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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, APRIL 24, 2008**

The Legislature convened at 5:00 p.m. with a call to order by the Chair, Mark R. Whalen. The Clerk, Eric S. Denk, read the fire exit announcement and called the Attendance Roll, Present-19, Absent-0.

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

Mr. LaBare made a motion, seconded by Mr. Mather, that the special session minutes and the session minutes of March 20, 2008 be approved as prepared and presented by the Clerk. **Carried.** Ayes-19, Nays-0.

Mr. Whalen noted that the committee minutes for the period March 20, 2008 through April 23, 2008 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. Whalen asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Garnar, seconded by Mr. Black. **Carried,** Ayes19, Nays-0.

**ANNOUNCEMENTS FROM THE CHAIR**

A public hearing was held concerning the annual review of agricultural districts. The Clerk read the "Resolution Adopting a Plan for the Modification of Broome County Agricultural Districts Pursuant to Section 303-b of the Agriculture and Markets Law". Chairman Whalen opened the public hearing and asked if there were any speakers. Seeing none, the Chairman closed the public hearing.

A second public hearing was held concerning the continuation of Agricultural District #4 and eight year review. The Clerk read the "Resolution Adopting a Plan or Proposal for the Continuation of Broome County Agricultural District No. 4 Located within the Towns of Binghamton, Barker, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Windsor and Union for Additional Eight (8) Year Periods Pursuant to Section 303-a of the Agriculture and Markets Law". Chairman Whalen opened the public hearing and asked if there were any speakers. Seeing none, the Chairman closed the public hearing.

Chairman Whalen invited Mr. Keibel to the podium who presented to Mr. Greenmun a "Resolution of Condolence on the Death of Kathleen M. Greenmun".

Mr. Materese was invited to the podium to present a proclamation to Mr. May, STOP-DWI Coordinator.

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

- A. Letters from the County Executive, Barbara J. Fiala
  - 1. Appointments for En Joie Golf Course Advisory Committee
  - 2. Appointment to Broome County Veteran's Memorial Arena Board of Directors

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

- A. PETITIONS: None
- B. COMMUNICATIONS:
  - 1. BCC Minimum Hires for February 2008
  - 2. BCC Proposals from College Council
  - 3. EMC Natural Resources Committee Meeting Minutes 2/21/08

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4. BCC Local Law Intro. No. 8, 1990 (Quarterly Income Statement)
  5. Environmental Management Council – Recycling at Speidie Fests & Balloon Rallies
  6. EMC Recycling & Waste Management Committee Meeting Minutes 1/28/08
  7. Environmental Management Council – Recycling at Dick's Sporting Goods Open June 30-July 6, 2008
  8. Board of Acquisition and Contract Meeting Minutes 3/26/08
  9. Audit & Control - Cash Verification Audits
  10. Environmental Management Council Meeting Minutes 3/6/008
  11. BCC February 2008 Budget Transfers
  12. Environmental Management Council Meeting Minutes 4/3/08
  13. Cornell Cooperative Extension Meeting Minutes 2/28/08
  14. Dept. of Finance – Balancing Transfer Resolution – 2007
  15. Sheriff's Office Annual Report 2007
- C. **NOTICES:**
1. Special Session of Broome County Legislature 3/20/08
  2. Health Dept. Maternal Child Health & Development – Public Hearing
  3. Special Meeting of the Transportation & Rural Development Committee “Gas Leasing” by the New York Farm Bureau
- D. **REPORTS:** None

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

- A. Letters from the Chair, Mark R. Whalen:
1. Designation for Mr. Reynolds 4/9/2008
  2. Designation for Mr. Schofield 4/7/2008
  3. Designation for Mr. Cleary 4/8/2008

Mr. Kuzel made a motion, seconded by Mr. Cleary, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2008 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-19, Nays-0.

Mr. Sanfilippo and Mr. Mather were designated as participants with Chairman Whalen in the 'Short Roll Call'.

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

##### **RESOLUTION NO. 122**

(Held over by Mr. Black)

By Public Safety and Emergency Services and Finance Committees      Seconded by Mr. Black  
**RESOLUTION AUTHORIZING RENEWAL OF THE SELECTIVE TRAFFICE ENFORCEMENT PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET FOR 2007-2008**  
**Carried**. Ayes-19, Nays-0.

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

##### **RESOLUTION NO. 175**

By All Members and County Administration Committee      Seconded by Mr. Keibel  
**RESOLUTION OF CONDOLENCE ON THE DEATH OF KATHLEEN M. GREENMUN**  
WHEREAS, former Legislator Kathleen M. Greenmun passed away on March 7, 2008 at the Bridgewater Nursing Center, and

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WHEREAS, Kay Greenmun was the first women elected to the Broome County Legislature and served its citizens for sixteen years from 1977 to 1992 representing District Eleven, and

WHEREAS, during the course of her service, Ms. Greenmun was a member of many committees including Chairperson for the Agriculture and Conservation Committee, Parks and Natural Resources Committee, Health and Human Services Committee and County Employees Committee, and

WHEREAS, Kay Greenmun is fondly remembered by her colleagues for her diligent preparation for meetings, her enthusiasm for serving her constituents and her determined approach to cautious decision making; and,

WHEREAS, Kay Greenmun will long be remembered for her dedication to her church and the Northern Broome community and her commitment to saving taxpayers money, and

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

RESOLVED, that this County Legislature hereby recognizes the loss of Kathleen M. Greenmun and extends its sincere sympathy to her family, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to place this Resolution in the minutes of the Regular Session of the Broome County Legislature held on April 24, 2008 and to forward a copy of this Resolution to the family of the late Kathleen M. Greenmun.

