
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, FEBRUARY 17, 2005**

The Legislature convened at 5:00 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-18, Absent-1 (Hutchings).

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 Nannery.

Mr. Miller made a motion, seconded by Mr. Lindsey, that the minutes of the January 20, 2005 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Hutchings).

Mr. Schofield noted that the committee minutes for the period January 20, 2005 through February 19, 2005 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. Miller, seconded by Mr. Materese. **Carried**, Ayes-18, Nays-0, Absent-1 (Hutchings).

PUBLIC HEARING

Mr. Schofield asked Mr. Augustini, Clerk of the Legislature, to begin the hearing. Mr. Augustini stated that the public hearing was concerning the inclusion of agricultural parcels in certified Broome County agricultural districts in the various towns in the County of Broome, New York. He stated that the notice was published in the Press and Sun Bulletin on February 10, 2005, and in the Deposit Courier on February 16, 2005. The notice included a list of 28 parcels of land that will be included in Agricultural Districts #4 and #5. They will be in various towns in the County.

Mr. Schofield asked if there was anyone present to speak on this issue.

"My name is John Solak, 8 Lathrop Avenue, Binghamton New York 13905. It's nice to be among friends. Hello, Joe Sanfilippo. Most people, they have to look in bar rooms for people, me they just look for the school board...what meeting's on tonight—there he is. Okay, we'll get with this. In the immortal words of Brian Mather when the Entertainment Authority legislation was brought up, 'I'm against this because I don't know that much about it.' And I wonder, and I will...I will repeat that, I'm against this because I don't know that much about it. But here's what I do know, I know that the federal government is no longer...is going to reduce the subsidies to agriculture, and we're moving towards a free market. So the question for the Republicans—the good Republicans today in this chamber, will the County continue to subsidize agriculture uh, because the federal government certainly is moving away. Now, what I do know about this is that there is a list of parcels with numbers. We don't know who owns those parcels, we don't know if its individuals, corporations. Uh, we don't know...I don't know when...when these parcels were acquired. What I understand—and somebody can tell me I'm wrong, is that there is a limited window for these parcels to be included in the zone and the window is up and otherwise you have to wait 8 years. Now, uh, do we have new—is this adding acreage to existing farms or are these new farmers? Are these farmers, perhaps, that are waiting uh, some day to build homes on their land? Again, I don't have the information, so all I know is this, there is a lot of land in Broome County that is currently getting this exemption that is not being worked on as farmland. And, uh, what is this going to do to our school districts? What is it going to do to other local governments? I think if we knew if the property has just been acquired, that would tell us something. Now, obviously I guess you're gonna vote this as a package? It's an all or

nothing...you're not going to analyze the parcel by parcel and see if its, you know, to use the word legitimate. So uh, this is a cause of concern, this essentially is a special favor and if someone's got an existing farm that's being farmed and they want to include it, I don't have a problem with that, other than my comments that the federal government seems to be moving away. But if this is land that is being stockpiled uh, for investment purposes, for home construction, if this is land that is just been acquired, say in the last year, and the people aren't farmers and the people don't know a pick axe from a John Deere, then I do have some qualms with it. So ...and I also have some qualms if its going to be bundled and you're going to be voting on a bundle...uh, that's not the way to go. But you are giving a special favor and if...if this is legitimate, if people can wait their turns and you will have affect on the school districts. So its brief tonight because I have to get home, I've got business to do, I can't tend the store of government all the time, I have a life other than this. Good evening, Mr. Schofield."

Mr. Schofield thanked Mr. Solak and asked if there was anyone else here to speak on this matter in this public hearing. Seeing none, he declared the public hearing closed.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Barbara J. Fiala
1. Public Emergency-Hale Eddy (River) Road

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
B. Communications:
1. Broome County Soil & Water Conservation District Minutes 1/4/05
2. Broome County EMC Brownfields Committee Minutes 12/8/04
3. Broome County Association of Municipal Clerks Minutes 1/20/05
4. Broome County Environmental Management Council Minutes 1/13/05
5. Broome County EMC Recycling & Waste Management Committee Minutes 12/20/04
6. Cornell Cooperative Extension of Broome County Board of Directors Minutes 11/18/04
7. Broome County EMC Natural Resources Committee Minutes 12/16/04
8. Broome County Fire Advisory Board Minutes 12/16/04
9. Greater Binghamton Chamber of Commerce Deposit Resolution and Bank Accounts/Authorized Signors as of 7/04
10. Orange County Legislature Resolution Urging the State Legislature to Amend Tax Law Section 1210 Relating tot the Maximum Amount of the County Sales Tax
11. Mental Health Department-Cash Verification Audit Clarification
12. Attorney's Office-Leased Space-Square Footage Audit
13. Joseph Sluzar resignation as Broome County Election Commissioner
14. County Executive Designations
15. Election Commissioners Certification-John Perticone as Election Commissioner
16. Information Technology Director-Travel for 2004
C. Notices:
1. Special Finance & County Administration Committee 1/20/05
2. Broome County Farm Land Protection Board Meeting 1/25/05
3. Special Personnel Committee Meeting 2/17/05
4. Special Finance Committee Meeting 2/17/05
D. Reports:
1. Broome County Board of Elections 2004 Annual Report
2. Broome County Legislature Clerk of the Legislature 2004 Annual Report
3. Greater Binghamton Convention & Visitors Bureau 2005 Budget
4. Broome County Public Library 2004 Annual Report
5. County Financial Officer-Dog License Report

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6. Department of Audit and Control-Cash Verification Audits 1/05
 7. BCC December 2004 Budget Transfers
 8. Department of Finance-Fourth Quarterly Report of 2004 Sales Tax Collections
 9. Southern Tier Zoological Society, Inc. Financial Statements 2002 and 2003
 10. Accord Financial Statements 3/31/04

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel A. Schofield:
1. Designation for Mr. Brunza-Transportation Committee 2/8/05.

Mr. Kuzel made a motion, seconded by Mr. Brunza, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2005 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-18, Nays-0, Absent-1 (Hutchings).

Mr. Marinich and Mr. Reynolds 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. 28

(Held over by Mr. Kuzel)

By Health Services and Finance Committees Seconded by Mr. Miller
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE RESEARCH FOUNDATION OF SUNY AT BINGHAMTON FOR THE WEST NILE VIRUS SURVEILLANCE PROGRAM FOR THE DEPARTMENT OF HEALTH FOR 2005

Mr. Hull announced that he had polled his committee and that this resolution was being **withdrawn from the consideration**.

RESOLUTION NO. 62

(Held over by Mr. Kuzel)

By Finance Committee Seconded by Mr. Shafer
RESOLUTION AMENDING RESOLUTION 660 OF 2004 AUTHORIZING AN AMENDMENT OF CONTRACTS WITH VENDORS PROVIDING TRANSPORTATION SERVICES TO BROOME COUNTY TO PROVIDE FOR A FUEL SURCHARGE

Failed, Ayes-9 (Keibel, Hull, Miller, Shafer, Nannery, Howard, Marinich, Lindsey, Schofield), Nays-9 (Materese, Schafer, Whalen, Sanfilippo, Brunza, Kuzel, Reynolds, Buchta, Mather), Absent-1 (Hutchings).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 63

By Economic Development and Planning Committee Seconded by Mr. Shafer
RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE SOUTHERN TIER EAST REGIONAL PLANNING DEVELOPMENT BOARD

WHEREAS, the Chair of the Broome County Legislature, pursuant to the authority vested in him by Resolution 230 of 1967, 416 of 1974, 48 of 1984 and 108 of 1987, has duly designated and appointed the following named individuals to membership on the Southern Tier East Regional Planning Development Board, subject to confirmation by this County Legislature:

<u>Name</u>	<u>Term Expiring</u>
Jack Chanecka 38 Hawley Street Binghamton, New York 13901	December 31, 2007 (City of Binghamton Representative)
Rita M. Petkash 608 Old Lane Road Vestal, New York 13850	December 31, 2007 (Commissioner of BC Dept of Planning and Economic Development)
Elsie Logan 231 Conklin Avenue Binghamton, New York 13903	December 31, 2007 (Minority Community Representative)

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature hereby confirms the appointments of the above-
named individuals to membership on the Southern Tier East Regional Planning Development
Board for the terms indicated, in accordance with their appointment by the Legislative Chair.

