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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
WEDNESDAY, OCTOBER 20, 2004**

The Legislature convened at 5:03 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-16, Absent-3 (Howard, Hutchings, Pasquale).

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

Mr. Kolba made a motion, seconded by Mr. Lindsey, that the minutes of the Regular Sessions of September 16, 2004 and September 30, 2004 be approved as prepared and presented by the Clerk. **Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

Mr. Schofield noted that the committee minutes for the period September 16, 2004 through October 19, 2004 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Miller, seconded by Mr. Wike. Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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

- A. Letters from the County Executive, Jeffrey P. Kraham:
1. Public Emergency Loughlin Road Culvert 10/12/04
  2. Appointment to the Broome County Community Services Board
  3. Declaration of State of Emergency-Flood Emergency

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

- A. Petitions: None
- B. Communications:
1. Broome County Association of Towns and Villages Minutes 9/23/04
  2. Broome County Association of Municipal Clerks Minutes 9/16/04
  3. Cornell Cooperative Extension of Broome County Minutes 6/24/04
  4. Environmental Management Council Minutes 9/2/04
  5. EMC Landfill Citizens Advisory Committee Minutes 9/27/04
  6. EMC Natural Resources Committee Minutes 7/22/04
  7. Cattaraugus County-Resolution Authorizing Importation of Prescription Drugs from Canada and Certain Other Countries
  8. Broome County Soil & Water Conservation District Minutes 9/7/04
  9. NYSDEC Fact Sheet-Hidden Valley Electronics
  10. Delaware County Board of Supervisors-Resolution Requesting United States Department of Transportation to Label Depleted Uranium Shipments as "Radioactive" to Protect Emergency Responders in Case of and Accident During Transport
  11. Orange County Legislature-Resolution Urging the Governor and the Legislature of New York State Provide Equitable Reimbursement Aid From State Funds For Chargebacks of Tuition From the Fashion Institute of Technology
  12. Town of Kirkwood State of Emergency 9/18/04
  13. Attorney's Office-Broome County Proposition No. 2
  14. State Board of Real Property Services-2004 Equalization Rates
  15. NYSDEC-Public Information Sessions Related to the Investigation and Remediation of Environmental Contamination in the Endicott Area

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16. NYS Office for Technology-Draft Generic Environmental Impact Statement for the Statewide Wireless Network
  17. Agency for Toxic Substances and Disease Registry and The New York State Department of Health Center for Environmental Health Public Comment Draft Health Consultation
  18. State Board of Elections-Appointment of Democratic Commissioner of Elections
- C. Notices:
1. County Executive's Proposed 2005 County Budget Presentation Changed to 9/30/04
  2. Special County Administration and Finance Committee Meeting 9/16/04
- D. Reports:
1. Audit & Control-Quarterly Accounts Receivable Analysis 10/04
  2. Audit & Control-Lease Analysis 9/04
  3. BCC Above Minimum Hire Report 8/04
  4. BCC Quarterly Income Statement 8/04
  5. Audit & Control-Payroll Audit Health Department
  6. Audit & Control-Bank Transfer Testing 7/03-12/03
  7. Mental Health Department 2003 Annual Report
  8. Department of Social Services 2003 Annual Report
  9. Office of Emergency Services 2003 Annual Report
  10. NYSAC Adopted Resolutions 2004 Fall Seminar

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

- A. Letters from the Chair, Daniel A. Schofield:
1. Designation for Mr. Brunza 10/13/04.
  2. Designations for Mr. Mather and Mr. Pasquale 9/16/04

Mr. Kuzel made a motion, seconded by Mr. Lindsey, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2004 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

Mr. Hull and Mr. Reynolds were designated as participants with Chairman Schofield in the 'Short Roll Call'. Resolutions were acted upon out of order, but for the purpose of clarity, they are presented here in numerical order.

**RESOLUTIONS HELD OVER FROM PREVIOUS SESSION**

**RESOLUTION NO. 443**

By County Administration and Public Safety & Emergency Services Committees  
Seconded by Mr. Burger

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 15, 2004, ENTITLED: "THE BROOME COUNTY DWI/DWAI VEHICLE IMPOUNDMENT LAW."**

Mr. Lindsey made a motion, seconded by Shafer, to amend the resolution as follows:

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 15, 2004, ENTITLED: "THE BROOME COUNTY DWI/DWAI VEHICLE ~~IMPOUNDMENT~~ REMOVAL LAW."

WHEREAS, Driving While Intoxicated (DWI) and Driving While Ability Impaired (DWAI) are serious criminal offenses which have tragic effects on Broome County, New York State and the United States, and

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WHEREAS, there are numerous stories and instances of drunk drivers being released from jail on bail, picking up their car and getting involved in a subsequent serious and/or fatal vehicle accident, and

WHEREAS, data has shown that vehicle ~~impoundment~~ removal has been consistently effective in reducing DWI offenses among convicted drinking drivers, and

WHEREAS, first-time offenders whose vehicles were ~~impounded~~ removed had 25 percent fewer crashes than those who did not and repeat offenders whose vehicles were ~~impounded~~ removed had 38 percent fewer crashes than those who did not, and

WHEREAS, there is a need to help law enforcement curb these offenses, this County Legislature supports legislation calling for an absolute minimum twelve hour vehicle ~~impoundment~~ removal when someone is arrested and charged with DWI or DWAI, now, therefore, be it

RESOLVED, that Local Law Intro. No. 15, 2004, entitled: "The Broome County DWI/DWAI Vehicle ~~Impoundment~~ Removal Law," be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 15, 2004**

**"A Local Law Enacting The Broome County  
DWI/DWAI Vehicle ~~Impoundment~~ Removal Law"**

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

**SECTION 1. ~~IMPOUNDMENT~~ REMOVAL OF VEHICLES**

A. Whenever a person has been arrested for a violation of New York Vehicle & Traffic Law Sections 1192(1), 1192(2), 1192(3), 1192(4), 1192(5), 1192(6) and/or 1192-a, the ~~arresting-law enforcement agency~~ Office of the Broome County Sheriff or its duly authorized agent shall ~~impound~~ remove and take possession of the vehicle the person was operating at the time of his/her arrest.

