
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, JULY 21, 2001**

The Legislature convened at 5:43 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augostini, had read the fire exit announcement and called the Attendance Roll at the previous special session and the Attendance Roll remained at Present-17, Absent-2 (Hull, Lindsey).

Mr. Brunza made a motion, seconded by Mr. Miller, that the minutes of the Special and Regular Sessions of June 21, 2001 be approved as prepared and presented by the Clerk. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Lindsey).

Mr. Schofield noted that the committee minutes for the period June 15, 2001 through July 12, 2001 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. Being none, a motion to approve the committee minutes was made by Mr. Whalen and seconded by Mr. Kavulich. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Lindsey).

ANNOUNCEMENTS FROM THE CHAIR

Chair Schofield made the announcement that as a result of the tobacco money sale, the County netted \$45.3 million. The closing on the sale will occur August 6, 2001 and the County will receive an additional \$20 million in residual tobacco money over the next twenty (25) years.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

- A. Change in hours of County Office Building and Department of Social Services from 8:00am to 4:00pm from July 9 to August 31, 2001
- B. Appointment of Mark Young to Broome County Board of Ethics
- C. Appointments to Broome County Youth Bureau
- D. Appointment of Jay L. Wilber as Acting Public Defender

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 1. Minutes:
 - a. Broome County Soil and Water Conservation District
- C. Notices:
 1. Special meeting of the County Administration Committee on Thursday, June 21, 2001
- D. Reports:
 1. 2000 Annual Reports:
 - a. Office for Aging
 - b. Cornell Cooperative Extension
 - c. The Broome Chamber
 - d. Broome County Financial Report

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

1. Designation of Wayne Howard to act in Daniel Schofield's absence from July 1 through July 15, 2001.

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2. Appointing James Holley as voting representative for George Kolba, Jr. at Broome Community College Budget Public Hearing, July 12, 2001
 3. Appointing various Legislators as representatives for Thomas Hull during the week of July 9, 2001

Mr. Holley made a motion, seconded by Ms. Sweet, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2001 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-17, Nays-0, Absent-2 (Hull, Lindsey).

Mr. Brunza and Mr. O'Day were designated as participants with Chairman Schofield in the 'Short Roll Call'.

RESOLUTIONS TABLED AT A PREVIOUS SESSION

RESOLUTION NO. 238

By Public Works and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING AGREEMENT WITH CLOUGH HARBOUR & ASSOCIATES, LLP FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2001-2002

Mr. Shafer made a motion, seconded by Mr. O'Day, to amend the resolution changing the not to exceed amount to \$678,000 and extend the term of the agreement to December 31, 2002. **Motion to amend carried**, Ayes-17, Nays-0, Absent-2 (Hull, Lindsey). **Resolution as amended carried**, Ayes-17, Nays-0, Absent-2 (Hull, Lindsey).

RESOLUTION RECALLED AT THIS SESSION

Mr. Shafer made a motion, seconded by Mr. Pasquale, to recall from the table Resolution No. 262 that had been tabled at the June 21, 2001 Regular Session. **Motion to recall carried**, Ayes-17, Nays-0, Absent-2 (Hull, Lindsey).

RESOLUTION NO. 262

By Public Works and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CAMP DRESSER & MCKEE FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1996-2001

Mr. Shafer made a motion, seconded by Mr. Pasquale, to table the resolution to an August 13, 2001 Special Session. **Motion to table to August 13, 2001 carried**, Ayes-17, Nays-0, Absent-2 (Hull, Lindsey).

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 300

(Held over by Ms. Nannery)

By Health Services and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING ACCEPTANCE OF A RESIDENTIAL PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH CATHOLIC CHARITIES TO ADMINISTER SAID PROGRAM FOR 2001

RESOLUTION NO. 360

By Public Works and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND FUNDING OF THE FEDERAL AID-ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, TO FULLY FUND THE LOCAL SHARE OF FEDERAL-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS, AND APPROPRIATING FUNDS THEREFOR

WHEREAS, a Project for Traffic Signal Requirements 2000-2001, Colesville Road/Stratmill Road, Town of Kirkwood, Broome County, P.I.N. 9803.67 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non- federal funds, and

WHEREAS, the County of Broome desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of the Construction and Construction Supervision and Inspection work, and

WHEREAS, that this County Legislature has included the Project in the 2001 Capital Improvement Programs (C.I.P.) as Project 501363 (Highway Reconstruction/Rehabilitation), now, therefore, be it

RESOLVED, that this County Legislature hereby approves the above-subject project; and be it

FURTHER RESOLVED, that the Broome County Commissioner of Finance is authorized to pay the non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof, with the Federal share of such costs to be applied Directly by the New York State Department of Transportation (NYSDOT) pursuant to Agreement; and be it

FURTHER RESOLVED, that the sum of \$23,000 as previously appropriated pursuant to the 2001 C.I.P., Project 501363 (Highway Reconstruction/Rehabilitation), is made available to cover the cost of participation in the above phase of the Project; and be it

FURTHER RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, this County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by NYSDOT thereof, and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal-Aid on behalf of the County of Broome with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's funding of the local share of the Federal-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION NO. 361

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH GEORGE FUNNELL, M.S.W.C.S.W. FOR SOCIAL WORK SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2001 AND THE PRESCHOOL EDUCATION PROGRAM FOR 2001 THROUGH 2002

