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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, FEBRUARY 20, 2003**

The Legislature convened at 5:05 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-19, Absent-0.

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a prayer offered by Legislator Hudak.

Mr. Lindsey made a motion, seconded by Mr. Kuzel, that the minutes of the December 27, 2002 and January 23, 2003 Regular Sessions be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the period January 23, 2003 through February 19, 2003 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Shafer, seconded by Mr. Brunza. **Carried.**

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

Letters from the County Executive, Jeffrey P. Kraham:

- A. Appointments to the Broome County Community Services Board

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

A. Petitions: None

B. Communications:

- 1. Minutes
  - a. Environmental Management Council (EMC) 1/9/03
  - b. Environmental Management Council (RWMC) 12/16/02
  - c. Environmental Management Council (NRC) 12/12/02
  - d. Environmental Management Council (NCR) 1/23/03
  - e. Broome County Association of Municipal Clerks 1/16/03
  - f. Broome County Association of Towns & Villages 1/22/03
- 2. Town of Chenango-Resolution Appointing Town of Chenango Officer and Employees and Setting 2003 Salary Schedule
- 3. Dutchess County Legislature-Resolution Encouraging Support of the Upstate Dairy Industry
- 4. Agreement with BC Chamber of Commerce for Hotel/Motel Tax Distribution
- 5. Broome County Empire Zone-Re: Empire Zone Program sent to Senator Libous, Assemblyman Crouch, Assemblyman Warner
- 6. Town of Windsor-Resolution Opposing that a Cap be placed on the Sales Tax Distributions
- 7. Tioga County Legislature-Resolution in Support of Joining Southern Tier Organization to Reform Medicaid (STORM)

C. Notices:

- 1. Town of Conklin Public Hearing

D. Reports:

- 1. Audit & Control-Comparative Analysis Health Insurance
- 2. BCC-Above Minimum Hire 12/02
- 3. BCC-Above Minimum Hire 1/03
- 4. BCC-Budget Transfer 12/02

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5. BCC-Audited Financial Statement-year ending 8/31/02
  6. Town of Union-2003 Budget
  7. Town of Dickinson-2003 Budget
  8. Audit & Control-Sales Tax Collections Quarterly Report
  9. Personnel-Monthly Attrition 12/02
  10. Legislature-Annual Report

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

Letters from the Chair, Daniel A. Schofield:

1. Designations for A. Shafer 2/1/03

Mr. Kuzel made a motion, seconded by Mr. Burger, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2003 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.  
**Carried.**

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

**RESOLUTIONS HELD OVER FROM PREVIOUS SESSION**

**RESOLUTION NO. 41**

(Held over by Mr. Hull)

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

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE WASTEWATER MANAGEMENT FEASIBILITY STUDY PREPARED BY THE HUDSON GROUP, LLC AND AUTHORIZING THE COUNTY EXECUTIVE TO PURSUE THE RECOMMENDATIONS**

Mr. Pasquale made a motion, seconded by Mr. Shafer, to replace the RESOLVED and FURTHER RESOLVED paragraphs with those shown below.

RESOLVED, that this County Legislature hereby accepts as complete the Wastewater Management Feasibility Study prepared and submitted by the Hudson Group, LLC, and be it

FURTHER RESOLVED, that, in cooperation with the Broome County legislative body, the County Executive is hereby authorized to analyze the recommendations contained in the Hudson Study and, pursuant to direction from said legislative body, to undertake implementation of those recommendations contained in said report and deemed appropriate by the County Legislature, including negotiating with local municipalities and boards.

**Amendment carried.**

**Resolution as amended carried.**

**RESOLUTION NO. 43**

(Held over by Ms. Hudak)

By Personnel, Health & Human Services and Finance Committees                      Seconded by Mr. Shafer

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF SOCIAL SERVICES**

**Carried**, Ayes-17, Nays-2 (Brunza, Kuzel).

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**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 46**

By Public Safety & Emergency Services Committee

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE TOWN OF MAINE FOR USE OF SPACE AS A SUBSTATION FOR THE OFFICE OF THE BROOME COUNTY SHERIFF FOR 2003**

WHEREAS, this County Legislature, by Resolution 289 of 2002, authorized renewal of the agreement with the Town of Maine for use of a portion of the Town Hall as a substation for the Office of the Broome County Sheriff at no cost to the County for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at no cost to the County, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Town of Maine, P.O. Box 336, 12 Lewis Street, Maine, New York 13802 for use of a portion of the Town Hall as a substation for the Office of the Broome County Sheriff at no cost to the County for the period January 1, 2003 through December 31, 2003, and be it

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

**Carried.**

**RESOLUTION NO. 47**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH ELMIRA FAMILY MEDICINE, P. C. FOR PHYSICIAN AND MEDICATION SERVICES FOR BROOME COUNTY INMATES HOUSED IN THE TIOGA COUNTY JAIL FOR THE OFFICE OF THE SHERIFF FOR 2003**

WHEREAS, this County Legislature, by Resolution 176 of 2002, authorized renewal of agreement with Elmira Family Medicine, P.C. for physician and medication services for out-of-county housed inmates for the Office of the Sheriff at a cost not to exceed \$4,000 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide physician and medication services for Broome County inmates housed in the Tioga County Jail, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$4,000, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Elmira Family Medicine, P.C., P.O. Box 224, Breesport, New York 14816-0224 for physician and medication services to Broome County inmates housed in the Tioga County Jail for the Office of the Sheriff for the period January 1, 2003 through December 31, 2003, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4365.101000 (Prescription Drugs), and be it

