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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
WEDNESDAY, JULY, 19, 2006**

The Legislature convened at 4:50 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-19, Absent-0.

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

Mr. Schafer made a motion, seconded by Mr. Mather, that the minutes of the June 21, 2006 Regular Session be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the period June 21, 2006 through July 18, 2006 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. Marinich. **Carried.**

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

A. PETITIONS: None

B. COMMUNICATIONS:

1. Broome County Association of Municipal Clerks Meeting Minutes 6/15/06
2. Broome County Environmental Management Council Meeting Minutes 6/8/06
3. Broome County Soil & Water Conservation Meeting Minutes 6/13/06
4. Broome County Landfill Supplemental Environmental Impact Statement Pre-Scoping Meeting 6/26/06
5. Office of the Broome County Legislature-July 3, 2006 Office Closing
6. Office of the County Clerk-Notice of Filing of the "Broome County-Payroll Internal Controls" Report
7. Department of New York Ladies Auxiliary to the Veterans of Foreign Wars of the United States Resolution of Appreciation
8. State of New York Department Agriculture and Markets Inclusion of Agricultural Districts No. 4 and No. 5.
9. Robert G. Behnke, Chief Assistant County Attorney- Re: City Tax Collection Agreements
10. Broome County Legislature Standing Committee Meeting Schedule for July and August
11. Declaration of State of Emergency, Broome County, Village of Deposit, Town of Conklin, City of Binghamton, Town of Fenton, Town of Colesville, Town of Windsor, Town of Chenango, Village of Endicott, Town of Union, Town of Maine, Town of Vestal, Town of Kirkwood
12. Deputy County Executive, Patrick J. Brennan- Veto of Resolution 06-210- "Resolution Amending Resolution 180 of 1965, Entitled: 'Resolution Imposing Taxes on Sales and Use of Tangible Personal Property and Certain Services, Occupancy of Hotel Rooms, Admission Charges and Club Dues, Pursuant to Article 29 of the Tax Law of the State Of New York' as last Amended by Resolution 257 of 2005, in Relation to the Allocation of Sales Tax Receipts"
13. Environmental Management Council to NYS Public Service Commission- Resolutions and Letter of Opposition to the New York Regional Interconnect, Inc. Power Transmission Line Project

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C. **NOTICES:**

1. Special County Administration Committee Meeting 6/21/06
2. Public Hearing- Broome Community College 2006-2007 Budget 7/13/06
3. Special Education, Culture & Recreation Committee Meeting 7/19/06

D. **REPORTS:**

1. Office of the New York State Comptroller-Broome County Payroll Internal Controls Report Of Examination for the Period 1/1/04-2/15/05
2. BCC Above Minimum Hire Report 5/06
3. Veterans Services Center Quarterly Report
4. Personnel-Monthly Attrition 5/06

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

A. Letters from the Chair, Daniel A. Schofield:

1. Designation for Mr. Mather 6/21/06
2. Designations for the Week of 7/10/06

Mr. Kuzel made a motion, seconded by Mr. Howard, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2006 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried.**

Mr. Schafer and Mr. Sanfilippo 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.

Mr. Schafer made the following motion: "I move to **consider the County Executive's veto** of Resolution No. 210 of 2006 entitled "Resolution Amending Resolution 180 Of 1965 Entitled: 'Resolution Imposing Taxes on Sales and Use of Tangible Personal Property and Certain Services, Occupancy of Hotel Rooms, Admission Charges and Club Dues, Pursuant to Article 29 of the Tax Law of the State of New York', as Last Amended by Resolution 257 of 2005, in Relation to the Allocation of Sales Tax Receipts." The motion to consider was seconded by Mr. Schafer. **The veto override carried, Ayes-12** (Keibel, Schafer, Hull, Miller, Schafer, Nannery, Howard, Kuzel, Marinich, Lindsey, Mather, Schofield), **Nays-7** (Materese, Hutchings, Whalen, Sanfilippo, Brunza, Reynolds, Buchta).

**RESOLUTIONS RECALLED FROM PREVIOUS SESSIONS**

Mr. Sanfilippo made a motion, seconded by Mr. Brunza, to recall Resolution No. 245 Resolution Authorizing Agreement with Canusa Health, Inc. For Administration of a Portion of Broome County's Health Benefits Prescription Drug Plan for Maintenance Drugs. **Motion to recall carried.**

**RESOLUTION NO. 245**

By Finance and Personnel Committees

Seconded by Mr. Schafer

**RESOLUTION AUTHORIZING AGREEMENT WITH CANUSA HEALTH, INC. FOR ADMINISTRATION OF A PORTION OF BROOME COUNTY'S HEALTH BENEFITS PRESCRIPTION DRUG PLAN FOR MAINTENANCE DRUGS**

Mr. Sanfilippo made a motion to amend the resolution adding the following as the fifth FURTHER RESOLVED paragraph:

"FURTHER RESOLVED, that employees and retirees who utilize Canusa shall not be obligated to pay any co-payments on their Canusa-filled prescriptions, and be it"

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**Amendment carried**, Ayes-18, Nays-1 (Shafer). **Resolution as amended carried**, Ayes-13 (Materese, Hutchings, Whalen, Nannery, Howard, Sanfilippo, Brunza, Reynolds, Marinich, Lindsey, Buchta, Mather, Schofield), Nays-6 (Shafer, Miller, Keibel, Shafer, Hull, Kuzel).