**Carried. Ayes-19, Nays-0.**

#### **RESOLUTION NO. 176**

By Personnel, Education, Culture and Recreation and Finance Committees

Seconded by Mr. Keibel

#### **RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR BROOME COUNTY ARENA**

RESOLVED, that in accordance with a request contained in PCR# 08-66 from the Broome County Arena, this County Legislature hereby authorizes changing an Event Coordinator position, Union Code 02 (Admin I), Grade B, minimum salary \$57,508 to an Arena Manager position, Union Code 02 (Admin I), Grade E, minimum salary \$66,169 at budget lines 655027.1000.306000, effective April 1, 2008, and be it

FURTHER RESOLVED, that in accordance with a request contained in PCR# 08-65 from the Broome County Arena, this County Legislature hereby authorizes changing the Assistant Recreation Facility Manager position, Union Code 04 (CSEA), Grade 16, minimum salary \$36,952 to an Assistant Arena Manager position, Union Code 04 (CSEA), Grade 16, minimum salary \$36,952 at budget lines 655027.1000.306000, effective from May 1, 2008.

**Carried. Ayes-19, Nays-0.**

#### **RESOLUTION NO. 177**

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

#### **RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH LEBERGE & CURTIS, INC. FOR GOLF CARTS FOR THE EN-JOIE GOLF COURSE FOR 2008-2012**

WHEREAS, the Interim Commissioner of Parks and Recreation requests authorization for a lease agreement with LeBerge & Curtis, Inc., for golf carts for the En-Joie golf Course at a cost not to exceed \$59,930.13 per year, total amount not to exceed \$239,720.52 for the period August 1, 2008 through November 30, 2012 and

WHEREAS, said agreement is necessary for the lease of seventy golf carts and one maintenance utility vehicle to replace existing leased golf carts, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with LeBerge & Curtis, Inc., DBA Mid-State Golf Cars, 5984 CR 27, Canton, New York 13617 for golf carts for the En-Joie Golf Course for the period August 1, 2008 through November 30, 2012, 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 \$59,930.13 per year, total amount not to exceed \$239,720.52 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 850008.4511.309000 (County Rentals-Machinery), 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

Mr. Buchta made a motion, seconded by Mr. Garnar to amend the first Whereas and the first Resolved paragraphs to add "with the option to renew for one year, under the same terms and conditions, upon mutual agreement". **Amendment carried. Ayes-18, Nays-1 (Keibel). Resolution as amended carried. Ayes-17, Nays-2 (Keibel, Mather)**

### **RESOLUTION NO. 178**

By Public Works Committee

Seconded by Mr. Howard

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO WAIVING THE TIPPING FEE AT THE BROOME COUNTY LANDFILL, AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO**

WHEREAS, it is desired to waive the tipping fee at the Broome County Landfill for the Town of Fenton for debris from flood damaged properties, and

WHEREAS, it has been determined that the waiver of tipping fee 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 the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned project, and

WHEREAS, waiving the tipping fee may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares itself to be the "lead agency" with respect to the environmental review of the waiver of the tipping fee for the Town of Fenton for debris from flood damaged properties, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that the waiver of tipping fee will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "B".

From a request by Mr. Howard, Mr. Hutchings polled the Public Works Committee and it was the consensus of the committee to withdraw this resolution from the agenda.

### **RESOLUTION NO. 179**

By Finance and Economic Development and Planning Committees

Seconded by Mr. Herz

**RESOLUTION OF THE LEGISLATURE OF THE COUNTY OF BROOME, PROVIDING EXEMPTIONS FROM SALES AND COMPENSATING USE TAXES FOR RECEIPTS FROM SALES OF, AND CONSIDERATION GIVEN OR CONTRACTED TO BE GIVEN FOR, OR FOR THE USE OF, PROPERTY AND SERVICES EXEMPT FROM STATE SALES AND COMPENSATING USE TAXES PURSUANT TO SUBDIVISION (ee) OF SECTION 1115 OF THE NEW YORK TAX LAW, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**



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WHEREAS, the Deputy Commissioner of Parks and Recreation requests authorization for an agreement with Our Lady of Good Counsel Roman Catholic Church for the use of the church's parking lot for the Department of Parks and Recreation for the period January 1, 2008 through December 31, 2008, and

WHEREAS, said agreement is necessary for Broome County to use the church's parking lot adjacent to the En-Joie Golf Course parking lot, and

WHEREAS, in consideration of said agreement, the County will provide in-kind services by providing adequate lighting, maintaining the paved surface, and maintaining landscaping consistent with the landscaping of the adjacent County owned lot, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Good Counsel Roman Catholic Church, 701 W. Main Street, Endicott, New York 13760 for the use of the church's parking lot for the Department of Parks and Recreation for the period January 1, 2008 through December 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall provide in-kind services by providing adequate lighting, maintaining the paved surface, and maintaining landscaping consistent with the landscaping of the adjacent County owned lot, for the term of the agreement, 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-19, Nays-0**

### **RESOLUTION NO. 182**

By Education, Culture and Recreation and Finance Committees                      Seconded by Mr. Cleary  
**RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH BROOME COUNTY COMMUNITY CHARITIES, INC FOR THE DEPARTMENT OF PARKS AND RECREATION FOR 2008-2009**

WHEREAS, the agreement with Broome County Community Charities and the Village of Endicott as assigned to Broome County will expire on May 31, 2008, and

WHEREAS, the Deputy Commissioner of Parks and Recreation requests authorization for a lease agreement with Broome County Community Charities for the Department of Parks and Recreation with revenue to the County in the amount of \$200,500 for the period June 1, 2008 through December 31, 2009, and

WHEREAS, said agreement is necessary for the lease of En-Joie Golf Course for the 2008 and 2009 Dick's Sporting Goods Open, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with Broome County Community Charities, Inc., PO Box 5571, Endicott, New York 13760 for the Department of Parks and Recreation for the period June 1, 2008 through December 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount of \$99,000 for the period June 1, 2008 through December 31, 2008 and an amount of \$101,500 for the period January 1, 2009 through December 31, 2009, total amount not to exceed \$200,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 850008.0656.309000 (Tournament Rentals), 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-19, Nays-0**

### **RESOLUTION NO. 183**

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By Education, Culture and Recreation and Finance Committees                      Seconded by Mr. Keibel  
**RESOLUTION AUTHORIZING ACCEPTANCE OF A DECENTRALIZATION PROGRAM GRANT FOR BROOME COUNTY PUBLIC LIBRARY AND ADOPTING A PROGRAM BUDGET FOR 2008**