Mr. Schofield made a motion, seconded by Mr. Schafer, to replace the Elsie Logan appointment
with Anna Jones, 41 Carroll Street, #2, Binghamton, New York 13905. **Amendment carried,**
Ayes-18, Nays-0, Absent-1 (Hutchings). **Resolution as amended carried,** Ayes-18, Nays-0,
Absent-1 (Hutchings).

RESOLUTION NO. 64

By Economic Development & Planning Committee

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

WHEREAS, Daniel A. Schofield, Chair of the Broome County Legislature, pursuant to the
authority vested in him by Resolution 272 of 1991, approving the revised by-laws of the Broome
County Environmental Management Council, hereby appoints, pending confirmation by this
Legislature, the following named individuals to membership on the Broome County
Environmental Management Council for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Ronald J. Keibel P.O. Box 395 Whitney Point, New York 13862	December 31, 2006 New Appointment
Brian Brunza 349 Wyok Road Johnson City, New York 13790	December 31, 2006 Reappointment

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 272 of
1991, approving the revised by-laws of the Broome County Environmental Management Council,
confirms the appointments of the above-named individuals to membership on the Broome
County Environmental Management Council for the terms indicated, in accordance with their
appointment by the Legislative Chair.
Carried, Ayes-18, Nays-0, Absent-1 (Hutchings).

RESOLUTION NO. 65

By Public Works Committee

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS

WHEREAS, Daniel A. Schofield, Chair of the Broome County Legislature, pursuant to the authority vested in him by Resolution 115 of 1944 and Resolution 27 of 1972, has duly designated and appointed the following named individuals to membership on the Broome County Soil and Water Conservation District Board of Directors, subject to confirmation by this County Legislature:

<u>Name</u>	<u>Term Expiring</u>
Mike Donahue 3100 Maxiam Road Binghamton, New York 13903	December 31, 2008 (At-Large Member) Reappointed
David Bradstreet 363 Perry Road Binghamton, New York 13905	December 31, 2008 (Grange Representative) Reappointed
Barbara Hemedinger 29 Country Knoll Drive Binghamton, New York 13901	December 31, 2005 (At-Large Member) Appointed to unexpired term of Rob Salamida

and

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

RESOLVED, that this County Legislature hereby confirms the appointments of the above-named individuals to membership on the Broome County Soil and Water Conservation District Board of Directors for the terms indicated, in accordance with their appointment by the Chair of the County Legislature.

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

RESOLUTION NO. 66

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF PRE-TRIAL RELEASE PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004

WHEREAS, this County Legislature, by Resolution 555 of 2003, authorized and approved renewal of the Pre-Trial Release Program Grant for the Department of Probation and adopted a program budget in connection therewith in the total amount of \$89,403 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program services are designed to reduce the unsentenced inmates at the Broome County Public Safety Facility by providing the necessary information to enable the court to decide the least restrictive method necessary to secure an inmate's appearance in court without detention and/or for those inmates unable to post bail, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in revenue from the New York State Department of Probation and Correctional Services in the amount of \$2,500 and an increase in miscellaneous aid of \$2,500, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Pre-Trial Release Program Grant to reflect a decrease of \$2,500 in revenue from the New York State Department of Probation and Correctional Services and an increase in miscellaneous aid of \$2,500 for the period January 1, 2004 through December 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 \$89,403, and be it

FURTHER RESOLVED, that Resolution 555 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 67

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Lindsey

RESOLUTION AUTHORIZING RENEWAL OF THE BUCKLE UP NEW YORK PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 444 of 2003, authorized and approved continued participation in the Buckle Up New York Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$11,539 for the period October 1, 2003 through September 30, 2004, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$8,000 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$8,000 from the Governor's Traffic Safety Committee, Department of Motor Vehicles, Empire State Plaza, Albany, New York 12228, for the Office of the Sheriff's Buckle Up New York Program Grant for the period October 1, 2004 through September 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 \$8,000, and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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.

Mr. Lindsey made a motion, seconded by Mr. Shafer, to replace Exhibit "A". **Motion to amend carried, Ayes-18, Nays-0, Absent-1 (Hutchings). Resolution as amended carried, Ayes-18, Nays-0, Absent-1 (Hutchings).**

RESOLUTION NO. 68

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING AN AGREEMENT WITH TRI COUNTY COMMUNICATIONS FOR THE PURCHASE AND INSTALLATION OF A REPLACEMENT MICROWAVE SYSTEM FOR THE OFFICE OF EMERGENCY SERVICES FOR 2005-2006

WHEREAS, the Director of Emergency Services requests authorization for an agreement with Tri County Communications for the purchase and installation of a replacement microwave system for the Office of Emergency Services at a cost not to exceed \$449,254, for the period March 1, 2005 through February 28, 2006, and

WHEREAS, said agreement provides for the replacement of the existing microwave system to include an alarm function and provision for a countywide wireless infrastructure, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Tri County Communications, 110 Broad Avenue, Binghamton, New York 13904, for the installation and replacement of a microwave system infrastructure and wireless system, for the Office of Emergency Services for the period March 1, 2005 through February 28, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$449,254 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460469.2460.501392 (Communications Equipment), and be it

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

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

RESOLUTION NO. 69

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

RESOLUTION AUTHORIZING REVISION OF THE WIRELESS 911 EXPEDITED DEPLOYMENT PLAN AND FUNDING GRANT FOR THE DEPARTMENT OF EMERGENCY SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2006

WHEREAS, this County Legislature, by Resolution 162 of 2004, as amended by Resolution 343 of 2004, authorized and approved the Wireless 911 Expedited Deployment Plan and Funding Grant for the Department of Emergency Services and adopted a program budget in connection therewith in the total amount of \$382,352 for the period June 1, 2004 through December 31, 2006, and

WHEREAS, said grant program provides the equipment, installation and maintenance costs necessary to provide enhanced wireless 911 services, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$287,972 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Wireless 911 Expedited Deployment Plan and Funding Grant to reflect an increase of \$287,972 for the period June 1, 2004 through December 31, 2006, 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 \$670,324, and be it

FURTHER RESOLVED, that Resolutions 162 and 343 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 70

By Public Safety & Emergency Services Committee

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CITY OF BINGHAMTON FOR THE LOAN OF A VEHICLE FOR USE BY THE BROOME COUNTY WATER RESCUE-DIVE TEAM FOR THE OFFICE OF EMERGENCY SERVICES FOR 2005-2006

WHEREAS, the Director of Emergency Services requests authorization for an agreement with the City of Binghamton for the loan of a vehicle for use by the Broome County Rescue-Dive Team for the Office of Emergency Services at no cost to the County or the City of Binghamton, for the period February 1, 2005 through January 31, 2006, and

WHEREAS, the Broome County Water Rescue-Dive Team is organized under the Office of Emergency Services, which works in cooperation with the Binghamton Fire Department to provide emergency services and water search and rescue, and

WHEREAS, the Broome County Water Rescue-Dive Team currently has need for a vehicle similar to the surplus vehicle owned by the Binghamton Fire Department, and the City of Binghamton is willing to loan said vehicle to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the City of Binghamton, for the loan of a surplus vehicle from the Binghamton Fire Department to be used by the Broome County Water Rescue-Dive Team, for the Office of Emergency Services, at no cost to the City of Binghamton or the County, for the period February 1, 2005 through January 31, 2006, and be it

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

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

RESOLUTION NO. 71

By County Administration and Finance Committees

Seconded by Mr. Howard

RESOLUTION AWARDING A CONTRACT FOR LEASING OF DIGITAL COPY MACHINES AND AUTHORIZING AGREEMENTS WITH SOUTHERN TIER COPY PRODUCTS, INC. D/B/A CMS IMAGING SOLUTIONS AND GENERAL ELECTRIC CAPITAL CORPORATION & EASTERN COPY PRODUCTS FOR THE LEASE AND RELATED SERVICE AGREEMENTS FOR DIGITAL COPY MACHINES FOR SEVERAL BROOME COUNTY DEPARTMENTS FOR 2005-2010

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

WHEREAS, following a review of all bids received, the Director of Purchasing on behalf of the respective departments request authorization for leases and related service agreements with

Southern Tier Copy Products, Inc. d/b/a CMS Imaging Solutions and with General Electric Capital Corporation & Eastern Copy Products, Inc. for digital copy machines for 2005 to 2010, to expire on June 30, 2010 as outlined, now therefore, be it