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

**Carried.**

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### **RESOLUTION NO. 48**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE MONROE COUNTY SHERIFF'S OFFICE FOR SECURITY SERVICES FOR INMATES AT THE ROCHESTER PSYCHIATRIC CENTER FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 5 of 2000, authorized renewal of the agreement with the Monroe County Sheriff's Office for security services for inmates housed at Rochester Psychiatric Center at an amount not to exceed \$110 per inmate, per day, total amount not to exceed \$10,000 per year, for the period January 1, 2000 through December 31, 2002, and

WHEREAS, said security services are necessary when inmates are receiving psychiatric treatment, and

WHEREAS, said agreement expired by its terms on December 31, 2002 and it is desired at this time to renew said agreement for the period January 1, 2003 through December 31, 2004 on substantially similar terms and conditions at a daily rate not to exceed \$110, total amount not to exceed \$10,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Monroe County Sheriff's Office, 130 South Plymouth Avenue, Rochester, New York 14614 for security services for inmates housed at the Rochester Psychiatric Center, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$110 per inmate, per day, total amount not to exceed \$10,000 per year, for the period January 1, 2003 through December 31, 2004, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4435.101000 (Inmate Expense-Other Facilities), 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.**

### **RESOLUTION NO. 49**

By Finance Committee      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING CANCELLATION OF A PORTION OF THE REAL PROPERTY TAXES ON A PARCEL IN THE TOWN OF UNION**

WHEREAS, it is necessary to cancel a portion of the 2002 taxes and all accrued interest and penalties on that portion of the taxes on a parcel of real property in the Town of Union and remove that portion from the tax bill as stated on attached Exhibit "A" by virtue of the reason stated, now, therefore, be it

RESOLVED, that a portion of the taxes and all accrued interest and penalties for said portion will be cancelled on the parcel of real property as listed on attached Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to make the necessary correction for said property on the County tax rolls.

**Carried.**

### **RESOLUTION NO. 50**

By Health & Human Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING REVISION OF THE INTEGRATED COUNTY PLANNING PROGRAM GRANT FOR THE YOUTH BUREAU, ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH AND AMENDING THE AGREEMENT WITH THE UNITED WAY OF BROOME COUNTY FOR 2001-2002**

WHEREAS, this County Legislature, by Resolution 672 of 2001, authorized the continued participation in the Integrated County Planning Program Grant for the Youth Bureau, adopted a program budget in connection therewith in the total amount of \$81,250 and authorized an

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agreement with the United Way of Broome County for consulting services for an amount not to exceed \$37,500 the period October 1, 2001 through December 31, 2002, and

WHEREAS, said grant program is used to maintain an integrated, interagency planning process for Family and Children Services, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$16,000 in grant appropriations and amend the agreement with the United Way of Broome County to increase the amount by \$7,000, total amount not to exceed \$44,500, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Integrated County Planning Program Grant to reflect an increase of \$16,000, total amount of \$97,250 in grant appropriations and amend the agreement with the United Way of Broome County to increase the amount by \$7,000, total amount not to exceed \$44,500 for the period October 1, 2001 through December 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 \$97,250, and be it

FURTHER RESOLVED, that Resolution 672 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.**

### **RESOLUTION NO. 51**

By County Administration and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PETTY CASH FUND FOR BROOME COUNTY CLERK'S RECORDS MANAGEMENT OFFICE**

WHEREAS, the Broome County Clerk requests that this County Legislature establish a petty cash fund for the Broome County Clerk's Records Management Office, for use as a change fund, and

WHEREAS, the Commissioner of Finance has determined that such petty cash fund is warranted, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and authorizes the establishment of a petty cash fund in the amount of \$50 for the Broome County Clerk's Records Management Office, and further authorizes the Commissioner of Finance to transfer \$50 to said fund, and be it

FURTHER RESOLVED, that the administration of said funds shall be in accordance with those rules and procedures governing the use of petty cash funds created by the County Comptroller including, but not limited to, the requirement that at all times the petty cash allowance be fully accounted for in the form of cash on hand, receipts and records.

**Carried.**

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## RESOLUTION NO. 52

By Education, Culture and Recreation Committee

Seconded by Mr. Brunza

### RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY VETERANS MEMORIAL ARENA BOARD OF DIRECTORS

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article XXIV, Section 2408 of the Broome County Charter and Code, has duly designated and appointed the following named individuals to membership on Broome County Veterans Memorial Arena Board of Directors, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Joanne Cheatham 4621 Marshall Drive Vestal, New York 13850	Reappointment Term Expires 12/31/05
Rose Sotak 333 Hillside Terrace Endwell, New York 13760	Reappointment Term Expires 12/31/05
Jeffery Pierce 1242 Mead Road Binghamton, New York 13901	Reappointment Term Expires 12/31/05
Adam Weitsman 145 Chalburn Road Vestal, New York 13850	New Appointment Term Expires 12/31/05

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 Article XXIV, Section 2408 of the Broome County Charter and Code confirms the appointments of the above-named individuals to membership on the Broome County Veterans Memorial Arena Board of Directors for the terms indicated, in accordance with their appointment by the County Executive.

Ms. Nannery made a motion, seconded by Mr. Brunza, to remove Rose Sotak's name from this list as her current appointment does not expire until December 31, 2004.