WHEREAS, the Director of the Public Library requests authorization to accept a Decentralization Program Grant and adopt a program budget in the amount of \$1,500 for the period April 1, 2008 through June 30, 2008 and

WHEREAS, said program grant encourages children to read, write and speak their family history during the "Come Together and Tell Your Stories at the Library" during National Library Week, and

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,500 from the Chenango County Council of Arts, 27 West Main Street, Norwich, New York 13815 for the Broome County Public Library's Decentralization Program Grant for the period April 1, 2008 through June 30, 2008 and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$1,500, 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. Ayes-19, Nays-0**

#### **RESOLUTION NO. 184**

By Transportation and Rural Development and Finance Committees                      Seconded by Mr. Keibel  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH COMMUNIQUE DESIGN AND MARKETING INC., FOR ADVERTISING CONSULTING SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 213 of 2007, as amended by Resolution 450 of 2007, authorized an agreement with Communique Design and Marketing Inc., for advertising consulting services at a cost not to exceed \$125,000 for the period May 1, 2007 through April 30, 2008, with the option to be exercised by the Commissioner of Aviation for three one-year renewals at the annual amount of \$125,000, and

WHEREAS, said agreement is necessary for the continued development and implementation of the marketing program for the Greater Binghamton Airport, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$50,000 to account for discrepancies in the media purchase schedule as it relates to the county fiscal year and the term of the marketing consultant contract, and

WHEREAS, the Commissioner of Aviation 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 Communique Design and Marketing Inc., 221 Washington Street, Suite B., Binghamton, New York 13903 to increase the not to exceed amount by \$50,000 for advertising consulting services for the Department of Aviation for the period May 1, 2007 through April 30, 2008, and be it

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FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$50,000, total amount not to exceed \$175,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 210195.4448.207000 (Advertising and Promotion Expenses), and be it

FURTHER RESOLVED, that Resolutions 213 and 450 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried. Ayes-19, Nays-0**

#### **RESOLUTION NO. 185**

By Transportation and Rural Development and Finance Committees      Seconded by Mr. Keibel  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND-JOHNSON, INC. FOR CONSTRUCTION AND ADMINISTRATION SERVICES FOR THE DEPARTMENT OF AVIATION FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 527 of 2006, as amended by Resolution 517 of 2007, authorized an agreement with McFarland Johnson, Inc. for construction and administration services for the Department of Aviation at a cost not to exceed \$41,000 for the period September 1, 2006 through December 31, 2007, and

WHEREAS, said agreement is necessary to provide construction observation and administration duties, including technical inspections, progress reporting, preparation of FAA weekly reports, contractor monitoring, contractor payment submittals, development of a daily project diary and working with the New York State Department of Environmental Conservation to ensure all environmental regulations are followed, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period through May 1, 2008, and

WHEREAS, the Commissioner of Aviation 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 McFarland Johnson, Inc. 49 Court Street, PO Box 1980, Binghamton, New York 13902 to extend the period to September 1, 2006 through May 1, 2008 for construction and administration services for the Department of Aviation, and be it

FURTHER RESOLVED, that Resolutions 527 of 2006 and 517 of 2007, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried. Ayes-19, Nays-0**

#### **RESOLUTION NO. 186**

By Economic Development and Planning, Personnel and Finance Committees

Seconded by Mr. Keibel

**RESOLUTION AUTHORIZING ACCEPTANCE OF A GIS SERVICE PROGRAM GRANT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT, ADOPTING A PROGRAM BUDGET AND AUTHORIZING AN AGREEMENT WITH THE CITY OF BINGHAMTON FOR 2008-2011**

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to accept a GIS Service Program Grant, to adopt a program budget in the amount

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of \$111,365 for the first year with a 3% increase in each subsequent year and to enter into an agreement with the City of Binghamton for the period May 1, 2008 through April 30, 2011, and

WHEREAS, said program grant will provide GIS 911 addressing, tax mapping, crime mapping and tax parcel information and maintenance for parcels in the City of Binghamton by the Broome County Department of Planning and Economic Development, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$40,000 in year one (1) from the City of Binghamton, 38 Hawley Street, Binghamton, New York 13901 and a 3% increase in payment from the City of Binghamton for each subsequent year for the Department of Planning and Economic Development's GIS Service Program Grant for the period May 1, 2008 through April 30, 2011, 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 \$111,365 for the first year with a 3% increase in each subsequent year, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the City of Binghamton, 38 Hawley Street, Binghamton, New York 13901 for the Broome County Department of Planning and Economic Development to provide GIS 911 services to the City of Binghamton, for the period May 1, 2008 through April 30, 2011, 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) are hereby authorized to make any transfers of funds required within this grant budget. provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried. Ayes-19, Nays-0**

### **RESOLUTION NO. 187**

By Public Safety & Emergency Services and County Administration, Economic Development & Planning Committees

Seconded by Mr. Keibel

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE LOCAL ORGANIZING COMMITTEE OF THE 2008 EMPIRE STATE GAMES AND THE TIOGA VELO CLUB FOR USE OF COUNTY ROADWAYS DURING THE EMPIRE STATE GAMES IN 2008**

WHEREAS, Empire State Games will take place in Broome County from July 24, 2008 through July 27, 2008, which will include a cycling competition as part of the games, and

WHEREAS, the Local Organizing Committee of the Empire State Games and the Tioga Velo Club have requested permission to use County roadways during cycling events and to have traffic control and Emergency Services provided by the Office of the Broome County Sheriff and the Department of Emergency Services, and

WHEREAS, this County Legislature recognizes the importance of the Empire State Games, now, therefore, be it

RESOLVED, that this County Legislature hereby grants permission to the Local Organizing Committee of the Empire State Game and the Tioga Velo Club for the use Broome County roadways, for the Empire State Games cycling events during the period July 24, 2008 through July 27, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes agreements with the Local Organizing Committee of the Empire State Games and the Tioga Velo Club whereby