WHEREAS, the Director of Public Health requests authorization for an agreement with George Funnell, M.S.W.C.S.W. for social work services for the Department of Health's Early Intervention Program and the Preschool Education Program, at rates set by New York State

Department of Health and Broome County Department of Health, total not to exceed budget appropriations, and

WHEREAS, said services are necessary to help families cope with children with disabilities, and provide parent training and counseling, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with George Funnell, M.S.W.C.S.W., 3 Catherine Street, Binghamton, New York 13905, for social work services for the Department of Health's Early Intervention Program for the period September 1, 2001 through December 1, 2001 and the Preschool Education Program for the period September 1, 2001 through June 30, 2002, 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 "A" for the Early Intervention Program and rates set by Broome County Department of Health as listed on Exhibit "B" 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, and be it

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

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

RESOLUTION NO. 362

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH CONSTANCE E. KATTELL FOR SOCIAL WORK SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2001 AND THE PRESCHOOL EDUCATION PROGRAM FOR 2001 THROUGH 2002

WHEREAS, the Director of Public Health requests authorization for an agreement with Constance E. Kattell for social work services for the Department of Health's Early Intervention Program and the Preschool Education Program at rates set by New York State Department of Health and the Broome County Health Department total not to exceed budget appropriations, and

WHEREAS, said services are necessary to provide various social work services, including counseling and parent training, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Constance E. Kattell, 3633 Matthews Drive, Endwell, New York 13760, for social work services, for the Department of Health's Early Intervention Program for the period September 1, 2001 through December 31, 2001 and the Preschool Education Program for the period September 1, 2001 through June 30, 2002, 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 "A" for the Early Intervention Program and rates set by Broome County Department of Health as listed on Exhibit "B" 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 4800293.4706.101081 (Rehabilitation and Therapy Services) and 480293.various.101082, and be it

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

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

RESOLUTION NO. 363

By Transportation and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH URBITRAN FOR A RURAL PARATRANSIT SERVICE ANALYSIS FOR THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) FOR 2001-2002

WHEREAS, the Director of the Binghamton Metropolitan Transportation Study (BMTS) requests authorization for an agreement with Urbitran for consultant services for BMTS at a cost not to exceed \$57,144, for the period July 1, 2001 through March 31, 2002, and

WHEREAS, said services are necessary to perform a Rural Paratransit Service Analysis to identify areas for improvement of general public transportation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Urbitran, 71 West 23rd Street, New York, New York 10010, for a Rural Paratransit Service Analysis, for the Binghamton Metropolitan Transportation Study (BMTS) for the period July 1, 2001 through March 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$57,144 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440115.4747.104526 (Other Fees For Services), and be it

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

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

RESOLUTION NO. 364

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT, FOR COURT SECURITY SERVICES FOR 2001-2002

WHEREAS, this County Legislature, by Resolution 390 of 2000, 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 \$610,000, 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, 2001, and it is desired at this time to renew said agreement for the period April 1, 2001 through March 31, 2002 on substantially similar terms and conditions with an increase in revenue not to exceed \$640,000, 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, 2001 through March 31, 2002, 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 \$640,000 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-17, Nays-0, Absent-2 (Hull, Lindsey).

RESOLUTION NO. 365

By Personnel, Education, Culture & Recreation and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING REVISION OF HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES FOR 2001

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

WHEREAS, by Resolution 666 of 2000, this County Legislature has set the hourly rates for these positions for the calendar year 2001, and

WHEREAS, the Commissioner of Parks and Recreation has requested that an allowance of \$50 be authorized for lifeguards, waterfront directors and assistant waterfront directors who become certified or recertified in CPR, and

WHEREAS, eligibility for the allowance would require a minimum of eight weeks of employment with a final evaluation that recommends rehire with payment to be made to eligible employees in their final paycheck, and

WHEREAS, certification in CPR is a condition of employment and this allowance would help with the recruitment and retention of people to fill these positions, and

WHEREAS, it is desired at this time to amend the hourly rate schedule for 2001 for various positions, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary and seasonal employees for 2001 to authorize the payment of a \$50 allowance to lifeguards, waterfront directors and assistant waterfront directors who become certified or recertified in CPR and who complete a minimum of eight weeks of employment with a final evaluation that recommends rehire with payment to be made to eligible employees in their final paycheck, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 543017.4463.101020 (Education and Training), and be it

FURTHER RESOLVED, that Resolution 666 of 2000, to the extent consistent herewith, shall remain in full force and effect.

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

RESOLUTION NO. 366

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SOUTHERN TIER ZOOLOGICAL SOCIETY (ROSS PARK ZOO) AND THE SOUTHERN TIER INDEPENDENCE CENTER TO HOLD THE 2001 HOMETOWN HOLIDAY FESTIVAL OF LIGHTS AT OTSININGO PARK FOR 2001

WHEREAS, the Broome County Department of Parks and Recreation requests authorization for an agreement with the Southern Tier Zoological Society (Ross Park Zoo) and the Southern Tier Independence Center (STIC) to hold the 2001 Hometown Holiday Festival of Lights at Otsiningo Park for the period November 23, 2001 through December 31, 2001, from the hours of 6:00 p.m. to 10:00 p.m., five days per week - Wednesday through Sunday, with an option for a one year renewal at the sole discretion of the County, and

WHEREAS, said agreement is necessary to provide Ross Park Zoo and STIC with a facility to host the event, and

