
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, MARCH 18, 2004**

The Legislature convened at 5:02 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. Burger made a motion, seconded by Mr. Miller, that the minutes of the February 19, 2004 and March 1, 2004 Regular Sessions be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the period February 19, 2004 through March 17, 2004 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.**

ANNOUNCEMENTS FROM THE CHAIR

Mr. Schofield invited District 10 Legislator Jerry Marinich to the podium to make a presentation of a proclamation to Troy Nickerson, wrestler and honor student from Chenango Forks High School, commending him on his fourth New York State wrestling title.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Jeffrey P. Kraham:
 - a. Appointments to the Broome County Office for Aging Advisory Council
 - b. Appointments to the Broome County Youth Bureau Advisory Board
 - c. Appointment to the Broome Community College Board of Trustees
 - d. Appointments to the Willow Point Nursing Home Board of Directors
 - e. Appointment to the Broome County Central Library Board of Trustees

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 - 1. Minutes:
 - a. Broome County Soil & Water Conservation District 2/3/04
 - b. Broome County Association of Municipal Clerks 2/19/04
 - c. EMC Natural Resources Committee 2/22/04
 - d. EMC Recycling & Waste Management Committee 1/26/04
 - 2. Personnel-Revised Administrative Rules
 - 3. Tioga County Legislature-Resolution-Opposition to Proposed Amendments to Pistol Permit, Dealer and Gunsmith Fees
 - 4. Oneida County Board of Legislators-Resolution Prohibiting Unfunded Mandates
 - 5. Delaware County Board of Supervisors-Resolution Re: Governor Pataki's Proposed Amendments to Pistol Permit Holders and Dealer/Gunsmith Fees
 - 6. NYSAC-2004 Adopted Resolutions
- C. Notices:
 - 1. Special Committee-of-the-Whole Meeting- 2/19/04-Re: Replacement Facility for the Willow Point Nursing Home
 - 2. State of the County time change from 5:00 p.m. to 4:00 p.m. on 3/1/04
 - 3. Personnel Committee Meeting-change from 3/10/04 to 3/11/04 at 3:30 p.m.

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4. Town of Kirkwood Public Hearing-Amend Zoning Ordinance-Use of Motor Vehicles and Trailers for Storage
 5. Town of Kirkwood Public Hearing-Amend Zoning Ordinance-Section 502 (Site Plan Review)
 6. Town of Kirkwood Public Hearing-Application for AT&T Wireless Special Permit
- D. Reports:
1. Audit & Control-Quarterly Accounts Receivable Analysis 2/04
 2. Office of the Public Defender 2003 Annual Report
 3. Real Property Tax Service 2003 Annual Report
 4. 2004 State of the County
 5. Personnel 2003 Annual Report
 6. BCC Budget Transfer 1/4
 7. BCC Quarterly Income Statement 2/04
 8. BCC Above Minimum Hire 2/04

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

1. Designation for B. Mather 3/8/04

Mr. Kuzel made a motion, seconded by Mr. Kolba, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2004 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried.**

Mr. Howard and Mr. Whalen 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. 39

(Held over by Mr. Kolba)

By Economic Development & Planning, Health & Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENT WITH COURTERBACK DEVELOPMENT COMPANY, LLC TO REPLACE PRIOR AGREEMENT FOR LEASE OF SPACE AT 171 FRONT STREET for 2004-2018

Carried.

RESOLUTION NO. 76

(Held over by Ms. Hudak)

By Economic Development & Planning and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENTS WITH THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR FUNDING VARIOUS PROGRAMS FOR 2004

Resolution was held over at the last session with a motion on the floor amending said resolution adding the following as a second FURTHER RESOLVED paragraph: "...that any elected County official is prohibited from appearing in any IDA broadcast media advertisement during an election year for that official, and be it...". **Amendment failed**, Ayes-5 (Brunza, Hutchings, Pasquale, Reynolds, Whalen), Nays-14. **Resolution as originally presented carried**, Ayes-18, Nays-1 (Whalen).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 82

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 2 OF 2004, ENTITLED "A LOCAL LAW GRANTING AN EXEMPTION PURSUANT TO REAL PROPERTY TAX LAW SECTION 469 FOR LIVING QUARTERS FOR PARENTS AND GRANDPARENTS"

RESOLVED, that Local Law Intro. No. 2 of 2004, entitled "A Local Law Granting an Exemption Pursuant to Real Property Tax Law Section 469 for Living Quarters for Parents and Grandparents be and the same is hereby adopted in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 2 OF 2004

A Local Law Granting An Exemption Pursuant To Real Property Tax Law Section 469 For Living Quarters For Parents And Grandparents

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

Section 1. There shall be granted an exemption from taxation to the extent of any increase in assessed value of residential property resulting from the construction or reconstruction of such property for the purpose of providing living quarters for a parent or grandparent who is sixty-two years of age or older. Such exemption shall not exceed (a) the increase in assessed value resulting from construction or reconstruction of such property, (b) twenty percent of the total assessed value of such property as improved, or (c) twenty percent of the median sale price of residential property as represented in the most recent sale statistical summary published by the State Board for the County in which the property is located, whichever is less.

Section 2. No such exemption shall be granted unless:

- a) the property is within the geographical area in which such construction or reconstruction is permitted; and
- b) the residential property so constructed or reconstructed is the principal place of residence of the owner.

Section 3. Such exemption shall be applicable only to construction or reconstruction which occurred subsequent to August 30, 2000 and shall only apply during the years during which at least one parent or grandparent maintains a primary place of residence in such living quarters.

Section 4. Such exemption from taxation shall be granted upon an application made annually by the owner of such property to the assessor of the municipality where the property is located on or before the taxable status date for such municipality. If the assessor is satisfied that the property is entitled to an exemption pursuant to this local law, he shall approve the application and such residential improvements shall be exempt from taxation and special ad valorem levies as provided in this Local Law.

Section 5. For the purpose of this Local Law, the term "parent or grandparent" shall be deemed to include the natural or adopted parents and grandparents of the owner or the spouse of the owner.

Section 6. That this Local Law shall take effect upon filing with the Secretary of State and shall apply to real property having a taxable status date on or after the effective date of the Local Law.

Carried.

RESOLUTION NO. 83

By Health & Human Services Committee

Seconded by Mr. Wike

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

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

Name	Term Expiring
Allison Alden 98 Monkey Run Road Port Crane, New York 13833	New Appointment Term Expires 12/31/06
Nancy Johnson 95 Phelps Street Binghamton, New York 13901	New Appointment Term Expires 12/31/06
Erin Perkins 39 Coventry Road Endicott, New York 13760	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 163 of 1971 and Resolution 133 of 1976, confirms the appointments of the above-named individuals to membership on the Broome County Youth Bureau Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 84

By Health & Human Services Committee

Seconded by Mr. Wike

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY OFFICE FOR AGING ADVISORY COUNCIL

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 165 of 1973, has duly designated and appointed the following named individuals to membership on the Broome County Office for Aging Advisory Council, for the terms indicated, subject to confirmation by this County Legislature:

Name	Term Expiring
Margaret Turna 8 Park Road Binghamton, New York 13901	New Appointment Term Expires 12/31/06
Kathy Cramer 27 Peterson Street Johnson City, New York 13790	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 165 of 1973 confirms the appointment of the above-named individuals to membership on the Broome County Office for Aging Advisory Council for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 85

By Health & Human Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE CAREGIVER RESOURCE CENTER PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 96 of 2003, authorized and approved continued participation in the Caregiver Resource Center Program Grant for the Office for Aging and adopted a program budget in the amount of \$20,000 for the period April 1, 2003 through March 31, 2004, and

WHEREAS, said grant program provides educational programs to family caregivers of impaired elderly in Broome County, including programs on personal care, community services, medical problems of aging and maintaining the mental health of the caregiver, and

WHEREAS, it is desired to renew said grant program in the amount of \$20,000 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Caregiver Resource Center Program Grant for the period April 1, 2004 through March 31, 2005, 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 \$20,000, and be it

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

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

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

Carried.