Mr. Marinich made a motion, seconded by Mr. Shafer, to recall Resolution No. 645 Resolution Amending Personnel Rules for Administrative Personnel of Broome County. **Motion to recall carried.**

### **RESOLUTION NO. 265**

By Personnel Committee

Seconded by Mr. Materese

**RESOLUTION AMENDING PERSONNEL RULES FOR ADMINISTRATIVE PERSONNEL OF BROOME COUNTY**

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

### **RESOLUTIONS HELD OVER FROM PREVIOUS SESSION**

#### **RESOLUTION NO. 240**

(Tabled at June 21, 2006 Session)

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

Seconded by Mr. Schafer

**RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH SOUTHERN TIER CELEBRATES, INC. FOR USE OF COUNTY-OWNED FACILITIES FOR FIRST NIGHT PUBLIC EVENTS FOR 2006-2009**

**Carried**, Ayes-15, Nays-4 (Shafer, Whalen, Kuzel, Lindsey).

#### **RESOLUTION NO. 326**

By Education, Culture and Recreation and Finance Committees

Seconded by Mr. Kuzel

**RESOLUTION AUTHORIZING AN AGREEMENT WITH SMG FOR MANAGEMENT SERVICES AT THE BROOME COUNTY VETERANS MEMORIAL ARENA AND BROOME COUNTY PERFORMING ARTS THEATRE (THE FORUM) FOR 2006-2008**

**Failed**, Ayes-8 (Materese, Hutchings, Whalen, Sanfilippo, Brunza, Kuzel, Reynolds, Buchta), Nays-11 (Keibel, Schafer, Hull, Miller, Shafer, Nannery, Howard, Marinich, Lindsey, Mather, Schofield).

### **RESOLUTIONS INTRODUCED AT THIS SESSION**

#### **RESOLUTION NO. 330**

By Health Services Committee

Seconded by Mr. Shafer

**RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY COMMUNITY SERVICES BOARD**

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Article VIII of the Broome County Charter and Administrative Code, has duly designated and appointed the following named individual to membership on the Broome County Community Services Board, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRES</u>
Rev. Mark Giroux 5 Lolita Street Binghamton, New York 13901	New Appointment 12/31/09

and

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WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it  
RESOLVED, that this County Legislature, pursuant to the provisions of Article VIII of the  
Broome County Charter and Administrative Code, hereby confirms the appointment of the  
above-named individual to membership on the Broome County Community Services Board for the  
term indicated, in accordance with his appointment by the County Executive.  
**Carried.**

**RESOLUTION NO. 331**

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

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE U.S. GENERAL SERVICES  
ADMINISTRATION FOR USE OF SPACE AT THE HILLCREST DEPOT FOR THE OFFICE OF  
THE SHERIFF FOR 2006-2016**

WHEREAS, the Sheriff requests authorization for an agreement with the U.S. General  
Services Administration for use of space at the Hillcrest Depot for the Office of the Sheriff at no  
cost to the County for the period November 1, 2006 through October 31, 2016, and

WHEREAS, said agreement is necessary for office and garage space at the Hillcrest  
Depot, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with U.S.  
General Services Administration, Binghamton Federal Building & Courthouse, 15 Henry Street,  
Binghamton, New York 13901 for use of space at the Hillcrest Depot for the Office of the Sheriff,  
at no cost to the County for the period November 1, 2006 through October 31, 2016, 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.**

**RESOLUTION NO. 332**

By Education, Culture and Recreation Committee  
Seconded by Mr. Shafer

**RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME  
COUNTY VETERANS MEMORIAL ARENA BOARD OF DIRECTORS**

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in  
her by Article XXIV, Section 2408 of the Broome County Charter and Code, has duly designated  
and appointed the following named individual to membership on the Broome County Veterans  
Memorial Arena Board of Directors, for the term indicated, subject to confirmation by this County  
Legislature:

<u>Name</u>	<u>Term Expires</u>
Martha Westbrook 41 West End Avenue Binghamton, New York 13905	New Appointment 12/31/08

and

WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it  
RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV,  
Section 2408 of the Broome County Charter and Code confirms the appointment of the above-  
named individual to membership on the Broome County Veterans Memorial Arena Board of  
Directors for the term indicated, in accordance with her appointment by the County Executive.

**Carried.**

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### **RESOLUTION NO. 333**

By Personnel, Transportation and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION CONFIRMING APPOINTMENT OF GARY J. CRANDELL AS COMMISSIONER OF PUBLIC TRANSPORTATION**

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the powers vested in her by Article X, Section 1001 of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, Gary J. Crandell, 20 Edward Street, Johnson City, New York 13790 as Commissioner of Public Transportation at the 2004 annual base salary of \$64,169, effective June 19, 2006, and

WHEREAS, the County Executive certifies that Mr. Crandell is fully qualified to fill the position of Commissioner of Public Transportation, and

WHEREAS, it is desired, in accordance with the provisions of Article X, Section 1001 of the Broome County Charter and Code, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of Gary J. Crandell as Commissioner of Public Transportation at the 2004 annual base salary of \$64,169 in accordance with his appointment by the County Executive, effective June 19, 2006.

**Carried.**

### **RESOLUTION NO. 334**

By Finance and Education, Culture and Recreation Committees

Seconded by Mr. Shafer

#### **RESOLUTION ADOPTING THE BUDGET FOR BROOME COMMUNITY COLLEGE FOR 2006-2007**

WHEREAS, the Broome County Legislature is required to approve Broome Community College's annual unrestricted operating budget, and

WHEREAS, such approval must state the total unrestricted appropriations, sponsor contribution and fiscal year for which the operating budget is approved, and

WHEREAS, the Finance Committee of the County Legislature recommends approval of the total budget and sponsor contribution as presented, now, therefore, be it

RESOLVED, that the unrestricted operating budget for Broome Community College for the college fiscal year September 1, 2006 through August 31, 2007, in the sum of \$42,710,685 be approved, and be it

FURTHER RESOLVED, that the Sponsor Contribution for Broome Community College for the college fiscal year September 1, 2006 through August 31, 2007, in the sum of \$6,380,710 be approved, and be it

FURTHER RESOLVED, that Broome Community College's operating budget be submitted to the State University Board of Trustees for approval.