WHEREAS, Ross Park Zoo and STIC will provide all of the display lighting and will set up all of the displays and will be responsible to pay for all electricity, security, and snow and ice control costs during the time of the event, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Southern Tier Zoological Society, 185 Park Avenue, Binghamton, New York 13903, and the Southern Tier Independence Center, 24 Prospect Avenue, Binghamton, New York 13901, to hold the 2001 Hometown Holiday Festival of Lights at Otsiningo Park for the period of November 23, 2001 through December 31, 2001, from the hours of 6:00 p.m. to 10:00 p.m., five days per week - Wednesday through Sunday, with an option for a one year renewal at the sole discretion of the County, and be it

FURTHER RESOLVED, that the County will allow Otsiningo Park to be the host site for the event at no cost to Ross Park Zoo or STIC, and be it

FURTHER RESOLVED, that in consideration of said service, Ross Park Zoo and STIC shall reimburse the County for all costs related to electricity, security, and snow and ice control, for the term of the agreement, and be it

FURTHER RESOLVED, that all profits from the event will be split between Ross Park Zoo and STIC, and be it

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

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

RESOLUTION NO. 367

By Public Safety & Emergency Services Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH USA ROLLERSPORTS FOR SPONSORSHIP SERVICES FOR STOP-DWI FOR 2001

WHEREAS, the STOP-DWI Coordinator requests authorization for an agreement with USA Rollersports for sponsorship services for an in-line roller skating race series event in conjunction with the Chris Thater Memorial at no cost to the County for 2001, and

WHEREAS, said services are necessary to provide a nationally ranked in-line roller skating race event with enhanced media opportunities and logistical support for the Chris Thater Memorial, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with USA Rollersports, 4730 South Street, P.O. Box 6579, Lincoln, Nebraska 68506, for sponsorship services, for STOP-DWI for 2001, and be it

FURTHER RESOLVED, said services shall be at no cost to the 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.

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

RESOLUTION NO. 368

By Public Safety & Emergency Services Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH THRESHOLD SPORTS, LLC FOR STOP-DWI FOR THE CHRIS THATER MEMORIAL FOR 2001

WHEREAS, the STOP-DWI Coordinator requests authorization for an agreement with Threshold Sports, LLC for the Chris Thater Memorial to be part of the U.S. Pro Cycling Tour for 2001 through 2003 at no cost to the County, and

WHEREAS, said agreement will allow the Chris Thater Memorial to be part of the premiere cycling event in North America, to gain national sponsorship of the event, and to allow the Contractor to negotiate for television coverage of the event, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Threshold Sports, LLC, 2650 Eisenhower Avenue, Building A, Norristown, Pennsylvania, for the Chris Thater Memorial to be part of the U.S. Pro Cycling Tour for calendar years 2001 through 2003, at no cost to the 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.

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

RESOLUTION NO. 369

By Finance and Public Works Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AN AGREEMENT FOR THE PURCHASE OF REAL PROPERTY ON DUNHAM HILL ROAD IN THE TOWN OF BARKER

WHEREAS, the County is interested in purchasing areas around the Nanticoke Landfill for use for the Landfill Expansion Project, and

WHEREAS, the property at 1092 Dunham Hill Road is adjacent to the Nanticoke Landfill and suitable for use for the Landfill Expansion Project, and

WHEREAS, the owner of this property has agreed to sell said property to the County of Broome, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the U.S. Marshal Service, 227 Federal Building, Federal Station, Syracuse, New York 13261, for the purchase of 4.4 acres of real property located at 1092 Dunham Hill Road, Town of Barker, Tax Map No. 054.03-1-2, and be it

FURTHER RESOLVED, that in consideration of said purchase, the County shall pay the U.S. Marshall Service an amount not to exceed \$13,000, plus closing costs, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235044.2001.502269 (Original Acquisition), and be it

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

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

RESOLUTION NO. 370

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWN OF UNION, VILLAGE OF ENDICOTT

WHEREAS, it is necessary to clear the tax records of these parcels of real property by virtue of the reasons stated below, now, therefore, be it

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

Parcel ID:	156.12-4-11
Town/Village:	Town of Union, Village of Endicott
Address:	312 Maple Street
Owner:	Broome County
Amount to be Cancelled:	\$758.59 plus accrued interest and penalties
Reason:	Parcel was placed into roll Section 8, non-taxable

Parcel ID: 156.12-4-12
Town/Village: Town of Union, Village of Endicott
Address: 1-3 Duane Avenue
Owner: Broome County
Amount to be Cancelled: \$736.28 plus accrued interest and penalties
Reason: Parcel was placed into roll Section 8, non-taxable

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

RESOLUTION NO. 371

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AN AGREEMENT WITH IOS CAPITAL AND IKON OFFICE SOLUTIONS FOR THE LEASE AND RELATED SERVICE AGREEMENT FOR A DIGITAL COPY MACHINE FOR THE DEPARTMENT OF HEALTH FOR 2001-2006

WHEREAS, the Director of the Department of Health requests authorization for an agreement with IOS Capital and IKON Office Solutions for a lease and related service agreement for a digital copy machine for the Department of Health's Maternal Child Health and Development Division at a cost of \$366 per month for copies totaling up to 24,000 plus an average rate of .007 per copy when applicable, total amount not to exceed \$21,960, for the period August 1, 2001 through July 31, 2006, and