B. A vehicle ~~impounded~~ removed pursuant to Section 1(A) shall remain in the possession of the ~~arresting agency~~ Office of the Broome County Sheriff or its duly authorized agent until and when the following conditions are met:

1. The vehicle may be released to the arrestee no earlier than twelve (12) hours after the time of the arrest.
2. The vehicle may be released to a party other than the arrestee if:
  - (a) The vehicle is owned or leased by the individual claiming the vehicle other than the arrestee, or
  - (b) The vehicle is owned or leased by the arrestee, the arrestee is eighteen (18) or older, and the arrestee gives their written permission, pursuant to the requirements of the arresting law enforcement agency or its duly authorized agent, to another individual to claim the vehicle, or
  - (c) The vehicle is owned or leased by the arrestee, the arrestee is under eighteen (18) and unemancipated, the vehicle may be released to the parent or legal guardian of the arrestee.
3. A vehicle ~~impounded~~ removed under this section shall not be released to any person unless the person claiming the vehicle from the ~~arresting-law enforcement agency~~ Office of the Broome County Sheriff or its duly authorized agent:
  - (a) Presents a valid license, proof of ownership or lawful authority to operate a motor vehicle,

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- (b) Would not be in violation of New York Vehicle & Traffic Law Sections 1192(1), 1192(2), 1192(3), 1192(4), 1192(5), 1192(6) and/or 1192-a, in connection with operating the vehicle and is otherwise able to operate the vehicle in a safe manner, and
  - (c) Meets any other reasonable conditions established for release of the vehicle established by the ~~arresting law enforcement agency~~ Office of the Broome County Sheriff or its duly authorized agent, including but not limited to reasonable fees for towing and storage of the vehicle until the time the vehicle is claimed. The ~~arresting law enforcement agency~~ Office of the Broome County Sheriff or its duly authorized agent may retain custody of the vehicle until such conditions are complied with or fees paid.
4. Nothing in this Local Law shall be construed to prevent or supersede a court of competent jurisdiction from exercising its authority in connection with the release of a vehicle ~~impounded~~ removed under this Local Law.

#### SECTION 2.EFFECT OF OTHER LAWS

Notwithstanding any provision of this Local Law to the contrary, this Local Law is not intended to supersede or compromise any Local, State or Federal law, rule or regulation that would authorize the continued ~~impoundment~~ removal of a vehicle for evidentiary or other legal purposes.

#### SECTION 3.RULES AND REGULATIONS

The ~~Office of the Broome County Sheriff or the Chief Law Enforcement Officer of any other law enforcement agency in Broome County or their~~ its duly authorized agents are hereby authorized to promulgate such rules and regulations that are lawful, necessary and appropriate to implement, enforce or otherwise carry out the purpose of this Local Law.

#### SECTION 4.SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

#### SECTION 5. EFFECTIVE DATE

This Local Law shall become effective after a public hearing before and the approval of the Broome County Executive and upon filing with the Secretary of State.

**Motion to amend carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).  
Automatically held over 'under the rules'.**

#### RESOLUTIONS INTRODUCED AT THIS SESSION

##### RESOLUTION NO. 447

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

##### **RESOLUTION AUTHORIZING A MAINTENANCE AND SOFTWARE SUPPORT AGREEMENT WITH THE NEW YORK STATE DEFENDERS ASSOCIATION, INC FOR THE OFFICE OF THE PUBLIC DEFENDER FOR 2004-2005**

WHEREAS, the Public Defender requests authorization for a maintenance and software support agreement with the New York State Defender's Association Inc., for the Pubic

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Defender's Public Defense Case Management system (PDCMS) at a cost not to exceed \$5,000 for the period May 21, 2004 through May 20, 2005, and

WHEREAS, said system provides the Office of the Public Defender with a tool to help track cases, identify conflicts of interest, automatically generate documents and create reports, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a maintenance and software support agreement with the New York State Defenders Association Inc., 194 Washington Avenue, Suite 500, Albany, New York 122102314, for the Public Defender's Public Defense Case Management System (PDCMS) for the period May 21, 2004 through May 20, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 530006.4419.101000 (General Office Expense), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 448**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF THE PUBLIC DEFENDER'S AID TO LOCALITIES-AID TO DEFENSE PROGRAM GRANT FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 443 of 2003, authorized and approved the Aid to Localities-Aid to Defense funding for the Public Defender in the amount of \$29,299 for the period April 1, 2003 through March 31, 2004, and

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

WHEREAS, it is desired to accept the New York State Public Defender Aid to Localities-Aid to Defense Program Grant in the amount of \$27,834 for the period April 1, 2004 through March 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$27,834 from the New York State Division of Criminal Justice Services, Four Tower Place, Albany, New York 12203-3764 for the Public Defender's Aid to Localities-Aid to Defense Program Grant for the period April 1, 2004 through March 31, 2005, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be recorded in budget line 530006.0264.101000 (Major Offense Public Defender), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 449**

By Health and Human Services Committee

Seconded by Mr. Kolba

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

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 477 of 1985, has duly designated and appointed the following



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WHEREAS, it is necessary to change the charge structure to \$200.79 for a Semi-Private Room and Board and \$206.52 for a Private Room and Board, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the change of the charge structure for residents of Willow Point Nursing Home effective January 1, 2005 as follows:

- |                                |                                     |
|--------------------------------|-------------------------------------|
| a. Semi-Private Room and Board | \$200.79 per day                    |
| b. Private Room and Board      | \$206.52 per day                    |
| c. Physical Therapy            | Per Medicare Fee Schedule           |
| d. Occupational Therapy        | Per Medicare Fee Schedule           |
| e. Speech Therapy              | Per Medicare Fee Schedule           |
| f. Prescription Medications    | cost plus 20% markup                |
| g. Lab and X-rays              | cost plus 20% administrative markup |

and be it

FURTHER RESOLVED, that said charge structure shall remain in effect until such time as changes are required, and be it

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

FURTHER RESOLVED, that the County Comptroller and the Commissioner of Finance are hereby authorized within the restraints of this Resolution to make any necessary adjustments to implement the intent and purpose of this Resolution.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 451**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CONSTANCE G. ALEXANDER FOR SPEECH THERAPY AND SWALLOWING EVALUATIONS FOR THE WILLOW POINT NURSING HOME FOR 2005**

WHEREAS, this County Legislature, by Resolution 511 of 2003, authorized renewal of the agreement with Constance G. Alexander for speech therapy and swallowing evaluation services for Willow Point Nursing Home residents at a rate of \$56 per hour, total amount not to exceed \$44,800, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary as New York State requires speech therapy and swallowing evaluations as ordered by a physician for any resident at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$62.50 per hour, total amount not to exceed \$46,400, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Constance G. Alexander, 505 Magnolia Drive, Vestal, New York 13850 for speech therapy and swallowing evaluations for Willow Point Nursing Home residents for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$62.50 per hour, total amount not to exceed \$46,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160242.4706.204000 (Rehab and Therapy Services), and be it

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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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 452**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DENTSERV FOR DENTAL SERVICES FOR WILLOW POINT NURSING HOME FOR 2005**

WHEREAS, this County Legislature, by Resolution 448 of 2003, authorized renewal of the agreement with DentServ for dental services to residents at Willow Point Nursing Home at an amount not to exceed \$56,184 for the period January 1, 2004 through December 31, 2004, and