RESOLUTION NO. 86

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 99 of 2003, as amended by Resolution 53 of 2004, authorized and approved continued participation in the Supplemental Nutrition Assistance Program (SNAP) Grant for the Office for Aging and adopted a program budget in the amount of \$276,728 for the period April 1, 2003 through March 31, 2004, and

WHEREAS, said grant program provides supplemental funding for congregate meals and home-delivered meals, and

WHEREAS, it is desired to renew said grant program in the amount of \$257,742 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$167,341 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Supplemental Nutrition Assistance Program (SNAP) Grant for the period April 1, 2004 through March 31, 2005, 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 \$257,742, 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. 87

By Health & Human Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE LONG TERM CARE OMBUDSMAN PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS TO ADMINISTER SAID PROGRAM FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 97 of 2003, authorized and approved the continued participation in the Long Term Care Ombudsman Program Grant for the Office for Aging, adopted a program budget in the amount of \$12,246 and authorized an agreement with Action for Older Persons to administer said program for the period April 1, 2003 through March 31, 2004, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$12,246, adopt a program budget and renew the agreement with Action for Older Persons to continue to administer said program for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$12,246 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Long Term Care Ombudsman Program Grant for the period April 1, 2004 through March 31, 2005, 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 \$12,246, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, 30 West State Street, Binghamton, New York 13901, for recruitment and training services, for the Office for Aging's Long Term Care Ombudsman Program Grant for the period April 1, 2004 through March 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$11,602 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760850.4747.104883 (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, 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. 88

By Health & Human Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE SENIOR MEDICARE VOLUNTEER PATROL PROJECT GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING THE AGREEMENT WITH ACTION FOR OLDER PERSONS TO ADMINISTER SAID PROGRAM FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 548 of 2002, authorized and approved continued participation in the Senior Medicare Volunteer Patrol Project Grant for the Office for Aging, adopted a program budget in the amount of \$8,000 and authorized an agreement with Action for Older Persons to administer said program for the period July 1, 2002 through June 30, 2003, and

WHEREAS, said grant program provides for the recruitment and training of volunteers to identify and report Medicaid/Medicare fraud and abuse, and

WHEREAS, it is desired to renew said grant program in the amount of \$1,350, adopt a program budget and renew the agreement with Action for Older Persons to continue to administer said program for the period July 1, 2003 through June 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,350 from New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Senior Medicare Volunteer Patrol Project for the period July 1, 2003 through June 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 \$1,350, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, 30 West State Street, Binghamton, New York 13901 to continue to administer said program grant for the Office for Aging for the period July 1, 2003 through June 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,350 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760850.4747.104891 (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, 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. 89

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Wike
RESOLUTION AUTHORIZING RENEWAL OF THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 101 of 2003, as amended by Resolution 52 of 2004, authorized and approved continued participation in the Expanded In-Home Services for the Elderly Program (EISEP) Grant for the Office for Aging and adopted a program budget in the amount of \$547,331 for the period April 1, 2003 through March 31, 2004, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$530,588 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$327,568 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001 for the Office for Aging's Expanded In-Home Services for the Elderly Program for the period April 1, 2004 through March 31, 2005, 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 \$530,588, 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. 90

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Wike
RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY SERVICES FOR THE ELDERLY (CSE) PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 102 of 2003, as amended by Resolution 51 of 2004, authorized and approved continued participation in the Community Services For The Elderly (CSE) Program Grant for the Office for Aging and adopted a program budget in the amount of \$447,253 for the period April 1, 2003 through March 31, 2004, and

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 desired to renew said grant program in the amount of \$455,648 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$226,797 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Community Services for the Elderly (CSE) Program grant for the period April 1, 2004 through March 31, 2005, 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 \$455,648, 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. 91

By Public Works and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AN AGREEMENT WITH MIRABITO FUEL GROUP TO PROVIDE AUTOMATED PUMP DISPENSING SERVICE/FLEET CARD PROGRAM FOR VARIOUS COUNTY DEPARTMENTS

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Mirabito Fuel Group for Automated Pump Dispensing Service/Fleet Card Program for various County departments for the period April 16, 2004 through April 15, 2006, renewable for two two-year periods at Broome County's option, and

WHEREAS, said services are necessary to provide various County departments with the ability to purchase unleaded gasoline and diesel fuel at vendor locations in Broome County with 24-hour, 7 days per week availability, and

WHEREAS, the per gallon cost would be the certified fuel price per gallon from the supplier, referred to as the "rack price," plus a fixed differential price per gallon of 10 cents, and

WHEREAS, the weekly "rack price" shall be posted for unleaded gasoline and diesel fuel each Monday at the Mirabito Fuel Group's Vestal Division office, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mirabito, Fuel Group, 44 Grant Street, Sidney, New York 13838, to provide an Automated Pump Dispensing Service/Fleet Card Program to various County departments for the period April 16, 2004 through April 15, 2006, renewable for two two-year periods at Broome County's option, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a per gallon fuel rate based on the certified fuel price per gallon from the supplier, referred to as the "rack price," plus a fixed differential price per gallon of 10 cents, and be it

FURTHER RESOLVED, that the weekly "rack price" shall be posted for unleaded gasoline and diesel fuel each Monday at the Mirabito Fuel Group's Vestal Division office, 3212 Old Vestal Road, Vestal, New York, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4347.various (Gas, Oil Grease & Diesel Fuel), 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. 92

By Public Works Committee

Seconded by Mr. Miller

RESOLUTION DECLARING THE DEPARTMENT OF PUBLIC WORKS' PARK AVENUE CULVERT REPLACEMENT PROJECT IN THE TOWN OF BINGHAMTON TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION

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

WHEREAS, the Park Avenue Culvert (CR95-3.30) Replacement Project in the Town of Binghamton has been determined under the New York State Environmental Quality Review Act to have no substantial effect on the environment in that it involves only the replacement of the existing culvert, and

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

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

RESOLVED, that this County Legislature hereby finds the Department of Public Works Park Avenue Culvert (CR95-3.30) Replacement Project in the Town of Binghamton to be "de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

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

Carried, Ayes-16, Nays-3 (Brunza, Hutchings, Reynolds).

RESOLUTION NO. 93

By Health & Human Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING ACCEPTANCE OF A TANF PREVENTION OF NON-SECURE DETENTION PLACEMENT GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AGREEMENTS WITH YAP, INC. AND LOURDES YOUTH SERVICES TO PROVIDE SERVICES FOR SAID PROGRAM FOR 2004

WHEREAS, the Commissioner of Social Services requests authorization to accept a TANF Prevention of Non-Secure Detention Placement Grant, to adopt a program budget in the amount of \$102,998 and to enter into agreements with YAP (Youth Advocacy Program), Inc. in

the amount of \$59,912 and with Lourdes Youth Services in the amount of \$36,282, to provide services for said program for the period March 1, 2004 through June 30, 2004, and

WHEREAS, said grant program provide funds for purchase of services to aid in non-secure detention prevention and PINS Prevention, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$102,998 from the New York State Office of Children & Family Services, The Atrium, 2 Clinton Square, Suite 35D, Syracuse, New York 13202, for the Department of Social Services' TANF Prevention of Non-Secure Detention Placement Grant for the period March 1, 2004 through June 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 \$102,998, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with YAP, Inc., 2007 North Third Street, Harrisburg, Pennsylvania 17102 to provide services for said program grant, for the period March 1, 2004 through June 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$59,912 for the term of the agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Lourdes Youth Services, 303 Main Street, Binghamton, New York 13905 to provide services for said program grant, for the period March 1, 2004 through June 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$36,282 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670455.4561.104729 (Purchase of 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, and be it

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

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

Carried.

RESOLUTION NO. 94

By Finance Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING CANCELLATION OF 2001 REAL PROPERTY TAXES, INTEREST AND PENALTIES ON A PARCEL IN THE TOWN OF UNION

WHEREAS, it is necessary to clear the 2001 tax records of this parcel of real property by virtue of the reason stated below, now, therefore, be it

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

WHEREAS, said agreement expired 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 \$33,320, 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 Professional Home Care, 4401 Vestal Parkway East, Vestal, New York 13850 for oxygen therapy 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 \$33,320 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 160101.4363.204000 (Medical, Lab and Clinic Supplies) and 160101.4512.204000 (Outside Rentals-Machinery), 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. 97

By Health & Human Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH PARK AVENUE ASSOCIATES IN RADIOLOGY FOR RADIOLOGICAL SERVICES (d/b/a SOUTHERN TIER IMAGING) FOR WILLOW POINT NURSING HOME FOR 2003

WHEREAS, the Nursing Home Administrator requests authorization for an agreement with Park Avenue Associates in Radiology (d/b/a Southern Tier Imaging), for radiological services for Willow Point Nursing Home at a cost not to exceed \$5,000, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to cover radiological services incurred in 2003 for Medicare A covered Willow Point Nursing Home residents, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Park Avenue Associates in Radiology, d/b/a Southern Tier Imaging, 5 West State Street, Binghamton, New York 13901-2465, for radiological services for Willow Point Nursing Home 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 \$5,000 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.