WHEREAS, said services are necessary to provide a copier to meet the needs of the Maternal Child Health and Development Division and its fiscal unit, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with IOS Capital, P.O. Box 9115, Macon, Georgia 31208-9115 and a related service agreement with IKON Office Solutions, 21 South Washington Street, Binghamton, New York 13903 for the Department of Health's Maternal Child Health and Development Division for the period August 1, 2001 through July 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$366 per month for copies totaling up to 24,000, total amount not to exceed \$21,960 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.4518.101000 (Copy Machine Rentals), and be it

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

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

RESOLUTION NO. 372

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE DAY CARE HOMES REGISTRATION PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002

WHEREAS, this County Legislature, by Resolution 367 of 2000, as revised by Resolution 579 of 2000, authorized the continued participation in the Day Care Homes Registration Grant by the Department of Social Services and adopted a program budget in the amount of \$145,000 for the period August 1, 2000 through July 31, 2001, 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 \$175,000 for the period August 1, 2001 through July 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$175,000 from the New York State Office of Children and Family Services, Bureau of Early Childhood Services, 52 Washington Street, Riverview Center, 6th Floor, Rensselaer, New York 12144, for the Department of Social Services Day Care Homes Registration Grant for the period August 1, 2001 through July 31, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$175,000, and be it

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

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

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

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

RESOLUTION NO. 373

By Transportation and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AN AGREEMENT WITH WILBUR SMITH ASSOCIATES FOR CONSULTANT SERVICES FOR THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) FOR 2001-2002

WHEREAS, the Director of the Binghamton Metropolitan Transportation Study (BMTS) requests authorization for an agreement with Wilbur Smith Associates for consultant services for BMTS at a cost not to exceed \$138,527, for the period August 1, 2001 through October 1, 2002, and

WHEREAS, said services are being provided for a consortium of the 12 metropolitan transportation planning organizations in New York State to examine the current methods for collecting and analyzing data for transportation planning purposes, review state and national best practices of the application of technology to those tasks and to prepare a strategic plan for planning organizations to improve their efficiency and staff productivity, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Wilbur Smith Associates, P.O. Box 100, 5138 Shelburne Road, Shelburne, Vermont 05403-0100 for a study of the application of advanced technologies to data collection for transportation planning, for the Binghamton Metropolitan Transportation Study (BMTS) for the period August 1, 2001 through October 1, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$138,527 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440115.4747.104526 (Other Fees For Services), and be it

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

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

RESOLUTION NO. 374

By Economic Development & Planning and Finance Committees Seconded by Mr. Brunza
**RESOLUTION AUTHORIZING REVISION OF VARIOUS JOB TRAINING PARTNERSHIP ACT
GRANT BUDGETS FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING
REVISED PROGRAM BUDGETS IN CONNECTION THEREWITH FOR 1998-2001**

WHEREAS, this County Legislature, by Resolutions 546 and 297 of 2000, Resolution 195 of 1999, and Resolution 255 of 1998, authorized the continued participation in various Job Training Partnership Act (JTPA) grants by the Office of Employment and Training and adopted program budgets in connection therewith for the period July 1, 1998 through June 30, 2001, and

WHEREAS, the Job Training Partnership Act ended June 30, 2000 and by Resolution 326 of 2001, remaining balances of the 1998-2001 JTPA grants were transferred to new Workforce Investment Act grants, and

WHEREAS, it is necessary at this time to revise said JTPA program grants to reflect the transfer of said balances and closeout balances of said grants, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a decrease in appropriations for the following JTPA Grants: Title II Incentive Grant in the amount of \$38,329, Title IIC Grant in the amount of \$3,168, Title III Grant in the amount of \$24,608, Title IIA Grant in the amount of \$43,424, Title IIA 5% Older Worker Grant in the amount of \$46,034, and the Title II 8% Education Coordination Grant in the amount of \$17,808 for the period July 1, 1998 through June 30, 2001, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budgets annexed hereto as Exhibit "A" in the total amount as reflected in said program budgets, and be it

FURTHER RESOLVED, that Resolutions by Resolutions 546 and 297 of 2000, Resolution 195 of 1999, and Resolution 255 of 1998 to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 375

By Economic Development & Planning and Finance Committees Seconded by Mr. Brunza
**RESOLUTION AUTHORIZING REVISION OF VARIOUS JOB TRAINING PARTNERSHIP ACT
GRANT BUDGETS FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING
REVISED PROGRAM BUDGETS IN CONNECTION THEREWITH FOR 1999-2002**

WHEREAS, this County Legislature, by Resolutions 545 and 298 of 2000, and Resolutions 300 and 299 of 1999, authorized the continued participation in various Job Training Partnership Act (JTPA) grants by the Office of Employment and Training and adopted program budgets in connection therewith for the period July 1, 1999 through June 30, 2002, and

WHEREAS, the Job Training Partnership Act ended June 30, 2000 and by Resolution 326 of 2001, remaining balances of the 1999-2002 JTPA grants were transferred to the existing Workforce Investment Act grants, and