RESOLVED, that this County Legislature hereby awards the Broome County Copy Machine Leasing Contract to the following bidders as outlined on Exhibit "A", and approves initial lease agreements with:

Southern Tier Copy Products, Inc. d/b/a CMS Imaging Solutions, 1 Lewis Street, Binghamton, New York 13901; and

General Electric Capital Corporation & Eastern Copy Products, Inc., c/o Eastern Copy Products, 423 Commerce Road, Vestal, New York 13850, for digital copiers and related services agreements, for the following digital copy machines:

Department and Machine Model (Base plus attachments)	Vendor and Lease/ Services Period	Copies Per Month	Monthly Rate	X 60 Months Plus Lump Sum Pricing between 2/1/10-6/30/10
BID ITEM #1 PARKS-FORUM Toshiba: e Studio 350 - 30 copies per minute	CMS 2/1/05-6/30/10	1,000	\$81.97	\$4,918.20 +38.24 Total: \$4,956.44 Overage of .007
BID ITEM #2 DPW-HIGHWAYS Toshiba: e Studio 350 - 30 copies per minute	CMS 2/1/05-6/30/10	1,000	\$81.97	\$4,918.20 +38.24 Total: \$4,956.44 Overage of .007
BID ITEM #3 PARKS-CO. BLDG. Toshiba: e Studio 450 - 45 copies per minute	CMS 2/1/05-6/30/10	2,750	\$119.30	\$7,158.00 +105.17 Total: \$7,263.17 Overage of: .007
BID ITEM #4 PARKS-VETERANS MEMORIAL ARENA Toshiba: e Studio 450 45 copies per minute	CMS 2/1/05-6/30/10	3,000	\$121.05	\$7,263.00 +114.73 Total: \$7,377.73 Overage of .007
BID ITEM #5 AVIATION-AIRPORT Toshiba: e Studio 450 45 copies per minute	CMS 2/1/05-6/30/10	5,000	\$135.05	\$8,103.00 +191.22 Total: \$8,294.22 Overage of .007
BID ITEM #6 PUBLIC DEFENDER Toshiba: e Studio 450 45 copies per minute	CMS 2/1/05-6/30/10	5,500	\$138.55	\$8,313.00 +210.34 Total: \$8,523.34 Overage of .007
BID ITEM #7 COUNTY EXECUTIVE KONICA 7145 45 copies per minute	EASTERN COPY 2/1/05-6/30/10	7,500	\$142.06	\$8,523.60 +710.30 Total: \$9,233.90 Overage of .007

RESOLVED, that Local Law Intro. No. 1, 2005, entitled: "A Local Law Amending Chapter 179 of the Broome County Charter and Code, as amended, regarding landfill fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 1, 2005

A Local Law Amending Chapter 179 of the Broome County Charter and Code, as Amended, Regarding Landfill Fees

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

Section 1. Chapter 179-9 A (3) (b) of the Broome County Charter and Code, as amended, be and hereby is amended to read as follows:

Section 179-9 Fees and Charges:

(3) (b) Tires

[1] With rim size up to and including 16 inches [~~\$1.25~~] \$1.50 per tire; bulk loads: [~~\$95~~] \$115 per ton. Rims need not be removed.

[2] Larger sizes up to and including 42 inches in outside diameter: \$6.00 per tire; bulk loads: [~~\$95~~] \$115 per ton. Rims need not be removed.

Section 2. Except as herein above amended, Chapter 179 of the Broome County Charter and Code, as amended, shall remain in full force and effect.

Section 3. This Local Law shall become effective on March 1, 2005.

Material in [brackets] deleted
Material underlined added

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

RESOLUTION NO. 74

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH PAHL, INC. FOR INSTITUTIONAL CHILD CARE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 336 of 2004, as amended by Resolution 424 of 2004, authorized agreements with various vendors for institutional child care for the Department of Social Services at the amounts Listed on Exhibit "A", total amount of all contracts not to exceed \$10,300,000 for the period July 1, 2004 through June 30, 2005, and

WHEREAS, said agreements are necessary to provide room and board and various services to children who require placement outside their homes, and

WHEREAS, it is necessary to authorize the amendment of the agreement with Pahl, Inc. to change the term of the agreement to June 1, 2004 through June 30, 2005 for institutional child care for a youth that entered the program in June of 2004, and

WHEREAS, the Commissioner of Social Services has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Pahl, Inc. (CA 13-588) to change the term of the agreement to June 1, 2004

though June 30, 2005 for institutional child care for a youth that entered the program in June of 2004 for the Department of Social Services, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670117.4573.103000 (EAF-TANF), 670117.4579.103000 (Foster Care Homes/Institution CW), 670117.4580.103000 (Foster Care Homes/Institution-ADC), 670125.4573.103000 (EAF-TANF), 670125.4583.103000 (JD/PINS Institutions-ADC) and 670125.4584.103000 (JD Care in Institutions), and be it

FURTHER RESOLVED, that Resolutions 336 and 424 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 75

By Public Works Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ABANDONMENT OF A PORTION OF THE OLD CHENANGO TOWPATH TO THE TOWN OF FENTON

WHEREAS, the Town of Fenton has requested that the County of Broome abandon a portion of the Old Chenango Towpath in the Town of Fenton pursuant to Section 115-b of the New York State Highway Law, and

WHEREAS, the Department of Public Works has reviewed the proposed abandonment and has determined that the County has no present or future use for the area described on the attached Map F-220 Parcel No. 1A as the area describes part of the road bed and recommends said abandonment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the abandonment of a portion of the old Chenango Towpath in the Town of Fenton to the Town of Fenton pursuant to Section 115-b of the Highway Law, said property being as described on the annexed Exhibit "A", and be it

FURTHER RESOLVED, that the abandonment of said right of way requested herein shall not effect the right of way for existing utilities within the abandonment area, and be it

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

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

RESOLUTION NO. 76

By Transportation, Personnel, County Administration, and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 101 of 2004, authorized and approved renewal of the Binghamton Metropolitan Transportation Study (BMTS) Grant and adopted a program budget in the amount of \$501,426 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, it is desired to renew said grant program in the amount of \$601,400 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of Federal Highway Administration Grants in the amount of \$495,260 and Federal Transit

Administration Grants in the amount of \$106,140, for the Binghamton Metropolitan Transportation Study Grant for the period April 1, 2005 through March 31, 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 \$601,400, and be it

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

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

RESOLUTION NO. 77

By Transportation Committee

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE METROPOLITAN PLANNING ORGANIZATION (MPO) HOST AGENCY FEDERAL AID PROJECT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR HOUSING THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) CENTRAL STAFF FOR 2005-2012

WHEREAS, this County Legislature, by Resolution 415 of 1998, authorized a host agency agreement with the New York State Department of Transportation for housing the BMTS Central Staff for the period from the execution of the contract through March 31, 2005, at no cost to the County, and

WHEREAS, said agreement expires by its terms on March 31, 2005 and it is desired at this time to renew said agreement on substantially similar terms and conditions, at no cost to the County, for the period April 1, 2005 through March 31, 2012, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a Metropolitan Planning Organization (MPO) Host Agency Federal Aid Project Agreement with the New York State Department of Transportation, 50 Wolf Road, Albany, New York 12232 for housing the BMTS Central Staff for the period April 1, 2005 through March 31, 2012, at no cost to the County, and be it

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

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

RESOLUTION NO. 78

By Finance Committee

Seconded by Mr. Howard

RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON TAX ROLLS FOR TOWNS IN BROOME COUNTY

WHEREAS, applications for Correction of Errors on Tax Rolls for various towns in Broome County as listed on Exhibit "A" 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 attached hereto as Exhibit "A", pursuant to Section 554 of the Real Property Tax Law.

Carried, Ayes-17, Nays-0, Absent-1 (Hutchings), Abstention-1 (Keibel).

RESOLUTION NO. 79

By Finance Committee

Seconded by Mr. Howard

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES, PLUS ACCRUED INTEREST AND PENALTIES ON PARCELS IN VARIOUS TOWNS IN BROOME COUNTY AND A CORRECTED TAX BILL REISSUED

WHEREAS, it is necessary to cancel taxes, plus accrued interest and penalties on the parcels of real property listed on the attached Exhibit "A" and a corrected tax bill reissued, now, therefore, be it

RESOLVED, that taxes, plus accrued interest and penalties will be cancelled on the parcels of real property listed on the attached Exhibit "A" and a corrected tax bill reissued.