RESOLUTION NO. 98

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF MEDICAID MANAGED CARE PROGRAM (MAX) GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 80 of 2003, authorized and approved continued participation in the Medicaid Managed Care Program (MAX) Grant for the Department of Social Services and adopted a program budget in the amount of \$143,000 for the period April 1, 2003 through March 31, 2004, and

WHEREAS, the Medicaid Managed Care Program is a voluntary managed care program that provides access to primary care services for approximately 5,800 Medicaid recipients, and

WHEREAS, it is desired to renew said grant program in the amount of \$143,000 for the period April 1, 2004 through March 31, 2005, 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, 2004 through March 31, 2005, 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 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. 99

By Health & Human Services, Personnel and Finance Committee Seconded by Mr. Wike
RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID OUTSTATIONED WORKER GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 82 of 2003, authorized and approved continued participation in the Medicaid Outstationed Worker Grant for the Department of Social Services and adopted a program budget in the amount of \$80,787 for the period April 1, 2003 through March 31, 2004, and

WHEREAS, said grant program provides funding 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 serve indigent Broome County residents in need of assistance while hospitalized, and

WHEREAS, it is desired to renew said grant program in the amount of \$91,663 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$45,831 from the New York State Department of Health and \$45,832 from Miscellaneous Contributions, for the Department of Social Services' Medicaid Outstationed Worker Grant for the period April 1, 2004 through March 31, 2005, 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 \$91,663, 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. 100

By Health & Human Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FOOD BANK OF THE SOUTHERN TIER FOR FOOD DISTRIBUTION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2004

WHEREAS, this County Legislature, by Resolution 369 of 2003, authorized renewal of an agreement with the Food Bank of the Southern Tier for food distribution services for the Department of Social Services at an amount not to exceed \$10,000, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said services are necessary to assist the Food Bank of the Southern Tier with providing emergency feeding programs for impoverished and vulnerable Broome County residents, and

WHEREAS, said agreement expired 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 \$10,000, 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 Food Bank of the Southern Tier, 945 County Route 64, Elmira, New York 14903 for food distribution services for the Department of Social Services 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 \$10,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670455.4747.104XXX (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.

RESOLUTION NO. 101

By Transportation, Personnel, County Administration, and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 95 of 2003, authorized and approved the Binghamton Metropolitan Transportation Study (BMTS) Grant and adopted a program budget in the amount of \$453,600 for the period April 1, 2003 through March 31, 2004, and

WHEREAS, it is desired to renew said grant program in the amount of \$501,426 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a Federal Highway Administration Grant in the amount of \$400,000 and Federal Transit Administration Grants totaling \$101,426, for the Binghamton Metropolitan Transportation Study Grant for the period April 1, 2004 through March 31, 2005, 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 \$501,426, 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. 102

By Public Works Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE TRANSFER OF COUNTY ROADS IN THE TOWNS OF KIRKWOOD AND CONKLIN TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, the Commissioner of Public Works requests authorization to transfer a portion of County Road 52 (Colesville Road) and County Road 177 (Colesville Road Extension) in the towns of Kirkwood and Conklin to the New York State Department of Transportation (NYSDOT), and

WHEREAS, said authorization is necessary to transfer a portion of County Road 52 (Colesville Road), beginning at US Route 11 (Court Street) and proceeding northerly to the intersection of Corporate Drive and County Road 185 (Stratmill Road), and the entire length of County Road 177 (Colesville Road Extension), and

WHEREAS, the New York State Department of Transportation (NYSDOT) agrees with the transfer of these roads for the following reasons:

- The transfer of ownership would allow a logical connectivity between three State highways: Interstate 81, New York Route 17 and New York Route 7. These three highways generate the majority of the traffic on County Road 52 and therefore NYSDOT should be responsible for the highway.
- NYSDOT currently maintains four of the five traffic signals on County 52 and therefore should maintain the fifth system.
- NYSDOT Broome County residency and regional equipment management garage are located adjacent to County Road 52 and NYSDOT vehicles travel the road daily, making maintenance responsibilities a logical NYSDOT responsibility.

now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the transfer of a portion of County Road 52 (Colesville Road) and the entire County Road 177 (Colesville Road Extension) to the New York State Department of Transportation, 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. 103

By County Administration and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH EXIGENT COMPUTER GROUP, INC. FOR SOFTWARE MAINTENANCE FOR OFFICE OF THE BROOME COUNTY CLERK FOR 2004-2009

WHEREAS, the Broome County Clerk requests authorization for an agreement with Exigent Computer Group, Inc. for software maintenance for the Office of the County Clerk at a cost not to exceed \$17,000 per year, total amount not to exceed \$85,000, for the period March 1, 2004 through February 28, 2009, and

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

RESOLVED, that this County Legislature hereby authorizes an agreement with Exigent Computer Group, Inc., 4000 Executive Parkway, Suite 275, San Ramon, California 94583 for the software maintenance of the new software imaging system, for the Office of the County Clerk for the period March 1, 2004 through February 28, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$17,000 per year, total amount not to exceed \$85,000 for the term of the agreement, and be it

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

FURTHER RESOLVED, that the County Executive or 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. 104

By Public Works Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGARDING BROOME COUNTY PUBLIC WORKS PROJECTS AND THE PROTECTION OF ALL FISH AND AQUATIC LIFE IN THE WATERS OF NEW YORK STATE FOR 2004

WHEREAS, the Commissioner of Public Works requests authorization to enter into a Memorandum of Understanding between Broome County and the New York State Department of Environmental Conservation (NYSDEC) regarding Broome County Public Works projects and the protection of all fish and aquatic life in the waters of New York State for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said Memorandum of Understanding is necessary to protect all fish and aquatic life in the waters of New York State and to minimize the paperwork required for the County to complete necessary Public Works projects within said waters, and

WHEREAS, this Memorandum of Understanding establishes a legally binding contract between Broome County and NYSDEC for the administration of Article 15 of the Environmental Conservation Law (Protection of Waters), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a Memorandum of Understanding between Broome County and the New York State Department of Environmental Conservation (NYSDEC) regarding Broome County Public Works projects and the protection of all fish and aquatic life in the waters of New York State for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, this County Legislature authorizes the County Executive to sign the Memorandum of Understanding on an annual basis, 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. 105

By Education, Culture and Recreation Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT TO THE PROPERTY LEASE AGREEMENT WITH THE SECRETARY OF THE UNITED STATES ARMY FOR WHITNEY POINT DAM AND RESERVOIR AREA FOR 1992-2017

WHEREAS, this County Legislature, by Resolution 262 of 1992, authorized a property lease agreement with the Secretary of the United States Army for use of the Whitney Point Dam and Reservoir area at no cost to Broome County for the period May 15, 1992 through May 14, 2017, and

WHEREAS, said agreement provides for the use of said Dam and Reservoir as a recreational area, and

WHEREAS, it is necessary to authorize the amendment of said agreement to add approximately 25 acres at the southern end of the Whitney Point Reservoir to the existing lease for future recreational use and to remove approximately 75 acres known as the Upper Lisle Campground from this lease as shown in Exhibit "A", and

WHEREAS, the Commissioner of Parks and Recreation 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 lease agreement with the Secretary of the United States Army to add approximately 25 acres at the southern end of the Whitney Point Reservoir to the existing lease for future recreational use and to remove approximately 75 acres known as the Upper Lisle Campground from this lease as shown in Exhibit "A" at no cost to Broome County, and be it

FURTHER RESOLVED, that Resolution 262 of 1992, 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. 106

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 385 of 2003, authorized and approved renewal of the Home Energy Assistance Program (HEAP) Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$15,083 for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant program provides assistance to meet the cost of home heating for eligible homeowners and renters based on household size, income and type of heating, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$18,317 in revenue, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Home Energy Assistance Program Grant to reflect an increase of \$18,317 for the period October 1, 2003 through September 30, 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 \$33,400, and be it

FURTHER RESOLVED, that Resolution 385 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.