WHEREAS, it is necessary at this time to revise said JTPA program grants to reflect the transfer of said balances and closeout balance of said grants, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a decrease in appropriations for the following JTPA Grants: Title II Incentive Grant in the amount of \$107,068, Title IIC Grant in the amount of \$37,120, Title III Grant in the amount of \$464,098, Title IIA Grant in the amount of \$304,621, Title IIA 5% Older Worker Grant in the amount of \$50,485, the Title II 8% Education Coordination Grant in the amount of \$78,068 and the Title IIB Summer Youth Grant in the amount of \$132,355 for the period July 1, 1999 through June 30, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budgets annexed hereto as Exhibit "A" in the total amount as reflected in said program budgets, and be it

FURTHER RESOLVED, that Resolutions 545 and 298 of 2000, and Resolution 300 and 299 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) is hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 376

By County Administration and Intergovernmental Relations Committees

Seconded by Mr. Brunza

RESOLUTION SUPPORTING THE ENACTMENT OF NEW YORK STATE ASSEMBLY BILL A06773 ESTABLISHING CERTAIN BOUNDARIES OF THE COUNTIES OF BROOME AND CHENANGO

WHEREAS, the boundary established between the counties of Broome and Chenango in 1806 differs from virtually every map dating from 1806 to the present, and

WHEREAS, the counties of Broome and Chenango have been in litigation to re-establish the original boundary line, and

WHEREAS, the counties of Broome and Chenango have negotiated a settlement to confirm the configuration of the boundary line, and

WHEREAS, the Assembly currently has a bill pending to clarify and establish the boundary between the counties of Broome and Chenango by establishing a new and permanent boundary, now, therefore, be it

RESOLVED, that this County Legislature hereby goes on record in support of Assembly Bill A06773 which establishes a new and permanent boundary between the counties of Broome and Chenango, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to send a copy of this Resolution to Assemblyman Warner, Assemblyman Dinga, Assemblyman Crouch and Assembly Speaker Sheldon Silver.

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

RESOLUTION NO. 377

By County Administration and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING THE BROOME COUNTY CLERK'S OFFICE TO ACCEPT CREDIT CARD PAYMENTS AND TO ENTER INTO AN AGREEMENT WITH BINGHAMTON SAVINGS BANK AND TRUST FOR THE INSTALLATION OF SOFTWARE AND EQUIPMENT AND FOR THE PROCESSING OF TRANSACTIONS FOR THE PERIOD 2001-2004

WHEREAS, the Broome County Clerk requests authorization to accept credit card payments for the various fees that it charges and to enter into an agreement with Binghamton Savings Bank and Trust (BSB) for the installation of software equipment and for the processing of transactions associated with credit card payments at a cost not to exceed \$5,000 per year, for the period of August 1, 2001 to July 31, 2004, and

WHEREAS, said authorization and agreement would allow individuals the option of paying all fees or charges required by the Broome County Clerk's Office through a credit card, and

WHEREAS, pursuant to Section 5 of the New York State General Municipal Law, only the Broome County Legislature may authorize the County Clerk's Office to accept credit card payments for the various fees it charges, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Clerk's Office to accept credit card payments, and be it

FURTHER RESOLVED, that this County Legislature authorizes an agreement with Binghamton Savings Bank and Trust, 56-68 Exchange Street, Binghamton, NY 13902-1056, for the installation of all necessary software and equipment and for the processing of transactions through the credit card processing services program established by BSB, for the period August 1, 2001 to July 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,000 per year based on the fee schedule in the attached Exhibit "A", total amount not to exceed \$15,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 300012.4747.101000 (Other Fees For Services), and be it

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

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

RESOLUTION NO. 378

By Community & Social Services Committee

Seconded by Mr. Brunza

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY YOUTH BUREAU ADVISORY BOARD

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 163 of 1971 and Resolution 133 of 1976, has duly designated and appointed, subject to confirmation by the County Legislature, the following named individuals to membership on the Broome County Youth Bureau Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Debbie Martinez 2 Lincoln Avenue Binghamton, New York 13905	New Appointment 12/31/02
Carmen Bullock 415 Adams Avenue Endicott, New York 13760	New Appointment 12/31/02

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 163 of 1971 and Resolution 133 of 1976, hereby confirms the appointments of the above-named individuals to membership on the Broome County Youth Bureau Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 379 was addressed at a special session immediately preceding this session and tabled to an August 13, 2001 Special Session.

RESOLUTION NO. 380

By Personnel, Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR HEALTH AND AUDIT AND CONTROL

RESOLVED, that in accordance with a request from the Director of the Department of Health as contained in PCR#01-221, this County Legislature hereby authorizes the Change of Index code for one (1) Medical Director – Employee Health Services position, Part Time, at budget line 480012.1000.101000, salary 60/HR, to one (1) Medical Director – Employee Health Services position, Part Time, at budget line 480228.1000.101000, salary 60/HR, effective 1/01/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Department of Health as contained in PCR#01-216, this County Legislature hereby authorizes the abolishment of one (1) Health Program Specialist position, Full Time, at budget line 480301.1000.104527, minimum salary of \$18,590, Grade 08, Union CSEA, and the creation of one (1) Health Program Specialist position, Part Time, at budget line 480301.1500.104527, minimum salary of \$18,590 FTE, Grade 08, Union CSEA, effective 7/1/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Comptroller, this County Legislature hereby authorizes a salary of \$38,270 to be paid to a newly hired Auditor II, Position Control Number 01017-0014, effective June 25, 2001 and continuing after July 9, 2001, and be it

FURTHER RESOLVED, that in accordance with terms of an agreement reached between the Comptroller and the Civil Service Employees' Association, this County Legislature hereby authorizes a salary of \$45,000 to be paid to an Auditor II that functions as an audit team leader, Position Control Number 01017-0012, effective July 23, 2001, and be it

FURTHER RESOLVED, that in accordance with the terms of an agreement reached between the Comptroller and the Civil Services Employees Association (CSEA), the Department of Audit and Control is hereby authorized to institute a policy to provide reimbursement for exam fees and an annual stipend of \$3,000 to Auditor II level employees who successfully obtain professional certification as an Internal Auditor (Certified Internal Auditor).