**Carried, Ayes-18, Nays-1 (Kuzel).**

### **RESOLUTION NO. 335**

By Health Services and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR 2006-2007**

WHEREAS, the Director of Public Health requests authorization for agreements with various vendors for services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant at rates set by the NYSDOH Upstate NY Fee Schedule, for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said agreements are necessary for breast, cervical, colorectal and prostate cancer screening, diagnostics and follow-up services, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes an agreement with various vendors as listed on Exhibit "A", for services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2006 through March 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates set by the NYSDOH Upstate NY Fee Schedule as listed in Exhibit "B" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4715.105092/105xxx (Other Health and Medical Services) and 480376.4707/4715.105176 (Medical and Hospital Services) and (Other Health and Medical 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.**

### **RESOLUTION NO. 336**

By Health Services, Personnel and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING RENEWAL OF THE HIV SEROPREVALENCE STUDY GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 281 of 2005, authorized and approved the HIV Seroprevalence Study Program Grant for the Department of Health and adopted a program budget in the amount of \$21,000 for the period July 1, 2005 through June 30, 2006, and

WHEREAS, said program grant allows the Broome County Department of Health STD Clinic to participate in a blinded HIV Seroprevalence Study which will expand the knowledge of the nature and scope of the epidemic in the Broome County Correctional Facility and in the STD Clinic population, and

WHEREAS, it is desired to renew said program grant in the amount of \$22,500 for the period

July 1, 2006 through June 30, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$22,500 from the New York State Department of Health, Bureau of HIV/AIDS Epidemiology, Room 729, Corning Tower, Empire State Plaza, Albany, New York 12237, for the HIV Seroprevalence Study Program Grant for the period July 1, 2006 through June 30, 2007, 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 \$22,500, 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.**

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### **RESOLUTION NO. 337**

By Human Services and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING RENEWAL OF DSS/BU CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 285 of 2005, as amended by Resolution 237 of 2006, authorized and approved renewal of the DSS/BU Credit and Non-Credit Training Program Grant for the Department of Social Services and adopted a program budget in the amount of \$50,743 for the period August 1, 2005 through July 31, 2006, and

WHEREAS, said program grant provides DSS employees with educational opportunities and workshops geared toward enhancing their skills on the job and preparing them for promotional opportunities within the Department, and

WHEREAS, it is desired to renew said program grant in the amount of \$34,063 for the period August 1, 2006 through July 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$34,063 from the New York State Office of Children and Family Services, 40 N. Pearl Street, 11-B, Albany, New York 12243, for the Department of Social Services DSS/BU Credit and Non-Credit Training Program Grant for the period August 1, 2006 through July 31, 2007, 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 \$34,063, 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.**

### **RESOLUTION NO. 338**

By Human Services and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING RENEWAL OF DSS/BCC CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 286 of 2005, as amended by Resolution 234 of 2006, authorized and approved renewal of the DSS/BCC Credit and Non-Credit Training Program Grant for the Department of Social Services and adopted a program budget in the amount of \$76,347 for the period August 1, 2005 through July 31, 2006, and

WHEREAS, said program grant provides DSS employees with educational opportunities and workshops geared toward enhancing their skills on the job and preparing them for promotional opportunities within the Department, and

WHEREAS, it is desired to renew said program grant in the amount of \$45,292 for the period August 1, 2006 through July 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$45,292 from the New York State Office of Children and Family Services, 40 N. Pearl Street, 11-

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B, Albany, New York 12243, for the Department of Social Services DSS/BCC Credit and Non-Credit Training Program Grant for the period August 1, 2006 through July 31, 2007, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$45,292, 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.**

### **RESOLUTION NO. 339**

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF 'I LOVE NEW YORK' SPONSORSHIP SUPPORT FUNDING FOR THE CHRIS THATER MEMORIAL FOR 2006**

WHEREAS, the Coordinator of the STOP-DWI Program requests authorization to accept 'I Love New York' Sponsorship Support Funding for the Chris Thater Memorial for the period June 1, 2006 through December 31, 2006, and

WHEREAS, said funding provides sponsorship support from 'I Love New York' for the Chris Thater Memorial, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the 'I Love New York', Division of Marketing, Advertising and Tourism, Empire State Development, 30 South Pearl, Albany, New York 12245 for Sponsorship Support Funding for the Chris Thater Memorial for the period June 1, 2006 through December 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, and be it

**Carried.**

### **RESOLUTION NO. 340**

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT FOR COURT SECURITY SERVICES PROVIDED BY THE DPW-SECURITY DIVISION FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 308 of 2005, authorized renewal of agreement with the Unified Court System of the State of New York, Sixth Judicial District for court security serviced provided by DPW-Security Division with revenue to the County in the amount of \$900,000 for the period April 1, 2005 through March 31, 2006, and

WHEREAS, said agreement is necessary for maintaining security in Supreme Court, County Court, Family Court and Binghamton City Court, and

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WHEREAS, said agreement expired by its terms on March 31, 2006, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$436,000, for the period April 1, 2006 through March 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Unified Court System of the State of New York, Sixth Judicial District, State Office Building, 44 Hawley Street, Binghamton, New York 13901 for court security services provided by the DPW-Security Division for the period April 1, 2006 through March 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$436,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 031450.0639.101000 (Security Services-Outside Users), 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.**

### **RESOLUTION NO. 341**

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION ESTABLISHING FEES FOR REPLACEMENT IDENTIFICATION CARDS**

WHEREAS, the Division of Security issues identification cards for County employees at no charge to the employee for the first card, and