RESOLUTION NO. 107

By Finance and Personnel Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH RMSCO, INC. FOR CLAIMS ADMINISTRATION OF THE CSEA EMPLOYEES' SHORT-TERM DISABILITY INSURANCE PROGRAM FOR THE OFFICE OF RISK AND INSURANCE MANAGEMENT FOR 2004-2008

WHEREAS, this County Legislature, by Resolution 616 of 2003, authorized an agreement with RMSCO, Inc. for claims administration of the CSEA Employees' short-term disability insurance program for the Office of Risk and Insurance Management at a cost not to exceed \$31,000 per year, total amount not to exceed \$155,000 for the period January 1, 2004 through December 31, 2008, and

WHEREAS, said agreement is necessary for claims administration of the CSEA employees short-term disability insurance, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for claims administration of the Corrections Officers and increase the rate to \$34,165 for 2004 and \$34,800 per year for years 2005-2008, total amount not to exceed \$173,365 for the term of the agreement, and

WHEREAS, the Risk Manager 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 RMSCO, Inc., 115 Continuum Drive, Liverpool, New York 13088, to provide for claims administration for the Corrections Officers and increase the rate to \$34,165 for 2004 and \$34,800 per year for years 2005-2008, total amount not to exceed \$173,365 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4743.254000 (Claims Administration), and be it

FURTHER RESOLVED, that Resolution 616 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.

RESOLUTION NO. 108

By Health & Human Services and Finance Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH UNIVERSITY HILL RADIATION ONCOLOGY, LLP FOR RADIATION AND ONCOLOGY SERVICES FOR WILLOW POINT NURSING HOME RESIDENTS FOR 2003

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with University Hill Radiation Oncology, LLP for radiation and oncology services for Willow Point Nursing Home residents at a cost not to exceed \$5,000, for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said agreement is necessary for payment under Medicare regulations for physician ordered radiation and oncology services provided to Medicare A covered residents, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with University Hill Radiation Oncology, LLP, 1000 E. Genesee Street, Suite 101, Syracuse, New York 13210-1853, for radiation and oncology services, for the residents of the Willow Point Nursing Home 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 \$5,000 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.

RESOLUTION NO. 109

By Health & Human Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE FAMILY RESOURCE AND SUPPORT GRANT PROGRAM FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 34 of 2003, authorized and approved the Family Resource and Support Grant Program for the Department of Health and adopted a program budget in the amount of \$10,575 for the period October 1, 2002 through September 30, 2003, and

WHEREAS, said grant program provides respite services for children (birth to three years old) and their families through the Department of Health's Early Intervention Program, and

WHEREAS, it is desired to renew said grant program in the amount of \$16,892 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 \$16,892 from the New York State Department of Health, Early Intervention Program, Corning Tower, Empire State Plaza, Albany, New York 12237-0657, for the Department of Health's Family Resource and Support Grant Program 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 \$16,892, 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. 110

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Wike
RESOLUTION AUTHORIZING RENEWAL OF HIV CARE NETWORK GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 105 of 2003, as amended by Resolution 246 of 2003, authorized the continued participation in the HIV Care Network Grant for the Department of Health and adopted a program budget in the amount of \$97,583 for the period April 1, 2003 through March 31, 2004, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$90,583 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$90,583 from the New York State Department of Health, Bureau of Community Support Services, Room 465, Corning Tower, Albany, New York 12273, for the Department of Health's HIV Care Network Grant for the period April 1, 2004 through March 31, 2005, 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 \$ 90,583, 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. 111

By Health & Human Services and Finance Committee Seconded by Mr. Wike
RESOLUTION AUTHORIZING REVISION OF THE MENTAL HEALTH JUVENILE JUSTICE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AMENDING AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2004

WHEREAS, this County Legislature, by Resolution 500 of 2003, authorized and approved the Mental Health Juvenile Justice Program Grant for the Department of Mental Health, adopted

a program budget in the amount of \$87,500 and authorized an agreement with Our Lady of Lourdes Hospital to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides for closer working relationships between the Probation Department and the Mental Health Clinic staff and will facilitate diversion of children who are in need of mental health and/or alcohol and substance abuse services by linking them to these services at the earliest opportunity while such children are under the supervision of the Probation Department, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$18,750 in grant appropriations and amend said agreement by said increased amount, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Mental Health Juvenile Justice Program Grant to reflect an increase of \$18,750 for the period January 1, 2004 through December 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 \$106,250, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905, to reflect an increase in the amount of \$18,750, total amount not to exceed \$106,250, to administer said program for the Department of Mental Health's Juvenile Justice Program Grant for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that these payments hereinabove authorized shall be made from budget line 470138.4457.104845 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 500 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 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. 112

By Health & Human Services Committee

Seconded by Mr. Wike

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FAMILY VIOLENCE PREVENTION COUNCIL

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 477 of 1985, has duly designated and appointed the following named individuals to membership on the Broome County Family Violence Prevention Council, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Carol Coppens 1341 Chestnut Ridge Road Apalachin, New York 13732	New Appointment Term Expires 12/31/06

Christine Morris
467 Trumbulls Corners Road
Newfield, New York 14867

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 477 of
1985 confirms the appointments of the above-named individuals to membership on the Broome
County Family Violence Prevention Council for the terms indicated, in accordance with their
appointment by the County Executive.

Carried.

RESOLUTION NO. 113

By Transportation Committee

Seconded by Mr. Wike

RESOLUTION CONFIRMING AN APPOINTMENT TO MEMBERSHIP ON THE BINGHAMTON REGIONAL AIRPORT ADVISORY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority
vested in him by Resolution 89 of 1999, has duly designated and appointed the following named
individual to membership on the Binghamton Regional Airport Advisory Board, for the term
indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Alan Colosi 189 Honey Hollow Road Windsor, New York 13865	New Appointment Term Expires 12/31/05

and

WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 89 of
1999, hereby confirms the appointment of the above-named individual to membership on the
Binghamton Regional Airport Advisory Board for the term indicated, in accordance with his
appointment by the County Executive.

Carried.

RESOLUTION NO. 114

By Health & Human Services, Personnel and Finance Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE IMMUNIZATION ACTION PLAN GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 158 of 2003, authorized and approved
renewal of the Department of Health's Immunization Action Plan Grant and adopted a program
budget in the amount of \$30,500 for the period April 1, 2003 through March 31, 2004, and

WHEREAS, said grant program provides funding to enable staff to conduct audits of
provider offices, monitors and improves immunization rates for children through 24 months of
age and enhances adult immunization activities, and

WHEREAS, it is desired to renew said grant program in the amount of \$30,500 for the
period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of
\$30,500 from the New York State Department of Health, Corning Tower, The Nelson A.
Rockefeller Empire State Plaza, Albany, New York 12237, for the Department of Health's
Immunization Action Plan Grant for the period April 1, 2004 through March 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the
program budget annexed hereto as Exhibit "A" in the total amount of \$30,500, 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. 115

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

Seconded by Mr. Wike

RESOLUTION AUTHORIZING ACCEPTANCE OF A LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (LETPP) GRANT FOR OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, the Sheriff requests authorization to accept a Law Enforcement Terrorism Prevention Program (LETPP) Grant and adopt a program budget in the amount of \$175,000 for the period March 18, 2004 through March 17, 2005, and

WHEREAS, said grant program will enhance record sharing between county police and the 911 center by allowing county police agencies to enhance communications through a mobile computing system that will allow patrol officers to authenticate personal identification utilizing barcode readers and computer software and allows a link to New York State motor vehicle records and wanted person checks, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$175,000 from The New York State Division of Criminal Justice Services, Weapons of Mass Destruction Task Force, 4 Tower Place, Albany, New York 12203-3764 for the Office of the Sheriff's Law Enforcement Terrorism Prevention Program (LETPP) Grant for the period March 18, 2004 through March 17, 2005, and be it

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

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

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

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

Carried.

RESOLUTION NO. 116

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

RESOLUTION AUTHORIZING ACCEPTANCE OF A STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2006

WHEREAS, the Director of Emergency Services requests authorization to accept a State Homeland Security Program (SHSP) Grant and adopt a program budget in the amount of \$650,000 for the period May 1, 2004 through April 30, 2006, and

WHEREAS, said grant program provides necessary equipment and supplies to enhance the response capability of emergency service agencies within Broome County when responding to incidents of terrorism, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$650,000 from the New York State Division of Criminal Justice Services, Weapons of Mass Destruction Task Force, 4 Tower Place, Albany, New York 12203-3764 for the Office of Emergency Services State Homeland Security Program (SHSP) Grant for the period May 1, 2004 through April 30, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$650,000, and be it

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

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

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

Carried.