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**RESOLUTION NO. 190**

By Finance Committee

Seconded by Mr. Keibel

**RESOLUTION AUTHORIZING ADJUSTMENTS TO 2008 TOWN AND COUNTY TAXES**

WHEREAS, the Director of Real Property is requesting authorization for the Commissioner of Finance to execute any and all adjustments to tax bills, tax records and property records in accordance with all applicable laws for the following properties and for the reasons stated as may be necessary, now, therefore, be it

RESOLVED, that this County Legislature hereby approves authorization for the Commissioner of Finance to execute any and all adjustments to tax bills, tax records and property records for the following properties and for the reasons stated:

Parcel ID/Tax Map No.: 096.02-1-24.00/1005  
Town/Village: Fenton  
Owner: Michael Flood  
Address: 434 Route 369  
Reason: Basic STAR not applied

<u>Incorrect Tax</u>		<u>Correct Tax</u>	
County	43.80		43.80
Town Hwy	10.01		10.01
School	<u>301.13</u>		<u>0</u>
Total	\$354.94		\$53.81

Parcel ID/Tax Map No.: 028.17-2-47  
Town/Village: Triangle  
Owner: Michael & Terri Lynn Langton  
Address: 2625 Main Street  
Reason: Basic STAR not applied

<u>Incorrect Tax</u>		<u>Correct Tax</u>	
County	480.20		480.20
Town	133.13		133.13
Town Hwy	75.59		75.59
School	<u>1,283.78</u>		<u>600.49</u>
Total	\$1,972.70		\$1,289.41

**Carried. Ayes-19, Nays-0**

**RESOLUTION NO. 191**

By Finance Committee

Seconded by Mr. Keibel

**RESOLUTION AUTHORIZING THE REFUND OF DEPOSIT MONEY AND AUCTIONEEER FEE FOR A PROPERTY IN THE TOWN OF MAINE WHICH WAS SOLD AT THE 2007 AUCTION**

WHEREAS, Parcel ID # 051.01-1-4, which had a pole barn on it, sold at the 2007 auction for the amount of \$35,000 to the highest bidder, Daniel Oliver, 18 Terrace Hill Drive, Greene, New York 13778, and

WHEREAS, the pole barn was removed from the property by the former owner and Mr. Oliver no longer wishes to acquire the property without the pole barn on it, and

WHEREAS, Mr. Oliver has requested a refund of his deposit in the amount of \$3,500 plus the auctioneer fee of \$1,575, now, therefore, be it

RESOLVED, that a refund in the amount of \$3,500 plus the auctioneer fee of \$1,575 for the deposit of parcel ID #051.01-1-4 will be made to Daniel Oliver, 18 Terrace Hill Drive, Greene, New York 13778

**Carried. Ayes-19, Nays-0**

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**RESOLUTION NO. 192**

By Finance Committee

Seconded by Mr. Keibel

**RESOLUTION AUTHORIZING AN AGREEMENT WITH RANDY H. DEAL FOR PROFESSIONAL SERVICES FOR THE OFFICE OF REAL PROPERTY TAX SERVICE FOR 2007-2008**

WHEREAS, the Director of Real Property Tax Service requests authorization for an agreement with Randy H. Deal for professional services for the Office of Real Property Tax Service at a cost not to exceed \$9,500, for the period December 1, 2007 through November 30, 2008, and

WHEREAS, said agreement is necessary to prepare a study to analyze a countywide assessment program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Randy H. Deal, 3224 County Road 6, Alpine, New York 14805, for professional services for the Office of Real Property Tax Service for the period December 1, 2007 through November 30, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 630046.4545.105441 (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-19, Nays-0**

**RESOLUTION NO. 193**

By Finance Committee

Seconded by Mr. Keibel

**RESOLUTION AUTHORIZING AN AGREEMENT WITH ALLEN TUNNELL CORPORATION FOR PROFESSIONAL SERVICES FOR THE OFFICE OF REAL PROPERTY TAX SERVICE FOR 2007-2008**

WHEREAS, the Director of Real Property Tax Service requests authorization for an agreement with Allen Tunnell Corporation for professional services for the Office of Real Property Tax Service for the period December 1, 2007 through November 30, 2008, and

WHEREAS, said agreement is necessary to prepare a study to implement a centralized county database for tax collection information, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Allen Tunnell Corporation, 15 Charles Street, Suite 1d, Binghamton, New York 13905 for professional services for the Office of Real Property Tax Service for the period December 1, 2007 through November 30, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 630046.4545.105441 (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-19, Nays-0**

**RESOLUTION NO. 194**

By Health & Human Services and Finance Committee

Seconded by Mr. Keibel

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**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH MVP HEALTH PLAN, INC. FOR BEHAVIOR HEALTH SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2008-2012.**

WHEREAS, this County Legislature, by Resolution 588 of 2002, authorized an agreement with MVP Health Plan for Behavioral Health Services for the Department of Mental Health at an amount not to exceed \$25,000, for the period January 1, 2003 through December 31, 2007.

WHEREAS, said services are necessary to provide initial evaluations individual therapy, group therapy, family therapy and medication management services to clients that have MVP Health Plan coverage, now, therefore, be it

WHEREAS, said agreement expires by its terms on December 31, 2007 and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$25,000 for the period January 1, 2008 through December 31, 2012, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with MVP Health Plan for Behavior Health Services for the Department of Mental Health for the period January 1, 2008 through December 31, 2012 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 470013.0077.101000 (Mental Health fees), 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-19, Nays-0**

**RESOLUTION NO. 195**

By Health and Human Services, Personnel and Finance Committees      Seconded by Mr. Keibel  
**RESOLUTION AUTHORIZING RENEWAL OF FLEXIBLE FUNDS FOR FAMILY SERVICES (FFFS) PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES, RENEWING AND AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS TO ADMINISTER VARIOUS PROGRAMS AND ADOPTING A PROGRAM BUDGET FOR 2008-2009.**

