
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, OCTOBER 16, 2003**

The Legislature convened at 5:02 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augostini, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Wike).

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. Miller made a motion, seconded by Mr. Burger, that the minutes of the Regular Sessions of September 18, 2003 and October 1, 2003 be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Wike).

Mr. Schofield noted that the committee minutes for the period September 18, 2003 through October 15, 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. Mather, seconded by Mr. Marinich. **Carried**, Ayes-18, Nays-0, Absent-1 (Wike).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

- A. Appointment to the Broome County Planning Advisory Board

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. Petitions: None

B. Communications:

1. Minutes:

- a. NYS Association of Clerks of County Legislative Boards 5/13/03
 - b. Broome County Soil & Water Conservation District 9/2/03
 - c. Broome County Association of Municipal Clerks 9/18/03
 - d. Landfill Citizens Advisory Committee 9/15/03
- 2. Finance Committee Chair-Budget Review Meetings
 - 3. Jeffrey A. Tait-Resignation Letter
 - 4. Assemblyman Crouch-Receipt of Resolution Requesting the State of NY Amend the Social Services Law and Regulations
 - 5. Assemblyman Warner-Receipt of Resolution Regarding the Misuse of Cash Welfare Benefits and Exploring an Alternative Benefit Distribution System
 - 6. Assemblyman Finch-Receipt of Resolution Requesting the State of NY Amend the Social Services Law and Applicable Regulations to Prevent the Ongoing Misuse of Cash Welfare Benefit Distribution System and Resolution Requesting the State to Reform the Safety Net Assistance Welfare Program
 - 7. IBM update on the Village of Endicott Groundwater Vapor Project
 - 8. NYS Dept. of Agriculture & Markets-Landowner proposals for Inclusion of Viable Agriculture Land in Existing Certified Agricultural District-2003 Legislation
 - 9. Commissioner of Mental Health-Comments by Public on Potential Mental Health Services Privatization
 - 10. NYS Office of the State Comptroller-BC Jail Audit Findings and Recommendations
 - 11. NYS Board of Real Property-2003 Assessment Rolls for Municipalities in Certificate of County Equalization Rates
 - 12. NYS Board of Real Property-2003 State Equalization Rates

C. Notices:

1. October 1, 2003 Session Time Change from 5:00 p.m. to 12 Noon
2. BC Legislature-Public Hearing 2004 Tentative Broome County Budget
3. Public Hearing-Town of Kirkwood-Wireless Telecommunications Facilities

D. Reports:

1. Personnel-Monthly Attrition-August 2003
2. BCC-Budget Transfers-July, August 2003
3. BCC-Above Minimum Hire-August 2003
4. Personnel Policy & Procedures Manual Draft
5. Broome County Employee Handbook Draft
6. Audit & Control-Payroll Audit-Purchasing, Veteran's Services
7. Department of Social Services 2002 Annual Report
8. Information Technology 2002 Annual Report

Mr. Kuzel made a motion, seconded by Mr. Reynolds, 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**, Ayes-18, Nays-0, Absent-1 (Wike).

Mr. Kolba and Mr. Pasquale 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. 368

(Held over by Mr. Pasquale)

By Public Safety & Emergency Services, Personnel and Finance Committees
Seconded by Mr. Whalen

RESOLUTION AUTHORIZING ACCEPTANCE OF A ROAD TO RECOVERY PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

Carried, Ayes-14, Nays-4 (Hudak, Kuzel, Lindsey, Nannery), Absent-1 (Wike).

RESOLUTION NO. 381

(Held over by Mr. Burger)

By Public Works Committee

Seconded by Mr. Pasquale

RESOLUTION ACCEPTING AS COMPLETE THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED BROOME COUNTY LANDFILL PERMIT MODIFICATION, ESTABLISHING A TIME TABLE FOR THE STATE ENVIRONMENTAL QUALITY REVIEW ACT PUBLIC COMMENT PHASE, AND ASSIGNING TASK AND DUTIES IN CONNECTION THEREWITH.

Mr. Shafer made a prefiled amendment, seconded by Mr. Mather, to make the following changes to this resolution: amend the first FURTHER RESOLVED paragraph to read, "...to commence on October 23, 2003 and to conclude on November 24, 2003, and be it", amend the fourth FURTHER RESOLVED paragraph to read "...shall be held at the Public Works Committee meeting commencing at 5:00 p.m. to be held on November 10, 2003, and be it" and to remove the last FURTHER RESOLVED paragraph. **Motion to amend carried**, Ayes-18, Nays-0, Absent-1 (Wike). **Resolution as amended carried**, Ayes-18, Nays-0, Absent-1 (Wike).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 413

By Public Works and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING THE SALE OF GASOLINE TO VARIOUS BROOME COUNTY LOCAL GOVERNMENTS

WHEREAS, this County Legislature is desirous of selling gasoline to various Broome County local governments, and

WHEREAS, the sale of gasoline will expand the opportunities for the consolidation of services between the County and the various local governments, and

WHEREAS, said sale would provide the various local governments the opportunity to share in bulk purchase savings and eliminate the need for the costly installation and maintenance of their own gasoline storage systems, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the sale of gasoline to various Broome County local governments, and be it

FURTHER RESOLVED, that in consideration of said gasoline sales, the various Broome County local governments shall pay to the County at a rate equal to the County's cost for such gasoline plus twenty (20) cents per gallon, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 030007.0032.250000 (Charges for Gas), 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 414

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES, PENALTIES AND INTEREST ON PARCELS IN VARIOUS TOWNS IN BROOME COUNTY

WHEREAS, it is necessary to cancel 2003-2004 school and village taxes, interest and penalties on the parcels of real property as identified on the attached Exhibit "A", for which the County is in the process of obtaining the titles, now, therefore, be it

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

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

RESOLUTION NO. 415

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MARK SILVERIO, DVM, CHENANGO ANIMAL HOSPITAL, FOR VETERINARIAN SERVICES AND MEDICAL SUPPLIES FOR THE BROOME COUNTY ANIMAL SHELTER FOR 2004