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

RESOLUTION NO. 80

By Finance Committee

Seconded by Mr. Howard

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

WHEREAS, it is necessary to cancel taxes, plus accrued interest and penalties on the parcels of real property listed on the attached Exhibit "A", now, therefore, be it

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

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

RESOLUTION NO. 81

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF THE STEPS TO A HEALTHIER US INITIATIVE PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 327 of 2004, authorized and approved renewal of the Steps to a Healthier US Initiative Program Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$546,047 for the period September 22, 2004 through September 21, 2005, and

WHEREAS, said grant program helps promote healthy lifestyles in Broome County by reducing the burden of obesity, diabetes and asthma through community and school based interventions, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$109,500 in grant appropriations because the State is retaining the contract responsibility with Clear Water Research for the Behavior Research Survey, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Steps to a Healthier US Initiative Program Grant to reflect a decrease of \$109,500 for the period September 22, 2004 through September 21, 2005, 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 \$436,547, and be it

FURTHER RESOLVED, that Resolution 327 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 82

By Health Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENTS WITH VARIOUS VENDORS FOR GRANT RELATED SERVICES FOR THE DEPARTMENT OF HEALTH'S STEPS TO A HEALTHIER US INITIATIVE GRANT FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 439 of 2004, authorized agreements with various vendors for grant related services for the Department of Health's Steps to a Healthier US Initiative Grant at amounts not to exceed those listed on Exhibit "A" for the period September 22, 2004 through September 30, 2005, and

WHEREAS, said services are necessary to provide healthy lifestyles in Broome County by reducing the burden of obesity, diabetes and asthma through selected community and school-based interventions, and

WHEREAS, it is necessary to authorize the amendment of said agreements to increase the funding amounts for Office for Aging, YMCA, SUNY Binghamton Kresge Foundation and UMA Obesity Clinic as listed on Exhibit "A" for the period September 22, 2004 through September 21, 2005, and

WHEREAS, the Acting Director of Public Health has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes amendment to the agreements with Office for Aging, YMCA, SUNY Binghamton Kresge Foundation and UMA Obesity Clinic to increase funding as listed on Exhibit "A" for the Department of Health's Steps to a Healthier US Initiative Grant for the period September 22, 2004 through September 21, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors amounts not to exceed those listed on Exhibit "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104931 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 439 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 83

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

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

WHEREAS, this County Legislature, by Resolution 123 of 2004, 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 \$371,403 for the period April 1, 2004 through March 31, 2005, 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 \$88,187 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 \$88,187 for the period April 1, 2004 through March 31, 2005, 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 \$459,590, and be it

FURTHER RESOLVED, that Resolution 123 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 84

By Health Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CHENANGO HEALTH NETWORK FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SCREENING SERVICES GRANT FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 357 of 2004, authorized an agreement with Chenango Health Network for services for the Department of Health's Healthy Living Partnership Integrated Cancer Screening Services Grant at a cost not to exceed \$12,000 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said agreement provides screening, outreach, education, provider recruitment and follow up services for the Breast and Cervical Cancer Screening Program, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide an increase of an additional \$3,000 to assist with the CPI program/colorectal cancer screening and to cover travel and training expenses for the period April 1, 2004 through March 31, 2005, and

WHEREAS, the Acting Public Health Director 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 Chenango Health Network, 24 Conkey Avenue, Norwich, New York 13815 to provide an increase of an additional \$3,000 to assist with the CPI program/colorectal cancer screening and to cover travel and training expenses for the Department of Health's Healthy Living Partnership Integrated Cancer Screening Services 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 additional amount of \$3,000, total amount not to exceed \$15,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104904 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 357 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 85

By Health Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE FAMILY RESOURCE AND SUPPORT PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 109 of 2004, authorized and approved renewal of the Family Resource and Support Program Grant for the Department of Health and adopted a program budget in the amount of \$16,892 for the period October 1, 2003 through September 30, 2004, 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, 2004 through September 30, 2005, 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 Program Grant for the period October 1, 2004 through September 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 \$16,892, and be it

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

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

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

RESOLUTION NO. 86

By Personnel, Public Works and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST(S) FOR PUBLIC WORKS DEPARTMENT

RESOLVED, that in accordance with a request contained in PCR# 05-76 from the Public Works Department, this County Legislature hereby authorizes the abolishment of the Maintenance Supervisor position, Union Code 15, minimum salary \$39,873, and the establishment of a Facility Manager position, Union Code 22, minimum salary \$49,699, at budget line 030031.1000.101000, effective date March 14, 2005.

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

RESOLUTION NO. 87

By Public Works and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH ARCADIS G&M, INC. FOR PROFESSIONAL ENGINEERING SERVICES AT THE COLSEVILLE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 118 of 2003, as amended by Resolutions 193 and 309 of 2003, authorized an agreement with Arcadis G&M, Inc. for professional engineering services at the Colesville Landfill for the Division of Solid Waste Management at a cost not to exceed \$823,100 for the period March 1, 2003 through February 28, 2005, and

WHEREAS, said services include continued operation and maintenance of the groundwater treatment system, groundwater monitoring, well installation and redevelopment, data management and reporting and recommendations and design for revisions to the landfill closure plan, and

WHEREAS, said agreement expires by its terms on February 28, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$221,200 for the period March 1, 2005 through February 28, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with ARCADIS G&M, Inc., 88 Duryea Road, Melville, New York 11747 for professional engineering services at the Colesville Landfill for the Division of Solid Waste Management for the period March 1, 2005 through February 28, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$221,200 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4747.501262 (Contracted Services), and be it

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

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

RESOLUTION NO. 88

By Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AMENDMENT TO THE HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES FOR 2005

WHEREAS, this County Legislature by Resolution 20 of 2005, authorized an amendment to the hourly rates for various non-union, temporary and seasonal employees for 2005, and

WHEREAS, it is desired at this time to amend the hourly rate schedule for 2005 as indicated on the attached Exhibit "A", effective April 1, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary and seasonal employees for 2005 as indicated on attached Exhibit "A" effective April 1, 2005.

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

RESOLUTION NO. 89

By Human Services and Finance Committees

Seconded by Mr. Miller

RESOLUTION AUTHORIZING RENEWAL OF THE RUNAWAY AND HOMELESS YOUTH PROGRAM GRANT FOR THE YOUTH BUREAU, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING THE AGREEMENTS WITH CATHOLIC CHARITIES AND THE BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH TO ADMINISTER SAID PROGRAM FOR 2005

WHEREAS, this County Legislature, by Resolution 630 of 2004, authorized and approved the Runaway and Homeless Youth Program Grant for the Youth Bureau, adopted a program budget in the amount of \$53,866 and authorized agreements with Catholic Charities for an amount not to exceed \$25,318 to continue to administer the Transitional Living/Supported Residence portion of said grant and the Berkshire Farm Center and Services for Youth for an amount not to exceed \$20,000 to administer the Interim Family Host Homes portion of said grant for the period January 1, 2004 through December 31, 2004, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$50,916, adopt a program budget in connection therewith and renew agreements with Catholic Charities for an amount not to exceed \$27,000 to continue to administer the Transitional Living/Supported Residence portion of said grant and the Berkshire Farm Center and Services for Youth for an amount not to exceed \$15,916 to administer the Interim Family Host Homes portion of said grant for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,916 from the Office of Children & Family Services, Suite 105, The Atrium, 2 Clinton Square, Syracuse, New York 13202, for the Youth Bureau's Runaway and Homeless Youth Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A", and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of an agreement with Catholic Charities of Broome County, 86-88 Walnut Street, Binghamton, New York 13905 for an amount not to exceed \$27,000 to administer the Youth Bureau's Transitional Living/Supported Residence portion of the Runaway Homeless Youth Grant Program for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of an agreement with Berkshire Farm Center and Services for Youth, 168 Water Street, Binghamton, New York 13901 to administer the Interim Family Host Homes portion of the Runaway and Homeless Youth Program Grant for the Youth Bureau for an amount not to exceed \$15,916 for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 640052.4457.XXXXXX (Subcontracted Program), and be it

FURTHER RESOLVED, that the County Executive or her 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 her 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 her 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.

Mr. Sanfilippo asked to abstain from voting as he serves on the Catholic Charities Board.
Carried, Ayes-17, Nays-0, Absent-1 (Hutchings), Abstension-1 (Sanfilippo).