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

RESOLUTION NO. 381

By Health Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE HIV/AIDS TRAINING GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002

WHEREAS, this County Legislature, by Resolution 257 of 2000, authorized and approved the HIV/AIDS Training Grant for the Department of Health and adopted a program budget in the amount of \$95,800 for the period July 1, 2000 through June 30, 2001, and

WHEREAS, said grant program provides free training for health and human services providers from seven counties in the delivery of care to Health Department clientele, and

WHEREAS, it is desired to renew said grant program in the amount of \$82,000 for the period July 1, 2001 through June 30, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$82,000 from the New York State Department of Health, AIDS Institute, Empire State Plaza, Corning Tower, Albany, New York 12237, for the Department of Health's HIV/AIDS Training Grant for the period July 1, 2001 through June 30, 2002, 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 \$82,000, and be it

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

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

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

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

RESOLUTION NO. 382

By Health Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING REVISION OF TUBERCULOSIS ELIMINATION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002

WHEREAS, this County Legislature, by Resolution 38 of 2001, authorized the continued participation in the Tuberculosis Elimination Grant by the Department of Health and adopted a program budget in connection therewith in the total amount of \$52,706 for the period February 1, 2001 through January 31, 2002, and

WHEREAS, said grant program provides enhanced screening, diagnosis, treatment and follow-up for tuberculosis to high risk target groups, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase of \$30,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Tuberculosis Elimination Grant in the total amount of \$30,000 for the period February 1, 2001 through January 31, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$82,706, and be it

FURTHER RESOLVED, that Resolution 38 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby

authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 383

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH UNITED HEALTH SERVICES HOSPITALS FOR DENTAL SERVICES FOR DEPARTMENT OF HEALTH FOR 2001

WHEREAS, the Director of the Department of Health requests authorization for an agreement with United Health Services Hospitals for dental services for the Department of Health's Dental Sealant Program Grant at a cost not to exceed \$20,625, for the period January 1, 2001 through September 30, 2001, and

WHEREAS, said services are necessary to provide oral health education, oral health screening and dental services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with United Health Services Hospitals, Ambulatory Services, 10-42 Mitchell Avenue, Binghamton, New York 13903, for dental services, for the Department of Health's Dental Sealant Program Grant for the period January 1, 2001 through September 30, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20,625 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4437.104525 (Subcontracted Program Expenses), and be it

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

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

RESOLUTION NO. 384

By County Administration and Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH MPR TECHNOLOGIES, INC. FOR PROFESSIONAL SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2001

WHEREAS, the Director of Information Technology requests authorization for an agreement with MPR Technologies, Inc. for professional services for the Division of Information Technology at a cost not to exceed \$18,170, for the period June 15, 2001 through December 31, 2001, and

WHEREAS, said services are necessary to provide preliminary setup work, testing and migration for the purpose of upgrading the Novell network server software, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with MPR Technologies, Inc., 5010 Campuswood Drive, East Syracuse, New York 13057, for professional services for the Division of Information Technology for the period June 15, 2001 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 \$18,170 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4726.101000 (Contracted Data Processing Services), and be it

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

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

RESOLUTION NO. 385

By County Administration and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH OUTSOURCING SERVICES INTERNATIONAL (OSI) FOR PROFESSIONAL SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 1999-2000

WHEREAS, this County Legislature, by Resolution 137 of 1999, as amended by Resolutions 439 and 615 of 1999 and Resolution 195 of 2001, authorized an agreement with Outsourcing Services International (OSI) for professional services for the Division of Information Technology for a total amount of \$208,171 for the period March 1, 1999 through August 4, 2000, and

WHEREAS, it is necessary to authorize an amendment to said agreement for an additional expenditure of \$373 for professional services that included work on the mainframe programs for payroll and financial systems, and

WHEREAS, an increase in the amount of the contract will allow the Division of Information Technology to pay off the balance of this contract and to close this project with OSI, and

WHEREAS, the Director of Information Technology requests 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 Outsourcing Services International (OSI), 601 Gates Road, P.O. Box 156, Vestal, New York 13850-0156, for an additional amount of \$373, total amount not to exceed \$208,544, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370032.4726.502317 (Contracted Data Processing), and be it

FURTHER RESOLVED, that Resolutions 137, 439 and 615 of 1999 and Resolution 195 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 386

By Finance and Health Services

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING A POSITION CHANGE REQUEST AND BUDGET TRANSFER FOR THE DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request from the Director of the Department of Health as contained in PCR#01-222, this County Legislature hereby authorizes the creation of one (1) Nurse Practitioner position, Part Time, at budget line 480301.1500.104557, minimum salary of \$48,574 FTE, Grade 27, Union CSEA, effective date 7/1/01, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Department of Health, in order to cover the cost of a part-time Nurse Practitioner on the HIV Seroprevalence Study Grant as requested in BF#003236, 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	4610	104557	Personal Services Chgbk	18,000
TO:	480301	1500	104557	Salaries Part-time	14,844
	480301	4459	104557	Reserve for Program	1,576
	480301	8030	104557	Social Security	1,136
	480301	8040	104557	Workers Comp	296
	480301	8070	104557	Unemployment Insurance	148

and be it

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

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

RESOLUTION NO. 387

By Economic Development & Planning and Finance Committees Seconded by Mr. Brunza
RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT WITH BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO PROVIDE FUNDING FOR THE VARIOUS PROGRAMS FOR 2001