WHEREAS, this County Legislature, by Resolution 439 of 2002, authorized renewal of the agreement with Mark Silverio, DVM, Chenango Animal Hospital, for veterinarian services and medical supplies for the Broome County Animal Shelter at an amount not to exceed \$22,380, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to comply with State law that requires animals to be vaccinated against rabies prior to release from an animal shelter and to provide the animal shelter with the necessary medical supplies for sick and injured animals under the care of the shelter throughout the year, provide veterinarian services and medical supplies to the Office of the Sheriff's canines and provide reimbursement to the Broome County Health Department for rabies vaccines, and

WHEREAS, said agreement expires by its terms on December 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 \$25,380, 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 Mark J. Silverio, DVM, Chenango Animal Hospital, 1445 Front Street, Binghamton, New York 13901 for veterinarian and medical supplies for the Broome County Animal Shelter, for the Office of the Sheriff's canines and to provide reimbursement to the Broome County Health Department for rabies vaccines for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$25,380 for the term of the agreement, to be paid as follows:

| | |
|--------------|--------------------------------------------|
| NTE \$18,000 | 031476.4742.101000 (Veterinarian Services) |
| NTE \$ 2,500 | 450049.4742.101000 (Veterinarian Services) |
| NTE \$ 4,880 | 480137.4742.101000 (Veterinarian 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 416

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MARSH USA, INC. FOR EMPLOYEE BOND INSURANCE FOR THE OFFICE OF RISK AND INSURANCE FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 477 of 2002, authorized renewal of an agreement with Marsh USA, Inc. for employee bond insurance for the Office of Risk and Insurance at an amount not to exceed \$9,089 for the period September 1, 2002 through August 31, 2003, and

WHEREAS, said services are necessary to provide required bonds for employees, and

WHEREAS, said agreement expired by its terms on August 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 \$10,769 for the period September 1, 2003 through August 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Marsh USA, Inc., 500 Linden Oaks, P. O. Box 92866, Rochester, New York 14692 for employee bond insurance for the Office of Risk and Insurance for the period September 1, 2003 through August 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,769 for the term of the agreement, and be it

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

FURTHER RESOLVED, that 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 417

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Mather
RESOLUTION AUTHORIZING RENEWAL OF THE HOME ENERGY ASSISTANCE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 406 of 2002, as amended by Resolution 213 of 2003, authorized and approved participation in the Home Energy Assistance Program for the Department of Social Services and adopted an administrative program budget in the amount of \$287,967 for the period October 1, 2002 through September 30, 2003, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$182,610 for the period October 1, 2003 through September 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$182,610 from the New York State Department of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243-0001, for the Department of Social Services Home Energy Assistance Program (HEAP) Grant for the period October 1, 2003 through September 30, 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 \$182,610, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to accept any additional funds that may become available during this program year for benefits provided to clients under Public Assistance (670445.4594.104XXX), Non-Public Assistance (670455.4593.104XXX) or Emergency Components (670455.4591.104XXX) of HEAP, 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 418

By County Administration, Public Safety & Emergency Services and Finance Committees
Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENT WITH NEW WORLD SYSTEMS FOR PROFESSIONAL SOFTWARE SERVICES FOR THE CIVIL DIVISION OF THE OFFICE OF THE SHERIFF FOR 2003-2004

WHEREAS, the Director of Information Technology requests authorization for an agreement with New World Systems for professional software services for the Civil Division of the Office of the Sheriff for an estimated 60 hours of service at a rate of \$145 per hour, plus an estimated \$1,600 for travel expenses, total cost not to exceed \$10,300 for the period October 1, 2003 through December 31, 2004, and

WHEREAS, said services are necessary for software installation, support, training and updates, as needed, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New World Systems, 888 West Big Beaver Road, Suite 1100, Troy, Michigan 48084-4749 for professional software services for the Civil Division of the Office of the Sheriff for the period October 1, 2003 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor for an estimated 60 hours of service at a rate of \$145 per hour, plus an estimated \$1,600 for travel expenses, total cost not to exceed \$10,300 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4726.501318 (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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 419

By County Administration and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FASTNET CORPORATION FOR INTERNET SERVICES FOR INFORMATION TECHNOLOGY FOR 2004

WHEREAS, the Board of Acquisition and Contract (BAC) on September 25, 2002 authorized an agreement with FastNet Corporation and on August 27, 2003 amended said agreement for Internet services for Information Technology at a total cost not to exceed \$10,675.60, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary for Internet services for County departments, including connection service, local loop and maintenance, and

WHEREAS, said agreement expires by its terms on December 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an increased amount not to exceed \$16,296, for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with FastNet Corporation, 224 Harrison Street, Suite 200, Syracuse, New York 13202 for Internet services, including connection service, local loop and maintenance, for Information Technology for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$16,296 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 420

By County Administration, Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENT WITH SYNERGY SOFTWARE TECHNOLOGY, INC. FOR SOFTWARE LICENSE, MAINTENANCE, DATA CONVERSION AND TRAINING FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR THE PERIOD 2003-2005

WHEREAS, the Director of Information Technology requests authorization for an agreement with Synergy Software Technology, Inc. for the purchase of a software license,

maintenance, data conversion and training for the Office for Aging and Community Alternative Systems Agency at a cost not to exceed \$21,935 for 2003, \$21,787 for 2004, \$19,225 for 2005, total amount not to exceed \$62,947 for the period November 1, 2003 through December 31, 2005, and

WHEREAS, said software provides social service automation by linking case management, outcome measures, budgeting, care planning, service tracking, provider management, information and referral automation and government reporting, and