WHEREAS, there are two types of identification cards:

- (1) Proximity Cards that provide employee identification and can be used to access the County Office Building through the badge readers, and
- (2) Non-Proximity Cards that are used only for identification purposes.

and

WHEREAS, employees, from time to time, have lost their identification cards, which incurs a cost to replace, and

WHEREAS, to offset, the costs associated with the replacement of said identification cards, the Director of Security has proposed a replacement fee for identification cards that closely reflects the actual replacement costs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes fees for replacement identification cards as follows:

- (1) Proximity Card: \$7
- (2) Non-Proximity Cards: \$5

and be it

FURTHER RESOLVED, 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.**

### **RESOLUTION NO. 342**

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

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH NEW WORLD SYSTEMS FOR DATA CONVERSION SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005-2006**

WHEREAS, this County Legislature, by Resolution 728 of 2005, authorized an agreement with New World Systems for data conversion services for the Division of Information Technology at a cost not to exceed \$24,800, for the period December 15, 2005 through June 30, 2006, and

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WHEREAS, said services are necessary to convert data in the Sheriff's business office for automatic sharing of said data with the Sheriff's Civil Office and the 911 Emergency Services System, and

WHEREAS, it is necessary to authorize amendments to said agreement to change the budget line and to change the contract date to January 1, 2006 through December 31, 2006, at no additional cost to the County, and

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

RESOLVED, that this County Legislature hereby authorizes amendments to the agreement with New World Systems, 888 West Big Beaver Road, Suite 1100, Troy, Michigan 48084, to change the budget line to 450031.4726.502383 (Contracted Data Processing Services) and to change the contract date to January 1, 2006 through December 31, 2006 at no additional cost to the County, for data conversion services for the Division of Information Technology, and be it

FURTHER RESOLVED, that Resolution 728 of 2005, 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.**

### **RESOLUTION NO. 343**

By County Administration and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH COMPUTER ASSOCIATES FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2006**

WHEREAS, this County Legislature, by Resolution 642 of 2005, authorized renewal of an agreement with Computer Associates for software maintenance for the Division of Information Technology at an amount not to exceed \$7,140.15 for the period January 1, 2006 through December 31, 2006, and

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

WHEREAS, it is necessary to authorize an amendment to said agreement to provide for an increase in cost of \$6,848.12 to cover the installation and maintenance of a CPU upgrade for the County's mainframe software, and

WHEREAS, the Director of Information Technology 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 Computer Associates, One Computer Associates Plaza, Islandia, New York 11749 for the installation and maintenance of a CPU upgrade for the County's mainframe software for the Division of Information Technology, for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$6,848.12, total amount not to exceed \$13,988.27 for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 642 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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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.**

#### **RESOLUTION NO. 344**

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

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH STRATEGIC COMPUTER SOLUTIONS, INC. HARDWARE AND SERVICES AT THE PUBLIC SAFETY FACILITY FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2006**

WHEREAS, the Director of Information Technology requests authorization for an agreement with Strategic Computer Solutions, Inc. for hardware and related services at the Public Safety Facility for the Division of Information Technology at a cost not to exceed \$38,168, for the period July 1, 2006 through October 31, 2006, and

WHEREAS, said agreement is necessary for the purchase of hardware and related services for expansion of the DS6800 Enterprise Storage as part of the High Availability Project at the Public Safety Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Strategic Computer Solutions, Inc., 5788 Widewaters Parkway, Syracuse, New York 13214, for hardware and related services at the Public Safety Facility for the Division of Information Technology for the period July 1, 2006 through October 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor \$37,668 for the cable set, drive set and configuration for the disk and other DP services plus \$500 for travel, total amount not to exceed \$38,168 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 460072.2850.104918 (Hardware), 460072.4726.104918 (Contracted DP Services) and 460072.4462.104918 (Travel, Hotel and Meals), 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.**

#### **RESOLUTION NO. 345**

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

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH STRATEGIC COMPUTER SOLUTIONS, INC. FOR HARDWARE AND RELATED SERVICES AT THE PUBLIC SAFETY FACILITY FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2006**

WHEREAS, the Director of Information Technology requests authorization for an agreement with Strategic Computer Solutions, Inc. for hardware and related services at the Public Safety Facility for the Division of Information Technology at a cost not to exceed \$27,983, for the period July 1, 2006 through October 31, 2006, and

WHEREAS, said agreement is necessary for the purchase of single-drive single slot LTO tape units as part of the High Availability Project at the Public Safety Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Strategic Computer Solutions, Inc., 5788 Widewaters Parkway, Syracuse, New York 13214, for hardware and related services at the Public Safety Facility, for the Division of Information Technology for the period July 1, 2006 through October 31, 2006, and be it

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FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$27,983 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 460072.2850.104918 (Hardware) 460072.4726.104918 (Contracted DP 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.**

### **RESOLUTION NO. 346**

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

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH KISCO INFORMATION SYSTEMS FOR SOFTWARE LICENSES, SUPPORT AND TRAINING AT THE PUBLIC SAFETY FACILITY FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2006**

WHEREAS, the Director of Information Technology requests authorization for an agreement with Kisco Information Systems for software licenses, support and training at the Public Safety Facility for the Division of Information Technology at a cost not to exceed \$23,064, for the period July 1, 2006 through October 31, 2006, and

WHEREAS, said agreement is necessary for SafeNet licenses, software support and on-site training to install and configure the Safenet software to protect the security of the data that is replicated on the Public Safety AS/400 system as part of the High Availability Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Kisco Information Systems, 89 Church Street, Saranac Lake, New York 12983 for software licenses, support and training at the Public Safety Facility for the Division of Information Technology for the period July 1, 2006 through October 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$18,064 for the SafeNet licenses and support, plus \$4,500 for training and \$500 for travel, total amount not to exceed \$23,064 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 460072.4359.104918 (Computer Software and Supplies), 460072.4462.104918 (Travel, Hotel and Meals) and 460072.4463.104918 (Education and Training), 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.**