**Amendment carried.**

**Resolution as amended carried.**

## RESOLUTION NO. 53

By Public Works and Finance Committees

Seconded by Mr. Brunza

### RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH SHUMAKER CONSULTING ENGINEERING & LAND SURVEYING, P.C. FOR LAND SURVEYING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2003

WHEREAS, this County Legislature, by Resolution 567 of 2001, authorized renewal of the agreement with Shumaker Consulting Engineering & Land Surveying, P.C. for land surveying services for the Department of Public Works at an amount not to exceed \$150,000 for the period January 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to provide services County personnel are not licensed to perform and to provide such specialty services as aerial surveys, and

WHEREAS, said agreement expired by its terms on December 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$150,000, for the period January 1, 2003 through December 31, 2003, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes an agreement with Shumaker Consulting Engineering & Land Surveying, P.C., 143 Court Street, Binghamton, New York 13901, for land surveying services as needed for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor in accordance with the rate schedule attached hereto as Exhibit "A", total cost not to exceed \$150,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4746.various (Engineering and Architectural 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.**

#### **RESOLUTION NO. 54**

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH HAWK LAND SURVEYING, P.C. FOR LAND SURVEYING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2003**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Hawk Land Surveying, P.C. for land surveying services for the Department of Public Works in accordance with the rate schedule attached hereto as Exhibit "A", total amount not to exceed \$150,000, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said agreement is necessary to provide specialty services County personnel are not licensed to perform, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Hawk Land Surveying, P.C., Centre Plaza, 53 Chenango Street, 8<sup>th</sup> Floor, Binghamton, New York 13901 for land surveying services, for the Department of Pubic Works for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor in accordance with the rate schedule attached hereto as Exhibit "A", total amount not to exceed \$150,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4746.various (Engineering and Architectural 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.**

#### **RESOLUTION NO. 55**

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES, WATER AND SEWER CHARGES, ACCRUED INTEREST AND PENALTIES FOR PARCELS IN VARIOUS TOWNS IN BROOME COUNTY**

WHEREAS, it is necessary to cancel taxes, water and sewer charges, accrued interest and penalties on the parcels of real property by virtue of the reasons stated on the attached Exhibit "A", now, therefore, be it

RESOLVED, that taxes, water and sewer charges, accrued interest and penalties will be cancelled on the parcels of real property as listed on the attached Exhibit "A".

**Carried.**

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## RESOLUTION NO. 56

By Health & Human Services, Public Works and Finance Committees

Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH FONTANESE, FOLTS, AUBRECHT, ERNST, BAMMEL, ARCHITECTS, P.C. FOR ENGINEERING/ARCHITECTURAL SERVICES AT THE WILLOW POINT NURSING HOME FOR 2001-2003**

WHEREAS, this County Legislature, by Resolution 167 of 2001, as amended by Resolution 153 of 2002, authorized an agreement with Fontanese, Folts, Aubrecht, Ernst, Bammel, Architects, P.C. for engineering/architectural services for the Willow Point Nursing Home at a cost not to exceed \$109,510, for the period March 1, 2001 through February 28, 2003, and

WHEREAS, said services are necessary to assist in determining the engineering/architectural feasibility of retaining the present Willow Point Nursing Home building or to build a new nursing home, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the contract to December 31, 2003 at no additional cost to allow for completion of the Feasibility Study, including the site selection process and issuance of the Department of Health Certificate of Need, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Fontanese, Folts, Aubrecht, Ernst, Bammel, Architects, P.C., 666 Main Street, East Aurora, New York 14052-2492, to extend the term of the contract to December 31, 2003 to allow for completion of the Feasibility Study, including the site selection process and issuance of the Department of Health Certificate of Need, for Willow Point Nursing Home for the period March 1, 2001 through December 31, 2003 at no additional cost, and be it

FURTHER RESOLVED, that Resolution 167 of 2001 and Resolution 153 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.**

## RESOLUTION NO. 57

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

### **RESOLUTION AUTHORIZING AMENDMENT TO THE APPLICATION FOR STATE AID AND EXECUTION OF CONTRACTS FOR THE YOUTH BUREAU DEVELOPMENT/DELINQUENCY PREVENTION PROGRAMS (YDDP) FOR 2003**

WHEREAS, this County Legislature, by Resolution 23 of 2003, authorized the Youth Bureau State Aid Applications and established appropriations for the 2003 Youth Bureau Development/Delinquency Prevention Program, and

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

WHEREAS, it is necessary to authorize the amendment of Exhibit "A" of said agreement to add Accord, Crime Victims Assistance Center and the Whitney Point Youth Club Youth Recreation, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment of Exhibit "A" to add Accord, Crime Victims Assistance Center and the Whitney Point Youth Club Youth Recreation to the 2003 Youth Bureau Development/Delinquency Prevention Program for the period January 1, 2003 through December 31, 2003, and be it



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FURTHER RESOLVED, that Resolution 23 of 2003, 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, and be it

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

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

**Carried.**

### **RESOLUTION NO. 58**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING ACCEPTANCE OF A CORRECTIONS OFFICERS SAFETY EQUIPMENT GRANT FOR OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003**

WHEREAS, the Sheriff requests authorization to accept a Corrections Officers Safety Equipment Grant and adopt a program budget in the amount of \$4,800 for the period February 1, 2003 through September 15, 2003, and

WHEREAS, said grant program provides funding for the purchase of protective vests and helmets for the Corrections Emergency Response Team, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$4,800 from New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 for the Office of the Sheriff's Corrections Officers Safety Equipment Grant for the period February 1, 2003 through September 15, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$4,800, 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.**

### **RESOLUTION NO. 59**

By Health & Human Services Committee      Seconded by Mr. Brunza  
**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY HEALTH ADVISORY BOARD**

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article VII, Section 703 of the Broome County Charter and Code, has duly

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designated and appointed the following named individuals to membership on Broome County Health Advisory Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Dr. Alan Wabrek 425 Robinson Street Binghamton, New York 13901	Reappointment Term expires 12/31/05
Dr. John Harding 21 Murray Street Binghamton, New York 13905	Reappointment Term Expires 12/31/05

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 Article VII, Section 703 of the Broome County Charter and Code confirms the appointments of the above-named individuals to membership on the Broome County Health Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.