WHEREAS, said software meets the requirements for the National Aging Program Information Systems mandated by the Federal Government and is the software recommended by the New York State Office for Aging, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement between Synergy Software Technology, Inc., 159 Pearl Street, Essex Junction, Vermont 05452, for the purchase of the software license, maintenance, data conversion and training for the Office for Aging and the Community Alternative Systems Agency, for the period November 1, 2003 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$21,935 for 2003, \$21,787 for 2004, \$19,225 for 2005, total amount of not to exceed \$62,947 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 760744.4359.104692, total amount not to exceed \$13,000 and 760017.4359.101000 (Computer Software and Supplies), total amount not to exceed \$49,947 for the term of the 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 421

By Transportation and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION FOR THE OPERATION AND MAINTENANCE OF RUNWAY 10 VISUAL APPROACH SLOPE INDICATOR SYSTEM AT THE GREATER BINGHAMTON AIRPORT FOR 2003-2013

WHEREAS, this County Legislature, by Resolution 227 of 1992, authorized renewal of an agreement with United States Department of Transportation, Federal Aviation Administration for installation, operation and maintenance of a visual approach indicator system at Binghamton Regional Airport at no cost to Broome County, and

WHEREAS, said agreement expires by its terms on September 30, 2003, and it is desired at this time to renew said agreement for operation and maintenance of the aforementioned visual approach indicator system for the period October 1, 2003 through September 30, 2013 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the United States Department of Transportation, Federal Aviation Administration Eastern Region, AEA-50 Logistics Division, 1 Aviation Plaza, Jamaica, New York 11434-4809 for operation and maintenance of Runway 10 Visual Approach Slope Indicator System at the Greater Binghamton Airport, at no cost to Broome County, for the period October 1, 2003 through September 30, 2013, 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 422

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION ADOPTING THE BROOME COUNTY BUDGET AND ESTABLISHING RATE OF COMPENSATION FOR NON-UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2004

RESOLVED, that the tentative budget of the County of Broome, including the County's 2004 Capital Budget, as corrected and amended to \$XXX,XXX,XXX, be and hereby is adopted as the budget for the County of Broome, for the year commencing January 1, 2004 and ending December 31, 2004 and be it

FURTHER RESOLVED, that all non-union Administrative I personnel, will receive a three (3) percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2003 base salary to become effective January 1, 2004, and be it

FURTHER RESOLVED, that all non-union Administrative II personnel, will receive a three (3) percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2003 base salary to become effective January 1, 2004, and be it

FURTHER RESOLVED, that all non-union Attorney personnel AT-1 through AT-6, will receive a three (3) percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2003 base salary to become effective January 1, 2004, and be it

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

FURTHER RESOLVED, that the budget officer is hereby authorized, empowered, and directed to correct any modifications, changes, additions and/or typographical errors not effecting the substance of the budget and that the budget officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

EXHIBIT A

**RATE OF COMPENSATION FOR NON UNION ADMINISTRATIVE PERSONNEL
FOR FISCAL YEAR 2004**

| ADMINISTRATIVE I | | | | | ADMINISTRATIVE II | | |
|-------------------------|----------------|----------------|----------------|----------------|--------------------------|----------------|----------------|
| | 2003 (37.5) | 20003 (40) | 2004 (37.5) | 2004 (40) | | 2003 | 2004 |
| <u>Grade</u> | <u>Minimum</u> | <u>Minimum</u> | <u>Minimum</u> | <u>Minimum</u> | <u>Grade</u> | <u>Minimum</u> | <u>Minimum</u> |
| 7 | 19,234 | 20,517 | 19,811 | 21,133 | A | 47,300 | 48,719 |
| 8 | 20,152 | 21,496 | 20,757 | 22,141 | B | 49,800 | 51,294 |
| 9 | 21,124 | 22,533 | 21,758 | 23,209 | C | 52,300 | 53,869 |
| 10 | 22,148 | 23,520 | 22,812 | 24,226 | D | 54,800 | 56,444 |
| 11 | 23,226 | 24,775 | 23,923 | 25,518 | E | 57,300 | 59,019 |
| 12 | 24,366 | 25,991 | 25,097 | 26,771 | F | 59,800 | 61,594 |
| 13 | 25,570 | 27,275 | 26,337 | 28,093 | G | 62,300 | 64,169 |
| 14 | 26,838 | 28,540 | 27,643 | 29,396 | H | 66,800 | 68,804 |
| 15 | 28,174 | 30,052 | 29,019 | 30,954 | I | 69,300 | 71,379 |
| 16 | 29,583 | 31,556 | 30,470 | 32,503 | J | 76,800 | 79,104 |
| 17 | 31,075 | 33,146 | 32,007 | 34,140 | K | 79,300 | 81,679 |

| ADMINISTRATIVE I | | | | | ADMINISTRATIVE II | | |
|-------------------------|----------------|----------------|----------------|----------------|--------------------------|----------------|----------------|
| | 2003 (37.5) | 20003 (40) | 2004 (37.5) | 2004 (40) | | 2003 | 2004 |
| <u>Grade</u> | <u>Minimum</u> | <u>Minimum</u> | <u>Minimum</u> | <u>Minimum</u> | <u>Grade</u> | <u>Minimum</u> | <u>Minimum</u> |
| 18 | 32,645 | 34,822 | 33,624 | 35,867 | L | 83,800 | 86,314 |
| 19 | 34,299 | 36,585 | 35,328 | 37,683 | M | 88,300 | 90,949 |
| 20 | 36,050 | 38,401 | 37,132 | 39,553 | N | 92,800 | 95,584 |
| 21 | 37,893 | 40,374 | 39,030 | 41,585 | O | 97,300 | 100,219 |
| 22 | 39,842 | 42,457 | 41,037 | 43,731 | | | |
| 23 | 41,921 | 44,656 | 43,179 | 45,996 | | | |
| 24 | 44,059 | 46,966 | 45,381 | 48,375 | | | |
| 25 | 46,343 | 49,433 | 47,733 | 50,916 | | | |
| 26 | 48,758 | 52,009 | 50,221 | 53,569 | | | |
| 27 | 51,298 | 54,718 | 52,837 | 56,360 | | | |
| 28 | 53,979 | 57,577 | 55,598 | 59,304 | | | |
| 29 | 56,811 | 60,598 | 58,515 | 62,416 | | | |