### **RESOLUTION NO. 347**

By Economic Development and Planning and Finance Committees  
Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING AMENDMENTS TO THE AGREEMENTS WITH CLOUGH, HARBOUR ASSOCIATES, LLP AND O'BRIEN & GERE ENGINEERS, INC TO PERFORM ENVIRONMENTAL ASSESSMENTS FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT'S BROWNFIELD DEMONSTRATION PILOT GRANT FOR 2002-2004**

WHEREAS, this County Legislature, by Resolution 526 of 2003, as amended by Resolution 212 of 2005, authorized agreements with Clough, Harbour Associates, LLP and O'Brien & Gere Engineers, Inc. for environmental assessments for the Department of Planning and Economic Development's Brownfield Demonstration Pilot Grant, at rates listed in Exhibits' "A" and "B", total cost not to exceed \$200,000, for the period October 1, 2002 through September 30, 2006, and

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WHEREAS, said agreements provided environmental assessments, including sampling and laboratory analysis and the preparation of a final report detailing sampling procedures, testing protocols, results, conclusions and recommendations, and

WHEREAS, it is necessary to authorize amendments to said agreements to change the rates and extend the terms through September 30, 2008, and

WHEREAS, the Commissioner of Planning and Economic Development has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes amendments to the agreements with Clough, Harbour Associates, LLP, 441 South Salina Street, Syracuse, New York 13202-2424 and O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York 13850 to change the rates per Exhibits "A" and "B" and extend said agreements through September 30, 2008, for the Department of Planning and Economic Development's Brownfield Demonstration Pilot Grant, and be it

FURTHER RESOLVED, that Resolutions 526 of 2003 and 212 of 2005, 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.**

### **RESOLUTION NO. 348**

By Public Works and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SCS ENGINEERS, PC FOR DESIGN SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2003-2006**

WHEREAS, this County Legislature, by Resolution 374 of 2003, as amended by Resolution 402 of 2005, authorized an agreement with SCS Engineers, PC for design and construction review services for the Division of Solid Waste Management at a cost not to exceed \$80,019 for the period October 6, 2003 through December 31, 2006, and

WHEREAS, said agreement is necessary for design services to modify and upgrade the Broome County Landfill Gas Recovery System, from a recovery system to a recovery and emissions control system in order to meet more stringent EPA and NYSDEC gas emission control regulations and to design and permit a new collection infrastructure for the vertical landfill expansion of Sections II and III, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the not to exceed amount by \$10,000 due to a delay in the project and SCS has had to revise their design plans to reflect the current topography of the landfill, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with SCS Engineers, PC, 2 Crosfield Avenue, W. Nyack, New York 10994 to increase the not to exceed amount by \$10,000 for design and construction review services for the Division of Solid Waste Management for the period October 6, 2003 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$10,000, total amount not to exceed \$90,019, for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolutions 374 of 2003 and 402 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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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.**

### **RESOLUTION NO. 349**

By Public Works Committee

Seconded by Mr. Shafer

**RESOLUTION DECLARING THE DEPARTMENT OF PUBLIC WORKS' RIGHT TURN LANE AT COUNTRY CLUB AND HOOPER ROADS PROJECT IN THE TOWN OF UNION TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION**

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

WHEREAS, the Right Turn Lane Project at County Club and Hooper Roads (PIN 9753.15) in the Town of Union has been determined under the New York State Environmental Quality Review Act to have no substantial effect on the environment in that it involves only the construction of a right turn lane, and

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

WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the project involves a right turn lane only at the intersection of County Club and Hooper Roads and has no substantial effect on the environment, and at this time it appears that not more than one parcel shall be obtained from the adjoining property owner, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Department of Public Works Right Turn Lane Project at County Club and Hooper Roads (PIN 9753.15) in the Town of Union to be "de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

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

**Carried.**

### **RESOLUTION NO. 350**

By Education, Culture and Recreation and Finance Committees

Seconded by Mr. Shafer

**RESOLUTION AUTHORIZING AN AGREEMENT WITH NEW YORK STATE ELECTRIC AND GAS CORPORATION (NYSEG) FOR AN EASEMENT ON COUNTY-OWNED PROPERTY IN THE VILLAGE OF DEPOSIT**

WHEREAS, the New York State Electric and Gas Corporation (NYSEG) has requested an easement through land owned by Broome County along Court Street in the Village of Deposit for an electric service line to a new home, and

WHEREAS, the Department of Parks and Recreation has determined that granting this easement would not interfere with the existing land use, now, therefore, be it

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RESOLVED, that this County Legislature hereby grants New York State Electric & Gas Corporation, 65 Country Club Road, Oneonta, New York, 13820-9981, an easement running through land owned by Broome County along Court Street in the Village of Deposit, as more fully described in a map and property description referred to as Exhibit "A," and be it

FURTHER RESOLVED, that in consideration of the aforesaid easement, NYSEG will pay Broome County the sum of \$1.00, 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.**

### **RESOLUTION NO. 351**

By Transportation Committee

Seconded by Mr. Shafer

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE GREATER BINGHAMTON AIRPORT RUNWAY SAFETY AREA IMPROVEMENT PROJECT, ADOPTING THE FULL ENVIRONMENTAL ASSESSMENT FORM AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO**

WHEREAS, it is necessary to extend the safety area surfaces located at the approach ends of Runway 10.28 and to improve the drainage areas and security fence realignment at the Greater Binghamton Airport, and

WHEREAS, it has been determined that such Project is subject to the requirements of the State Environmental Quality Review Act, 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 one of three involved agencies along with the New York State Department of Transportation Bureau of Aviation and the Federal Aviation Administration, as defined in the State Environmental Quality Review Act, reviewing the aforementioned project, and

WHEREAS, said Project 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 for a coordinated review with other involved agencies in accordance with 6NYCRR Part 617 with respect to the environmental review of the Runway Safety Area Improvement Project at the Greater Binghamton Airport, and be it

FURTHER RESOLVED, based on the Full Environmental Assessment Form annexed hereto as Exhibit "A" hereby determines and declares that the Greater Binghamton Airport Runway Safety Area Improvement Project will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the Full Environmental Assessment Form and the "Negative Declaration" annexed hereto as Exhibits "A" and "B", respectively.