RESOLUTION NO. 90

By Human Services and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING THE APPLICATION FOR STATE AID AND EXECUTION OF CONTRACTS FOR THE YOUTH BUREAU SPECIAL DELINQUENCY PREVENTION PROGRAMS (SDPP) FOR 2005

WHEREAS, this County Legislature, by Resolution 21 of 2004, authorized the Youth Bureau State Aid Applications and established appropriations for the 2004 Youth Bureau Special Delinquency Prevention Programs (SDPP), and

WHEREAS, said programs expired by their terms on December 31, 2004 and it is desired at this time to renew said programs as listed on Exhibit "A" for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the execution of agreements, documents, paper, or contracts with the various local Youth Service Program Agencies, as listed on Exhibit "A", as approved to form by the Department of Law, necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to sign any and all necessary applications for the New York State Office of Children and Family Services State Aid in connection with the County's Youth Services and Recreation Programs and the operation of the Broome County Youth Bureau for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to sign any such agreements, documents, papers or contracts, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution and in the 2005 Budget, and be it

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

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

Mr. Sanfilippo asked to abstain from voting as he serves on the Catholic Charities Board.
Carried, Ayes-17, Nays-0, Absent-1 (Hutchings), Abstension-1 (Sanfilippo).

RESOLUTION NO. 91

By Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE APPLICATION FOR STATE AID AND EXECUTION OF CONTRACTS FOR THE YOUTH BUREAU DEVELOPMENT/ DELINQUENCY PREVENTION PROGRAMS (YDDP) FOR 2005

WHEREAS, this County Legislature, by Resolution 629 of 2003, as amended by Resolution 359 of 2004, authorized the Youth Bureau State Aid Applications and established appropriations for the 2004 Youth Bureau Development/Delinquency Prevention Program (YDPP), and

WHEREAS, said programs expire by their terms on December 31, 2004, and it is desired at this time to renew programs as listed on Exhibit "A" for the amounts indicated for 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the execution of agreements, documents, papers or contracts with the various local Youth Service Program Agencies listed on Exhibits "A" attached hereto, as approved to form by the Department of Law, necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to sign any and all necessary applications for the New York State Office of Children and Family Services State Aid in connection with the County's Youth Services and Recreation Programs and the operation of the Broome County Youth Bureau for the period January 1, 2005 through December 31, 2005, and be it

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

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

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

Mr. Sanfilippo asked to abstain from voting as he serves on the Catholic Charities Board.
Carried, Ayes-17, Nays-0, Absent-1 (Hutchings), Abstention-1 (Sanfilippo).

RESOLUTION NO. 92

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

RESOLUTION AUTHORIZING AN AGREEMENT WITH NEW WORLD SYSTEMS TO CONSOLIDATE THE JOHNSON CITY POLICE DEPARTMENT WITH THE BROOME COUNTY 911 AND DISPATCH SYSTEM FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005

WHEREAS, the Director of Information Technology requests authorization for an agreement with New World Systems to consolidate the Johnson City Police Department with the Broome County 911 and dispatch system, at a cost not to exceed \$85,000, including travel expenses, for the period February 17, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to convert and transfer data and records management training, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New World Systems, 888 West Big Beaver Road, Suite 1100, Troy, Michigan 48084 to consolidate the Johnson City Police Department with the Broome County 911 and dispatch system, for the period February 17, 2005 through December 31, 2005, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460072.4726.104775 (Contracted Data Processing Services), and be it

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

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

RESOLUTION NO. 93

By County Administration and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH INTEGRATED SYSTEMS FOR HARDWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY'S WIRELESS NETWORK FOR 2005

WHEREAS, the Director of Information Technology requests authorization for an agreement with Integrated Systems for hardware maintenance for the Division of Information Technology's wireless network at a cost not to exceed \$2,970, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement allows Broome County to replace mission critical equipment for the Broome County wireless network, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Integrated Systems, P.O. Box 53, 7588 Main Street, Victor, New York 14564, for hardware maintenance for the Broome County wireless network, for the Division of Information for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,970 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370056.4449.101000 (Hardware Maintenance), and be it

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

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

RESOLUTION NO. 94

By County Administration and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH INTEGRATED SYSTEMS FOR ON-SITE HARDWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY'S WIRELESS NETWORK FOR 2005

WHEREAS, the Director of Information Technology requests authorization for an agreement with Integrated Systems for on-site hardware maintenance for the Division of Information Technology's wireless network at a cost not to exceed \$3,750, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said agreement provides semi-annual on-site hardware maintenance for Broome County's Wireless Network, including inspection and report with results and recommendations for actions needed, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Integrated Systems, P.O. Box 53, 7588 Main Street, Victor, New York 14564, for on-site hardware maintenance, for the Division of Information Technology's wireless network for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,750 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370056.4449.101000 (Hardware Maintenance), and be it

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

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

RESOLUTION NO. 95

By Transportation and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENTS WITH AVIS RENT A CAR SYSTEM, INC., BUDGET RENT A CAR SYSTEM, INC. AND THE HERTZ CORPORATION FOR CAR RENTAL CONCESSIONS FOR THE GREATER BINGHAMTON AIRPORT FOR 2005-2010

WHEREAS, the Commissioner of Transportation requests authorization for agreements with Avis Rent A Car System, Inc., Budget Rent A Car System, Inc. and The Hertz Corporation for car rental concessions at the Greater Binghamton Airport, with revenue to Broome County, for the period March 1, 2005 through February 28, 2010, and

WHEREAS, these concessions provide both needed services for the traveling public using the facility as well as revenue to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes non-exclusive car rental concession agreements at the Greater Binghamton Airport with

Avis Car Rental System, Inc.
6 Sylvan Way
Parsippany, New Jersey 07054

The Hertz Corporation
225 Brae Boulevard
Park Ridge, New Jersey 07656

Budget Rent A Car System, Inc.
1 Campus Drive
Parsippany, New Jersey 07054

for the period March 1, 2005 through February 28, 2010, and be it

FURTHER RESOLVED, that the revenue from these agreements will be based on the following:

- Parking Space: \$15.69 per month per parking space
- Office and Counter Space: \$27.04 per square foot per year.
[NOTE: Parking Office and Counter space will be subject to an annual CPI adjustment capped at 5%]
- Monthly Fee: 10% of gross sales or 1/12th of the annual guarantee from each concession, whichever is greater, based on the following first-year minimum annual guarantees:

Avis Rent A Car System, Inc.	\$170,000
Budget Rent A Car System, Inc.	\$ 80,504
The Hertz Corporation	\$217,800

and be it

FURTHER RESOLVED, that the revenue hereinabove received shall be credited to budget line 210070.0099/0108.207000 (Rental Car Concession Fees/Space Rental-Other), and be it

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

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

RESOLUTION NO. 96

By Economic Development & Planning Committee

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY AGRICULTURAL AND FARM LAND PROTECTION BOARD

WHEREAS, Daniel A. Schofield, Chair of the Broome County Legislature, pursuant to the authority vested in him by Article 25AA of the Agriculture and Markets Law, has duly designated and appointed the following named individuals to membership on the Broome County Agricultural and Farm Land Protection Board, subject to confirmation by this County Legislature:

<u>Name/Address</u>	<u>Term Expiring</u>
William H. Miller 178 Main Street Windsor, New York 13865	December 31, 2006 Member of County Legislature
Rita M. Petkash 608 Old Lane Road Vestal, New York 13850	Coterminous Appointment Broome County Planning Commissioner

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article 25AA of the Agriculture and Markets Law, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Agricultural and Farm Land Protection Board for the terms indicated, in accordance with their appointment by the Legislative Chair.

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

RESOLUTION NO. 97

By Finance Committee

Seconded by Mr. Howard

RESOLUTION WITH RESPECT TO THE AMENDMENT OF THE SALES AND COMPENSATING USE TAX IN BROOME COUNTY

WHEREAS, Section 1210 of the Tax Law currently permits Broome County to impose an additional one percent Sales and Compensating Use Tax, and

WHEREAS, said authorization expires on November 30, 2005, and

WHEREAS, Broome County wishes to have said authorization extended by the New York State Legislature for an additional two years to November 30, 2007, now, therefore, be it

RESOLVED, that this County Legislature requests the New York State Legislature adopt an amendment to the Tax Law authorizing and empowering the County of Broome to impose an additional one percent Sales and Compensating Use Tax through November 30, 2007, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a copy of this Resolution to the New York State Legislature.