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

WHEREAS, said agreement expires by its terms on December 31, 2004 and it is desired at this time to renew said agreement on substantially similar terms and conditions, at current rates approved by the New York State Department of Health, for an amount of \$4,681.67 per month, total amount not to exceed \$56,184, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with DentServ, 15 Canal Road, Pelham Manor, New York 10803, for dental services for Willow Point Nursing Home residents for the period January 1, 2005 through December 31, 2005, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160218.4712.204000 (Physician Services), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 453**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PATRICIA A. SALMON, RPH FOR PHARMACY CONSULTANT SERVICES FOR WILLOW POINT NURSING HOME FOR 2005**

WHEREAS, this County Legislature, by Resolution 466 of 2003, authorized renewal of an agreement with Patricia A. Salmon, RPh for pharmacy consultant services for Willow Point Nursing Home at a rate of \$36 per hour for up to 1,200 hours, total amount not to exceed \$43,200 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary for pharmacy consultant services at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$37.25 per hour for up to 1,200 hours, total amount not to exceed \$44,700 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Patricia A. Salmon, RPh, 98 Moore Avenue, Binghamton, New York 13903 for pharmacy consultant services for Willow Point Nursing Home for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$37.25 per hour for up to 1,200 hours, total amount not to exceed \$44,700 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160200.4747.204000 (Other Fees for Services), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 454**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THOMAS HOKE FOR SOCIAL WORK CONSULTING SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2005**

WHEREAS, the Board of Acquisition and Contract (BAC) on October 8, 2003, as amended by Resolution 348 of 2004, authorized an agreement with Thomas Hoke for social work consulting services for the Willow Point Nursing Home at an amount not to exceed \$5,000 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement is necessary to review the work of the Willow Point Social Services Department on a regular basis and to provide guidance and consultation in certain other areas as needed, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$5,000, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Thomas Hoke, 835 Front Street, Binghamton, New York 13905 for social work consulting services for the Willow Point Nursing Home for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160184.4747.204000 (Other Fees for Services), and be it

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

**Carried**, Ayes-15, Nays-0, Absent-3 (Howard, Hutchings, Pasquale), Abstain-1 (Reynolds).

#### **RESOLUTION NO. 455**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH FONTANESE, FOLTZ, AUBRECHT, ERNST, BAMMEL ARCHITECTS, P.C. FOR ENGINEERING/ ARCHITECTURAL SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2002-2005**

WHEREAS, this County Legislature, by Resolution 167 of 2001, as amended by Resolution 153 of 2002, and Resolutions 56 and 450 of 2003, authorized an agreement with Fontanese, Folts, Aubrecht, Ernst, Bammel, Architects, P.C. for engineering/architectural services for the Willow Point Nursing Home at a cost not to exceed \$109,510 for the period March 1, 2001 through December 31, 2004, and

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WHEREAS, said services are necessary to assist in determining the engineering/architectural feasibility of retaining the present Willow Point Nursing Home building or to build a new nursing home, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the agreement to December 31, 2005 to complete the Feasibility Study for the site location and Certificate of Needs filing at no additional cost to the County, and

WHEREAS, the Willow Point Nursing Home Administrator has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Fontanese, Folts, Aubrecht, Ernst, Bammel, Architects, P.C., 666 Main Street, East Aurora, New York 14052-2492 extending the period to March 1, 2001 through December 31, 2005, at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 167 of 2001, as amended by Resolution 153 of 2002 and Resolutions 56 and 450 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried,** Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### **RESOLUTION NO. 456**

By Public Works and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO MAINTAIN THE ACCESS ROAD TO THE BRANDYWINE RESERVOIR IN THE TOWN OF DICKINSON COMMONLY KNOWN AS WITTMAN LANE**

WHEREAS, Broome County currently owns or has an easement of access in common with others to property, a portion of which is known and marked as Wittman Lane, used to access the Brandywine Reservoir in the Town of Dickinson, and

WHEREAS, said Wittman Lane was originally used by the Wittman family as a means of access to their farm and is not now nor has it ever been part of the County highway system and is not a County highway, and

WHEREAS, abutting said Wittman Lane is a house and property that belongs to Gary and Paula Finch known as 1 Wittman Lane, and

WHEREAS, said Wittman Lane from Old State Road to the Finch property has not been maintained, and

WHEREAS, it is desired to minimally maintain that portion of Wittman Lane leading from Old State Road to just beyond the Finch property to facilitate the access of the County to the watershed and also the right of access of the public held in common with the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Public Works to minimally maintain that portion of Wittman Lane leading from Old State Road to just beyond the Finch property to facilitate access to the watershed and the right of access held by Broome County in common with others (said maintenance to include at a minimum grading and snow removal), and be it

FURTHER RESOLVED, that the Commissioner of Public Works is authorized to post "No Parking" signs along Wittman Lane, and be it

FURTHER RESOLVED, that the Security Division is authorized to enforce the ban on parking.

**Carried,** Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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### RESOLUTION NO. 457

By County Administration and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH QS TECHNOLOGIES, INC. FOR SOFTWARE MAINTENANCE FOR DIVISION OF INFORMATION TECHNOLOGY FOR 2005**

WHEREAS, this County Legislature, by Resolution 426 of 2003, authorized renewal of an agreement with QS Technologies, Inc. for software maintenance for the Division of Information Technology for an amount not to exceed \$13,601.53, for the period January 1, 2004 through December 31, 2004, and

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

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$14,369.07 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with QS Technologies, Inc., Suite 1106, Bank of America Plaza, P.O. Box 847, Greenville, South Carolina 29602 for software maintenance for the Division of Information Technology for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,369.07 for the term of the agreement, and be it

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

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

**Carried**, Ayes-16, Absent-3 (Howard, Hutchings, Pasquale).

### RESOLUTION NO. 458

By County Administration and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TIER TECHNOLOGIES, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005**

WHEREAS, this County Legislature, by Resolution 431 of 2003, authorized renewal of an agreement with Tier Technologies, Inc. for software maintenance for the Division of Information Technology at an amount not to exceed \$69,700, for the period January 1, 2004 through December 31, 2004, and

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

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$73,185, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Tier Technologies, Inc., 10780 Parkridge Boulevard, Suite 400, Reston, Virginia 20191 for software maintenance for the Division of Information Technology for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$73,185 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

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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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### **RESOLUTION NO. 459**

By County Administration and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING ACCEPTANCE OF A LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT FOR THE COUNTY CLERK, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH DOCUMENT & DIGITAL PRESERVATION SERVICES, INC. FOR DOCUMENT CONVERSION SERVICES FOR 2004-2005**

WHEREAS, the County Clerk requests authorization to accept a Local Government Records Management Improvement Fund Grant, adopt a program budget in the amount of \$60,000 and enter into an agreement with Document & Digital Preservation Services, Inc. for document conversion services for the period July 1, 2004 through June 30, 2005, and