MISCELLANEOUS OFFICIALS

| | | |
|---------------------------|---------|------------------|
| Chairman, Legislature | 7,500 | Res 68-388 |
| Commissioner of Elections | 7,500 | Res 99-513 |
| Coroner | 25,500 | Res 90-491 |
| County Clerk | 65,300 | Res 98-518 |
| County Executive | 87,989 | Res 98-518 |
| District Attorney | 125,600 | NYS Law SEC 700B |
| Legislator * | 12,500 | Res 98-520 |
| Sheriff | 72,084 | Res 98-518 |

ATTORNEY

| | 2003 | 2004 | 2003 | 2004 |
|--------------|----------------|----------------|----------------|----------------|
| <u>Grade</u> | <u>Minimum</u> | <u>Minimum</u> | <u>Maximum</u> | <u>Maximum</u> |
| AT1 | 42,045 | 43,306 | 48,353 | 49,804 |
| AT2 | 52,168 | 53,733 | 59,994 | 61,794 |
| AT3 | 63,416 | 65,318 | 72,851 | 75,037 |
| AT4 | 74,664 | 76,904 | | |
| AT5 | 80,288 | 82,697 | | |
| AT6 | 91,536 | 94,282 | | |

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

RESOLUTION NO. 423

Finance Committee

Seconded by Mr. Shafer

RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME COUNTY GOVERNMENT FOR FISCAL YEAR 2004

WHEREAS, this County Legislature, by an accompanying Resolution 422 of 2003, has adopted a budget for fiscal year 2004, now, therefore, be it

RESOLVED, that the several amounts specified in such budget under the various categories and the various objects of expense in the 2004 tentative budget under the recommended column, unless a specific change or correction has been made in the same, in which case such change or corrected figure shall apply, shall be the amount appropriated for such items, effective January 1, 2004, and be it

FURTHER RESOLVED, that the Budget Officer is hereby authorized, empowered and directed to correct any modifications, changes, additions and/or typographical errors not affecting the substance of the budget, and that the Budget Officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

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

RESOLUTION NO. 424

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION APPROVING THE 2004-2009 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2004 Capital Budget and the 2004-2009 Capital Improvement Program as accompanying the tentative budget for 2004, and as corrected and amended, is hereby approved and adopted as the 2004 Capital Budget and 2004-2009 Capital Improvement Program for the County of Broome, and be it

FURTHER RESOLVED, that the Budget Officer be and hereby is authorized, empowered, and directed to correct any modifications, changes, additions, and/or typographical errors not effecting the substance of the capital budget and capital program, and that the Budget Officer is further directed, after making such corrections, to file the same with the Clerk of the County Legislature and to furnish said clerk with sufficient copies thereof for the members of the County Legislature.

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

RESOLUTION NO. 425

By Economic Development & Planning and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT TO FEE SCHEDULE FOR SALE OF MAPS AND DIGITAL FILES BY THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

WHEREAS, the Broome County Department of Planning and Economic Development regularly sells various maps and aerial photo prints to the general public, and

WHEREAS, recent acquisitions of GIS data layers and software has resulted in more potential map products, including custom maps, to be requested by the public and more map distribution methods, including digital copies, to be available to the public, and

WHEREAS, this County Legislature, by Resolution 118 of 1989, as amended by Resolution 163 of 1993, Resolution 138 of 1994 and Resolution 521 of 2000, established a schedule of fees for such sales, and

WHEREAS, it is appropriate at this time to revise said schedule of fees to account for all currently available products and distribution methods, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and adopts the rate structure attached hereto as Exhibit "A" for the sale of various maps and digital files by the Broome County Department of Planning and Economic Development, and be it

FURTHER RESOLVED, that the fees hereinabove shall become effective immediately, and be it

FURTHER RESOLVED, that all proceeds received from said sales shall be credited to budget line 440016.6208.101000 (Minor Sales-Planning), and be it

FURTHER RESOLVED, that the Commissioner of Finance and the Comptroller of Broome County are hereby authorized to make such bookkeeping and accounting entries and adjustments as may be necessary to effectuate the intent and purpose of this Resolution.

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

RESOLUTION NO. 426

By County Administration and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH QS TECHNOLOGIES, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004

WHEREAS, this County Legislature, by Resolution 457 of 2002, authorized renewal of the agreement with QS Technologies, Inc. for software maintenance for the Division of Information Technology at an amount not to exceed \$12,621.77, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary for maintenance of the Department of Health's Clinics Division AS/400 Patient Care Management System software, and

WHEREAS, said agreement expires by its terms on December 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 \$13,601.53, for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with QS Technologies, Inc., Suite 1106 Bank of America Plaza, P.O. Box 847, Greenville, South Carolina 29602 for software maintenance for the Department of Health's Clinic Division AS/400 Patient Care Management System for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$13,601.53 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4513.101000 (Software Maintenance), and be it

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

RESOLUTION NO. 427

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FEDERAL BUREAU OF INVESTIGATION FOR LEASE OF TOWER SPACE FOR EMERGENCY SERVICES COMMUNICATIONS SYSTEM FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 582 of 2002, authorized renewal of an agreement with the Federal Bureau of Investigation of the United States Department of Justice for lease of the tower facility at Hawkins Hill, Site 66 Tower in the Town of Binghamton, providing revenue to the County of \$125 per month, total revenue amount of \$1,500 for the period October 1, 2002 through September 30, 2003, and

WHEREAS, said agreement expired by its terms on September 30, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County of \$125 per month, total revenue amount of \$1,500, for the period October 1, 2003 through September 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Federal Bureau of Investigation of the United States Department of Justice, ERF Building 27958A, Quantico, Virginia 22135 for lease of the Hawkins Hill, Site 66 Tower, for the period October 1, 2003 through September 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said lease the United States Department of Justice shall pay the County \$125 per month, total revenue amount of \$1,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 460006.0464.101000 (Other Local Governments), 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 428