**Carried.**

### **RESOLUTION NO. 352**

By Transportation Committee

Seconded by Mr. Shafer

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE INSTALLATION AND OPERATION OF NEW AIRPORT SURVEILLANCE RADARS AT THE GREATER BINGHAMTON AIRPORT FOR THE DEPARTMENT OF AVIATION**

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WHEREAS, the Commissioner of Aviation requests authorization for an agreement with the Federal Aviation Administration (FAA) for the installation and operation of new Airport Surveillance Radar equipment at the Greater Binghamton Airport for the Department of Aviation, at no cost to the County, and

WHEREAS, said agreement is necessary to replace an older generation of Airport Surveillance Radar equipment to enhance safety at the airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Federal Aviation Administration (FAA), Logistics Division, 1 Aviation Plaza, Jamaica, New York 11434-4809, for the installation and operation of new Airport Surveillance Radar equipment at the Greater Binghamton Airport for the Department of Aviation, 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.**

### **RESOLUTION NO. 353**

By Transportation and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH McFARLAND-JOHNSON, INC., FOR CONSULTING SERVICES TO UPDATE THE MASTER PLAN FOR THE GREATER BINGHAMTON AIRPORT**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland-Johnson, Inc., for consulting services to update the Master Plan for the Greater Binghamton Airport at a cost not to exceed \$249,223, for the period August 1, 2006 through July 31, 2007, and

WHEREAS, said agreement will provide consulting services to update the airport's Master Plan to include a review of the airport's goals and objectives, activity forecasts, capacity analysis, future airport requirements, an airfield study, security and land side issues, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., 49 Court Street, P.O. Box 1980, Binghamton, New York, 13902, for consulting services to update the Master Plan for the Greater Binghamton Airport, for the period August 1, 2006 through July 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$249,223, for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211011.4747.501434 (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.**

### **RESOLUTION NO. 354**

By Finance Committee

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING CANCELLATION OF 2006 REAL PROPERTY TAXES ON A PARCEL IN THE TOWN OF TRIANGLE**

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

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

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Parcel ID: 027.20-1-8  
Town/Village: Triangle  
Owner: St. Patrick's Church Cemetery  
9 Brookside Drive  
Amount to be Cancelled: \$3.44  
Reason: Wholly Exempt

**Carried.**

### **RESOLUTION NO. 355**

By Finance Committee  
Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH DOCSTAR FOR SOFTWARE SUPPORT AND UPGRADES FOR REAL PROPERTY TAX SERVICE FOR 2006-2007**

WHEREAS, the Director of Real Property Tax Service requests authorization for an agreement with DocStar for software support and upgrades for the Records Retention System for Real Property Tax Service at a cost not to exceed \$3,795, for the period July 1, 2006 through June 30, 2007, and

WHEREAS, said services are necessary for the support and software upgrades for the DocStar system used for the onsite data retention system, which includes all information on county properties dating back 75 to 100 years, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with DocStar, 2165 Technology Drive, Schenectady, New York 12308, for software support and upgrades for the Records Retention System, for Real Property Tax Service, for the period July 1, 2006 through June 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,795 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 630004.4359.101000 (Computer Software), 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.**

### **RESOLUTION NO. 356**

By Finance and Health Committees  
Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR HEALTH DEPARTMENT**

RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts for the Steps to a Healthier US Grant, as requested by BF# 005772, 005773 and 005774, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1000	105074	Salaries – Full Time	160
	480376	1600	105074	Salaries - Temporary	602
	480376	4319	105074	Office Supplies	500
	480376	4457	105074	Subcontracted PGM Exp	5,600
	480376	4606	105074	Telephone Billing Acct	300
	480376	4615	105074	Gas Chargeback	75
	480376	8010	105074	State Retirement	6,646

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	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
	480376	8030	105074	Social Security	478
	480376	8040	105074	Worker's Compensation	1,629
	480376	8050	105074	Life Insurance	18
	480376	8060	105074	Health Insurance	573
	480376	8070	105074	Unemployment Insurance	1,483
TO:	480376	4349	105094	Misc Operating Supplies	3,559
	480376	4363	105094	Medical & NSG Supplies	53
	480376	4419	105094	General Office Exp	142
	480376	4448	105094	Advertising & Promotion	4,026
	480376	4461	105094	Mileage & Parking	400
	480376	4465	105094	Non-Employee Travel	7,400
	480376	4614	105094	Other Chargeback Exp	1,300
	480376	4616	105094	Fleet Service Chargeback	75
	480376	4617	105094	Duplicating & Printing	850
	480376	4618	105094	Office Supply Chargeback	250
	480376	8063	105094	Disability	9

and be it

FURTHER RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts for the Comprehensive Tobacco Control Grant, as requested by BF# 005634 and 005635, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1000	105061	Salaries – Full Time	147
	480376	1500	105061	Salaries – Part Time	1,828
	480376	4610	105061	Prsnl Svc Chrgback	913
	480376	4627	105061	Single Audit Chrgbck	100
	480376	8010	105061	State Retirement	192
	480376	8030	105061	Social Security	287
	480376	8040	105061	Worker's Compensation	576
	480376	8050	105061	Life Insurance	9
	480376	8060	105061	Health Insurance	1,526
	480376	8070	105061	Unemployment Insurance	493
TO:	480376	4346	105061	Training/Educ Supplies	5,851
	480376	4461	105061	Mileage & Parking	20
	480376	4466	105061	Advisory Board	200

and be it

FURTHER RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts for the HIV Seroprevalence Study Grant, as requested by BF# 005636, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1000	105054	Salaries – Full Time	2,455
	480376	8010	105054	State Retirement	394
	480376	8030	105054	Social Security	214
	480376	8040	105054	Worker's Compensation	189
	480376	8050	105054	Life Insurance	5
	480376	8060	105054	Health Insurance	186