WHEREAS, said grant program provides funding to convert mortgage and deed books (prior to 1964) from acetate-based film to polyester-based microfilm as well as converting mortgage and deed books (from 1964 to 1980) from digital images to polyester-based microfilm for the Office of the County Clerk, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$60,000 from the Local Government Records Management Improvement Fund, State Education Department, Room 542EB, Albany, New York 12230 for the County Clerk's Local Government Records Management Improvement Fund Grant for the period July 1, 2004 through June 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$60,000, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts an agreement with Document & Digital Preservation Services, Inc., 100 Sterling Place, Suite 2A, Brooklyn, New York 11217 for document conversion services for the Broome County Clerk's Office, for the period July 1, 2004 through June 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$60,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300061.4561.104XXX (Purchase of Services), and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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**RESOLUTION NO. 460**

By Public Works and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE CONTRACT UNDER THE APPROPRIATE LAWS OF NEW YORK STATE**

WHEREAS, the State of New York provides financial aid for household hazardous waste programs, and

WHEREAS, the County of Broome having offices at the Edwin L. Crawford County Office Building, PO Box 1766, Binghamton, New York 13902, hereinafter called the Municipality, has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application under these laws, and

WHEREAS, it is necessary that a contract by and between the People of the State of New York, hereinafter called the State, and the municipality be executed for such State aid, now, therefore, be it

RESOLVED, by the County of Broome that the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application, is hereby authorized, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is directed and authorized as the official representative of the Municipality to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract, if said application is approved by the State, and be it

FURTHER RESOLVED, that the Municipality agrees it will fund the entire cost of said Household Hazardous Waste Program and will be reimbursed by the State for the State's share of such costs, and be it

FURTHER RESOLVED, that five certified copies of this resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

**RESOLUTION NO. 461**

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING ACCEPTANCE OF EMPIRE STATE DEVELOPMENT CORPORATION GRANT TO SUPPORT THE 2003 STOP-DWI HOLIDAY CLASSIC**

WHEREAS, the Coordinator of the Broome County STOP-DWI Program requests authorization to accept an Empire State Development Corporation Grant to support the 2003 STOP-DWI Holiday Classic, and

WHEREAS, said grant provides funds to be used for a portion of the cost to rent the Broome County Veterans Memorial Arena for the 2003 STOP-DWI Holiday Classic Basketball Tournament, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,000 from the Empire State Development Corporation, 633 Third Avenue, New York, New York 10017-8167, for the 2003 STOP-DWI Holiday Classic, and be it

FURTHER RESOLVED, that said grant funds shall be deposited in the STOP-DWI Holiday Classic Trust Fund (Fund 60, GL 525, Subsidiary 525525036), and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the

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grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

#### **RESOLUTION NO. 462**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE NEW YORK ASSOCIATION OF HOMES & SERVICES FOR THE AGING FOR SOFTWARE MAINTENANCE FOR THE WILLOW POINT NURSING HOME FOR 2005**

WHEREAS, this County Legislature, by Resolution 449 of 2003, authorized an agreement with the New York State Association of Homes & Services for the Aging for software support and maintenance for the Willow Point Nursing Home in the amount of \$2,500, for the period January 1, 2004 through December 31, 2004, and

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

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$2,700, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the New York State Association of Homes & Services for the Aging, 150 State Street, Suite 301, Albany, New York 12207-1698 for software support and maintenance for the Willow Point Nursing home for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,700 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160077.4419.204000 (General Office Expenses), 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

#### **RESOLUTION NO. 463**

By Public Works and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE HUTCHINSON GROUP, LTD. FOR SURVEY SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2004-2005**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with The Hutchinson Group, Ltd. for survey services for the Division of Solid Waste Management at a cost not to exceed \$5,000, for the period September 1, 2004 through August 31, 2005, and

WHEREAS, said services are necessary to locate a leak in the geomembrane liner of the secondary containment for the leachate holding tanks at the landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Hutchinson Group, Ltd., 4208 Old William Penn Highway, Murrysville, Pennsylvania 15668, for survey services, for the Division of Solid Waste Management for the period September 1, 2004 through August 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,000 for the term of the agreement, and be it

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

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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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

**RESOLUTION NO. 464**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE RESEARCH FOUNDATION, STATE UNIVERSITY OF NEW YORK, FOR INFORMATION MANAGEMENT AND RESEARCH SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH'S DRUG FREE COMMUNITIES SUPPORT PROGRAM FOR 2004-2005**

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with The Research Foundation, State University of New York, for information management and research services for the Department of Mental Health's Drug Free Communities Support Program at a cost not to exceed \$10,458, for the period October 1, 2004 through September 30, 2005, and

WHEREAS, said services are necessary to fund a team of Binghamton University graduate students to implement the Risk and Protective Factor School Survey among participating schools, to help interpret survey findings, and/or develop instruments to measure the process and outcome of prevention efforts, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Research Foundation, State University of New York, Office of Research & Sponsored Programs, P.O. Box 6000, Binghamton, New York 13902, for information management and research services for the Department of Mental Health's Drug Free Communities Support Program for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,458 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4747.104XXX (Other Fees for Services), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

**RESOLUTION NO. 465**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LOURDES HOSPITAL FOR LAB TESTING FOR WILLOW POINT NURSING HOME FOR 2005**

WHEREAS, this County Legislature, by Resolution 451 of 2003, authorized renewal of the agreement with Our Lady of Lourdes Memorial Hospital for lab testing services for Willow Point Nursing Home at an amount not to exceed \$44,000 for the period January 1, 2004 through December 31, 2004, and

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

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$40,000, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 for lab services for Willow Point Nursing Home for the period January 1, 2005 through December 31, 2005, 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 \$40,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4747.204000 (Other Fees for Services), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### **RESOLUTION NO. 466**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF THE JUVENILE ACCOUNTABILITY INCENTIVE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 297 of 2003 authorized and approved renewal of the Juvenile Accountability Incentive Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$24,358 and authorized renewal of the agreement with Our Lady of Lourdes Hospital to administer said program for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant program's focus is to hold juveniles and their families accountable for abusive behaviors. The objectives are to reduce new offenses and court involvement by program participants who have successfully completed the family accountability program as well as reduce placements in non-secure detention facilities, and

WHEREAS, it is desired to renew said grant program in the amount of \$17,328, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$17,328 from the State of New York, Division of Criminal Justice Services, Four Tower Place, Albany, New York 12203-3764, for the Department of Mental Health's Juvenile Accountability Incentive Program Grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$17,328, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 to administer said program grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$17,328 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4718.104XXX (Contracted Services-Lourdes Hospital), and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required within this grant budget provided that

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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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### **RESOLUTION NO. 467**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF THE CATHOLIC CHARITIES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 577 of 2003, authorized and approved the Catholic Charities Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$2,093,156 and authorized an agreement with Catholic Charities of Broome County to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides care and services to select clients with severe and persistent mental illness who are at greatest risk of relapse and rehospitalization or repeated utilization of emergency services, and