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

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SOUTHERN TIER INDEPENDENCE CENTER (STIC) TO HOLD THE HOMETOWN HOLIDAY FESTIVAL OF LIGHTS AT OTSININGO PARK FOR 2003-2008

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with the Southern Tier Independence Center (STIC) to hold the Hometown Holiday Festival of Lights at Otsiningo Park for the period November 26, 2003 through January 4, 2004, from the hours of 5:30 p.m. to 9:30 p.m., five days per week - Wednesday through Sunday, with similar periods and hours for the years 2004-2005, 2005-2006, 2006-2007, 2007-2008, and

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

WHEREAS, 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 Independence Center (STIC), 24 Prospect Avenue, Binghamton, New York 13901, to hold the Hometown Holiday Festival of Lights at Otsiningo Park for the period of November 26, 2003 through January 4, 2004, from the hours of 5:30 p.m. to 9:30 p.m., five days per week - Wednesday through Sunday, with similar periods and hours for the years 2004-2005, 2005-2006, 2006-2007, 2007-2008, and be it

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

FURTHER RESOLVED, that in consideration of said service, 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 go to 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 429

By Economic Development and Planning Committee Seconded by Mr. Mather

RESOLUTION CONFIRMING AN APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY PLANNING ADVISORY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article XV of the Broome County Charter and Code, has duly designated and appointed the following named individual to membership on the Broome County Planning Advisory Board, for the term indicated, subject to confirmation by this County Legislature:

NAME
Kenneth Ellsworth
Keystone Associates LLC
229-231 State Street
Binghamton, New York 13901

TERM EXPIRING
New Appointment
Term Expires 12/31/06

and

WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Article XV of the
Broome County Charter and Code, hereby confirms the appointment of the above-named
individual to membership on the Broome County Planning Advisory Board for the term indicated,
in accordance with his appointment by the Broome County Executive.
Carried, Ayes-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 430

By Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH UNITED HEALTH SERVICES HOSPITALS FOR DRUG AND ALCOHOL TESTING/TRAINING FOR THE PERSONNEL DEPARTMENT FOR 2004

WHEREAS, this County Legislature, by Resolution 541 of 2002, authorized renewal of agreement with United Health Services for drug and alcohol testing for the Department of Personnel, payment in accordance with a rate schedule attached as Exhibit "A" to said Resolution, total amount not to exceed budgeted appropriations, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to conduct drug and alcohol testing for Broome County employee commercial drivers license holders, as required by the United States Department of Transportation, and

WHEREAS, said agreement expires by its terms on December 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate schedule attached hereto as Exhibit "A" and not to exceed budgeted appropriations, for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of an agreement with United Health Services Hospitals, 10-42 Mitchell Avenue, Phelps I, Binghamton, New York 13903 for drug and alcohol testing/training for the Department of Personnel, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate schedule attached hereto as Exhibit "A" and not to exceed budgeted appropriations for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4703.254000 (Lab 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 431

By County Administration and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TIER TECHNOLOGIES, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004

WHEREAS, this County Legislature, by Resolution 577 of 2002, authorized renewal of an agreement with Tier Technologies, Inc. for software maintenance for the Division of Information Technology at an amount not to exceed \$69,700, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary for the maintenance of Broome County's FAMIS financial and BPREP budget preparation software, and

WHEREAS, said agreement expires by its terms on December 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 \$69,700, for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Tier Technologies, Inc., 1350 Treat Boulevard, Suite 250, Walnut Creek, California 94596 for software maintenance for the Division of Information Technology for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$69,700 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4513.101000 (Software Maintenance), and be it

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

RESOLUTION NO. 432

By County Administration and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH COMPUTER ASSOCIATES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 581 of 2001, authorized renewal of an agreement with Computer Associates for software maintenance for the Division of Information Technology at an amount not to exceed \$29,770 (\$14,885 per year) for the period January 1, 2002 through December 31, 2003, and

WHEREAS, said services are necessary for software maintenance for mainframe software systems, and

WHEREAS, said agreement expires by its terms on December 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 \$20,718 (\$10,359 per year), for the period January 1, 2004 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Computer Associates, One Computer Associates Plaza, Islandia, New York 11788-7002, for software maintenance for the Division of Information Technology for the period January 1, 2004 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20,718 (\$10,359 per year) for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4513.101000 (Software Maintenance), and be it

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

RESOLUTION NO. 433

By Transportation and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENT WITH AT&T WIRELESS RCS FOR LEASE OF PROPERTY AT THE GREATER BINGHAMTON AIRPORT FOR 2003--2013

WHEREAS, the Commissioner of Transportation requests authorization for an agreement with AT&T Wireless RCS for lease of property at the Greater Binghamton Airport with a revenue to the County of \$1,000 up front for rights to the property and at a rate of \$1,400 per month for the first year and a 1.5% yearly rental escalation, total revenue to the County over the 10-year period of \$180,805.72, for the period November 1, 2003 through October 31, 2013, and

WHEREAS, said lease agreement is necessary for the installation of a cellular antenna, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with AT&T Wireless RCS, LLC, 2729 Prospect Park Drive, Rancho Cordova, California 95670, for lease of property at the Greater Binghamton Airport for the period November 1, 2003 through October 31, 2013, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$1,000 up front and then at a rate of \$1,400 per month for the first year and a 1.5% yearly rental escalation, total revenue to the County over a ten-year period of \$180,805.72 for the term of the agreement, and be it

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

RESOLUTION NO. 434

By Finance Committee

Seconded by Mr. Mather

RESOLUTION APPROVING SALE OF COUNTY-OWNED PROPERTY IN THE TOWN OF CHENANGO IN BROOME COUNTY

WHEREAS, the County of Broome now owns a parcel of real property located at 75 Hospital Hill Road in the Town of Chenango (Tax Map No. 095.19-1-6), 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 property to W&D Leasing, LLC, at a bid amount of \$115,000, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County-owned real property located at 75 Hospital Hill Road in the Town of Chenango (Tax Map No. 095.19-1-6) to W&D Leasing, LLC, P.O. Box 450, Conklin, New York 13748 for the amount of \$115,000, 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, Ayes-18, Nays-0, Absent-1 (Wike).