WHEREAS, this County Legislature, by Resolution 283 of 2007, authorized and approved the Flexible Fund for Family Services Program for the Department of Social Services, adopted a program budget in the amount of \$5,456,032, renewed the agreement with Coordinated Care Services, Inc., The STAR Group, Lourdes Hospital, and the Binghamton City School District to continue to administer said program, and authorized an agreement with the YMCA to administer said program for the period April 1, 2007 through March 31, 2008 and

WHEREAS, said program funds can be tailored to local district needs to serve low-income families to assist them in achieving independence, and

WHEREAS, it is desired to renew said program funds in the amount of \$5,559,739 adopt a program budget and renew the agreements with Coordinated Care Services, Inc. The STAR Group, Lourdes Hospital, the Binghamton City School District and the YMCA to continue to administer said program for the period April 1, 2008 through March 31, 2009, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,559,739 from Flexible Funds for Family Services for the period April 1, 2008 through March 31, 2009, 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 \$5,559,739, 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 payments hereinabove authorized shall be made from budget line 670513.various.105xxx and be it







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RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with various vendors as shown on Exhibit "A" and Exhibit "C" for various services for the Department of Health for the period July 1, 2008 through June 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors on Exhibit "A" at the rates shown on Exhibit "B" for the term of the agreements, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors on Exhibit "C" at the rates shown on Exhibit "D" and the approved tuition rates established by the New York State Department of Education, and, be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.various.101081, 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-19, Nays-0**

### **RESOLUTION NO. 202**

By Public Safety and Emergency Services and Finance Committees      Seconded by Mr. Keibel  
**RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE BROOME COUNTY COUNCIL OF CHURCHES FOR RELIGIOUS SERVICES FOR INMATES OF THE BROOME COUNTY PUBLIC SAFETY FACILITY FOR 2008**

WHEREAS, this County Legislature, by Resolution 719 of 2007 authorized a renewal of the agreement with the Broome County Council of Churches for religious services for inmates of the Broome County Public Safety Facility at a cost of \$43,260 for Chaplaincy Services and \$26,066 for Pre-Release Services for a total amount not to exceed \$69,326 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said services are necessary for compliance with the Minimum Standards applicable to the Broome County Public Safety Facility promulgated by the New York State Commission of Corrections, and,

WHEREAS, said agreement expired by its terms on December 31, 2007 and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$43,260 for Chaplaincy Services and \$26,066 for Pre-Release Services, total amount not to exceed \$69,326 for the period January 1, 2008 through December 31, 2008, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Broome County Council of Churches, 3 Otsiningo Street, Binghamton, New York 13903 for religious services for inmates of the Broome County Public Safety Facility for the period January 1, 2008 through December 31, 2008 and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$43,260 for Chaplaincy Services and \$26,066 Pre-Release Services, total amount not to exceed \$69,326 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4437.101000 (Religious Expenses), 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-19, Nays-0**

### **RESOLUTION NO. 203**

By Economic Development and Planning and Transportation and Rural Development Committees  
Seconded by Mr. Keibel

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**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE ANNUAL REVIEW OF BROOME COUNTY AGRICULTURAL DISTRICTS AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO**

WHEREAS, pursuant to the Agriculture and Markets Law, this County Legislature heretofore established Agricultural Districts in Broome County, and

WHEREAS, pursuant to Section 303-b of the Agriculture and Markets Law, county legislative bodies are directed to establish an annual 30-day period wherein landowners can request inclusion of their property in a certified agricultural district, and

WHEREAS, it has been determined that such revision of an Agricultural District 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 the only involved agency, 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 with respect to the environmental review of Agricultural Districts IN Broome County, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that a revision of Agricultural Districts in Broome County will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "A".

**Carried. Ayes-19, Nays-0**

**RESOLUTION NO. 204**

By Economic Development and Planning and Transportation and Rural Development Committees

Seconded by Mr. Keibel

**RESOLUTION ADOPTING A PLAN FOR THE MODIFICATION OF BROOME COUNTY AGRICULTURAL DISTRICTS PURSUANT TO SECTION 303-b OF THE AGRICULTURE AND MARKETS LAW**

WHEREAS, this County Legislature, by Resolution 496 of 2004, pursuant to Section 303-b of the Agriculture and Markets Law, established an annual 30-day period wherein landowners can request inclusion of viable land in a certified agricultural district, and

WHEREAS, during the statutory thirty-day period, commencing December 1, 2007, ten parcels were submitted for inclusion in Broome County Agricultural Districts, and

WHEREAS, the Broome County Agricultural and Farmland Protection Board has reviewed the ten applications and found that all parcels, contained viable agricultural land that would strengthen the agricultural industry in their districts, and

WHEREAS, the Broome County Agricultural and Farmland Protection Board has recommended to the Broome County Legislature, that the ten parcels below be included in their appropriate agricultural district, and

WHEREAS, this County Legislature has conducted a public hearing on April 24, 2008 as required under section 303b of the Agriculture and Markets law now, therefore, be it

RESOLVED, that this County Legislature hereby accepts the modification of the agricultural districts listed below in accordance with the recommendation of the Broome County Agricultural and Farmland Protection Board:

Town	Ag District	Parcel Number
Fenton	4	070.00-1-6.2

Maine	4	108.02-1-24.1
Fenton	4	098.01-1-2
Fenton	4	081.00-1-11
Colesville	4	060.03-1-23
Colesville	4	059.04-1-13
Fenton	4	059.00-3-1.1
Chenango	4	066.04-1-32.21
Binghamton	4	192.04-1-38.11
Nanticoke	5	044.00-2-12

and said agricultural districts located within the County of Broome is herein approved and modified in accordance with the provisions of Section 303-b of the New York State Agriculture and Markets Law, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature, pursuant to Section 303-b of the Agriculture and Markets Law, is hereby directed on behalf of this County Legislature to submit to the Commissioner of Agriculture and Markets a certified copy of this Resolution and copy of the plan for the modification of Broome County Agriculture Districts No. 4 and No. 5, which proposal heretofore has been filed with the Clerk of the Legislature, the Broome County Clerk, the Broome County Planning Department and the Broome County Agricultural and Farmland Protection Board, it being noted herein that less than 90 days have passed from the end of the statutory thirty-day period wherein land owners can request inclusion of their property in a certified agricultural district and said proposal was submitted to this body to the date of adoption of this resolution