WHEREAS, it is desired to renew said grant program in the amount of \$1,556,894, adopt a program budget and renew the agreement with Catholic Charities of Broome County to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,556,894 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Catholic Charities Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$1,556,894, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Catholic Charities of Broome County, 232 Main Street, Binghamton, New York 13905 to administer said program grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,556,894 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5031.104XXX (Contracted Services-Catholic Charities), and be it

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

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

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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**RESOLUTION NO. 468**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF THE CHILDREN'S HOME OF WYOMING CONFERENCE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH CHILDREN'S HOME OF WYOMING CONFERENCE TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 578 of 2003, authorized and approved the Children's Home of Wyoming Conference Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$54,206 and authorized an agreement with Children's Home of Wyoming Conference to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides support and respite services to children and families of children who have serious emotional illness, and

WHEREAS, it is desired to renew said grant program in the amount of \$56,650, adopt a program budget and renew the agreement with the Children's Home of Wyoming Conference to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$56,650 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Children's Home of Wyoming Conference Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$56,650, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901-1696 to administer said program grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$56,650 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5076.104XXX (Contracted Services-Children's Home of Wyoming Conference), and be it

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

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

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

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

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**RESOLUTION NO. 469**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY OPTIONS PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH COMMUNITY OPTIONS, INC. TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 572 of 2003, authorized and approved the Community Options Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$24,415 and authorized an agreement with Community Options, Inc. to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides services to the Office of Mental Health clients enrolled in the VESID Program to assist with maintaining employment, such as integration skills and activities, pre-vocational skills training, employment preparation and on-the-job training for individuals, and

WHEREAS, it is desired to renew said grant program in the amount of \$25,706, adopt a program budget and renew the agreement with Community Options, Inc. to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$25,706 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Community Options Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$25,706, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Community Options, Inc., 182-184 State Street, Binghamton, New York 13901 to administer said program grant for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$25,706 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5078.104XXX (Contracted Services-Community Options), and be it

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

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

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

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

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## RESOLUTION NO. 470

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

### **RESOLUTION AUTHORIZING RENEWAL OF THE FAIRVIEW RECOVERY SERVICES PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH FAIRVIEW RECOVERY SERVICES, INC. TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 579 of 2003, authorized and approved the Fairview Recovery Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$1,296,600 and authorized an agreement with Fairview Recovery Services, Inc. to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides short and long-term residential services and crisis intervention for men and women with alcohol-related problems, and

WHEREAS, it is desired to renew said grant program in the amount of \$1,384,228, adopt a program budget and renew the agreement with Fairview Recovery Services, Inc. to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$72,074 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 and \$1,312,154 from the New York State Office of Alcoholism and Substance Abuse, 1450 Western Avenue, Albany, New York 12203-3526 for the Department of Mental Health's Fairview Recovery Services Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of 1,384,228, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Fairview Recovery Services, Inc., 5 Merrick Street, Binghamton, New York 13901 to administer said program grant, for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,384,228 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5032.104XXX (Contracted Services-Fairview Recovery Services), and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

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**RESOLUTION NO. 471**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF THE FAMILY AND CHILDREN'S SOCIETY PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 580 of 2003, as amended by Resolution 226 of 2004, authorized and approved the Family and Children's Society Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$192,887 and authorized an agreement with Family and Children's Society to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program works with local school systems to provide mental health services to children in the community and enhance the family support center, and

WHEREAS, it is desired to renew said grant program in the amount of \$205,597, adopt a program budget and renew the agreement with Family and Children's Society to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$205,597 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Family and Children's Society Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$205,597, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Family and Children's Society, 257 Main Street, Binghamton, New York 13905 to administer said program for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$205,597 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5025.104853 (Family and Children's Society), and be it

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

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

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

**Carried,** Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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**RESOLUTION NO. 472**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF THE LOURDES HOSPITAL PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 581 of 2003, authorized and approved the Lourdes Hospital Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$250,270 and authorized an agreement with Our Lady of Lourdes Hospital to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides school-based counseling and prevention services to students in the Binghamton, Susquehanna Valley, Whitney Point, Windsor Union Endicott and Deposit Central School Districts who are at risk of drug and alcohol use due to personal, school, peer or family problems, who are exhibiting risk-taking behaviors, or who have begun experimenting with alcohol and/or drug use and to expand the Mental Health Juvenile Justice Project, and

WHEREAS, it is desired to renew said grant program in the amount of \$241,322, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$241,322 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Lourdes Hospital Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$241,322, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 to administer said program for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$241,322 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4718.104XXX (Lourdes Hospital), and be it

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

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

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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### RESOLUTION NO. 473

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH ASSOCIATION PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH MENTAL HEALTH ASSOCIATION TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 582 of 2003, as amended by 227 of 2004, authorized and approved the Mental Health Association Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$473,334 and authorized an agreement with Mental Health Association to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program advocates improvements in the quality of care available to persons with mental and emotional disabilities, educating the public about the causes, treatments and prevention of mental illness and is an advocate for needed changes in law governing the care of the mentally ill, and

WHEREAS, it is desired to renew said grant program in the amount of \$496,387, adopt a program budget and renew the agreement with Mental Health Association to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$496,387 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Mental Health Association Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$496,387, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Mental Health Association, 82 Oak Street, Binghamton, New York 13905 to administer said program for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$496,387 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5028.104859 (Mental Health Association), and be it

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

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

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

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

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## RESOLUTION NO. 474

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

### **RESOLUTION AUTHORIZING RENEWAL OF A SUPPORTED EMPLOYMENT PROGRAM GRANT FOR THE OFFICE OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER (STIC) TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 519 of 2003, authorized and approved renewal of the Supported Employment Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$21,853 and authorized an agreement with Southern Tier Independence Center (STIC) to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides vocational evaluation, counseling and training programs, sheltered employment and vocational guidance to help individuals with disabilities improve their quality of life through productive employment, and

WHEREAS, it is desired to renew said grant program in the amount of \$23,137, adopt a program budget and renew the agreement with Southern Tier Independence Center (STIC) to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$23,137 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Supported Employment Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$23,137, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Southern Tier Independence Center (STIC), 24 Prospect Avenue, Binghamton, New York 13901, to administer said program grant for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,137 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5079.104XXX (Contracted Services-STIC), and be it

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

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

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

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

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**RESOLUTION NO. 475**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF THE UNITED HEALTH SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH UNITED HEALTH SERVICES TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 583 of 2003, authorized and approved the United Health Services Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$364,914 and authorized an agreement with United Health Services to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program is necessary to provide funding for a multi-agency, multi-disciplinary program to meet the needs of the homebound elderly population with nursing and psychiatric assessments and also provides short-term counseling services to help prevent unnecessary acute mental health hospitalization, and