**Carried.**

### **RESOLUTION NO. 60**

By Health & Human Services Committee

Seconded by Mr. Brunza

#### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COMMUNITY SERVICES BOARD**

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 70 of 1984, has duly designated and appointed the following named individuals to membership on Broome County Services Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Ruth Davis 628 Rano Boulevard Vestal, New York 13850	Reappointment Term Expires 12/31/06
Paul King 179 Trim Street Kirkwood, New York 13795	Reappointment Term Expires 12/31/05
Barbara Newman 1971 State Route 12 Binghamton, New York 13901	New Appointment Term Expires 12/31/06

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 70 of 1984 confirms the appointments of the above-named individuals to membership on the Broome County Community Services Board for the terms indicated, in accordance with their appointment by the County Executive.

**Carried.**

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**RESOLUTION NO. 61**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING WILLOW POINT NURSING HOME TO CHARGE OFF BAD DEBTS**

WHEREAS, from time to time residents at the Willow Point Nursing Home (the "Nursing Home") have outstanding balances on their accounts, and

WHEREAS, after due diligence it has been determined that the accounts listed on Exhibit "A" are uncollectible, and

WHEREAS, in 1988 the Nursing Home set up a reserve for bad debt, and

WHEREAS, the Nursing Home Administrator has requested authority to write off the uncollectible accounts and adjust the reserve for bad debt accordingly, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Administrator of the Willow Point Nursing Home to write off as uncollectible the accounts listed on Exhibit "A", and be it

FURTHER RESOLVED, that the Administrator of Willow Point Nursing Home, the Commissioner of Finance and Comptroller are authorized to make all necessary accounting entries, including adjustments to the 'bad debt' reserve account, to effectuate the intent and purpose of this Resolution.

**Carried.**

**RESOLUTION NO. 62**

By Finance Committee

Seconded by Mr. Brunza

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

WHEREAS, the County of Broome now owns certain parcels of real property as listed on Exhibit "A", and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said properties to the individuals listed on Exhibit "A", now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County property as indicated on Exhibit "A" attached herewith, and be it

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

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

**Carried.**

**RESOLUTION NO. 63**

By Finance Committee

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES FROM THE 2003 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 2003 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 2003 Broome County tax sale as indicated on the attached Exhibit "A", and be it

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FURTHER RESOLVED, that this County Legislature hereby rejects the bids as indicated on the attached Exhibit "B", 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 such other documents as may be necessary to implement the intent of this Resolution.

**Carried.**

#### **RESOLUTION NO. 64**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING REVISION OF THE FAMILY VIOLENCE PREVENTION COUNCIL GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003**

WHEREAS, this County Legislature, by Resolution 120 of 1985, as amended by subsequent resolutions, the last being Resolution 444 of 2002, authorized the continued participation in the Family Violence Prevention Council Grant Program and adopted a program budget in connection therewith in the total amount of \$157,198, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$4,900 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Family Violence Prevention Council Grant Program budget to reflect an increase of \$4,900, 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 \$162,098, 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) 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.**

#### **RESOLUTION NO. 65**

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INC. FOR PROFESSIONAL LABORATORY SERVICES AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 87 of 2002, authorized renewal of an agreement with Buck Environmental Laboratories, Inc. for professional laboratory services at the Nanticoke Landfill at a total cost not to exceed \$103,262.60 for the period March 1, 2002 through February 28, 2003, and

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

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WHEREAS, said agreement expires by its terms on February 28, 2003, and it is desired at this time to renew said agreement for the period March 1, 2003 through February 29, 2004 on substantially similar terms and conditions at the rates listed in the attached Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Buck Environmental Laboratories, Inc., 3821 Buck Drive, P.O. Box 5150, Cortland, New York 13045 for professional laboratory services at the Nanticoke Landfill for the period March 1, 2003 through February 29, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates listed in the attached Exhibit "A", total cost not to exceed \$80,758.72 for the term of this agreement, and be it

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

FURTHER RESOLVED, that 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.**

### **RESOLUTION NO. 66**

By Public Safety & Emergency Services and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING BROOME COUNTY EMERGENCY SERVICES TO DONATE TWO HURST RESCUE TOOLS TO THE SANITARIA SPRINGS FIRE COMPANY AND THE WINDSOR FIRE DEPARTMENT**

WHEREAS, the Director of Emergency Services requests authorization to donate two unused Hurst rescue tools having no value to the County to the Sanitaria Springs Fire Company and the Windsor Fire Department, and

WHEREAS, said tools are 35 years old and no longer in use by Emergency Services, have no value to Broome County, but the two volunteer fire departments have a use for them and are willing to maintain the tools for emergency use, and

WHEREAS, under the authority of County Law Section 215, Subdivision 9, the Broome County Legislature may authorize the disposal of property having no value to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of Emergency Services to donate two 35-year-old Hurst rescue tools no longer in use and having no value to the County to the Sanitaria Springs Fire Company and the Windsor Fire Department, 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.**

### **RESOLUTION NO. 67**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING REVISION OF THE COMMUNITY SERVICES FOR THE ELDERLY PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 107 of 2002, authorized the continued participation in the Community Services for the Elderly Program Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$421,007 for the period April 1, 2002 through March 31, 2003, and

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WHEREAS, said grant program provides for a variety of services including social day care, transportation, rural shopping, in-home mental health counseling, and the GROW Program, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$16,307 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Community Services for the Elderly Program Grant to reflect an increase of \$16,307 for the period April 1, 2002 through March 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$437,314, and be it

FURTHER RESOLVED, that Resolution 107 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.**

#### **RESOLUTION NO. 68**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING REVISION OF THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003**

WHEREAS, this County Legislature, by Resolution 110 of 2002, authorized the continued participation in the Expanded In-Home Services for the Elderly Program (EISEP) for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$501,651 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said grant program provides for personal care and housekeeper/chore services and case management of clients, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$1,595 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Expanded In-Home Services for the Elderly Program (EISEP) to reflect an increase of \$1,595 for the period April 1, 2002 through March 31, 2003, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$503,246, and be it