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

RESOLUTION NO. 98

By Finance Committee

Seconded by Mr. Schafer

RESOLUTION AUTHORIZING AGREEMENTS WITH LOCAL LIBRARIES FOR THE DISTRIBUTION OF COUNTY LIBRARY AID FOR 2005

WHEREAS, the County has contributed financial support to various Public Libraries in Broome County to assist them with their annual operating costs, and

WHEREAS, it is the desire of this Legislature to distribute the 2005 budgeted library aid to said Public Libraries with the exception of the G.F. Johnson Memorial Library (Endicott) and Your Home Public Library (Johnson City), which are funded by a special Library Tax in the Town of Union, and

WHEREAS, said library aid shall be distributed in the following manner:

- Aid up to and including \$10,000 shall be distributed in one lump sum payment
- Aid between \$10,001 and up to and including \$50,000 shall be distributed in semi-annual payments
- Aid in excess of \$50,000 shall be distributed on a quarterly basis,

now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or her duly authorized representative to execute such agreements, approved as to form by the Department of Law, for the distribution of 2005 budgeted library aid in the manner described above to local libraries as follows:

<u>Library</u>	<u>Amount</u>
Deposit Free Library	\$ 5,254
Mary Wilcox Memorial Library	27,940
Vestal Public Library	258,665
Fenton Free Library	37,800
Lisle Free Library	13,609
Nineveh Public Library	4,245
Total	\$347,513

Mr. Kuzel made a motion, seconded by Mr. Brunza, to amend the resolution as follows:

RESOLUTION AUTHORIZING AGREEMENTS WITH LOCAL LIBRARIES FOR THE DISTRIBUTION OF COUNTY LIBRARY AID FOR 2005

WHEREAS, the County has contributed financial support to various Public Libraries in Broome County to assist them with their annual operating costs, and

~~WHEREAS, it is the desire of this Legislature to distribute the 2005 budgeted library aid to said Public Libraries with the exception of the G.F. Johnson Memorial Library (Endicott) and Your Home Public Library (Johnson City), which are funded by a special Library Tax in the Town of Union, and~~

~~WHEREAS, said financial support has been calculated using a formula that compensates communities for the library service provided to Broome County residents outside that library's service area, as shown in Exhibit 'A', and~~

~~WHEREAS, the G.F. Johnson Memorial Library (Endicott) and Your Home Public Library (Johnson City) are funded by a special Library Tax in the Town of Union, while continuing to serve Broome County residents outside the Town of Union, and~~

~~WHEREAS, it is the desire of this Legislature to distribute the 2005 budgeted library aid to said Public Libraries, and~~

WHEREAS, said library aid shall be distributed in the following manner:

- Aid up to and including \$10,000 shall be distributed in one lump sum payment
- Aid between \$10,001 and up to and including \$50,000 shall be distributed in semi-annual payments
- Aid in excess of \$50,000 shall be distributed on a quarterly basis,

now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or her duly authorized representative to execute such agreements, approved as to form by the Department of Law, for the distribution of 2005 budgeted library aid in the manner described above to local libraries as follows:

<u>Library</u>	<u>Amount</u>
Deposit Free Library	\$5,254 \$4,739
Mary Wilcox Memorial Library	27,940 18,668
Vestal Public Library	258,665
Fenton Free Library	37,800
Lisle Free Library	13,609
Nineveh Public Library	4,245
G.F. Johnson Library	106,539
Your Home Public Library	138,170
Total	\$347,513 \$582,435

and be it

FURTHER RESOLVED, that said aid shall be distributed directly to the libraries, with the exception of the G.F. Johnson Memorial Library (Endicott) and Your Home Public Library (Johnson City), which will have their share of library aid, totaling \$244,709, distributed to the Town of Union, and be it

FURTHER RESOLVED, that said appropriations to the Town of Union are contingent upon an agreement between the County and the Town concerning the manner in which said aid shall be reflected on the Town of Union tax bills as "Broome County Local Library Aid", and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the County Executive or her duly authorized representative to execute such agreements with the Town of Union, approved as to form by the Department of Law, for the design, layout, and format of Town tax bills.

EXHIBIT 'A'

Library Funding Formula

County Support is equal to the Library Budget multiplied by the percentage of Non-Community users.

<u>Library</u>	<u>Library Budget</u>	<u>% of non-community users</u>	<u>County support</u>
Deposit Free Library	38,531	12.3%	\$4,739
Mary Wilcox Memorial Library	59,263	31.5%	18,668
Vestal Public Library	800,819	32.3%	258,665
Fenton Free Library	60,000	63.0%	37,800
Lisle Free Library	40,745	33.4%	13,609
Nineveh Public Library	24,535	17.3%	4,245
G.F. Johnson Library	626,699	17.0%	106,539
Your Home Public Library	337,000	41.0%	138,170

Mr. Keibel made a motion to call the question, seconded by Mr. Shafer. **Motion to call the question failed**, Ayes-8 (Keibel, Schafer, Hull, Miller, Shafer, Howard, Marinich, Lindsey, Nays-10 (Materese, Whalen, Nannery, Sanfilippo, Brunza, Kuzel, Reynolds, Buchta, Mather, Schofield), Absent-1 (Hutchings). **Amendment failed**, Ayes-5 (Materese, Hull, Brunza, Kuzel, Buchta), Nays-13 (Keibel, Schafer, Miller, Shafer, Whalen, Nannery, Howard, Sanfilippo, Reynolds, Marinich, Lindsey, Mather, Schofield), Absent-1 (Hutchings).

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

RESOLUTION NO. 99

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Howard
**RESOLUTION AUTHORIZING ACCEPTANCE OF A NEW YORK STATE DIVISION OF
CRIMINAL JUSTICE SERVICES GRANT FOR THE STOP-DWI HOLIDAY CLASSIC FOR 2004**

WHEREAS, the STOP-DWI Coordinator requests authorization to accept a New York State Division of Criminal Justice Services' Grant in the amount of \$5,000 for the period December 26, 2004 through December 29, 2004, and

WHEREAS, said grant provides additional financial support for the STOP-DWI Holiday Classic, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,000 from the New York State Division of Criminal Justice Services, 4 Tower Plaza, Albany, New York 12203-3764 for the STOP-DWI Holiday Classic for the period December 26, 2004 through December 29, 2004, and be it

FURTHER RESOLVED, that the grant funds authorized herein to be received shall be deposited in the STOP-DWI Holiday Classic Trust Account (525525036) to be used to defray expenses in connection with the STOP-DWI Holiday Classic, and be it

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

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

RESOLUTION NO. 100

By Public Works Committee Seconded by Mr. Howard
**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY
WITH RESPECT TO THE ENACTMENT OF LOCAL LAW INTRO. NO. 1, 2005, AND
RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO**

WHEREAS, it is necessary to enact Local Law Intro. No. 1, 2005, increasing the fees for the disposal of tires to cover the cost for tire recycling services through a contractor, and

WHEREAS, it has been determined that the increasing of fees for said services is subject to the requirements of the State Environmental Quality Review Act (SEQRA), and it is therefore necessary to initiate procedures with respect thereto, and

WHEREAS, this County Legislature has determined that it is the agency with the broadest governmental powers for investigation of the impact of the proposed action and has the greatest capability for providing the most thorough environmental assessment of the project, and

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act (SEQRA), reviewing the aforementioned tire disposal fee, and

WHEREAS, the increase in fees for the disposal of tires may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "lead agency" status with respect to the environmental review of the proposed program for increasing fees for disposal of tires collected at the Broome County Landfill, and be it

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

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

RESOLUTION NO. 103

By County Administration Committee

Seconded by Mr. Howard

RESOLUTION AUTHORIZING THE APPOINTMENT OF JOHN PERTICONE AS BROOME COUNTY COMMISSIONER OF ELECTIONS FOR THE TERM FEBRUARY 21, 2005 THROUGH DECEMBER 31, 2008

WHEREAS, Joseph Sluzar has resigned his position as the Democratic Commissioner of Elections for Broome County, and

WHEREAS, the Chair of the Democratic party has filed with the Clerk of this Legislature, on behalf of the Broome County Democratic Committee and in compliance with the appropriate provisions of law, the required certificate recommending the appointment of John Perticone to fill the unexpired term of Joseph Sluzar as a Commissioner of Elections for Broome County, now, therefore, be it

RESOLVED, that in accordance with the appropriate provisions of law, the Broome County Charter and Administrative Code, John Perticone, residing at 12 Cornell Avenue, Binghamton, New York 13903, be and hereby is appointed Democratic Commissioner of Elections for Broome County, New York, for a term commencing February 21, 2005 through December 31, 2008.