RESOLUTION NO. 117

By Transportation and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH SKYWEST AIRLINES FOR LEASE OF SPACE AT THE GREATER BINGHAMTON AIRPORT

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Skywest Airlines for lease of space at the Greater Binghamton Airport, in the Airport Freight Building on a month-to month basis beginning February 1, 2004, with revenue to the County of \$276.05 per month, and

WHEREAS, said agreement is necessary in order to lease 1,250 square feet of space located in the Airport Freight Building for storage of equipment and materials, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Skywest Airlines, 444 South River Road, St. George, Utah 84790, for lease of 1,250 square feet of space in the Airport Freight Building at the Greater Binghamton Airport, on a month-to-month basis, beginning February 1, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$276.05 per month, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 210112.0120.207000 (Freight Building Rental), 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. 118

By Health & Human Services, County Administration and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING ACCEPTANCE OF THE MANAGED CARE IMAGING GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004

WHEREAS, the Commissioner of Social Services requests authorization to accept a Managed Care Imaging Grant and adopt a program budget in the amount of \$20,600 for the period January 1, 2004 through March 31, 2004, and

WHEREAS, said grant program provides one-time funding to purchase scanners, on-Base licenses and computers to assist with a portion of the Department's overall imaging project, and

WHEREAS, the objective of said project is to improve workflow efficiency, reduce staff retrieval time, enhance security levels, reduce the need for additional storage space and improve customer services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,600 from the New York State Department of Health, Bureau of Intergovernmental Affairs, Office of Managed Care, The Governor Nelson A. Rockefeller Empire State Plaza, Albany, New York 12237 for the Department of Social Services' Managed Care Imaging Grant for the period January 1, 2004 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 \$20,600, 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. 119

By Health & Human Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING ACCEPTANCE OF A BROOME COUNTY INTEGRATED COUNTY PLANNING GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH UNITED WAY OF BROOME COUNTY, INC. TO ADMINISTER SAID PROGRAM FOR 2004

WHEREAS, the Commissioner of Social Services requests authorization to accept a Broome County Integrated County Planning Grant, to adopt a program budget in the amount of \$6,500 and to enter into an agreement with United Way of Broome County, Inc. to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program will provide guidance for the allocation and management of human services resources in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$6,500 from various County departments for the Department of Social Services' Broome County Integrated County Planning Grant for the period January 1, 2004 through December 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 \$6,500, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with United Way of Broome County, Inc., Jensen Road, Vestal, New York 13850 to administer said program grant, 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 \$6,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670455.4747.104XXX (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, and be it

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

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

Carried.

RESOLUTION NO. 120

By Public Works and Finance Committees

Seconded by Mr. Wike

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 2004

WHEREAS, this County Legislature, by Resolution 53 of 2003, 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, 2003 through December 31, 2003, 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, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$50,000, 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 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, 2004 through December 31, 2004, with an option for three one-year renewals at Broome County's option, at the same cost and on the same terms and conditions, 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 \$50,000 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. 121

By Public Works and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH HAWK LAND SURVEYING, P.C. FOR LAND SURVEYING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2004

WHEREAS, this County Legislature, by Resolution 54 of 2003, authorized an agreement with Hawk 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, 2003 through December 31, 2003, and

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

RESOLVED, that this County Legislature hereby authorizes renewal of an agreement with Hawk Land Surveying, P.C., Centre Plaza, 53 Chenango Street, 8th Floor, Binghamton, New York 13901 for land surveying services, for the Department of Public Works on an as-needed basis, for the period January 1, 2004 through December 31, 2004, with an option for three one-year renewals at Broome County's option, at the same cost and on the same terms and conditions, 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 \$50,000 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. 122

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 107 of 2003, authorized and approved renewal of the Healthy Living Partnership Integrated Cancer Services Program Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$332,334 for the period April 1, 2003 through March 31, 2004, and

WHEREAS, said grant program provides a regional approach to breast, cervical, colorectal and prostate cancer screening, education and treatment to uninsured or underinsured women and men over fifty years of age in five counties (Broome, Tioga, Chenango, Otsego and Delaware), and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$8,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Healthy Living Partnership Integrated Cancer Services Program Grant to reflect an increase of \$8,000 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 \$340,334, and be it

FURTHER RESOLVED, that Resolution 107 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.

RESOLUTION NO. 123

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 107 of 2003, as amended by companion resolution, authorized and approved the Healthy Living Partnership Integrated Cancer Services Program Grant for the Department of Health and adopted a program budget in the amount of \$340,334, for the period April 1, 2003 through March 31, 2004, and

WHEREAS, said grant program provide a regional approach to breast, cervical, colorectal and prostate cancer screening, education and treatment to uninsured or underinsured women and men over fifty years of age in five counties (Broome, Tioga, Chenango, Otsego and Delaware), and

WHEREAS, it is desired to renew said grant program in the amount of \$371,403 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$371,403 from New York State Department of Health, Bureau of Chronic Disease, Corning Tower, Empire Plaza, Albany, New York 12237, for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2004 through March 31, 2005, 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 \$371,403, 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. 124

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AN ENHANCED WATER SUPPLY PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 106 of 2003, authorized and approved the Enhanced Water Supply Program Grant for the Department of Health and adopted a program budget in the amount of \$162,000 for the period April 1, 2003 through March 31, 2004, and

WHEREAS, said grant program enables the Health Department to monitor the quality of all water supplies in Broome County, including private and individual household supplies, and

WHEREAS, it is desired to renew said grant program in the amount of \$162,000 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$162,000 from the New York State Department of Health, Bureau of Public Water Supply Protection, Flanigan Square, 547 River Street, Troy, New York 12180, for the Department of Health's Enhanced Water Supply Program for the period April 1, 2004 through March 31, 2005, 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 \$162,000, and be it

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

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

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

Carried.

RESOLUTION NO. 125

By Health & Human Services, Personnel, Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING ACCEPTANCE OF A 2004 INMATE STD TESTING/JAIL PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004

WHEREAS, the Director of Public Health requests authorization to accept a 2004 Inmate STD Testing/Jail Program Grant and adopt a program budget in the amount of \$6,637 for the period April 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides funds for a part-time public health nurse position for inmate STD testing at the jail, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a \$6,637 from the Broome County Correctional Facility, 155 Lt. VanWinkle Drive, P.O. Box 2047, Binghamton, New York 13902-2047 for the Department of Health's 2004 Inmate STD Testing/Jail Program Grant for the period April 1, 2004 through December 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 \$6,637, 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. 126

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

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

RESOLVED, that in accordance with a request from the Director of Public Health, to move funding in order to better utilize grant funding, on the HIV/AIDS Seroprevalence Grant, as requested in BF #004784 and #004785, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:					
	480301	4459	104801	Reserve for program	2,206
	480301	4610	104801	Personal Svcs Chargeback	10,438
TO:					
	480301	1000	104801	Salaries – Full Time	8,249
	480301	4411	104801	Postage/Freight	300
	480301	4618	104801	Office Supplies Chargeback	2
	480301	8010	104801	State Retirement	867
	480301	8030	104801	Social Security	632
	480301	8040	104801	Workers' Compensation	165
	480301	8050	104801	Life Insurance	6
	480301	8060	104801	Health Insurance	2,305
	480301	8063	104801	Disability Insurance	35
	480301	8070	104801	Unemployment Insurance	83

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Public Health as contained in PCR #04-113 this County Legislature hereby authorizes the creation of (1) HIV Program Representative position, Full Time, at budget line 480301.1000.104801, minimum salary of \$28,682, Grade 14, Union CSEA, effective 4/1/04, 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.

RESOLUTION NO. 127

By Personnel, Health & Human Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR DEPARTMENT OF HEALTH

RESOLVED, that in accordance with a request from the Director of Health as contained in PCR #04-95, this County Legislature hereby authorizes the change (on the WIC Grant) of (1) Nutritionist position, Part Time, at budget line 480301.1500.104814, minimum salary of 33,357 FTE, grade 17, CSEA, to (1) Nutritionist position, Full Time, at budget line 480301.1000.104814, minimum salary of 33,357, grade 17, CSEA, effective 03/01/04, 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.

RESOLUTION NO. 128

By County Administration and Finance Committee

Seconded by Mr. Kuzel

RESOLUTION ADOPTING LOCAL LAW INTRO NO. 3 OF 2004 ENTITLED "A LOCAL LAW PROVIDING FOR THE AUTHORIZATION OF AN EXEMPTION FROM COUNTY REAL PROPERTY TAXES FOR CERTAIN QUALIFIED INFRASTRUCTURE"

RESOLVED, that Local Law Intro. No. 3, 2004, entitled: "A Local Law Providing for the Authorization of an Exemption from County Real Property Taxes for Certain Qualified Infrastructure," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 3, 2004

"A Local Law Providing for the Authorization of an Exemption From County Real Property Taxes for Certain Qualified Infrastructure

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

Section 1. Residential building lots which are part of a subdivision plot for residential development which includes infrastructure intended to be dedicated to a municipal corporation or a special district within Broome County, in accordance with the provisions of Real Property Tax Law Section 485-g, shall be exempt from taxation to the extent of the increased assessed value of such lots resulting from the addition of such infrastructure, for a period until the issuance of a certificate of occupancy, but in no event longer than three years from granting of the exemption herein, which certifies that a residence is constructed on a building lot in such subdivision.