FURTHER RESOLVED, that Resolution 110 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the

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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.**

#### **RESOLUTION NO. 69**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DELAWARE COUNTY PUBLIC HEALTH NURSING SERVICE FOR THE BROOME COUNTY OFFICE FOR AGING TO PROVIDE SOCIAL ADULT DAY CARE TO DELAWARE COUNTY HOME HEALTH CARE CLIENTS FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 75 of 2002, authorized an agreement with Delaware County Public Health Nursing Service for the Broome County Office for Aging to provide social adult day care services to Delaware County long term home health care clients at a rate of \$16 per half day and \$32 per full day, for the period April 1, 2001 through March 31, 2003, and

WHEREAS, said services are necessary to provide social day care services to long term home health care clients in Delaware County, and

WHEREAS, said agreement expires by its terms on March 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$18 per half day and \$34 per full day revenue to the County, for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Delaware County Public Health Nursing Services, 99 Main Street, Delhi, New York 13753 for the Broome County Office for Aging to provide social adult day care services to Delaware County long term home health care clients for the period April 1, 2003 through March 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, Delaware County shall pay Broome County at a rate of \$18 per half day and \$34 per full day for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760983.0538.104756 (Long Term Home Health Care Fees), and be it

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

**Carried.**

#### **RESOLUTION NO. 70**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY & CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES FOR THE OFFICE FOR AGING FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 74 of 2002, authorized renewal of the agreement with Family & Children's Society of Broome County, Inc. for in-home mental health counseling services for the elderly for the Office for Aging's Community Services for the Elderly Grant at an amount not to exceed \$12,035 for the period April 1, 2002 through March 31, 2003, and

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WHEREAS, said agreement expires by its terms on March 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$12,035, for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Family & Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for in-home mental health counseling services for the Office for Aging's Community Services for the Elderly Grant for the period April 1, 2003 through March 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,035 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761098.4457.104755 (Subcontracted Program Expense), and be it

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

**Carried.**

### **RESOLUTION NO. 71**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE BINGHAMTON HOUSING AUTHORITY FOR HOMEMAKER SERVICES THROUGH THE OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY ENRICHED LIVING PROGRAM FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 76 of 2002, authorized renewal of an agreement with the Binghamton Housing Authority for homemaker services through the Office for Aging's Community Services for the Elderly Enriched Living Program, providing revenue to the County in the amount of \$9,000 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said services are necessary to provide homemaker services in the North Shore Towers Building, and

WHEREAS, said agreement expires by its terms on March 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for revenue to the County in the amount of \$9,000, for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Binghamton Housing Authority, Exchange Street, Binghamton, New York 13902 for homemaker services through the Office for Aging's Community Services for the Elderly Enriched Living Program for the period April 1, 2003 through March 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount of \$9,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760991.0166.104XXX (Miscellaneous Contributions), 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.**

### **RESOLUTION NO. 72**

By Health & Human Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR PERSONAL CARE/HOMEMAKER SERVICES FOR THE OFFICE FOR AGING'S EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 77 of 2002, authorized agreements with various vendors for personal care/homemaker services for the Office for Aging's Expanded



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In-Home Services for the Elderly Program at rates indicated in said resolution, for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said agreements expire by their terms on March 31, 2003, and it is desired at this time to renew said agreements on substantially similar terms and conditions and at the rates indicated in Exhibit "A", for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreements with the vendors listed on Exhibit "A" at the approved State Medicaid rates indicated in Exhibit "A" to provide personal care/homemaker services for the Office for Aging's Expanded In-Home Care for the Elderly for the period April 1, 2003 through March 31, 2004, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760942.4457.104XXX (Subcontracted Program Expense), and be it

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

EXHIBIT "A"

Metro Interfaith Housing Management Corp.  
21 New Street  
Binghamton, NY 13903  
Nursing Supervisor: \$74.07/hr  
Personal Care/Homemaker: \$13.00/hr

Interim Healthcare Systems  
38 Front Street, Suite D  
Binghamton, NY 13905  
Nursing Supervisor: \$63.90/hr  
Personal Care/Homemaker: \$13.75/hr

Gentiva Health Services  
41 Chenango Street  
Binghamton, NY 13901  
Nursing Supervisor: \$55.28/hr  
Personal Care/Homemaker: \$13.75/hr

Homemakers of Broome County  
DBA Caregivers  
189 Riverside Drive  
Johnson City, NY 13790  
Nursing Supervisor: \$44.04/hr  
Personal Care/Homemaker: \$13.75/hr

Stafkings Healthcare Systems  
P.O. Box 1015  
Binghamton, NY 13902-1015  
Nursing Supervisor: \$63.88/hr  
Personal Care/Homemaker: \$13.75/hr

Family & Children's Society of Broome County  
257 Main Street  
Binghamton, NY 13905  
Nursing Supervisor: \$64.15/hr  
Personal Care/Homemaker: \$13.75/hr

**Carried.**

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### **RESOLUTION NO. 73**

By Transportation and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANTS FOR TWO SECURITY IMPROVEMENT PROJECTS AT THE GREATER BINGHAMTON AIRPORT**

WHEREAS, the Commissioner of Aviation requests authorization to accept New York State Department of Transportation grants in the total amount of \$7,997 for two security improvement projects at the Greater Binghamton Airport, and

WHEREAS, said grants provide funds for security improvement projects at the Greater Binghamton Airport, including the Airport Fence Improvements (\$5,219) and the Access Control System Enhancement (\$2,778), and

WHEREAS, the total budget amount for each of these projects shall be shared between the County, Federal and State governments with the Federal share at 90 per cent, the State share at 5 per cent and the County's share at 5 per cent, now, therefore, be it,