**Carried. Ayes-19, Nays-0**

#### **RESOLUTION NO. 205**

By Economic Development and Planning and Transportation and Rural Development Committees

Seconded by Mr. Keibel

#### **RESOLUTION RENDERING A "NEGATIVE DECLARATION" WITH RESPECT TO THE ENVIRONMENTAL REVIEW OF AGRICULTURAL DISTRICT NO. 4 UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, pursuant to the Agricultural and Markets Law, this County Legislature heretofore established Agricultural District No. 4, and

WHEREAS, the State Agricultural and Markets Law requires Agricultural Districts to be reviewed every eight years for a determination of environmental impact, and

WHEREAS, Broome County Agricultural District No. 4 is scheduled for an eight-year review, and

WHEREAS, this County Legislature has responsibility for State Environmental Quality Review Act (SEQRA) compliance when Agricultural Districts undergo an eight-year review, now, therefore, be it

RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the continuation of Agricultural District No. 4 will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "A".

**Carried. Ayes-19, Nays-0**

#### **RESOLUTION NO. 206**

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By Economic Development and Planning and Transportation and Rural Development Committees

Seconded by Mr. Cleary

**RESOLUTION ADOPTING A PLAN OR PROPOSAL FOR THE CONTINUATION OF BROOME COUNTY AGRICULTURAL DISTRICT NO. 4 LOCATED WITHIN THE TOWNS OF BINGHAMTON, BARKER, CHENANGO, COLESVILLE, CONKLIN, FENTON, KIRKWOOD, MAINE, WINDSOR AND UNION FOR ADDITIONAL EIGHT (8) YEAR PERIODS PURSUANT TO SECTION 303-a OF THE AGRICULTURE AND MARKETS LAW**

WHEREAS, this County Legislature, by Resolution 353 of 1975, created Broome County Agricultural District No. 4 within the Towns of Colesville, Fenton, Kirkwood, Sanford, and Windsor, and

WHEREAS, this County Legislature, by Resolution 142 of 1984, modified Agricultural District No. 4 to add parcels from the Towns of Barker, Binghamton, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Union and Windsor and delete all parcels located in the Town of Sanford, and

WHEREAS, pursuant to the provisions of the New York State Agriculture and Markets Law, this County Legislature conducted an eight-year review of Agricultural District No. 4, and by Resolution 87 of 1992 and Resolution 385 of 2000, this County Legislature adopted plans to continue Broome County Agricultural District No. 4 for an additional eight year period, and

WHEREAS, pursuant to the provisions of the New York State Agriculture and Markets Law, this County Legislature has conducted a new eight-year review of Agricultural District No. 4, and

WHEREAS, during the statutory 30 day period for public review, following publication on February 13, 2008 in the Press & Sun Bulletin of the notice of said period for public review, as provided for and permitted by Section 303-a, paragraph 2 of Article 25-AA of the New York State Agriculture and Markets Law, modifications to Broome County Agricultural District No. 4 were filed, and

WHEREAS, the Broome County Planning Department and the Broome County Agricultural and Farm Land Protection Board by reports duly filed, have recommended that said Broome County Agricultural District No. 4 be continued for an additional eight-year period except that both the Planning Department and the Broome County Agricultural and Farm Land Protection Board have recommended modifications to Agricultural District No. 4 as follows:

**Addition of Parcels**

065.00-1-33	Town of Chenango
065.00-1-30	Town of Chenango
065.00-1-32	Town of Chenango
133.00-2-5	Town of Colesville
132.01-2-12	Town of Colesville
132.01-2-1	Town of Colesville
114.00-2-13	Town of Colesville
097.00-1-40.12	Town of Colesville
097.00-1-40.11	Town of Colesville
114.00-1-20	Town of Colesville
101.13-1-24	Town of Colesville
101.13-1-30.1	Town of Colesville
100.02-1-35	Town of Colesville
099.01-1-14	Town of Colesville
101.05-1-1.11	Town of Colesville

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097.02-1-36	Town of Fenton
098.01-1-7	Town of Fenton
069.01-2-19.1	Town of Fenton
069.01-1-17	Town of Fenton
058.03-1-49	Town of Fenton
057.04-2-37	Town of Fenton
057.04-2-36	Town of Fenton
109.02-1-2	Town of Maine
109.08-1-22	Town of Maine
142.09-1-1	Town of Union
126.02-1-43.1	Town of Union
108.04-1-12.11	Town of Union
212.00-1-7	Town of Windsor
198.04-1-2	Town of Windsor
180.03-2-28	Town of Windsor
180.03-2-3	Town of Windsor
180.03-2-2	Town of Windsor
213.00-3-21.11	Town of Windsor

**Deletion of Parcels**

191.02-1-16	Town of Binghamton
096.17-1-1	Town of Chenango
095.16-1-26	Town of Chenango
095.16-1-27	Town of Chenango
095.16-1-28	Town of Chenango
095.16-1-18	Town of Chenango
096.13-1-44.2	Town of Chenango
095.16-1-17	Town of Chenango
095.16-1-16	Town of Chenango
096.10-1-1	Town of Chenango
093.02-1-20.2	Town of Chenango
093.02-1-19.1	Town of Chenango
076.02-1-35	Town of Chenango
065.04-2-23.12	Town of Chenango
065.04-1-11	Town of Chenango
066.01-1-15.12	Town of Chenango
096.13-1-43	Town of Chenango
065.04-1-6.1	Town of Chenango
132.03-2-4.2	Town of Colesville
132.03-2-4.12	Town of Colesville