WHEREAS, it is desired to renew said grant program in the amount of \$93,465, adopt a program budget and renew the agreement with United Health Services to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$93,465 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's United Health Services Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$93,465, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with United Health Services, 10-42 Mitchell Avenue, Binghamton, New York 13903 to administer said program for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed 93,465 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5030.104XXX (United Health Services), and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

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**RESOLUTION NO. 576**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF A VOCATIONAL REHABILITATION SERVICES PROGRAM GRANT FOR THE OFFICE OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH VOCATIONAL REHABILITATION SERVICES TO ADMINISTER SAID PROGRAM FOR 2005**

WHEREAS, this County Legislature, by Resolution 574 of 2003, authorized and approved renewal of the Vocational Rehabilitation Services Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$106,503 and authorized an agreement with Vocational Rehabilitation Services to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides services to enable individuals with disabilities to improve quality of life through productive employment, including vocational evaluation, counseling and training programs, sheltered employment and vocational guidance, and

WHEREAS, it is desired to renew said grant program in the amount of \$110,536, adopt a program budget and renew the agreement with Vocational Rehabilitation Services to continue to administer said program for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$110,536 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Vocational Rehabilitation Services Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$110,536, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Vocational Rehabilitation Services, 204 Court Street, P.O. Box 310, Binghamton, New York 13901, to administer said program grant for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$110,536 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5009.104XXX (Vocational Rehab Services), and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

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**RESOLUTION NO. 477**

By County Administration and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING AN AGREEMENT WITH VERIZON ENTERPRISE SOLUTIONS FOR INTELLIPATH II DIGITAL CENTREX SERVICE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004-2007**

WHEREAS, the Director of Information Technology requests authorization for an agreement with Verizon Enterprise Solutions for Intellipath II Digital Centrex Service for the Division of Information Technology at a monthly rate of \$12.92 per line, total cost not to exceed \$1,031,636.10, for the period December 1, 2004 through November 30, 2007, and

WHEREAS, said service is necessary to provide Intellipath II Digital Centrex Service for all 778 and 763 County telecommunication lines (2,218 lines), including interoffice communication/internal 4-digit dialing capabilities, remote administration and detailed call records necessary for internal/external billing and administration, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Verizon Enterprise Solutions, 201 South State Street, Floor 2, Syracuse, New York 13202, for Intellipath II Digital Centrex Service, for the Division of Information Technology for the period December 1, 2004 through November 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a monthly rate of \$12.92 per line, total amount not to exceed \$1,031,636.10 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370056.4413.101000 (Telephone Equipment and Service), 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

**RESOLUTION NO. 478**

By Public Works and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING AN AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INC. FOR PROFESSIONAL LABORATORY SERVICES AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2005**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Buck Environmental Laboratories, Inc. for professional laboratory services at the Nanticoke Landfill for the Division of Solid Waste Management at rates set forth in the attached Exhibit "A", total cost not to exceed \$86,422.30, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary for groundwater, leachate and soil monitoring at the Nanticoke Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Buck Environmental Laboratories, Inc., 3821 Buck Drive, P.O. Box 5150, Cortland, New York 13045, for professional laboratory services and data organization with transfer to the County, for the Division of Solid Waste Management for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates set forth in the attached Exhibit "A", total cost not to exceed \$86,422.30, 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), and be it

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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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### **RESOLUTION NO. 479**

By Public Works and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AMENDING THE RESOLUTION AUTHORIZING THE COUNTY OF BROOME TO PARTICIPATE TO THE EXTENT OF 100% OF THE NON-FEDERAL SHARE IN THE COST OF A FEDERAL AID PROJECT (1996 CAPITAL IMPROVEMENT PROGRAM D-25A, COUNTY ROAD 28) NOT ON THE STATE HIGHWAY SYSTEM ADMINISTERED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

WHEREAS, this County Legislature, by Resolution 197 of 1996, as amended by Resolution 510 of 2001 and Resolution 523 of 2003, authorized the County of Broome to pay 100% of the non-Federal share of the cost of Preliminary Engineering and Right-of-Way Incidentals work for a project on County Road 28 over Occanum Creek, BIN 3349950, Town of Windsor, Broome County, P.I.N. 9751.99, and

WHEREAS, the apportionment of the costs of such program shall be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, this County Legislature has authorized the payment of an amount not to exceed \$112,600 to cover the cost of participation in the above phase of the project, and

WHEREAS, the cost of the non-Federal share for the Preliminary Engineering and Right-of-Way Incidentals phases of said project has increased by \$18,272, and

WHEREAS, it is necessary to authorize the amendment of Resolution 197 of 1996, as amended by Resolution 510 of 2001 and Resolution 523 of 2003, to provide the additional payment of \$18,272 to cover the increased cost of the County's commitment to the project, 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 the Broome County Legislature hereby authorizes an amendment to Resolution 197 of 1996, as amended by Resolution 510 of 2001 and Resolution 523 of 2003, that authorizes the County of Broome to pay 100% of the non-Federal share of the cost of Preliminary Engineering and Right-of-Way Incidentals work for the subject project or portions of the subject project that are not on the State Highway System, and be it

FURTHER RESOLVED, that the County shall pay an additional amount of \$18,272, total amount not to exceed \$130,872, to cover the cost of participation in the above phase of the project, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from budget line 035030.2017.501358 (2000 Federal Aid Bridge Program), and be it

FURTHER RESOLVED, that Resolutions 197 of 1996, 510 of 2001 and 523 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive of the County of Broome or his duly authorized representative is hereby authorized to execute all necessary agreements on behalf of the County of Broome with the New York State Department of Transportation approving of the above subject project and providing for the municipality's participation in the cost of the local share of the subject project, and be it

FURTHER RESOLVED, that a copy of this resolution be filed with the New York State Commissioner of Transportation, it being understood that upon completion of the above project, the Commissioner shall transmit to the Superintendent of Highways a statement showing the actual costs and expenses of such work and shall notify the County of Broome of the amount, if any, to be returned to the County of Broome.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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**RESOLUTION NO. 480**

By Finance Committee Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES, PLUS ACCRUED INTEREST AND PENALTIES ON PARCELS IN VARIOUS TOWNS**

WHEREAS, it is necessary to clear the tax records of these parcels of real property by virtue of the reasons stated below, now, therefore, be it

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

Parcel ID:	192.03-1-16.11
Town/Village:	Binghamton
Owner:	Melissa and Patrick McHugh
Amount to be Cancelled:	\$1,008.84
Reason:	Parcel no longer exists

Parcel ID:	143.41-1-46
Town/Village:	Union
Owner:	Eric and Kathryn Zenzel
Amount to be Cancelled:	\$596.72
Reason:	Payment was not posted

Parcel ID:	027.20-1-9
Town/Village:	Triangle
Owner:	Kenneth M. Jones
Amount to be Cancelled:	\$3.32
Reason:	Wholly Exempt