RESOLVED, that the County Legislature hereby authorizes and approves acceptance of New York State Department of Transportation grants in the total amount of \$7,997 for two security improvement projects at the Greater Binghamton Airport, including the Airport Fence Improvements (\$5,219) and the Access Control System Enhancement (\$2,778), 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 are hereby authorized (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.**

### **RESOLUTION NO. 74**

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

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING REVISION OF AN AGREEMENT WITH JOHNSON CONTROLS, INC. FOR A SHARED ENERGY PERFORMANCE CONTRACT FOR THE BROOME COUNTY VETERANS MEMORIAL ARENA FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2002-2017**

WHEREAS, this County Legislature, by Resolution 94 of 2001, as amended by Resolution 508 of 2002, authorized an agreement with Johnson Controls, Inc. for a Shared Energy Performance Contract at the Broome County Veterans Memorial Arena for the period March 1, 2002 through December 1, 2017, payment for which shall be made solely from the energy savings costs, and

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

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

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WHEREAS, Johnson Controls, Inc., as the project sponsor, applied for and received from the New York State Energy Research and Development Authority (NYSERDA) a grant totaling \$340,640, and

WHEREAS, Johnson Controls, Inc., starting in 2003, has agreed to transfer a total of five equal payments of \$68,128 from said Grant to the County (2003-2007) to be used to defray the annual County expenses associated with the energy savings project, and

WHEREAS, payments to Johnson Control, Inc. shall be funded according to the attached Exhibit "A", and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for the transfer of said grant funds to the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Johnson Controls, Inc., 105 Twin Oaks Drive, Syracuse, New York 13206 for a Shared Energy Performance Contract for the Broome County Veterans Memorial Arena for the Department of Public Works to provide for the transfer of five equal payments of \$68,128 to the County (2003-2007) from a NYSERDA Grant to be used to defray the annual County expenses associated with the energy savings project, and be it

FURTHER RESOLVED, payments to Johnson Control, Inc. shall be funded according to the attached Exhibit "A", and be it

FURTHER RESOLVED, that Resolutions 94 of 2001 and 508 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.**

#### **RESOLUTION NO. 75**

By County Administration and Finance Committees

Seconded by Mr. Shafer

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 1, 2003, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE, AS AMENDED, MODIFYING CHARGES AT THE COUNTY LANDFILL."**

WHEREAS, glass aggregate and tire shreds/chips, collected for disposal at the Broome County Landfill, can be used for various applications as a substitute for traditional aggregates, such as fill and filter material, permeability enhancement in the landfill, cover material, roadway construction, traction and well construction, and

WHEREAS, said uses would be a financial benefit to the County and it would be in the County's best interest to waive any fees for the collection of glass aggregate and tire shreds/chips at the landfill, and

WHEREAS, Broome County residents are currently charged a \$5 fee per vehicle at the County's Hazardous Waste Facility, and

WHEREAS, the elimination of said fee would provide a higher level of customer service and increase participation in the proper disposal of hazardous waste at the County's Hazardous Waste Facility thereby decreasing the amount of hazardous waste entering the waste stream, now, therefore, be it

RESOLVED, that Local Law Intro. No. 1, 2003, entitled: " A Local Law Amending Chapter 179 of the Broome County Charter and Code, As Amended, Modifying Charges at the County Landfill," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

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LOCAL LAW INTRO. NO. 1, 2003

**“Local Law Amending Chapter 179 of the Broome County  
Charter and Code, as Amended, Modifying Charges at the County Landfill”**

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

SECTION 1. Chapter 179-9 of the Broome County Charter and Code, as amended, modifying charges at the County Landfill, be and hereby is amended to read as follows:

Section 179-9. Fees and Charges:

A. Nanticoke Landfill charges.

(3) (e) Glass Aggregate. The following charges will apply to glass aggregate collected at the County Landfill from:

(1) In-County sources may be accepted free of charge for use in various applications as a substitute for traditional aggregates.

(2) Out-of-County sources that are cleaned and screened to 3/8<sup>th</sup> of an inch or minus may be accepted at \$2.00 per ton, all other out-of-County glass may be accepted at \$4.00 per ton for use in various applications as a substitute for traditional aggregates.

(f) Tire Shreds/Chips. Tire shreds/chips collected at the County Landfill from in-County and out-of-County sources shall be accepted free of charge for use in various applications as a substitute for traditional aggregates.

(5) (a) Residential waste from Broome County residents: [\$5 per vehicle] No charge.

SECTION 2. This local law shall take effect March 1, 2003.

Material in [brackets] deleted

Material underlined added

Amended in committee. Automatically 'held over under the rules'.

**RESOLUTION NO. 76**

By County Administration and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AMENDMENT OF THE BROOME COUNTY PURCHASE  
PROCUREMENT PROCESS MANUAL AND AN AGREEMENT WITH JP MORGAN CHASE  
FOR PURCHASING CARD SERVICES**

WHEREAS, this County Legislature, by Resolution 440 of 1992, as amended by Resolutions 307 of 1996 and 420 of 2002, authorized the adoption of the Broome County Purchase Procurement Process Manual, and

WHEREAS, the Director of Purchasing has requested authority to amend the Purchase Procurement Process Manual to authorize the use of a JP Morgan Chase Purchasing Card (Mastercard) as approved by the County Comptroller for purchases up to \$500, and

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WHEREAS, the Director of Purchasing requests authorization for an agreement with JP Morgan Chase for purchasing cards (Mastercard) for the Division of Purchasing for the period April 15, 2003 through April 14, 2005 and the option for two one-year renewals, by mutual consent, subject to the following terms and conditions:

- Payment terms are 14 days from the Statement Date
- No annual card fees
- No late fees
- A delinquency fee of 2.5% imposed after 45 days from Statement Date

and

WHEREAS, the Director of Purchasing solicited proposals for purchasing cards and JP Morgan Chase submitted the best proposal of the three responses that were received, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of Purchasing to amend the Broome County Purchase Procurement Process Manual to authorize the use of a JP Morgan Chase Purchasing Card (Mastercard) as approved by the County Comptroller for purchases up to \$500, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with JP Morgan Chase, 2 Court Street, Binghamton, New York 13901, for the use of purchasing cards (Mastercard), for the Division of Purchasing, for the period April 15, 2003 through April 14, 2005, and be it

FURTHER RESOLVED, that said agreement shall be subject to the following terms and conditions:

- Payment terms are 14 days from the Statement Date
- No annual card fees
- No late fees
- A delinquency fee of 2.5% imposed after 45 days from Statement Date

with an option for two one-year renewals, by mutual consent, on the same terms and conditions, 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 a copy of the amended Purchase Procurement Manual be filed with the Clerk of the Legislature.