WHEREAS, said agreement expires by its terms on December 31, 2003 and it is desired at this time to renew said agreement on substantially similar terms and conditions, including a program to provide spay/neuter service, on a voluntary basis and at no charge, for the animals of SOS Shelter clients, for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the SOS Shelter, Inc., P.O. Box 393, Endicott, New York 13760, for pet boarding and spay/neuter services for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, there shall be no cost to the pet owner, and be it

FURTHER RESOLVED, the County shall bear the cost of the spay/neuter services with local veterinarians at a total cost not to exceed \$250 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 031470.4742.101000 (Veterinarian 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 439

By County Administration and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH NY-PENN NUTRITIONAL SERVICES, INC. FOR DIETICIAN CONSULTING SERVICES FOR THE DIVISION OF CENTRAL FOODS FOR 2004

WHEREAS, this County Legislature, by Resolution 517 of 2002, authorized renewal of an agreement with NY-Penn Nutritional Services, Inc. for dietician consulting services for the Division of Central Foods at an amount not to exceed \$6,510 plus a professional liability insurance reimbursement of \$155, for the period January 1, 2003 through December 31, 2003, and

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

WHEREAS, said agreement expires by its terms on December 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a total cost not to exceed \$5,940 plus a professional liability insurance reimbursement of \$155, for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with NY-Penn Nutritional Services, Inc., 190 Matthews Street, Binghamton, New York 13905-2558 for dietician consulting services for the Division of Central Foods for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$5,940 plus a professional liability insurance reimbursement of \$155 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230045.4741.251000 (Dietary Services), and be it

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

RESOLUTION NO. 440

By County Administration and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CBORD GROUP, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF CENTRAL FOODS FOR 2004

WHEREAS, this County Legislature, by Resolution 518 of 2002, authorized renewal of an agreement with CBORD Group, Inc., for software maintenance for the Division of Central Foods at an amount not to exceed \$7,963.19 for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to maintain the food service management system software, and

WHEREAS, said agreement expires by its terms on December 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 \$7,815.48 for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with CBORD Group, Inc., 61 Brown Road, Ithaca, New York 14850 for software maintenance for the Division of Central Foods for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,815.48, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230045.4513.251000 (Software Maintenance), and be it

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

RESOLUTION NO. 441

By Health & Human Services, Personnel and Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING REVISION OF THE CHILD HEALTH PLUS FACILITATED ENROLLMENT PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 81 of 2003, authorized the Child Health Plus Facilitated Enrollment Program Grant for the Department of Social Services and adopted a program budget in connection therewith in the total amount of \$41,325 for the period April 1, 2003 through March 31, 2004, 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 necessary at this time to revise said program to reflect a decrease in the amount of \$1,548 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Child Health Plus Facilitated Enrollment Program Grant to reflect a decrease of \$1,548 for the period April 1, 2003 through March 31, 2004, 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 \$39,777, and be it

FURTHER RESOLVED, that Resolution 81 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 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 442

By Transportation and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AGREEMENT WITH WENDEL DUCHSCHERER ARCHITECTS AND ENGINEERS FOR ENGINEERING/DESIGN SERVICES FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION FOR 2003-2005

WHEREAS, the Commissioner of Public Transportation requests authorization for an agreement with Wendel Duchscherer Architects and Engineers for engineering and design services for the Department of Public Transportation at a cost not to exceed \$325,000, for the period November 1, 2003 through May 31, 2005, and

WHEREAS, said services are necessary to prepare for the proposed construction of a new Intermodal Transit Terminal and provide needed planning information to assist decision makers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Wendel Duchscherer Architects and Engineers, 95 John Muir Drive, Amhearst, New York 14428, for engineering and design services for the Department of Public Transportation for the period November 1, 2003 through May 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$325,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440115.4747.104779 (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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 443

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE PUBLIC DEFENDER'S AID TO LOCALITIES-AID TO DEFENSE PROGRAM FUNDING FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 382 of 2002, authorized and approved the Aid to Localities-Aid to Defense funding for the Public Defender in the amount of \$34,470 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said aid supports the Broome County Office of the Public Defender who provide representation to financially eligible persons arrested in Broome County and also relieves the County of an expense it would otherwise have to assume, and

WHEREAS, it is desired to accept the New York State Public Defender Aid to Localities-Aid to Defense funding in the amount of \$29,299 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 \$29,299 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203-3764 for the Public Defender's Aid to Localities-Aid to Defense Program for the period April 1, 2003 through March 31, 2004, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be recorded in budget line 530006.0264.101000 (Major Offense Public Defender), 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 444

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF THE BUCKLE UP NEW YORK PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 570 of 2002, authorized and approved continued participation in the Buckle Up New York Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$11,097 for the period October 1, 2002 through September 30, 2003, and

WHEREAS, said grant program is part of a statewide campaign designed to increase seat belt usage, reducing serious injury or death in traffic accidents, and

WHEREAS, it is desired to renew said grant program in the amount of \$11,539 for the period October 1, 2003 through September 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,539 from the Governor's Traffic Safety Committee, Department of Motor Vehicles, Empire State Plaza, Albany, New York 12228, for the Office of the Sheriff's Buckle Up New York Program Grant for the period October 1, 2003 through September 30, 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 \$11,539, 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 445

By Personnel Committee

Seconded by Mr. Mather

RESOLUTION ACCEPTING AN EMPLOYEE HANDBOOK AND PERSONNEL POLICY AND PROCEDURE MANUAL AS PREPARED BY AMTEK MANAGEMENT SERVICES CORPORATION

WHEREAS, this County Legislature, by Resolution 607 of 2001, as amended by Resolution 454 of 2002, authorized an agreement with Amtek Management Services Corporation to develop and produce a Broome County Employee Handbook and a Personnel Policy and Procedure Manual for an amount not to exceed \$14,500 plus out-of-pocket expenses for mileage not to exceed \$1,500, total amount not to exceed \$16,000, for the period December 1, 2001 through May 30, 2003, and

WHEREAS, said manuals are now complete and are ready to be accepted by this body, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and accepts the Employee Handbook and the Personnel Policy and Procedure Manual as prepared by the Amtek Management Services Corporation for the Department of Personnel, and be it

FURTHER RESOLVED, that said Employee Handbook and Personnel Policy and Procedure Manual will be on file with the Clerk of the Legislature.