Section 2.

- a. Such exemption shall be the value of the infrastructure proportionately applied to each of the lots in the subdivision.
- b. Upon issuance of the certificate of occupancy, but in no event longer than three years from granting of the exemption herein, the exemption provided shall lapse.

Section 3. For purposes of this law, infrastructure shall be comprised of the following public facilities which are intended to be dedicated to a municipal corporation or a special district thereof:

1. Streets
2. Storm and sanitary sewers
3. Drainage facilities
4. Any other facilities required by a municipality to be installed in such residential subdivision as noted on the filed plat plan for such residential subdivision

Section 4. Such exemption shall be granted only upon application by the owner of the real property on a form prescribed and made available by the New York State Office of Real Property Services. The applicant shall be filed with the assessor of the appropriate assessing unit. Such application shall be filed on or before the appropriate taxable status date of such assessing unit and not later than one year from the date of completion of such construction, installation or improvement. On approved subdivision lots in which such infrastructure has been completed as of the effective date of this local law, providing that the exemption under this section shall be applicable, and for which a certificate of occupancy has not been issued, application shall be made within one year from the effective date of this local law.

Section 5. This law shall become effective upon its filing with the Secretary of the State of New York.

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

RESOLUTION NO. 129

By Finance Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON 2004 TOWN AND COUNTY TAX ROLLS

WHEREAS, applications for Correction of Errors on Tax Rolls on 2004 Town and County Tax Rolls 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 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 below as Exhibit "A", pursuant to Section 554 of the Real Property Tax Law.

Exhibit "A"
2004 TOWN AND COUNTY TAX CORRECTIONS
TOWN OF MAINE

Tax Map Number Name & Error		Incorrect Tax	Correct Tax
108.02-1-13	Budget Note	\$39.56	\$19.81
Peck	Med. /DSS	\$1,324.18	\$663.06
Senior exemption of 50% and enhanced STAR was not applied, also has a Veterans exemption which was applied	County Serv	\$0	\$0
	Town Gen	\$144.53	\$144.53
	Town Highway	\$272.45	\$272.45
	School	\$4,592.53	\$2,770.15
	Fire	\$168.38	\$168.38
	1% Penalty	<u>\$65.42</u>	<u>\$40.39</u>
	Total	\$6,607.05	\$4,078.77
Carried.			

RESOLUTION NO. 130

By Personnel, Health & Human Services and Finance Committees Seconded by Mr. Wike
RESOLUTION AUTHORIZING THE HIRING OF DR. DANIEL A. BROOKS AS STAFF PSYCHIATRIST FOR THE DEPARTMENT OF MENTAL HEALTH

WHEREAS, the Commissioner of Mental Health has recommended the hiring of Dr. Daniel A. Brooks, as Staff Psychiatrist at an annual salary of \$126,136, and

WHEREAS, Dr. Daniel A. Brooks is qualified as Staff Psychiatrist and has experience and/or education which justify said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Dr. Daniel A. Brooks as Staff Psychiatrist, annual salary of \$126,136 at budget line 470013.1000.101000, effective March 29, 2004.

Carried.

RESOLUTION NO. 131

By Finance, Health & Human Services and Public Safety & Emergency Services Committees
Seconded by Ms. Hudak

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR THE DEPARTMENT OF HEALTH, OFFICE FOR AGING AND OFFICE OF THE SHERIFF

RESOLVED, that in accordance with a request from the Director of Health, to modify the appropriations to maximize the IAP Grant, as requested in BF #004786, #004787 and #004788, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1500	104782	Salaries – Part Time	1,598
	480301	4461	104782	Mileage/Parking	225
	480301	4463	104782	Education/Training	500
	480301	4606	104782	Telephone Billing	225
	480301	4616	104782	Fleet Services	60
	480301	4617	104782	Duplicating/Printing	280
	480301	8010	104782	State Retirement	230
	480301	8030	104782	Social Security	142
	480301	8040	104782	Workers' Compensation	65

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	480301	8060	104782	Health Insurance	3360
	480301	8063	104782	Disability Insurance	19
	480301	8070	104782	Unemployment Insurance	113
TO:	480301	4311	104782	Books & Subscriptions	35
	480301	4319	104782	Office Supplies	1,776
	480301	4346	104782	Training/Education	600
	480301	4359	104782	Computer Software	1,300
	480301	4363	104782	Med, Lab & Clinic Supplies	1,073
	480301	4462	104782	Travel, Hotel, Meals	270
	480301	4466	104782	Advisory Board	15
	480301	4609	104782	Data Services Chargeback	930
	480301	4610	104782	Personal Svcs Chargeback	818

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, to modify the appropriations to maximize the Broome Enhance Water Supply Grant, as requested in BF #004512 and #004513, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104771	Salaries – Full Time	30
	480301	1500	104771	Salaries – Part Time	768
	480301	1600	104771	Salaries – Temporary	196
	480301	4703	104771	Lab Services	3,200
	480301	8010	104771	State Retirement	660
	480301	8030	104771	Social Security	240
	480301	8040	104771	Workers' Compensation	664
	480301	8050	104771	Life Insurance	17
	480301	8060	104771	Health Insurance	1,482
	480301	8063	104771	Disability Insurance	36
	480301	8070	104771	Unemployment Insurance	1,187
TO:	480301	4349	104771	Misc. Operating Supplies	80
	480301	4359	104771	Computer Software Supplies	375
	480301	4419	104771	General Office Expenses	300
	480301	4462	104771	Travel, Hotel, Meals	178
	480301	4606	104771	Co. Attorney Chargeback	600
	480301	4609	104771	Data Process. Chargeback	6,822
	480301	4614	104771	Other Chargeback Exp.	25
	480301	4618	104771	Office Supp. Chargeback	100

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, to modify the appropriations to maximize the Diabetes Grant, as requested in BF #004781, and #004782, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subsubject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1600	104802	Salaries – Temporary	6,070
	480301	8010	104802	State Retirement	380
	480301	8030	104802	Social Security	113
	480301	8040	104802	Workers' Compensation	53
	480301	8060	104802	Health Insurance	222
	480301	8063	104802	Disability Insurance	54
	480301	8070	104802	Unemployment Insurance	43
TO:	480301	1500	104802	Salaries – Part Time	4,946
	480301	4319	104802	Office Supplies	650
	480301	4346	104802	Training and Education	550
	480301	4411	104802	Postage & Freight	50
	480301	4461	104802	Mileage and Parking	50
	480301	4462	104802	Travel, Hotel & Meals	14
	480301	4609	104802	Data Processing Chargeback	350
	480301	4615	104802	Gas Chargeback	100
	480301	4616	104802	Fleet Chargeback	225

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Office for Aging, to modify the appropriations to maximize the Robert Wood Johnson Again Futures II Grant, as requested in BF #004569, #004570, and #004571, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subsubject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	760850	1000	104679	Salaries – Full Time	21
	760850	1600	104679	Salaries – Temporary	3,427
	760850	4442	104679	Photo Expenses	12
	760850	4448	104679	Advertising and Promotion	3,807
	760850	4461	104679	Mileage & Parking	400
	760850	4462	104679	Travel, Hotel and Meals	105
	760850	4463	104679	Education & Training	100
	760850	4466	104679	Advisory Board	66
	760850	4606	104679	Telephone Bill Accounting	452
	760850	4614	104679	Other Chargebacks	43
	760850	4617	104679	Dup/Printing Chargeback	693
	760850	4618	104679	Postage Chargeback	242
	760850	8010	104679	State Retirement	252
	760850	8030	104679	Social Security	15
TO:	760850	4311	104679	Books & Subscriptions	14
	760850	4319	104679	Office Supplies	125
	760850	4346	104679	Training Supplies	110
	760850	4349	104679	Misc. Operating Supplies	28
	760850	4419	104679	General Office Expense	12
	760850	4449	104679	Other Operational Expense	4,165
	760850	4610	104679	Personal Svcs Chargeback	4,276
	760850	8040	104679	Workers' Compensation	79

<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
760850	8060	104679	Health Insurance	10
760850	8070	104679	Unemployment Insurance	816

and be it

FURTHER RESOLVED, that in accordance with a request from the Office of the Sheriff, to provide funds to pay for the County share of a vehicle storage building, as requested in BF #004830, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
Expenditure:	450023	2010	101000	Original Acq./Construction	85,000
Revenue:	450023	0464	101000	Other Local Governments	85,000

COMMENT: Additional unanticipated revenue received in 2004 from housing out of county prisoners will be used to pay County expense. Total project cost is \$270,000.