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

RESOLUTION NO. 104

By Finance Committee

Seconded by Mr. Schafer

BOND RESOLUTION DATED FEBRUARY 17, 2005

RESOLUTION AUTHORIZING THE ISSUANCE OF \$14,974,728 BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY THE COST OF VARIOUS CAPITAL PROJECTS

BE IT RESOLVED, by the County Legislature of the County of Broome, New York as follows:

Section 1. The following are the classes of objects or purposes or specific objects or purposes to be financed by the County of Broome, New York, pursuant to this resolution, the maximum estimated costs thereof, and the subdivisions of Section 11.00 (a) of the Local Finance Law and periods of probable usefulness applicable thereto:

<u>Project Name</u>	<u>PPO/LFL Section 11.00</u>	<u>Maximum Estimated Cost</u>
Aviation Runway 16-34 Rehabilitation-Construction	10 years/14	\$5,100,000
BCC – Original Boiler Replacement Phase 1	10 years/13	\$415,800
Central Foods – Renovation For Structural Improvements	10 years/12(a)(3)	\$157,000
DPW - Watershed Reconstruction/Repair	10 years/3	\$75,000
DPW - County Building Renovations	5 years/35	\$250,000

DPW – County Building Renovations Equipment	5 years/32	\$60,000
DPW - County Office Building Parking Area Repairs – Design Phase	5 years/62	\$330,000
DPW - Systematic Roof Replacement At County Facilities	15 years/12(a)(2)	\$600,000
DPW - Fleet Replacement	3 years/77	\$679,000
DPW – Highway Reconstruction/ Rehabilitation	10 years/20(b)	\$2,000,000
DPW Airport Road Bridge Reconstruction	20 years/10	\$2,500,000
DPW Bevier Street Bridge Reconstruction – Design	5 years/62(a)	\$500,000
DPW Bridge Repair and Culvert Replacement/Reconstruction	5 years/35	\$250,000
DPW – Colesville Road/South Street Bridge Replacement/Rehabilitation Design	20 years/10	\$400,000
DPW Highway Equipment Replacement	15 years/28	\$917,000
Emergency Services – Vehicle Locator System	5 years/35	\$350,000
Information Technology – Computer Equipment Replacement & Update Technology	5 years/32	\$765,000
Parks – Grippen Ice Rink Rehabilitation	15 years/12(a)(2)	\$950,000
Parks Equipment Replacement	5 years/32	\$235,000
Parks Playground Equipment and Shelters	5 years/28	\$150,000
Parks Surface Rehabilitation	10 years/20	\$170,000
Transit Electronic Farebox Replacement	5 years/32	\$650,000
Sheriff Emergency Surveillance Equipment Improvement	5 years/32	\$51,228
Social Services Electronic Document Management System	5 years/32	\$470,000
Solid Waste – Gas Recovery	5 years/35	\$500,000
Solid Waste Landfill Equipment	5 years/32	\$295,000

Solid Waste Leachate Recirculation Construction	5 years/35	\$1,200,000
WPNH Bathing/Toilet Suite Renovations	15 years/ 12(a)(2)	\$250,000
WPNH Nursing Stations Renovations	15 years/12(a)(2)	\$150,000
WPNH Med Room Renovations	15 years/12(a)(2)	\$150,000

Section 2. SEQR DETERMINATION. It is hereby declared to be the intent of this County Legislature that the projects listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act (SEQR), to the extent applicable, to ensure that said proposed projects are in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process.

Section 3. a) The aggregate maximum estimated cost of the aforesaid classes of objects or purposes or specific objects and purposes is \$20,570,028 and the plan for financing thereof is by the issuance of \$14,974,728 bonds of said County, hereby authorized to be issued therefore pursuant to the Local Finance Law, by the application of \$4,845,000 monies received from the Federal Government to be allocated entirely to the Runway 16-34 Rehabilitation Construction Project, \$520,000 monies received from the Federal Government to be allocated entirely to the Transit Electronic Farebox Replacement Project; and \$230,300 monies to be received from the Federal Government to be allocated entirely to the Social Services Electronic Document Management System Project.

b) The amount of Serial Bonds herein authorized to be issued shall be reduced to the extent of State and Federal grants received in connection therewith, there being anticipated \$127,500 monies to be received from the State Government to be allocated entirely to the Runway 16-34 Rehabilitation-Construction project; \$207,900 monies from the State Government to be allocated entirely to the BCC Original Boiler Replacement Phase I project; \$2,000,000 monies from the Federal Government and \$375,000 monies from the State Government to be allocated entirely to the Airport Road Bridge Reconstruction Project; \$400,000 monies from the Federal Government and \$75,000 monies from the State Government to be allocated entirely to the Bevier Street Bridge Reconstruction Design project; \$300,000 monies from the Federal Government and \$80,000 monies from the State Government to be allocated entirely to the Colesville Road/South Street Bridge Replacement/ Rehabilitation Design project; \$65,000 monies from the State Government to be allocated entirely to the Transit Electronic Farebox Replacement project; \$145,700 monies received from the State Government to be allocated entirely to the Social Services Electronic Document Management System Project, and \$300,000 monies received from the State Government to be allocated entirely to the Leachate Recirculation Construction Project.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest of such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby authorized to make a short term non-interest bearing interfund loan from the General Fund and other Enterprise Funds, Internal Service Funds, or Special Revenue Funds to provide sufficient cash to proceed with these projects until the bonds authorized by this Resolution are sold.

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

RESOLUTION NO. 105

By Personnel Committee

Seconded by Mr. Materese

RESOLUTION AMENDING PERSONNEL RULES FOR BROOME COUNTY ADMINISTRATIVE PERSONNEL REGARDING THE ACCUMULATED SICK-TIME PROVISIONS

WHEREAS, this County Legislature, by Resolution 220 of 1977, as thereafter amended, adopted Personnel Rules for Administrative Personnel (Rules), and

WHEREAS, the County Executive has proposed amendments to Article 11, § 10 of the Rules revising the treatment of unused sick time, and

WHEREAS, pursuant to said revised rules, upon retirement from County employment, an employee shall be entitled to credit only for unused sick time for retirement purposes as set forth under New York State Retirement Law Section 41-j, and

WHEREAS, pursuant to said revised Personnel Rules, upon separation from county employment for any reason, an employee shall not be paid by the County for unused sick time, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the amendments to Article 11 of the Personnel Rules for Administrative Personnel as summarized on Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive, or her 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 amendments to the Personnel Rules set forth herein shall be effective immediately.

EXHIBIT -- A

ARTICLE 11 — SICK LEAVE

1. Employees covered under these provisions shall be credited with one day's sick leave per month and shall be entitled to accumulate sick leave as hereinafter provided from the time of their employment.
2. A credit for sick leave under this provision shall be allowed at the rate of one (1) working day per month for each month of service. No credit for sick leave under this Article shall be allowed unless the employee shall have been on full pay status for at least 50% of the working days of the calendar month.
3. Employees may accumulate an unlimited number of sick leave credits.
4. Sick leave with pay may be granted to an employee covered under these Rules when incapacitated or unable to perform the duties of their position by reason of sickness or injury.
While sick leave may be used in other instances involving the employee's family, such determination shall be left to the discretion of the County Executive or designee or the Chairman of the Broome County legislature or designee, whichever is appropriate.
5. When absence is required under this Article, the employee shall report same under procedures established in the department where employed.
6. Before absence for personal illness, including disability related to pregnancy may be charged against accumulated sick leave credits, the department head or the County Executive or the Chairman of the Legislature, which ever is appropriate, may require such proof of illness as may be satisfactory or may require the employee to be examined, at the expense of the County, by a physician designated by the County. In the event of failure to submit proof of illness upon request, or in the event that upon such proof as is submitted or upon the report of medical examination, the County Executive or the Chairman of the Legislature, whichever is appropriate, finds there is no satisfactory evidence of illness sufficient to justify the employee's absence from the performance of his duties, such absence shall be considered as unauthorized leave and shall not be charged against accumulated sick leave credits. Medical certificates, supporting requests for sick leave, shall be forwarded to the Department of Personnel.
7. Abuse or excessive use of sick leave privileges shall be grounds for disciplinary action.