WHEREAS, Broome County, pursuant to Resolution 559 of 2000, has entered into an agreement with the Broome County Industrial Development Agency (IDA) dated December 18, 2000 to administer the Broome County Economic Development Program, and

WHEREAS, the 2001 Budget has included money to fund the administration of the programs, the revolving loan fund, the Industrial Marketing Initiative, and the Community Incentive Project and to advertise and promote Broome County, and

WHEREAS, the Broome County Director of Economic Development now desires to amend said agreement with the IDA to include the funding for the various IDA projects during 2001 including advertising and promotion, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the December 18, 2000 agreement with the Broome County Industrial Development Agency, Edwin L. Crawford County Office Building, P.O. Box 1766, Binghamton, New York 13902 entered into pursuant to Resolution 559 of 2000 to set forth the levels of funding for the various programs administered by the IDA including overall administration of IDA programs, the Industrial Marketing Initiative, the Revolving Loan Fund, the Community Incentive Project and the promotion and advertising budget, for the period January 1, 2001 through December 31, 2001, at no additional consideration, and be it

FURTHER RESOLVED, that the Industrial Marketing Initiative, Revolving Loan Fund and Community Incentive Project shall be administered in accordance with IDA guidelines, a copy of which is annexed hereto as Exhibit "A" and that said agreement shall provide that the IDA shall report Industrial Marketing Initiatives, Revolving Loan Fund transactions and Community Incentive Projects as well as advertising and promotion expenses to the Broome County Executive and this County Legislature semi-annually, and be it

FURTHER RESOLVED, that upon execution of the agreement authorized herein, the sums of \$53,000 for Industrial Development Agency Administrative Fee – budget line 231001.5077.101000 (Industrial Development Agency Contract Service Agency); \$75,000 for the Industrial Development Marketing Initiative – budget line 231001.4792.101000 (Industrial Development Marketing Initiative); \$100,000 for the Revolving Loan Fund – budget line 231001.4793.10100 (Revolving Loan Fund); and \$100,000 for the Community Incentive Project – budget line 23101.4794 (Community Incentive Project); and up to a maximum of \$100,000 in budget line 231001.4448.101000 (Advertising and Promotion Expense) shall be paid to the Broome County Industrial Development Agency to be administered pursuant to said agreement, and be it

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

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

RESOLUTION NO. 388

By Finance and Education, Culture & Recreation Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2000-2001 BROOME COMMUNITY COLLEGE BUDGET

WHEREAS, Broome Community College has proposed to amend its 2000-2001 operating budget to increase appropriations to accommodate the December 2000 New York State early retirement incentive and growth in the Study Abroad Program, and

WHEREAS, the Broome Community College Board of Trustees and the Broome County Legislature are required to approve amendments to the College's annual operating budget, and

WHEREAS, the Broome Community College Board of Trustees recommended amending the 2000-2001 operating budget on June 21, 2001 to increase said appropriations by \$330,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the Broome Community College operating budget for the 2000-2001 fiscal year to increase appropriations by \$330,000 from \$31,444,302 to \$31,774,302, and be it

FURTHER RESOLVED, that this increase in appropriations will be funded by revenue increases of \$38,922 in tuition, \$130,747 in out of state tuition, 25,531 in chargebacks to other counties, 81,473 in miscellaneous offset revenues and \$53,327 in appropriated fund balance, and be it

FURTHER RESOLVED, that the amended College operating budget as shown in Exhibit "A" is hereby approved for submittal to the State University of New York, and be it

FURTHER RESOLVED, 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.

Carried, Ayes-16, Nays-1 (Hudak), Absent-2 (Hull, Lindsey).

RESOLUTION NO. 389

By Public Works Committee Seconded by Mr. Brunza
RESOLUTION RENDERING A NEGATIVE DECLARATION WITH RESPECT TO THE NORTHERN BROOME SENIOR CITIZEN CENTER PROJECT

WHEREAS this County Legislature pursuant to Resolution Number 503 of 2000 declared its intention to seek lead agency status with respect to the environmental review of the Northern Broome Senior Citizen Center Project (the Project) and directed the Planning Department to coordinate review of the Project with other involved and/or interested agencies,

WHEREAS, the County has received a grant from the Governor's Office for Small Cities for the construction of the Northern Broome Senior Citizen Center and it is necessary at this time to complete the environmental review of the project, and

WHEREAS, the Village of Whitney Point, the Governor's Office for Small Cities and the New York State Office of Parks, Recreation and Historic Preservation are involved agencies as defined in the State Environmental Quality Review Act, and

WHEREAS, none of the involved agencies has objected to the County Legislature's declaration to seek lead agency status, and

WHEREAS, the project may have an impact on the environment, 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 Northern Broome Senior Citizen Project will not have a significant effect on the environment, and be it