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.

Mr. Shafer requested that a vote be taken, by department, of the budget transfers included in this resolution. The RESOLVED and first and second FURTHER RESOLVED paragraphs for the Department of Health **carried**. The third FURTHER RESOLVED paragraph for the Office for Aging **carried**. The fourth FURTHER RESOLVED paragraph for the Office of the Sheriff was **held over** by Mr. Shafer. (This paragraph will be removed from Resolution No. 131 and a Resolution No. 131A will be created to be acted on at the next session).

RESOLUTION NO. 132

By County Administration Committee

Seconded by Mr. Wike

RESOLUTION SUPPORTING LEGISLATION PROPOSING AMENDMENTS OF THE NEW YORK STATE CONSTITUTION IN RELATION TO PROHIBITING UNFUNDED MANDATES

WHEREAS, Assembly Bill A.01757 and Senate Bill S.765, a concurrent resolution of the New York State Assembly and Senate proposing amendments to Article 9 of the New York State Constitution in relation to prohibiting unfunded mandates, has been introduced in both houses of the New York State Legislature, and

WHEREAS, In his 2004 budget address to the New York State Legislature, Governor George Pataki stated that a constitutional amendment should be passed to stop any further unfunded mandates on local governments in New York State, and

WHEREAS, this legislation would make compliance with new State mandates, once determined to be unfunded, voluntary for local governments, school districts, special districts, or any agency, authority, commission, department or instrumentality, thereof, and

WHEREAS, an unfunded mandate is defined in the bill as a provision of law that requires affected local jurisdictions, in the statewide aggregate, to spend more money to provide services, and

WHEREAS, unfunded mandates shift the responsibility and the cost of carrying out programs from the State to local governments, and as a result, local jurisdictions are forced to cut existing services or to raise property tax levies to cover the additional requirements of these mandates, and

WHEREAS, savings to local governments are expected to be potentially enormous as a result of the passage and implementation of this proposed legislation, now, therefore, be it hereby

RESOLVED, that the Broome County Legislature hereby urges the New York State Assembly and Senate to approve Assembly Bill A.01757 and Senate Bill S.675, and be it

FURTHER RESOLVED, that the Clerk of the Legislature is hereby directed to send a copy of this Resolution to Assemblyman Robert J. Warner, Assemblyman Clifford Crouch, Assemblyman Gary Finch, Governor George E. Pataki, Senate Majority Leader Joseph L. Bruno, Assembly Speaker Sheldon Silver and the New York State Association of Counties.

Carried.

RESOLUTION NO. 133

By Education, Culture & Recreation Committee

Seconded by Mr. Wike

RESOLUTION CONFIRMING AN APPOINTMENT TO MEMBERSHIP ON THE BROOME COMMUNITY COLLEGE BOARD OF TRUSTEES

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Stan Drazen	New Appointment
605 Clubhouse Road	Term Expires 6/30/10
Vestal, New York 13850	

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 XXIII-A of the Broome County Charter and Code, hereby confirms the appointment of the above-named individual to membership on the Broome Community College Board of Trustees for the term indicated, in accordance with his appointment by the County Executive.

Carried.

RESOLUTION NO. 134

By County Administration Committee

Seconded by Mr. Kuzel

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5 OF 2004, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO DECREASE THE NUMBER OF LEGISLATIVE DISTRICTS TO FIFTEEN"

RESOLVED, that Local Law Intro. No. 5 of 2004, entitled: "A Local Law Amending the Broome County Charter and Administrative Code to decrease the number of legislative districts to fifteen," be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 5 OF 2004

A Local Law Amending The Broome County Charter And Administrative Code To Decrease The Number Of Legislative District To Fifteen

BE IT ENACTED as follows:

SECTION 1. Section C201(3) of the Broome County Charter is hereby amended by adding the following paragraph at the end of section C201(3) to read as follows:

Effective January 1, 2007 the number of legislative districts in Broome County shall be decreased from nineteen to fifteen. Prior to June 30, 2005, the County Legislature shall redraw legislative boundaries to provide for fifteen legislative districts and by June 30, 2005 §C201(3) shall be amended to define the redrawn legislative districts. This amendment, which defines the redrawn legislative districts, shall be subject to a referendum on petition in the manner provided by the terms and provisions of §24 of the Municipal Home Rule Law. County Legislators who will represent the electors of the re-drawn legislative districts shall be elected at the general election to be held in 2006 to take office on January 1, 2007.

SECTION 2. Section A201(C) of the Broome County Administrative Code is hereby amended by adding the following paragraph at the end of section A201(C) to read as follows:

Effective January 1, 2007 the number of legislative districts in Broome County shall be decreased from nineteen to fifteen. Prior to June 30, 2005, the County Legislature shall redraw legislative boundaries to provide for fifteen legislative districts and by June 30, 2005 §A201(C) shall be amended to define the redrawn legislative districts. This amendment, which defines the redrawn legislative districts, shall be subject to a referendum on petition in the manner provided by the terms and provisions of §24 of the Municipal Home Rule Law. County Legislators who will represent the electors of the re-drawn legislative districts shall be elected at the general election to be held in 2006 to take office on January 1, 2007.

SECTION 3. This Local Law shall become effective following approval by the voters at a referendum to be held at the next general election and after filing a copy thereof with the Secretary of State.

[bracketed] material is deleted
Underlined material is added

Mr. Howard and Mr. Schofield made a motion to amend the resolution, seconded by Mr. Brunza, to read as follows:

By County Administration Committee

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5 OF 2004, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO DECREASE THE NUMBER OF LEGISLATIVE DISTRICTS TO ~~FIFTEEN~~ THIRTEEN AND INCREASE THE TERMS OF OFFICE TO FOUR YEARS"

RESOLVED, that Local Law Intro. No. 5 of 2004, entitled: "A Local Law Amending the Broome County Charter and Administrative Code to decrease the number of legislative districts to ~~fifteen~~ thirteen and increase the terms of office to four years" be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 5 OF 2004

A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO DECREASE THE NUMBER OF LEGISLATIVE DISTRICTS TO ~~FIFTEEN~~ THIRTEEN AND INCREASE THE TERMS OF OFFICE TO FOUR YEARS"

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

SECTION 1. Section C201(3) of the Broome County Charter is hereby amended by adding the following paragraph at the end of section C201(3) to read as follows:

Effective ~~January 1, 2007~~ January 1, 2013, the number of legislative districts in Broome County shall be decreased from nineteen to ~~fifteen~~ thirteen. Upon release of the next decennial federal census, ~~Prior to June 30, 2005~~, the County Legislature shall redraw legislative boundaries to provide for ~~fifteen~~ thirteen legislative districts. and by June 30, ~~2005~~ 2012 §C201(3) shall be amended to define the redrawn legislative districts. This amendment, which defines the redrawn legislative districts, shall be subject to a referendum on petition in the manner provided by the terms and provisions of §24 of the Municipal Home Rule Law. County Legislators who will represent the electors of the re-drawn legislative districts shall be elected at the general election to be held in ~~2006~~ 2012 to take office on January 1, ~~2007~~ 2013.

SECTION 2. Section C202 of the Broome County Charter is hereby amended as follows:

The terms of office of the members of the County Legislature shall be for ~~two (2)~~ four (4) years and shall begin on the first day of January immediately succeeding their election.

SECTION 3. Section A201(C) of the Broome County Administrative Code is hereby amended by adding the following paragraph at the end of section A201(C) to read as follows:

Effective ~~January 1, 2007~~ January 1, 2013, the number of legislative districts in Broome County shall be decreased from nineteen to ~~fifteen~~ thirteen. Upon release of the next decennial federal census, ~~Prior to June 30, 2005~~, the County Legislature shall redraw legislative boundaries to provide for ~~fifteen~~ thirteen legislative districts. and by June 30, ~~2005~~ 2012 §A201(3) shall be amended to define the redrawn legislative districts. This amendment, which defines the redrawn legislative districts, shall be subject to a referendum on petition in the manner provided by the terms and provisions of §24 of the Municipal Home Rule Law. County Legislators who will represent the electors of the re-drawn legislative districts shall be elected at the general election to be held in ~~2006~~ 2012 to take office on January 1, ~~2007~~ 2013.