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132.03-2-15.2	Town of Colesville
132.03-2-15.1	Town of Colesville
114.00-1-10	Town of Colesville
081.00-1-17	Town of Colesville
211.13-1-1	Town of Conklin
112.04-1-39	Town of Fenton
112.04-1-38	Town of Fenton
112.04-1-37	Town of Fenton
112.04-1-23.1	Town of Fenton
113.03-3-50	Town of Fenton
096.02-1-25	Town of Fenton
079.04-2-28	Town of Fenton
079.04-2-30	Town of Fenton
079.04-2-31	Town of Fenton
079.04-2-16	Town of Fenton
069.04-1-18	Town of Fenton
069.04-1-11	Town of Fenton
129.01-1-5	Town of Kirkwood
108.04-1-7	Town of Maine
091.04-1-2	Town of Maine
092.01-2-12	Town of Maine
093.02-1-1	Town of Maine
064.01-1-25	Town of Maine
229.00-1-2	Town of Windsor
212.00-1-10	Town of Windsor
212.00-1-4	Town of Windsor
198.04-1-11.2	Town of Windsor
198.04-1-27	Town of Windsor
184.00-1-12	Town of Windsor
179.02-1-23	Town of Windsor
179.02-1-24	Town of Windsor

and it is the intention of this County Legislature that said recommended modifications be accepted and approved by this County Legislature, in that Broome County Agricultural District No. 4 except as so modified, shall otherwise be approved and adopted as originally created, and

WHEREAS, the Public Hearing has been duly advertised for April 24, 2008, in accordance with the provisions of the Agriculture and Markets Law on the question of the continuation by the Broome County Legislature of Broome County Agricultural District No. 4 located within the Towns of Binghamton, Barker, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Windsor and Union, County of Broome, New York for an additional eight-year period, and

WHEREAS, in order to further the continuation of said plan for Broome County Agricultural District No. 4 as modified in the Towns of Binghamton, Barker, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Windsor and Union, it is necessary that this County Legislature, pursuant to Section 303-a of the New York State Agriculture and Markets

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Law, adopt such plan or proposal and submit the same for approval and certification to the Commissioner of Agriculture and Markets of the State of New York for that department's review and recommendation, now, therefore, be it

RESOLVED, that this County Legislature hereby adopts a plan or proposal for the continuation of an additional eight years of Broome County Agricultural District No. 4 located within the Towns of Binghamton, Barker, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Windsor and Union, within the County of Broome, New York except that this County Legislature approves, adopts and accepts the modifications to said district in accordance with the recommended modification of the Broome County Planning Department and the Broome County Agricultural and Farm Land Protection Board as aforesaid which shall result in the modifications as follows:

**Addition of Parcels**

065.00-1-33	Town of Chenango
065.00-1-30	Town of Chenango
065.00-1-32	Town of Chenango
133.00-2-5	Town of Colesville
132.01-2-12	Town of Colesville
132.01-2-1	Town of Colesville
114.00-2-13	Town of Colesville
097.00-1-40.12	Town of Colesville
097.00-1-40.11	Town of Colesville
114.00-1-20	Town of Colesville
101.13-1-24	Town of Colesville
101.13-1-30.1	Town of Colesville
100.02-1-35	Town of Colesville
099.01-1-14	Town of Colesville
101.05-1-1.11	Town of Colesville
097.02-1-36	Town of Fenton
098.01-1-7	Town of Fenton
069.01-2-19.1	Town of Fenton
069.01-1-17	Town of Fenton
058.03-1-49	Town of Fenton
057.04-2-37	Town of Fenton
057.04-2-36	Town of Fenton
109.02-1-2	Town of Maine
109.08-1-22	Town of Maine
142.09-1-1	Town of Union
126.02-1-43.1	Town of Union
108.04-1-12.11	Town of Union
212.00-1-7	Town of Windsor
198.04-1-2	Town of Windsor
180.03-2-28	Town of Windsor
180.03-2-3	Town of Windsor

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180.03-2-2	Town of Windsor
213.00-3-21.11	Town of Windsor

**Deletion of Parcels**

191.02-1-16	Town of Binghamton
096.17-1-1	Town of Chenango
095.16-1-26	Town of Chenango
095.16-1-27	Town of Chenango
095.16-1-28	Town of Chenango
095.16-1-18	Town of Chenango
096.13-1-44.2	Town of Chenango
095.16-1-17	Town of Chenango
095.16-1-16	Town of Chenango
096.10-1-1	Town of Chenango
093.02-1-20.2	Town of Chenango
093.02-1-19.1	Town of Chenango
076.02-1-35	Town of Chenango
065.04-2-23.12	Town of Chenango
065.04-1-11	Town of Chenango
066.01-1-15.12	Town of Chenango
096.13-1-43	Town of Chenango
065.04-1-6.1	Town of Chenango
132.03-2-4.2	Town of Colesville
132.03-2-4.12	Town of Colesville
132.03-2-15.2	Town of Colesville
132.03-2-15.1	Town of Colesville
114.00-1-10	Town of Colesville
081.00-1-17	Town of Colesville
211.13-1-1	Town of Conklin
112.04-1-39	Town of Fenton
112.04-1-38	Town of Fenton
112.04-1-37	Town of Fenton
112.04-1-23.1	Town of Fenton
113.03-3-50	Town of Fenton
096.02-1-25	Town of Fenton
079.04-2-28	Town of Fenton
079.04-2-30	Town of Fenton
079.04-2-31	Town of Fenton
079.04-2-16	Town of Fenton
069.04-1-18	Town of Fenton

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069.04-1-11	Town of Fenton
129.01-1-5	Town of Kirkwood
108.04-1-7	Town of Maine
091.04-1-2	Town of Maine
092.01-2-12	Town of Maine
093.02-1-1	Town of Maine
064.01-1-25	Town of Maine
229.00-1-2	Town of Windsor
212.00-1-10	Town of Windsor
212.00-1-4	Town of Windsor
198.04-1-11.2	Town of Windsor
198.04-1-27	Town of Windsor
184.00-1-12	Town of Windsor
179.02-1-23	Town of Windsor
179.02-1-24	Town of Windsor

and said Agricultural District located within the Towns of Binghamton, Barker, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Windsor and Union, as herein approved and modified is hereby continued for an additional eight (8) year period in accordance with provisions of Section 303 of the New York State Agriculture and Markets Law, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature pursuant to Section 303-a of the New York State Agriculture and Markets Law is hereby directed on behalf of this County Legislature to submit to the Commissioner of Agriculture and Markets a certified copy of this Resolution and a copy of the plan or proposal for the continuation of Broome County Agricultural District No. 4 located in the Towns of Binghamton, Barker, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Windsor and Union, which proposal heretofore has been filed with the Clerk of this Legislature and with the Broome County Clerk and the Broome County Planning Department and the Broome County Agricultural and Farm Land Protection Board.