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	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
	480376	8063	105054	Disability Insurance	19
	480376	8070	105054	Unemployment Insurance	129
TO:	480376	4363	105054	Medical, Lab Clinic Supplies	3,591

and be it

FURTHER RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts for the Healthy Families New York, as requested by BF# 005627, 005628 and 005629, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	4609	105060	Data Processing Chgbk	1281
	480376	4610	105060	Personal Services Chgbk	1184
	480376	4615	105060	Gasoline Chgbk	300
	480376	4616	105060	Fleet Service Chgbk	449
	480376	4617	105060	Duplicating/Printing	45
	480376	4627	105060	Single Audit Chgbk	100
	480376	8040	105060	Workers Comp	690
	480376	8050	105060	Life Insurance	11
	480376	8063	105060	Disability Insurance	8
	480376	8070	105060	Unemployment Insurance	644
TO:	480376	1000	105060	Salaries Full Time	2,510
	480376	1500	105060	Salaries Part Time	127
	480376	4346	105060	Training & Education	467
	480376	4359	105060	Computer Software/Spls	65
	480376	4411	105060	Postage & Freight	80
	480376	4418	105060	Dues & Membership	50
	480376	4419	105060	General Office Expenses	30
	480376	4461	105060	Mileage & Parking	15
	480376	4463	105060	Education & Training	194
	480376	4618	105060	Office Supply Chargeback	50
	480376	8010	105060	State Retirement	763
	480376	8030	105060	Social Security	34
	480376	8060	105060	Health Insurance	327

**Carried.**

### **RESOLUTION NO. 357**

By Personnel, Human Services and Finance Committees

Seconded by Mr. Shafer

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

RESOLVED, that in accordance with a request contained in PCR#06-220 from the Commissioner of Social Services, this County Legislature hereby authorizes the change of Account Clerk, Grade 07, Union Code 04, minimum salary \$21,372, at budget line 670026.1000.103000 to Clerk, Grade 06, Union Code 04, minimum salary \$20,358 at budget line 670026.1000.103000 effective August 14, 2006.

**Carried.**

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## RESOLUTION NO. 358

By Finance Committee  
Seconded by Mr. Whalen

### **RESOLUTION AUTHORIZING AGREEMENTS WITH THE CITY OF BINGHAMTON AND BINGHAMTON CITY SCHOOL DISTRICT FOR THE COLLECTION AND ENFORCEMENT OF REAL PROPERTY TAXES**

WHEREAS, the City of Binghamton currently collects and enforces County, City, and School District taxes through its City Treasurer, and

WHEREAS, the County, City and School Districts indicate there are savings and economies to be gained by having the tax collection and enforcement performed by Broome County rather than the City's City Treasurer, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the City of Binghamton authorizing the Broome County Real Property Tax Service to perform those functions necessary to collect and enforce County, City and School District taxes in the City of Binghamton for the period September 1, 2006 through August 31, 2009, and be it

FURTHER RESOLVED, that this agreement shall renew automatically unless the parties agree to terminate the agreement, and be it

FURTHER RESOLVED, that this County Legislature authorizes an agreement with the Binghamton City School District for the collection of School District taxes in the City of Binghamton, commencing September 1, 2006, and be it

FURTHER RESOLVED, that the School District agreement shall remain in full force and effect as long as the County Receiver of Taxes is the appointed School Tax Collector, and be it

FURTHER RESOLVED, that upon assignment and transfer to the County of unpaid City and relieved school district taxes levied prior to September 1, 2006, the County will pay to the City \$3,000,000 and any unpaid amount in excess of \$3,000,000, shall be paid to the City when actually collected by the County, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any 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.

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

## RESOLUTION NO. 359

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

### **RESOLUTION AUTHORIZING RENEWAL OF THE AID TO PROSECUTION PROGRAM GRANT FOR THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 488 of 2005, authorized and approved renewal of the Aid to Prosecution Program Grant for the District Attorney and adopted a program budget in the amount of \$215,636 for the period April 1, 2005 through March 31, 2006, and

WHEREAS, said program grant provides funds of approximately 50% of the salary and fringe benefits for one Senior Assistant District Attorney and for the Chief Assistant District Attorney, and

WHEREAS, it is desired to renew said program grant in the amount of \$219,448 for the period April 1, 2006 through March 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$109,688 from the New York State Division of Criminal Justice Services, 4 Tower Plaza, Albany, New York 12203, for the District Attorney's Aid to Prosecution Program Grant for the period April 1, 2006 through March 31, 2007, 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 \$ 219,448, and be it

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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.**

### **RESOLUTION NO. 360**

By Finance Committee

Seconded by Mr. Shafer

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

WHEREAS, the County of Broome now owns a certain parcel of real property in the Town of Kirkwood, and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell said property to the individual as listed below, and

WHEREAS, upon the sale of the property, the structure on said property shall be demolished and removed and the plywood used to secure the structure returned to the County within 30 days of the sale, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of the following County-owned property:

Parcel ID:	162.05-2-29
Town:	Kirkwood
Address:	90 Barlow Road
Purchase amount:	\$10,000
Purchaser:	Newman Acquisition B, LLC 3101 Shippers Road Vestal, New York 13850

and be it

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

FURTHER RESOLVED, that upon the sale of the property, the structure on said property shall be demolished and removed and the plywood used to secure the structure returned to the County within 30 days of the sale, and be it

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

Mr. Shafer asked that a certified copy of this resolution be sent to the Zoning Ordinance Officer i in the Town of Kirkwood.