**Carried.**

### **RESOLUTION NO. 77**

By County Administration and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AGREEMENTS WITH IKON OFFICE SOLUTIONS CORPORATION, SOUTHERN TIER COPY PRODUCTS, INC. D/B/A CMS IMAGING SOLUTIONS, AND GENERAL ELECTRIC CAPITAL CORPORATION & EASTERN COPY PRODUCTS, FOR THE LEASE AND RELATED SERVICE AGREEMENTS FOR DIGITAL COPY MACHINES FOR SEVERAL BROOME COUNTY DEPARTMENTS AND LOCAL MUNICIPALITIES FOR 2003-2008**

WHEREAS, the Director of Purchasing has advertised and received bids for lease and related service agreements for the placement of digital copy machines in various County departments, and

WHEREAS, following a review of all bids received and selected testing of proposed machines, the Director of Purchasing on behalf of the respective departments requests authorization for several leases and related services agreements with IKON Office Solutions, and with Southern Tier Copy Products, Inc. d/b/a CMS Imaging Solutions, and with General

Electric Capital Corporation & Eastern Copy Products, Inc. for digital copy machines for a five-year period beginning March 1, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby awards the Broome County Copy Machine Leasing Contract to the following bidders as outlined on Exhibit "A", and approves initial lease agreements with IKON Office Solutions, 21 South Washington Street, Binghamton, New York 13903 and Southern Tier Copy Products, Inc. d/b/a CMS Imaging Solutions, 1 Lewis Street, Binghamton, New York 13901 for digital copiers and related service agreements for a five-year period beginning March 1, 2003, for the following digital copy machines:

Department and Machine Model	Vendor and Lease/Service Period	Copies per Month	Monthly Rate	X 60 Months
Emergency Services SAVIN # 2513	IKON Office Solutions March 1, 2003 thru Feb. 28, 2008	2,000	\$38.00*	\$2,280.00
Sheriff SAVIN # 2513	IKON Office Solutions May 1, 2003 thru April 30, 2008	2,000	\$38.00*	\$2,280.00
Sheriff TOSHIBA E Studio 205	Southern Tier Copy Products D/b/a CMS Imaging Solutions May 1, 2003 thru April 30, 2008	3,000	\$93.44**	\$5,606.40
County Clerk TOSHIBA E Studio 35	Southern Tier Copy Products D/b/a CMS Imaging Solutions March 1, 2003 thru Feb. 28, 2008	6,000	\$141.12***	\$8,467.20

with overage rates of .007\*, .01\*\* or .0075\*\*\* when applicable, and be it

FURTHER RESOLVED, that in consideration of said leases and service agreements, the County shall pay the Contractors an amount not to exceed \$18,633.60 for the term of the agreements, and be it

FURTHER RESOLVED, that the payments herein above authorized shall be made from budget lines various.4518.various (Copy Machine Rentals), and be it

FURTHER RESOLVED, that the bid summary attached as Exhibit "A" is approved for use by all Broome County Departments, subject to Legislative approval, and pursuant to Resolution 358 of 1990 is approved and extended to non-Broome County Governmental Agencies through October 31, 2003, and be it

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

**Carried.**

### RESOLUTION NO. 78

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION APPROVING SALE OF IN REM FORECLOSURE PROPERTIES TO FORMER OWNERS**

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of in rem foreclosure proceedings, and

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

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WHEREAS, the Director of Real Property Tax Services advises that the former owners and residents of certain properties have requested to have their property sold back to them, and the Director and your sponsoring committee recommends that such request be granted based on the unusual circumstances of each such case as reviewed and approved by your sponsoring committee, now, therefore, be it

RESOLVED, that the sale back to the former owners of the parcels listed on Exhibit "A" as attached hereto for the amounts as stated is hereby approved by this County Legislature based on the unusual circumstances of each such case, as determined by your sponsoring committee as well as the undue hardship to the former owners that the failure to approve such sales would cause, 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 former owners in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

**Carried.**

### **RESOLUTION NO. 79**

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON 2003 TOWN AND COUNTY TAX ROLLS FOR VARIOUS MUNICIPALITIES**

WHEREAS, applications for Correction of Errors on 2003 Tax Rolls for various municipalities have been duly filed with the Director of Real Property Tax Service for the County of Broome, and

WHEREAS, the Director of Real Property Tax Service has filed a report pursuant to Section 554 of the Real Property Tax Law and certain claimed errors have been determined to exist that should be corrected, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the application for correction to the 2003 Town and County Tax Rolls and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in accordance with the list attached hereto as Exhibit "A", pursuant to Section 554 of the Real Property Tax Law.