SECTION 4. Section A202 of the Broome County Charter is hereby amended as follows:

The terms of office of the members of the County Legislature shall be for ~~two (2)~~ four (4) years and shall begin on the first day of January immediately succeeding their election.

SECTION 5. This Local Law shall become effective ~~after a public hearing before and approval by the County Executive, following~~ after approval by the voters at a referendum to be held at the next general election and after filing a copy thereof with the Secretary of State.

Deleted material is ~~double struck~~
Added material is shaded

Following extensive discussion, Mr. Howard made a motion to call the question, seconded by Mr. Lindsey. **The motion to call the question carried** Ayes-14, Nays-5 (Brunza, Burger, Kolba, Kuzel, Mather).

Amendment carried, Ayes-17, Nays-2 (Kuzel, Whalen).

At the recommendation of Mr. Gibson, County Attorney, Mr. Howard made a motion, seconded by Mr. Shafer, to make the following amendment to the amended resolution:

SECTION 2. Section C202 of the Broome County Charter is hereby amended by adding the following paragraph:

Beginning with those members of the County Legislature elected at the general election in 2012 to take office on January 1, 2013, the terms of office of the members of the County Legislature shall be for four (4) years and shall begin on the first day of January immediately succeeding their election.

and

SECTION 4.

Section A202 of the Broome County Charter is hereby amended to read as follows:

The term of office of a County Legislator shall be as specified in §202 of the Broome County Charter and shall begin on the first day of January immediately succeeding his election.

[The term of office of a County Legislator shall be for two years and shall begin on the first day of January immediately succeeding his election.]

Amendment carried. Due to amendments made, this resolution was automatically **held over 'under the rules'**.

RESOLUTION NO. 135

By Finance and Public Works Committees

Seconded by Mr. Kolba

RESOLUTION AMENDING THE 2002 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2002 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501335	1997 – Courthouse Asbestos Abatement	1,022,000	405,000	0	617,000

<u>Year Start</u>	<u>How Financed:</u>		
	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1997	5/35	557,000	60,000

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501335	1997 – Courthouse Asbestos Abatement	1,235,486	618,486	0	617,000

<u>Year Start</u>	<u>How Financed:</u>		
	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1997	5/35	557,000	60,000

Comments: Additional State Aid has been received, for Courthouse Asbestos Abatement.

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.

RESOLUTION NO. 136

By Health & Human Services and Finance Committees

Seconded by Mr. Wike

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. 137

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING ACCEPTANCE OF A STATE HOMELAND SECURITY EXERCISE AND EVALUATION (HSEEP-220) PROGRAM GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2005

WHEREAS, the Director of Emergency Services requests authorization to accept a State Homeland Security Exercise and Evaluation (HSEEP-220) Program Grant and adopt a program budget in the amount of \$20,408 for the period April 1, 2003 through March 31, 2005, and

WHEREAS, said grant program provides funding for the purchase of equipment to support the Homeland Security Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,408 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 for the Office of Emergency Services' HSEEP-220 Program Grant for the period April 1, 2003 through March 31, 2005, 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 \$20,408, 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. 138

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Wike
RESOLUTION AUTHORIZING ACCEPTANCE OF A STATE HOMELAND SECURITY EXERCISE AND EVALUATION PROGRAM (HSEEP-230) GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2005

WHEREAS, the Director of Emergency Services requests authorization to accept a State Homeland Security Exercise and Evaluation Program (HSEEP-230) Grant and adopt a program budget in the amount of \$45,750 for the period May 1, 2003 through April 30, 2005, and

WHEREAS, said grant program provides funding for weapons of mass destruction training programs for emergency response personnel, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$45,750 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 for the Office of Emergency Services' HSEEP-230 Grant for the period May 1, 2003 through April 30, 2005, 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 \$45,750, 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. 139

By County Administration Committee Seconded by Mr. Kuzel
RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 6 OF 2004, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO IMPOSE A LIMIT ON TERMS OF OFFICE TO A NUMBER OF TERMS TOTALING EIGHT CONSECUTIVE YEARS.

RESOLVED, that Local Law Intro. No. 6 of 2004, entitled: "A Local Law Amending the Broome County Charter and Administrative Code to impose a limit on terms of office to a number of terms totaling eight consecutive years," be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 6, 2004

A Local Law Amending the Broome County Charter and Administrative Code to Impose a Limit on Terms of Office to a Number of Terms Totaling Eight Consecutive Years.

BE IT ENACTED as follows:

SECTION 1. Section C202 of the Broome County Charter is hereby amended to add paragraph "B" to read as follows:

§C202. Terms of Office.

(B) Beginning with the term commencing January 1, 2007, any person who has been elected to terms of office totaling eight consecutive years as a member of the County Legislature shall be ineligible to serve thereafter as a member thereof until the expiration of one (1) full term following the expiration of the term of office expiring at the end of the eighth consecutive year to which such person was elected.

Holding office as a member of the Legislature as a result of appointment or election to fill an unexpired term shall not disqualify a person from being thereafter elected to successive terms of office totaling eight consecutive years.

SECTION 2. Section A202 of the Broome County Administrative Code is hereby amended to add paragraph "B" to read as follows:

§A202. Terms of office.

(B) Beginning with the term commencing January 1, 2007, any person who has been elected to terms of office totaling eight consecutive years as a member of the County Legislature shall be ineligible to serve thereafter as a member thereof until the expiration of one (1) full term following the expiration of the term of office expiring at the end of the eighth consecutive year to which such person was elected.

Holding office as a member of the Legislature as a result of appointment or election to fill an unexpired term shall not disqualify a person from being thereafter elected to successive terms of office totaling eight consecutive years.

SECTION 3. This Local Law shall become effective following approval by the voters at a referendum to be held at the next general election and after filing a copy thereof with the Secretary of State.

[bracketed] material is deleted
underlined material is added

Failed. Ayes-5 (Brunza, Hudak, Hutchings, Kuzel, Pasquale), Nays-14.

RESOLUTION NO. 140

County Administration Committee

Seconded by Mr. Shafer

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 7 OF 2004, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO INCREASE THE TERMS OF OFFICE OF COUNTY LEGISLATORS TO FOUR YEARS.

RESOLVED, that Local Law Intro. No. 7 of 2004, entitled: "A Local Law Amending the Broome County Charter and Administrative Code to Increase the Terms of Office of County Legislators to Four Years" be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 7, 2004

**A Local Law Amending The Broome County Charter And
Administrative Code To Increase The Terms Of Office Of County
Legislators To Four Years**

BE IT ENACTED as follows:

SECTION 1. Section C202 of the Broome County Charter is hereby amended to read as follows:

§C202. Terms of Office.

(A) The term of office of the members of the County Legislature shall be for two (2) years and shall begin on the first day of January immediately succeeding their election.

Beginning with those members of the County Legislature elected at the general election in 2006 to take office on January 1, 2007, [T]he terms of office of the members of the County Legislature shall be for [two (2)] four (4) years and shall begin on the first day of January immediately succeeding their election.

SECTION 2. Section A202 of the Broome County Administrative Code is hereby amended to read as follows:

§A202. Terms of office.

(A) The term of office of a County Legislator shall be [for two years and shall begin on the first day of January immediately succeeding his election] as specified in §C202 of the Charter.

SECTION 3. This Local Law shall become effective following approval by the voters at a referendum to be held at the next general election and after filing a copy thereof with the Secretary of State.

[bracketed] material is deleted

underlined material is added

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

RESOLUTION NO. 141

By Finance Committee

Seconded by Mr. Wike

RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON 2004 TOWN AND COUNTY TAX ROLLS

WHEREAS, applications for Correction of Errors on Tax Rolls on 2004 Town and County Tax Rolls 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 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 below, pursuant to Section 554 of the Real Property Tax Law.

2004 TOWN AND COUNTY TAX CORRECTIONS
TOWN OF LISLE

Tax Map Number Name & Error		Incorrect Tax	Correct Tax
004.00-1-12	Budget Note	\$7.31	\$7.31
Louis & Linda Fiacco	Med. /DSS	\$244.66	\$244.66
Erroneous school re-levy	County Serv	\$0	\$0
	Town Gen	\$37.69	\$37.69
	School	\$315.28	\$0
	<u>Fire</u>	<u>\$49.34</u>	<u>\$49.34</u>
	Total	\$723.02	\$339.00

Carried.

Mr. Wike made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried.** The meeting was adjourned at 6:53 p.m.