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

RESOLUTION NO. 446

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SIBLEY NURSING PERSONNEL SERVICE, INC. FOR TEMPORARY NURSING SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2003

WHEREAS, this County Legislature, by Resolution 616 of 2002, authorized renewal of agreement with Sibley Nursing Personnel Services, Inc. for temporary nursing services at the Willow Point Nursing Home at a cost not to exceed \$10,000, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to provide staff at various times as additional staff is necessary to maintain safety levels as required by State standards, and

WHEREAS, it is necessary to authorize the amendment of said agreement to set the rate for Certified Nursing Assistants at a flat rate of \$16.50 and increase the amount by \$142,000, to provide for additional hours of coverage that will be required while Willow Point Nursing Home staff participate in the TANF Health Worker Training Initiative Program, with reimbursement for "lost staff time" through the grant, for the period September 3, 2003 through December 31, 2003, and

WHEREAS, the Administrator of the Nursing Home 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 Sibley Nursing Personnel Service, Inc., 1100 University Avenue, Suite 140, Rochester, New York 14607, to set the rate for Certified Nursing Assistants at a flat rate of \$16.50 and increase the amount by \$142,000, total amount not to exceed \$152,000 for temporary nursing services at the Willow Point Nursing Home for the period for the period September 3, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$142,000, total amount not to exceed \$152,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line XXXXXX.5072.XXXXXX (Nursing Services-Aides), and be it

FURTHER RESOLVED, that Resolution 616 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, Ayes-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 447

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH KEANE CARE, INC. FOR A CLINICAL SOFTWARE MAINTENANCE AGREEMENT FOR WILLOW POINT NURSING HOME FOR 2004

WHEREAS, this County Legislature, by Resolution 611 of 2002, as amended by Resolution 333 of 2003, authorized renewal of the agreement with Keane, Inc. for software maintenance for Willow Point Nursing Home at an amount not to exceed \$10,850, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to support the computer software program that maintains the patient clinical and billing records, and

WHEREAS, said agreement expires by its terms on December 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 \$10,710, for the period January 1, 2004 through December 31, 2004 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Keane Care, Inc. Executive Plaza III, Suite 600, 11350 McCormick Road, Hunt Valley, Maryland, 21031 for a maintenance agreement for clinical software for Willow Point Nursing Home for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,710 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010.4419.204000 and 160085.4419.204000 (General Office 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, Ayes-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 448

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DENTSERV FOR DENTAL SERVICES FOR WILLOW POINT NURSING HOME FOR 2004

WHEREAS, this County Legislature, by Resolution 617 of 2002, authorized renewal of the agreement with DentServ for dental services to residents at Willow Point Nursing Home at an amount not to exceed \$53,000 for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said agreement is necessary to provide dental services to residents at Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2003 and it is desired at this time to renew said agreement on substantially similar terms and conditions, at current rates approved by the New York State Department of Health, for an amount of \$4,681.67 per month, total amount not to exceed \$56,184, for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with DentServ, 15 Canal Road, Pelham Manor, New York 10803, for dental services for Willow Point Nursing Home residents for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount of \$4,681.67 per month, total amount not to exceed \$56,184 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160218.4712.204000 (Physicians 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 449

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FOR THE NEW YORK ASSOCIATION OF HOMES & SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2004

WHEREAS, the Board of Acquisition and Contract on November 12, 2002, authorized an agreement with the New York Association of Homes & Services for Aging for the annual maintenance/access to software for the Willow Point Nursing Home at an amount \$750, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to support and maintain the software for quality control at the nursing home, and

WHEREAS, said agreement expires by its terms on December 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 \$2,500, for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with New York Association of Homes & Services for Aging, 150 State Street, Suite 301, Albany, New York 12207 for annual maintenance/access for the Willow Point Nursing Home for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160077.4419.204000 (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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 450

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH FONTANESE, FOLTZ, AUBRECHT, ERNST, BAMMEL ARCHITECTS FOR ENGINEERING/ARCHITECTURAL SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2002-2004

WHEREAS, this County Legislature, by Resolution 167 of 2001, as amended by Resolution 153 of 2002 and Resolution 56 of 2003, 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 \$109,510 for the period March 1, 2001 through December 31, 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 agreement to December 31, 2004 at no additional cost to the County, and

WHEREAS, the Willow Point Nursing Home Administrator 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, NY 14052-2492 extending the period to March 1, 2001 through December 31, 2004, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 167 of 2001, as amended by Resolution 153 of 2002 and Resolution 56 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.

