome Community College, as corrected and amended in the amount of \$31,444,302 be and hereby is adopted for said Broome Community College for the year commencing September 1, 2000 and ending August 31, 2001, and be it

FURTHER RESOLVED, that Broome County shall provide \$5,466,708 as an appropriation for its annual contribution to the support of Broome Community College's operating budget, and be it

FURTHER RESOLVED, that the above adopted budget is summarized as follows:

SUMMARY OF BROOME COMMUNITY COLLEGE BUDGET
Fiscal Year September 1, 2000 through August 31, 2001
Operating Budget Totals (unrestricted)

Appropriations:	\$31,444,302
Estimated Revenues:	
Misc. Offsets to Expenses	\$ 2,417,527
State Aid	\$ 9,427,745
Student Tuition	\$10,755,078
Sponsors' Support Broome County	\$ 5,466,708
Other Counties Chargebacks	\$ 1,821,469
Out-of-State Tuition	\$ 868,253
Appropriated Fund Balance	\$ 687,522
Total Revenues:	\$31,444,302

and be it

FURTHER RESOLVED, that the Budget Director is hereby authorized, empowered and directed to correct any modifications, changes, and/or typographical errors, including additions, and to file same with the Clerk of the Broome County Legislature.

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 392

By Finance, Health Services and Public Works Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR HEALTH DEPARTMENT AND DPW - FLEET

RESOLVED, that in accordance with a request from the Director of Health in order to fully maximize unexpended salary funds for the Healthy Living Partnership Grant as requested in BF# 0002375, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1500	104300	Salary – Part Time	19,325
TO:	480301	1000	104300	Salary - Full Time	1,934
	480301	4707	104300	Medical & Hospital Svcs	17,391

and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Public Works (Fleet Management) in order to provide sufficient funds to pay gas costs through Dec 2000 as requested in BF# 002533, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingency	60,000
TO:	030007	4347	250000	Gas*	60,000

* 50% of costs allocated to sheriff, 16% to DSS, and 10% to Security, 24% to other depts.

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 393

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH J & H MARSH & MCLENNAN, INC. FOR BROOME COUNTY INSURANCE COVERAGE FOR 1999-2002

WHEREAS, this County Legislature, by Resolution 409 of 1999, as amended by Resolution 290 of 2000, authorized an agreement with J & H Marsh & McLennan, Inc. for insurance coverage for property damage, inland marine, boiler and machinery and foreclosed properties for the period September 1, 1999 through June 30, 2002, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the cost of the insurance premium for the period July 1, 2000 through June 30, 2001 to include the insurance coverage for the Department of Motor Vehicles Building and the new Broome County Library, and

WHEREAS, the Manager of Risk and Insurance 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 Marsh USA, Inc. (f/k/a J & H Marsh & McLennan), 300 South State Street, P.O. Box 4988, Syracuse, NY 13221, to increase the cost of the insurance premium for the period July 1, 2000 through June 30, 2001 to include the insurance coverage for the Department of Motor Vehicles Building and the new Broome County Library, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$2,998, total of agreement not to exceed \$77,260, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4521.254000 (Insurance Premiums), and be it

FURTHER RESOLVED, that Resolutions 409 of 1999 and 290 of 2000, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 394

By County Administration, Economic Development and Planning Committee

Seconded by Mr. Whalen

RESOLUTION SUPPORTING A PUBLIC INFORMATIONAL MEETING REGARDING THE USE OF TOBACCO SETTLEMENT MONEY

WHEREAS, Broome County Legislator, Donna A. Lupardo, has scheduled a public informational meeting to be held in the Legislative Chambers from six to eight o'clock p.m. on July 25, 2000 to receive public comments regarding the possible uses of the money the county will receive from the Tobacco settlement, now therefore be it

RESOLVED, that this County Legislature supports the public informational meeting scheduled in the Legislative Chambers from six to eight o'clock p.m. on July 25, 2000 to receive public comments regarding the possible uses of the money the county will receive from the Tobacco settlement.

Mr. Howard made a motion, seconded by Mr. Kolba, to change the meeting place from the Legislative Chambers to the 2nd Floor Auditorium. **Amendment carried**, Ayes-16, Nays-0, Absent-3 (Hudak, O'Day, Shafer). Mr. Pasquale made a motion to call the question, seconded by Mr. Mather. **Motion to call the question carried**, Ayes-13, Nays-3 (Brunza, Burger, Kavulich), Absent-3 (Hudak, O'Day, Shafer) **Resolution as amended carried**, Ayes-15, Nays-1 (Burger), Absent-3 (Hudak, O'Day, Shafer).

RESOLUTION NO. 395

By Public Works and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENT WITH STEARNS & WHELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000-2001

WHEREAS, the Department of Public Works requests authorization for an agreement with Stearns & Wheler, LLC for professional engineering services for the period August 1, 2000 through December 31, 2001, at a cost not to exceed \$961,100, and

WHEREAS, said services are necessary for the design of the Nanticoke Landfill Section IV Expansion to be in compliance with an FAA notice to construct a landfill facility beyond 10,000 feet from the runway at the Binghamton Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns & Wheler, LLC, One Remington Park Dr., Cazenovia, New York 13035 for professional engineering services for the Department of Public Works for the period August 1, 2000 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$961,100 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235044.4545.502286 (Contracted Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

RESOLUTION NO. 396

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH HENDERSON-JOHNSON CO., INC. FOR A COMPLETE FILE CONVERSION FOR THE BROOME COUNTY CLERK FOR 1999-2000

WHEREAS, this County Legislature, by Resolution 401 of 1999, authorized and approved acceptance of a Local Government Records Management Improvement Fund Grant in the amount of \$30,000 for the period September 1, 1999 through June 30, 2000, and

WHEREAS, this County Legislature, by Resolution 702 of 1999, authorized an agreement with Henderson-Johnson Co., Inc. to perform a complete file conversion for the Broome County Clerk at a cost not to exceed \$30,398 for the period October 15, 1999 through December 31, 1999, and

WHEREAS, said services are necessary to perform a complete file conversion in the Broome County Clerk's Office, including file folder and indexing, and

WHEREAS, it is necessary to authorize the amendment of said agreement to revise the term of the agreement to the period September 1, 1999 through June 30, 2000 at no additional cost to Broome County, and

WHEREAS, the 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 Henderson-Johnson Co., Inc., 918 Canal Street, P.O. Box 6964, Syracuse, New York 13217 to revise the term of the agreement to the period of September 1, 1999 through June 30, 2000 at no additional cost to Broome County, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300061.4457.104344 (Subcontracted Program) and 300012. 4419.101000 (General Office Expense), and be it

FURTHER RESOLVED, that Resolution 702 of 1999, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Hudak, O'Day, Pasquale, Shafer).

Mr. Howard made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried**, Ayes-16, Nays-0, Absent-3 (Hudak, O'Day, Shafer). The meeting was adjourned at 5:03 p.m.

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