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8. Employees shall be credited with sick leave based on the number of hours they work per week. (An employee who regularly works 40 hours a week: 1 sick leave day = 8 hours credited. An employee who regularly works 37.5 hours a week; 1 credited sick leave day = 7.5 hours credited.) Sick leave shall be charged in the amount taken.
 9. There shall be established a sick leave bank to be administered by the Broome County Department of Personnel in accordance with the Rules established by the resolution of County Legislature.
 10. Upon **retirement** [separation] from County employment an employee shall be [paid for all credited sick leave which is in excess of that which may be applied to years of service] **credited for unused sick leave** for retirement purposes under New York State Retirement Law §41j.
 11. **Employees shall not be paid for unused sick leave upon separation or retirement.**

New language in bold type.

Deleted language in brackets [].

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

RESOLUTION NO. 106

By Personnel Committee

Seconded by Mr. Schafer

RESOLUTION AMENDING PERSONNEL RULES FOR BROOME COUNTY ADMINISTRATIVE PERSONNEL PROVIDING ADDITIONAL COMPENSATION CONTROLS BY THE BROOME COUNTY COMPTROLLER

WHEREAS, this County Legislature, by Resolution 220 of 1977, as thereafter amended, adopted Personnel Rules for Administrative Personnel (Rules), which included references to compensation, and

WHEREAS, the County Executive has proposed amendments to Article 4 of the Personnel Rules granting the Comptroller additional oversight, and

WHEREAS, said amendment provides that no employee shall receive any payroll check that contains more than ten (10) days of pay for that employee's grade, unless and until the Comptroller verifies that said additional pay, including but not limited to Performance Increments, Longevity Pay, Promotion Pay and Separation Pay has been authorized in accordance with the Personnel Rules, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the amendments to Article 4 of the Rules, annexed hereto as Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive, or her 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 amendments to the Personnel Rules set forth herein shall be effective immediately.

EXHIBIT-A

ARTICLE 4 — COMPENSATION

1. Employees covered under these Rules shall be compensated annually, as approved by the Broome County Legislature and reflected in the salary schedules published annually by the Department of Personnel.
2. Employees covered by these Rules shall be paid on a bi-weekly schedule.

3. Performance Increments for Administrative I Employees

- a) Each full-time employee who is below the maximum salary for their grade shall receive a performance increment of 3% on the anniversary date in title, provided that he has received a satisfactory performance evaluation. However, no employee shall receive more than one performance increment in a twelve (12) month period. For the purposes of this salary plan, the term "anniversary date in title" (current title or grade) shall mean the day upon which the employee assumed the duties and responsibilities of a particular title, whether on a temporary, provisional, probationary basis, unless the assumption of the particular title is in the same pay grade as the employee's previous title as reflected in the records of the Department of Personnel.
- b) Each unsatisfactory performance evaluation shall be accompanied by counseling along with appropriate documentation which shall be transmitted to the employee during the course of the twelve (12) month period preceding the anniversary date in title.
- c) Each employee who receives an unsatisfactory performance evaluation may utilize the following procedure:
 1. Upon written request from the employee within thirty (30) days after receipt of an unsatisfactory performance evaluation, the department head and the employee shall meet as soon as possible to review the said performance evaluation. Within ten (10) days after the said meeting, the department head shall provide to the employee a written determination which shall either affirm or reverse the said performance evaluation and state the reasons therefore.
 2. Upon written request from the employee within ten (10) days after receipt of a determination affirming the unsatisfactory performance evaluation, the Personnel Officer and the employee shall meet as soon as practicable to review the said performance evaluation. Within ten (10) days after the said meeting, the Personnel Officer shall provide to the employee a written decision which shall either affirm or reverse the said performance evaluation and state the reasons therefor.
 3. Upon written request from the employee within ten (10) days after receipt of a decision from the Personnel Officer affirming the unsatisfactory performance evaluation, the County Executive or designee and the employee shall meet as soon as practicable to review the said performance evaluation. The County Executive or designee shall consider the unsatisfactory performance evaluation, the determination of the department head, the decision of the Personnel officer and such other materials submitted by the parties, including oral testimony, which he deems relevant to the inquiry. The burden of proving unsatisfactory performance shall be upon the County. Within thirty (30) days after the said meeting the County Executive or designee shall issue the parties a final and binding award which shall either affirm or reverse the said performance evaluation and state the reasons therefor.
 4. This procedure shall be the sole and exclusive method by which an employee may seek review of an unsatisfactory performance evaluation.

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- d) Each employee who has been on leave of absence other than military, sabbatical, education or Workers' Compensation for a cumulative period of more than thirty (30) days during the twelve (12) months immediately preceding the anniversary date in title shall not be eligible to receive a performance increment.
 - e) For the purpose of administering the salary plan, the employee shall not be given step date credit for the time spent on a leave of absence, except for military leave, educational, and Worker's compensation leave.
 - f) Part-time employees working 20 hours or more a week shall be eligible for performance increments as outlined above.
4. The Chief Civil Deputy and Civil Deputy at the Office of the Sheriff shall be paid each year a clothing allowance of six hundred (\$600) dollars, to be paid the first pay period in December of each year.
 5. Attorneys graded at AT-1, AT-2, and AT-3 will receive benefits as outlined in these rules for Administrative I employees. Attorneys graded AT-4, AT-5 and AT-6 will receive benefits as outlined in these rules for Administrative II employees.
 6. Beginning January 1, 2001 attorneys grades AT-1 through AT-3 will be eligible for merit increases each year. Such increases to be in lieu of Performance Increments as provided in section 3 above.
 - a) Each year the County budget shall contain a sum of money equaling 3% of the total base salary of all AT-1's through AT-3's employed by the County.
 - b) The County Attorney, Public Defender and District Attorney shall have the discretion to award merit increases to the Attorneys grade AT-1 through AT-3 employed in their respective departments using the merit monies allocated to them provided that the maximum for the grade may not be exceeded.
 - c) The merit awards shall be made March 1st of each year, retroactive to January 1st of that year and the salary of the individual as adjusted for merit increase shall become the base salary for that individual for the next year and used to compute any across the board salary increase that may be awarded.
 7. **The Comptroller shall review every payroll check that contains more than ten days of pay for that employee's grade to verify that any additional pay, including but not limited to Performance Increments, Longevity Pay, Promotion Pay and Separation Pay, has been authorized in accordance with these Personnel Rules.**

New language in **bold** type.

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

RESOLUTION NO. 107

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AMENDING THE 2005 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2005 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>County</u>
			<u>State</u>	<u>Federal/Other</u>	
501403	DPW-County Bldg. Renovations	310,000	0	0	310,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>	
2005	15	310,000	0	

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	
501403	DPW-County Bldg. Renovations	250,000	0	0	250,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>	
2005	5	250,000	0	

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	
501428	DPW- County Bldg. Renovations Equip.	60,000	0	0	60,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>	
2005	5	60,000	0	

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	
501404	DPW – County Office Bldg.Parking Area Repairs Design	330,000	0	0	330,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>	
2005	10	330,000	0	

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	
501404	DPW – County Office Bldg. Parking Area Repairs Design	330,000	0	0	330,000

<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>	
2005	5	330,000	0	

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

RESOLUTION NO. 108

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NEW YORK ASSOCIATION OF HOMES & SERVICES FOR THE AGING FOR CONSULTING SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2005

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with the New York Association of Homes & Services for the Aging for consulting services for the Willow Point Nursing Home at a cost not to exceed \$25,000, for the period February 18, 2005 through March 17, 2005, and

WHEREAS, said agreement provides consulting services for the Direct Plan of Correction and Directed Inservice, which is mandated for immediate implementation by the New York State Department of Health, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York Association of Homes & Services for the Aging, 150 State Street, Suite 301, Albany, New York 12207-1698, for consulting services, for the Willow Point Nursing Home for the period February 18, 2005 through March 17, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$25,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160028.4747.204000 (Other Fees for Services), and be it

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

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

Mr. Shafer made a motion to adjourn, seconded by Mr. Whalen. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Hutchings). The meeting was adjourned at 6:09 p.m.

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