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

RESOLUTION NO. 451

By Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR LAB TESTING FOR WILLOW POINT NURSING HOME FOR 2004

WHEREAS, this County Legislature, by Resolution 615 of 2002, authorized renewal of the agreement with Our Lady of Lourdes Memorial Hospital for lab testing services for Willow Point Nursing Home at an amount not to exceed \$48,000 for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said agreement is necessary for lab testing services at the nursing home and direct billing to Medicare, and

WHEREAS, said agreement expires by its terms on December 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 \$44,000, for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905 for lab services for Willow Point Nursing Home for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$44,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4747.204000 (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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 452

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON A PARCEL IN THE TOWN OF CHENANGO

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

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

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, 2004 through December 31, 2004, 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 455

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

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 2004

WHEREAS, this County Legislature, by Resolution 47 of 2003, 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, 2003 through December 31, 2003, 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 expires by its terms on December 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 \$4,000, for the period January 1, 2004 through December 31, 2004, 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, 2004 through December 31, 2004, 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, Ayes-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 456

By Finance Committee

Seconded by Mr. Mather

RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO DEFEND BROOME COUNTY MEDICAL RESERVE CORPS VOLUNTEERS AGAINST CLAIMS OF NEGLIGENCE

WHEREAS, the September 11, 2001 terrorist attacks in New York and Washington were the worst terrorist attacks in Unites States history, and

WHEREAS, the President, working with the Congress, have asked local governments to develop a team of first responders to be available in the event of a terrorist attack, and

WHEREAS, the Director of Public Health is the lead Public Official for recruiting a team of volunteers to be first responders, and

WHEREAS, volunteers for the Broome County Medical Reserve Corps are dedicated professionals who have agreed to offer their services at no charge to the County, and

WHEREAS, this County Legislature desires to provide the Medical Reserve Corps volunteers the same protection from liability that Broome County Employees enjoy, now, therefore, be it

RESOLVED, that Broome County Medical Reserve Corps volunteers shall be defended against claims of negligence by the County Attorney, and be it

FURTHER RESOLVED, that County Liability and Casualty Reserve fund shall pay any damages and expenses related to said claims, 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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 457

By Finance and Health & Human Services Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR THE DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request from the Director of Health in order to amend the budget of the Diabetes Prevention Grant to carry out work plan activities as requested in BF#004464 this County Legislature hereby authorizes the Commissioner of Finance to make the following adjustment for 2003:

| | <u>Index code</u> | <u>Subobject</u> | <u>Project</u> | <u>Title</u> | <u>Amount</u> |
|-------|-------------------|------------------|----------------|-------------------------|---------------|
| FROM: | 480301 | 4319 | 104802 | Office Supplies | 94 |
| | 480301 | 4346 | 104802 | Training & Ed. Supplies | 500 |
| | 480301 | 4411 | 104802 | Postage & Freight | 75 |
| | 480301 | 4459 | 104802 | Reserves for Programs | 10,059 |
| | 480301 | 4466 | 104802 | Advisory Board | 500 |
| | 480301 | 4609 | 104802 | Data Processing | 200 |
| | 480301 | 4618 | 104802 | Postage Chargeback | 50 |
| TO: | 480301 | 1600 | 104802 | Salaries – Temporary | 8,572 |
| | 480301 | 4610 | 104802 | Personnel Services | 230 |
| | 480301 | 8010 | 104802 | State Retirement | 696 |
| | 480301 | 8030 | 104802 | Social Security | 655 |
| | 480301 | 8040 | 104802 | Workers' Compensation | 171 |
| | 480301 | 8050 | 104802 | Life Insurance | 7 |
| | 480301 | 8060 | 104802 | Health Insurance | 1,017 |
| | 480301 | 8063 | 104802 | Disability | 87 |
| | 480301 | 8070 | 104802 | Unemployment Insurance | 43 |

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-18, Nays-0, Absent-1 (Wike).

RESOLUTION NO. 458

By Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF YOUTH TOBACCO ENFORCEMENT AND PREVENTION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 358 of 2002, as amended by Resolution 574 of 2002, authorized and approved continued participation in the Youth Tobacco Enforcement and Prevention Grant for the Department of Health and adopted a program budget in the amount of \$41,009 for the period October 1, 2002 through September 30, 2003, and

WHEREAS, said grant program supports the Department of Health's activities in youth tobacco use enforcement and prevention, and

WHEREAS, it is desired to renew said grant program in the amount of \$41,009 for the period October 1, 2003 through September 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$41,009 from the New York State Department of Health Center for Environmental Health, Bureau of Community Sanitation and Food Protection, Flanigan Square, 547 River Street, Troy, New York 12180, for the Department of Health's Youth Tobacco Enforcement and Prevention Grant for the period October 1, 2003 through September 30, 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 \$41,009, 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-13 (Brunza, Burger, Howard, Hull, Hutchings, Marinich, Mather, Miller, Pasquale, Reynolds, Schofield, Shafer, Whalen), Nays-5 (Hudak, Kolba, Kuzel, Lindsey, Nannery), Absent-1 (Wike).

RESOLUTION NO. 459

By All Members

Seconded by Mr. Lindsey

RESOLUTION OF CONDOLENCE ON THE DEATH OF MARY TERESA KEYES

WHEREAS, former Broome County Legislator Mary Teresa Keyes from the 3rd Legislative District, passed away on the 8th day of October, 2003, and

WHEREAS, Mary Keyes served the citizens of Broome County as the 3rd District Broome County Legislator from 1979 to 1980 after serving for eight years (1971-1978) as a member of the Binghamton City Council, and

WHEREAS, Mary Keyes, during the course of her public service as a member of the Broome County Legislature served on a variety of Legislative committees, including Public Health, Public Safety and Social Services, and

WHEREAS, Mary Keyes, independent and dedicated to serving the people of the North Side of Binghamton and the 3rd Legislative District, will long be remembered as a bi-partisan politician whose work in the public arena embraced both Republicans and Democrats to serve the people of Broome County, and

WHEREAS, Mary Keyes, before her entrance into the world of local politics, was a registered nurse, a career she set aside to devote her full-time efforts to raising her family of five with a husband to whom she was married for 53 years, and

WHEREAS, the Broome County Legislature, acting for the citizens of the Broome County Community, wishes to record its condolences in the official proceedings of this body, now, therefore, be it

RESOLVED, that the members of this County Legislature hereby recognize the loss of Mary Teresa Keyes, affectionately known as "Mother Mary", and extend their sincere sympathy to her family, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to place this Resolution in the minutes of the Regular Session of the County Legislature held on October 16, 2003.

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

Mr. Howard made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Wike). The meeting was adjourned at 5:40 p.m.

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