**Carried.**

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**RESOLUTION NO. 361**

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

**RESOLUTION TO CREATE A NEW 2006 CAPITAL IMPROVEMENT PROJECT**

RESOLVED, that the 2006 Capital Improvement Program is hereby revised to create a new project as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Estimated Cost:</u>		<u>County</u>
				<u>Federal/Other</u>		
502382	Sheriff's Office Information Resource Integration	127,000	0	0		127,000
		<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
		2006	5	32	0	127,000

Description: It has been determined that a new Capital Improvement Project be established to fund andintegrated information resource at Sheriff's Office.

and be it

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

**Carried.**

**RESOLUTION NO. 362**

By Finance and County Administration Committees  
Seconded by Mr. Mather

**RESOLUTION TO CREATE A NEW 2006 CAPITAL IMPROVEMENT PROJECT**

RESOLVED, that the 2006 Capital Improvement Program is hereby revised to create a new project as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Estimated Cost:</u>		<u>County</u>
				<u>Federal/Other</u>		
502383	Information Technology Assessment Study	24,800	0	0		24,800
		<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
		2006	5	62(a)	0	24,800

Description: It has been determined that a new Capital Improvement Project be established to fund a needs assessment study in the Information Technology Department.

and be it

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

**Carried.**

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## RESOLUTION NO. 363

By County Administration and Finance Committees

Seconded by Mr. Mather

### **RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4, 2006, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 125 OF THE BROOME COUNTY CHARTER AND CODE REGARDING FEES FOR INSPECTIONS OF WEIGHTS AND MEASURES."**

WHEREAS, as a result of the June 2006 flood damage, the County Executive and the Governor of the State of New York have declared a State of Emergency in the affected areas, and

WHEREAS, many businesses in flooded areas of the County have suffered heavy damages that will require time and money to restore them to the services they provided before the flooding of their premises, and

WHEREAS, the County feels that it should play a helpful role during the recovery process for the affected businesses, and

WHEREAS, the County believes that it would be appropriate to waive the fees for the re-inspections of all weighing and measuring devices and systems and related accessories in Broome County for those businesses affected by the June 2006 flood and any future natural or man-made disasters, now, therefore, be it

RESOLVED, that Local Law Intro. No. 4, 2006, entitled: "A Local Law Amending Chapter 125 of the Broome County Charter and Code Regarding Fees for Inspections of Weights and Measures," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto, 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.

### **LOCAL LAW INTRO. NO. 4, 2006**

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

Section 1. Section 125-9 shall be amended to add a new subsection L to read as follows:

L. Waiver of Fees.

The charges set forth in Section 125-9 shall be waived for the re-inspections of all weighing and measuring devices and systems and related accessories in Broome County for those businesses incurring damages related to a natural or man-made disaster resulting in a declaration of a state of emergency by the County Executive.

Eligibility for this program shall be limited to the business owners suffering damage due to such man made or natural disaster.

The person requesting a fee waiver shall file an application with the Division of Weights and Measures, on forms provided by the Division. The application for a waiver shall contain a certification from an appropriate code enforcement or emergency services official that the applicant qualifies for the fee waiver based on records of damage due to such natural or man made disaster.

The amount of the fee waived for any applicant shall be limited to the inspection fee, which is not covered by any insurance or local, state or federal emergency assistance.

The Division of Weights and Measures shall prepare appropriate regulations to implement the intent of this Local Law, which regulations shall be filed with the Clerk of the Legislature.

Section 2. That this Local Law shall take effect immediately upon filing with the Secretary of State.

**Carried.**

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**RESOLUTION NO. 364**

By Finance and County Administration Committees

Seconded by Mr. Shafer

**RESOLUTION REQUESTING THE STATE OF NEW YORK TO AMEND SECTION 26.10 OF THE LOCAL FINANCE LAW TO PROVIDE AN ALTERNATIVE METHOD OF FINANCING FLOOD-RELIEF EXPENSES**

WHEREAS, the County of Broome was one of several counties in New York that has incurred extraordinary expenses attributable to the recent flood, and

WHEREAS, Section 26.10 of the Local Finance Law was recently amended to permit the financing of extraordinary expenses from flooding that occurred in 2005, and

WHEREAS, Section 26.10 of the Local Finance Law should be further amended to permit affected municipalities or school districts to finance the extraordinary expenses resulting from the flooding in 2006, now, therefore, be it

RESOLVED, that this County Legislature requests that the State of New York amend Section 26.10 of the Local Finance Law to permit the financing of extraordinary expenses incurred by municipalities for school districts resulting from the 2006 floods, and be it

FURTHER RESOLVED, that the Clerk of the Legislature is directed to forward a copy of this Resolution to Governor George E. Pataki, Senator Joseph L. Bruno, Assembly Speaker Sheldon Silver, Senator Thomas W. Libous, Assemblyman Clifford Crouch, Assemblyman Gary Finch, Assemblywoman Donna A. Lupardo and the New York Association of Counties.

**Carried.**

Mr. Brunza made a motion to adjourn, seconded by Mr. Sanfilippo. **Motion to adjourn carried.**  
The meeting was adjourned at 4:59 p.m.