Mr. Herz made a motion, seconded by Mr. Shafer to amend the resolution to remove from the parcels to be deleted, parcel 091-04-1-2 in the Town of Maine. **Amendment carried. Ayes-19, Nays-0, Resolution as amended carried. Ayes-19, Nays-0**

#### **RESOLUTION NO.207**

By Finance and Personnel Committees

Seconded by Mr. Keibel

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SYSTEMED LLC, FOR ADMINISTRATION OF PRESCRIPTION DRUG BENEFIT FOR RISK AND INSURANCE**

WHEREAS, this County Legislature, by Resolution 558 of 2006, authorized an agreement with Systemed LLC, for administration of Prescription Drug Benefit for the Department of Risk and Insurance at a cost not to exceed \$2,000 per month, and

WHEREAS, said agreement provides administration of the County's prescription benefit plan, and

WHEREAS, it is necessary to authorize the amendment of said agreement to convert the monthly not to exceed amount to a yearly not to exceed amount, and

WHEREAS, the Department of Risk and Insurance 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 Systemed LLC, 100 Parsons Pond Drive, Franklin Lakes, New Jersey, 07417, to establish a not to exceed amount \$24,000 annually for administration of the Prescription Drug Benefit for Department of Risk and Insurance 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 \$24,000 per year for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4527.252000 (Prescription Drugs) and be it

FURTHER RESOLVED, that Resolution 558 of 2006, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried. Ayes-19, Nays-0**

### **RESOLUTION NO. 208**

By Health and Human Services, Personnel and Finance Committees   Seconded by Mr. LaBare  
**RESOLUTION AUTHORIZING ACCEPTANCE OF A CHEMUNG AND SCHUYLER COUNTY CANCER SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2008-2009**

WHEREAS, the Director of Public Health requests authorization to accept a Chemung and Schuyler County Cancer Services Program Grant and adopt a program budget in the amount of \$166,750 for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said program grant provides outreach, community education and comprehensive breast, cervical and colorectal cancer screenings and case management services to uninsured, under-insured and under-served men and women in Chemung and Schuyler Counties, and

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$166,750 from the New York State Department of Health, Bureau of Chronic Disease, Corning Tower, Empire Plaza, Albany, New York 12237 for the Department of Health's Chemung and Schuyler County Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, 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 \$166,750, 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-19, Nays-0**

### **RESOLUTION NO. 209**

By Health and Human Services, Personnel and Finance Committees   Seconded by Mr. Cleary  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH VARIOUS CHEMUNG AND SCHUYLER COUNTY VENDORS FOR VARIOUS SERVICES FOR THE BROOME COUNTY DEPARTMENT OF HEALTH'S CHEMUNG AND SCHUYLER COUNTY CANCER SERVICES PROGRAM GRANT FOR THE 2008-2009**

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WHEREAS, the Director of Public Health requests authorization for an agreement with various Chemung and Schuyler County vendors for various services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program Grant at the rates according to the New York State Department of Health's Upstate NY Fee Schedule, for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said agreements are necessary to provided breast, cervical and colorectal cancer screening services, diagnostic and follow-up services, and HPV vaccine, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various Chemung and Schuyler County vendors as listed on Exhibit "A" for various services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates according to the New York State Department of Health's Fee Schedule, the current fee schedule is attached as Exhibit "B", for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4707.105xxx, (Medical and Hospital Services) and 480376.4715.105xxx (Other 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. Ayes-19, Nays-0**

#### **RESOLUTION NO. 210**

By Health and Human Services and Finance Committees

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CHEMUNG COUNTY HEALTH DEPARTMENT FOR SERVICES FOR THE BROOME COUNTY DEPARTMENT OF HEALTH'S CHEMUNG AND SCHUYLER COUNTY CANCER SERVICES PROGRAM GRANT FOR 2008-2009**

WHEREAS, the Director of Public Health requests authorization for an agreement with the Chemung County Health Department for services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program at a cost not to exceed \$45,600, for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said agreement is necessary to provide outreach, education, education, case management and data collection and input services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Chemung County Health Department, 103 Washington Street, PO Box 588, Elmira, New York 14902 for services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$45,600 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105xxx (Subcontracted Program Expense), 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-19, Nays-0**

#### **RESOLUTION NO. 211**

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

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**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SCHUYLER COUNTY HOSPITAL FOR SERVICES FOR THE BROOME COUNTY DEPARTMENT OF HEALTH'S CHEMUNG AND SCHUYLER COUNTY CANCER SERVICES PROGRAM GRANT FOR 2008-2009**

WHEREAS, the Director of Public Health requests authorization for an agreement with the Schuyler County Hospital for services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program at a cost not to exceed \$35,000, for the period April 1, 2008 through March 31, 2009, and

WHEREAS, said agreement is necessary to provide outreach, education, education, case management and data collection and input services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Schuyler County Hospital, 220 Steuben Street, Montour Falls, New York 14865 for services for the Broome County Department of Health's Chemung and Schuyler County Cancer Services Program Grant for the period April 1, 2008 through March 31, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$35,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105xxx (Subcontracted Program Expense), 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-19, Nays-0**

Mr. Howard made a motion to adjourn, seconded by Schofield. **Motion to adjourn Carried**, Ayes-19 Nays-0. The meeting was adjourned at 5:45 p.m.