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

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

RESOLUTION NO. 390

By Transportation, Public Works and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH ENGINEERING ARRESTING SYSTEMS CORPORATION FOR PURCHASE OF ARRESTOR BED BLOCKS AND INSTALLATION SUPERVISION FOR RUNWAY ARRESTORS AT THE BINGHAMTON REGIONAL AIRPORT

WHEREAS, the FAA is requiring the Binghamton Regional Airport (Airport) to install an arresting system at the end of the runway to promote safety by providing a mechanism for preventing aircraft from moving beyond the end of the runway (the project), and

WHEREAS, the arresting system approved by the FAA is only manufactured by Engineering Arresting Systems Corporation so as to constitute a "sole source" supplier, and

WHEREAS, the Commissioner of Aviation in conjunction with the Director of Purchasing has requested authorization to enter into a contract with Engineering Arresting Systems Corporation for the purchase of the arrestor blocks needed for the project and to provide installation supervision in connection with the project at a cost not to exceed \$6,552,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Engineered Arresting Systems Corporation, Tinicum Industrial Park, 10 Industrial Highway, 2300 Tinicum Way & North Loop Building O, Suite 208, Lester, Pennsylvania 19113 for the purchase of arrestor blocks in connection with the runway arrestor project at the Binghamton Regional Airport and to provide installation supervision of the blocks during the period August 1, 2001 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 \$6,552,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from budget line 211038.2016.502354 (Other Improvements), and be it

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

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

RESOLUTION NO. 391

By Economic Development & Planning and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH ANGELOU ECONOMICS FOR CONSULTING SERVICES FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ACCEPTING A GRANT FROM THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO PAY A PORTION THEREOF FOR 2001-2002

WHEREAS, the Commissioner of Planning and Economic Development requests authorization for an agreement with Angelou Economics for consulting services for the Department of Economic Development and Planning at a cost not to exceed \$138,500, for the period August 1, 2001 through July 31, 2002, and

WHEREAS, said services are necessary to assist the County in the development of a countywide action plan for economic and community development, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Angelou Economics, 111 Congress Avenue, Suite 1200, Austin, Texas 78701, for consulting services to assist the County in the development of a Countywide action plan for economic and community development for the Department of Economic Development and Planning for the period August 1, 2001 through July 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$138,500 for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the acceptance of a grant in the amount of \$38,500 from the Broome County Industrial Development Agency to pay for a portion of said agreement with Angelou Economics, and be it

FURTHER RESOLVED, that the following budget amendment is hereby authorized:

Increase in Revenue	440123.0216.104511	Gifts and Donations	\$38,500
Increase in Appropriations	440123.4747.104511	Other Fees For Services	\$38,500

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440123.4747.104511 (Other Fees For Services), and be it

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

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

RESOLUTION NO. 392

By Finance and Public Works Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING THE PAYMENT OF THE TIPPING FEE AT THE NANTICOKE LANDFILL FOR CONTAMINATED SOIL FROM THE TOWN OF TRIANGLE

WHEREAS, the Town of Triangle participates in consolidated law enforcement which benefits the entire County, and

WHEREAS, the Town of Triangle is in the process of constructing a new Police Sub-Station and Town Hall, and

WHEREAS, while excavating, contaminated soil from around an underground fuel storage tank was discovered, and

WHEREAS, the total amount of soil represents about 60 cubic yards or about 100 tons and the soils have been deemed acceptable for disposal at the landfill, and

WHEREAS, such soils can be used to cover municipal waste as opposed to waste to be covered at the landfill and as such represents no additional burden to the landfill, now, therefore, be it

FURTHER RESOLVED, that this County Legislature authorizes the expenditure of an amount not to exceed \$3,000 for use towards the payment of the tipping fee for the disposal of the debris located on this property at the Nanticoke Landfill, and be it

FURTHER RESOLVED, that in order to provide funds for this Resolution the Budget Director and the Commissioner of Finance are hereby authorized to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title of Account</u>	<u>Amount of Transfer</u>
FROM:	900084	4752	101000	Contingency	\$3,000
TO:	930016	9006	101000	Transfer to Enterprise Fund	\$3,000

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.

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

RESOLUTION NO. 393

By Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES FROM THE 2001 TAX SALE AUCTION

WHEREAS, the County of Broome owns certain parcels of real property as a result of in rem foreclosures, and

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

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 2001 was held and all bids submitted were tabulated, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 2001 Broome County tax sale as indicated on the attached Exhibit "A", and be it

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

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

RESOLUTION NO. 394

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF LIBOUS CHILDREN'S PROGRAM GRANT FOR THE BROOME COUNTY PUBLIC LIBRARY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001

WHEREAS, the Director of the Broome County Public Library requests authorization to accept the Libous Children's Program Grant and adopt a program budget in the amount of \$4,550 for the period July 19, 2001 through December 31, 2001, and

WHEREAS, said grant program provides funding to enable the Broome County Public Library and each of the City of Binghamton Branch Libraries (Foundry Plaza, Ben Franklin and South) to provide enhanced service to youth, including programs that will be provided as part of the regular summer reading programs at the Branch locations and as part of the new Fall reading program at the Central Library, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$4,550 from special New York State Senate funding through Senator Thomas W. Libous for the Broome County Central Library and City of Binghamton Branch Libraries' Libous Children's Program Grant for the period July 19, 2001 through December 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 \$4,550, and be it

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

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

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

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

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