**Carried.**

### **RESOLUTION NO. 80**

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID MANAGED CARE PROGRAM (MAX) FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 140 of 2002, authorized and approved the Medicaid Managed Care Program (MAX) for the Department of Social Services and adopted a program budget in the amount of \$143,000 for the period April 1, 2002 through March 31, 2003 and

WHEREAS, the Medicaid Managed Care Program is a voluntary managed care program that provides access to primary care services for approximately 6,300 Medicaid recipients, and

WHEREAS, it is desired to renew said grant program in the amount of \$143,000 for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$143,000 in State and Federal Aid, for the Department of Social Services' Medicaid Managed Care Program (MAX) for the period April 1, 2003 through March 31, 2004, 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 \$143,000, 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

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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.**

### **RESOLUTION NO. 81**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF THE CHILD HEALTH PLUS FACILITATED ENROLLMENT PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 125 of 2002, authorized and approved the Child Health Plus Facilitated Enrollment Program Grant for the Department of Social Services and adopted a program budget in the amount of \$37,451 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said grant program provides staff to determine eligibility and process Medicaid applications for families enrolling in the Child Health Plus Program and Family Health Plus, New York State insurance programs for households that are uninsured or underinsured, and

WHEREAS, it is desired to renew said grant program in the amount of \$41,325 for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$41,325 from Mother's and Babies Perinatal Network, 45 Lewis Street, Binghamton, New York 13901 for the Department of Social Services' Child Health Plus and Family Health Plus Facilitated Program Grant for the period April 1, 2003 through March 31, 2004, 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 \$41,325, 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.**



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## **RESOLUTION NO. 82**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING RENEWAL OF MEDICAID OUTSTATIONED WORKER GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 126 of 2002, authorized and approved the Medicaid Outstationed Worker Grant for the Department of Social Services and adopted a program budget in the amount of \$121,295 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said grant program provides for staff personnel to conduct Medicaid assistance eligibility activities and process Medicaid applications at both Lourdes and UHS hospitals, enhancing the County's ability to service indigent Broome County residents in need of assistance while hospitalized, and

WHEREAS, it is desired to renew said grant program in the amount of \$80,787 for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$40,393 from the New York State Department of Health and \$40,394 from miscellaneous contributions for the Department of Social Services' Medicaid Outstationed Worker Grant for the period April 1, 2003 through March 31, 2004, 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 \$80,787, 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.**

## **RESOLUTION NO. 83**

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

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF PARKS AND RECREATION**

RESOLVED, that in accordance with a request from the Commissioner of Parks and Recreation as contained in PCR#03-233 & 234, this County Legislature hereby authorizes the abolishment of (1) Assistant Park Manager position, Full Time, at budget line 542001.1000.101000, minimum salary of \$16.79/hr (approximately \$35,058), AFSCME and creation of (1) Assistant Recreation Facility Manager position, Full Time, at budget line 542001.1000.101000, minimum salary of \$32,715, Grade 16, CSEA, effective date 2/24/03, 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.**

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### **RESOLUTION NO. 84**

By County Administration and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING RETENTION OF \$243,145.40 BY THE COUNTY CLERK FOR THE COUNTY OF BROOME FROM MORTGAGE TAXES**

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

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

WHEREAS, the Broome County Clerk has determined that \$243,145.40 represents the annual amount of expenses incurred by this office in the collection of mortgage taxes due and owing pursuant to New York State Tax Laws, and

WHEREAS, this change represents a \$92,137.40 per annum increase from the previous allowance of \$151,008 calculated in 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby determines that the sum of \$243,145.40 per annum be and hereby is a necessary, reasonable and proper allowance to be received by the County Clerk of the County of Broome for the purpose of administering mortgage taxes in said office, and be it

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

FURTHER RESOLVED, that the sum of \$243,145.40 per annum is hereby certified to the State Tax Commission as the reasonable and proper allowance for such expenses.

**Carried.**

### **RESOLUTION NO. 85**

By County Administration Committee

Seconded by Mr. Paquale

#### **RESOLUTION URGING PASSAGE OF UNITED STATES SENATE BILL: S.201, THE STATE AND LOCAL AID STIMULUS ACT OF 2003**

HEREAS, state and local governments are facing their worst fiscal crisis since World War II, with state and local governments, including those at the county level, facing enormous budget deficits for fiscal 2004, and

WHEREAS, states, counties and cities must operate with a balanced budget and thus are forced to choose between raising taxes and cutting spending on important services, and

WHEREAS, across the country people are suffering under higher income tax rates, skyrocketing property tax rates, and increases in sales taxes, excise taxes and other fees, and

WHEREAS, this increased tax burden hurts all Americans and threatens to undo any potential benefit associated with recent and proposed Federal tax reductions, and

WHEREAS, to avoid raising taxes to untenable levels, the fiscal crisis is forcing localities to eliminate needed programs and cut thousands of jobs, and

WHEREAS, programs at risk included childcare, elementary, secondary and higher education, health insurance programs and development of public health infrastructure, and

WHEREAS, jobs that may be cut include firefighters, police officers, teachers and bus drivers, all of whom are vital to our communities, and

WHEREAS, Medicaid and other important health programs are also at risk, with states and counties being forced to consider cuts in insurance benefits and denials of service, with a million or more at risk of losing healthcare insurance coverage, thus increasing the numbers of uninsured Americans, and

WHEREAS, reductions in public health infrastructure will impact our ability to prepare for and respond to unforeseen epidemics and bio-terrorist threats, at a time that localities face unprecedented demands to provide protection to their citizens, and

WHEREAS, the solution to this crisis is direct Federal aid, now, therefore, be it

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RESOLVED, that this Broome County Legislature wishes to express its support and encourage passage of the Bill S. 201: the State and Local Aid and Economic Stimulus Act of 2003 now being considered by committees of the United States Senate, and co-sponsored by Senators Schumer of New York and Snowe of Maine, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to United States Senator Charles E. Schumer for presentation to the Finance and other appropriate committees of the United States Senate.

**Carried.**

Mr. Howard made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried.**  
The meeting was adjourned at 5:30 p.m.

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