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

**RESOLUTION NO. 481**

By Finance Committee Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH PITNEY BOWES FOR A MAILING SYSTEM FOR REAL PROPERTY TAX SERVICE FOR 2004-2009**

WHEREAS, the Director of Real Property requests authorization for an agreement with Pitney Bowes for a mailing system on State Contract Number PC57624 for Real Property Tax Service at a monthly rate of \$388, total cost not to exceed \$19,788, for the period December 1, 2004 through February 28, 2009, and

WHEREAS, said system is necessary to fold, stuff and seal tax bills, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Pitney Bowes, 119 Rano Boulevard, Vestal, New York 13851, for a mailing system on State Contract Number PC57624, for Real Property Tax Service, for the period December 1, 2004 through February 28, 2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a monthly rate of \$388, total cost not to exceed \$19,788, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 630004.4419.101000 (General Office Expense), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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### **RESOLUTION NO. 482**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AMENDING RESOLUTION 336 OF 2004 AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS VENDORS FOR INSTITUTIONAL CHILD CARE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2004-2005**

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

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

WHEREAS, it is necessary to authorize the amendment of said resolution to include Park Ridge Chemical Dependency (PRCD), Inc. to the list of vendors as listed in Exhibit 'A', and

WHEREAS, the Commissioner of Social Services 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 Resolution 336 of 2004, as amended by Resolution 424 of 2004, to include Child Care Facilities, Park Ridge Chemical Dependency (PRCD), Inc. to the list of vendors as listed in Exhibit "A" for the period July 1, 2004 through June 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors an amount not to exceed the amount listed on Exhibit "A", total amount of all contracts not to exceed \$10,300,000 for the term of the agreement, and be it

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

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

FURTHER RESOLVED, that the County Executive or 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### **RESOLUTION NO. 483**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH DOCUMENT & DIGITAL PRESERVATION SERVICES, INC. FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2004**

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with Document & Digital Preservation Services, Inc. for professional services for the Department of Social Services at an amount not to exceed \$62.45 per person per hour, total amount not to exceed \$12,500, for the period August 1, 2004 through September 30, 2004, and

WHEREAS, said agreement is necessary for consulting services and analysis for the Department of Social Services' imaging project related to the Food Stamp Employment and Training Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Document & Digital Preservation Services, Inc., 100 Sterling Place, Suite 2A, Brooklyn, New York 11217 for professional services for the Department of Social Services for the period August 1, 2004 through September 30, 2004, 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 \$62.45 per person per hour, total amount not to exceed \$12,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670455.4747.104XXX (Other Fees for Services), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 484**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING RENEWAL OF THE CHILD CARE AND DEVELOPMENT BLOCK GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 383 of 2003, authorized and approved the Child Care and Development Block Grant for the Department of Social Services and adopted a program budget in the amount of \$7,775,834 for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant program provides funds for child care subsidies to low income families and for activities related to improving the quality and availability of child day care services, and

WHEREAS, it is desired to renew said grant program in the amount of \$6,747,572 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$6,747,572 from New York State Office of Children and Family Services, Bureau of Early Childhood Services, 52 Washington Street, Rensselaer, New York 12144-2796, for the Department of Social Services' Child Care and Development Block Grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$6,747,572, and be it

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

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

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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**RESOLUTION NO. 485**

By Health & Human Services and Finance Committees Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH TECHNOLOGY SOLUTIONS FOR THE DEPARTMENT OF SOCIAL SERVICES' CHILD CARE AND DEVELOPMENT BLOCK GRANT FOR SOFTWARE LICENSES AND MAINTENANCE FOR 2004-2005**

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with Technology Solutions for software licenses and maintenance for the Department of Social Services' Child Care and Development Block Grant at a cost not to exceed \$7,080, for the period August 16, 2004 through November 16, 2005, and

WHEREAS, said services are necessary to purchase five ONBASE concurrent licenses and the warranty maintenance agreements for each, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Technology Solutions, 5820 Main Street, Suite 102, Williamsville, New York 14221, for software licenses and maintenance, for the Department of Social Services' Child Care and Development Block Grant for the period August 16, 2004 through November 16, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,080 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670455.4359.104816 (Computer Software and Supplies), 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

**RESOLUTION NO. 486**

By Health & Human Services and Finance Committees Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING RENEWAL OF THE HEALTHY LIVING PARTNERSHIP/HRI PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 377 of 2003, as amended by Resolution 172 of 2004, authorized and approved the Healthy Living Partnership/HRI Program Grant for the Department of Health and adopted a program budget in the amount of \$203,561 for the period June 30, 2003 through June 29, 2004, and

WHEREAS, said grant program provides a regional approach to breast and cervical cancer screening and diagnostic services for eligible women in a five-county region that includes Broome, Tioga, Chenango, Otsego and Delaware Counties, and

WHEREAS, it is desired to renew said grant program in the amount of \$124,505 for the period June 30, 2004 through June 29, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$124,505 from Health Research Inc., One University Place, Rensselaer, New York 12144-3455, for the Department of Health's Healthy Living Partnership/HRI Program Grant for the period June 30, 2004 through June 29, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$124,505, and be it

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

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

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 487**

By Health & Human Services, Personnel and Finance Committees                      Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING RENEWAL OF THE DIABETES PREVENTION AND CONTROL GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 249 of 2004, as amended by 174 of 2004, authorized and approved the Diabetes Prevention and Control Grant for the Department of Health and adopted a program budget in the amount of \$80,000 for the period April 1, 2003 through September 30, 2004, and

WHEREAS, said grant program provides diabetes awareness, education and screening to targeted populations in a five county region which includes Broome, Tioga, Chenango, Delaware and Otsego Counties, and

WHEREAS, it is desired to renew said grant program in the amount of \$50,000 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from New York State Department of Health, Room 780, Corning Tower, Empire State Plaza, Albany, New York 12237-0678, for the Department of Health's Diabetes Prevention and Control Grant program for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$50,000, and be it

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

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

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 488**

By Health & Human Services and Finance Committees                      Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH'S DIABETES PREVENTION AND CONTROL GRANT FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 250 of 2003, as amended by Resolutions 20 and 175 of 2004, authorized renewal of agreements with various vendors for professional services for the Department of Health's Diabetes Prevention and Control Grant Program at a total cost not to exceed \$47,880, for the period April 1, 2003 through September 30, 2004, and

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WHEREAS, said grant program provides project coordination, diabetes awareness, education and screening to targeted populations in a five-county region which includes Broome, Tioga, Chenango, Delaware and Otsego Counties, and

WHEREAS, the Director of Public Health requests authorization to renew said agreements, as approved by the Department of Law, with the various vendors listed in Exhibit "A", at a total cost not to exceed \$20,200 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various vendors for professional services for the Department of Health's Diabetes Prevention and Control Grant Program for the period October 1, 2004 through September 30, 2005 at a cost not to exceed the amounts listed in Exhibit "A" for each vendor, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104XXX (Subcontracted Program Expense), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### **RESOLUTION NO. 489**

By Health & Human Services, Personnel and Finance Committees      Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING RENEWAL OF THE YOUTH TOBACCO ENFORCEMENT AND PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 458 of 2003, as amended by Resolution 325 of 2004, authorized and approved the Youth Tobacco Enforcement and Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$41,720 for the period October 1, 2003 through September 30, 2004, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$40,294 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$40,294 from New York State Department of Health, Center for Environmental Health, Bureau of Community Sanitation and Food Protection, Flanigan Square, 547 River Street, Troy, New York 12180, for the Department of Health for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$40,294, and be it

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

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

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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### RESOLUTION NO. 490

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH TECHNOLOGY SOLUTIONS FOR SOFTWARE INTEGRATION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES' CHILD CARE AND DEVELOPMENT BLOCK GRANT FOR 2004**

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with Technology Solutions for software integration services for the Department of Social Services' Child Care and Development Block Grant at a cost not to exceed \$10,500, for the period October 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary for software integration of the Imaging System with the Benefit Issuance Control Subsystem (BICS), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Technology Solutions, 5820 Main Street, Suite 102, Williamsville, New York 14221, for software integration services for the Department of Social Services' Child Care and Development Block Grant for the period October 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670455.4747.104XXX (Other Fees for Services), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### RESOLUTION NO. 491

By Personnel and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH EMPLOYEE NETWORK, INC. FOR THE COUNTY'S EMPLOYEE ASSISTANCE PROGRAM FOR THE DEPARTMENT OF PERSONNEL FOR 2005-2007**

WHEREAS, this County Legislature, by Resolution 544 of 2001, authorized an agreement with Employee Network, Inc. for the Employee Assistance Program for the Personnel Department at an amount not to exceed a rate of \$1.93 per employee per month for 2002 and \$2.01 per employee per month for 2003 and 2004, and

WHEREAS, said services are necessary to provide counseling services to County employees and their families, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$24.12 per year per employee, for the period January 1, 2005 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Employee Network, Inc., 1040 Vestal Parkway East, Vestal, New York 13850-1713 for counseling services for the County's Employee Assistance Program for the Personnel Department for the period January 1, 2005 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$24.12 per year per employee for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4747.252000 (Other Fees for Services), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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**RESOLUTION NO. 492**

By Finance Committee

Seconded by Mr. Shafer

**RESOLUTION ADOPTING THE BROOME COUNTY BUDGET AND ESTABLISHING RATE OF COMPENSATION FOR NON-UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 2005**

RESOLVED, that the tentative budget of the County of Broome, including the County's 2005 Capital Budget, as corrected and amended to \$XXX,XXX,XXX, be and hereby is adopted as the budget for the County of Broome, for the year commencing January 1, 2005 and ending December 31, 2005 and be it

FURTHER RESOLVED, that all non-union Administrative I personnel, will receive a three (3) percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2004 base salary to become effective January 1, 2005, and be it

FURTHER RESOLVED, that all non-union Administrative II personnel, will receive a three (3) percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2004 base salary to become effective January 1, 2005, and be it

FURTHER RESOLVED, that all non-union Attorney personnel AT-1 through AT-6, will receive a three (3) percent salary increase, after adjustment for longevity, said salary increase to be determined by the 2004 base salary to become effective January 1, 2005, and be it

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

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

**EXHIBIT A**

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

<b>ADMINISTRATIVE I</b>					<b>ADMINISTRATIVE II</b>		
	2004 (37.5)	2004 (40)	2005 (37.5)	2005 (40)		2004	2005
<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>
7	19,811	21,133	20,405	21,767	A	48,719	50,181
8	20,757	22,141	21,380	22,805	B	51,294	52,833
9	21,758	23,209	22,411	23,905	C	53,869	55,485
10	22,812	24,226	23,496	24,953	D	56,444	58,137
11	23,923	25,518	24,641	26,284	E	59,019	60,790
12	25,097	26,771	25,850	27,574	F	61,594	63,442
13	26,337	28,093	27,127	28,936	G	64,169	66,094
14	27,643	29,396	28,472	30,278	H	68,804	70,868
15	29,019	30,954	29,890	31,883	I	71,379	73,520
16	30,470	32,503	31,384	33,478	J	79,104	81,477
17	32,007	34,140	32,967	35,164	K	81,679	84,129

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ADMINISTRATIVE I					ADMINISTRATIVE II		
18	33,624	35,867	34,633	36,943	L	86,314	88,903
19	35,328	37,683	36,388	38,813	M	90,949	93,677
20	37,132	39,553	38,246	40,740	N	95,584	98,452
21	39,030	41,585	40,201	42,833	O	100,219	103,226
22	41,037	43,731	42,268	45,043			
23	43,179	45,996	44,474	47,376			
24	45,381	48,375	46,742	49,826			
25	47,733	50,916	49,165	52,443			
26	50,221	53,569	51,728	55,176			
27	52,837	56,360	54,422	58,051			
28	55,598	59,304	57,266	61,083			
29	58,515	62,416	60,270	64,288			

**MISCELLANEOUS OFFICIALS**

Chairman, Legislature	7,500	Res 68-388
Commissioner of Elections	7,500	Res 99-513
Coroner	25,500	Res 90-491
County Clerk	67,194	Res 98-518
County Executive	90,541	Res 98-518
District Attorney	125,600	NYS Law SEC 700B
Legislator *	12,500	Res 98-520
Sheriff	74,174	Res 98-518

**ATTORNEY**

	2004	2005	2004	2005
<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Maximum</u>	<u>Maximum</u>
AT1	43,306	44,605	49,804	51,298
AT2	53,733	55,345	61,794	63,648
AT3	65,318	67,278	75,037	77,288
AT4	76,904	79,211		
AT5	82,697	85,178		
AT6	94,282	97,110		

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

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**RESOLUTION NO. 493**

By Finance Committee

Seconded by Mr. Shafer

**RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME COUNTY GOVERNMENT FOR FISCAL YEAR 2005**

WHEREAS, this County Legislature, by an accompanying Resolution 492 of 2004, has adopted a budget for fiscal year 2005, now, therefore, be it

RESOLVED, that the several amounts specified in such budget under the various categories and the various objects of expense in the 2005 tentative budget under the recommended column, unless a specific change or correction has been made in the same, in which case such change or corrected figure shall apply, shall be the amount appropriated for such items, effective January 1, 2005, and be it

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

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

**RESOLUTION NO. 494**

By Finance Committee

Seconded by Mr. Shafer

**RESOLUTION APPROVING THE 2005-2010 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 2005 Capital Budget and the 2005-2010 Capital Improvement Program as accompanying the tentative budget for 2005, and as corrected and amended, is hereby approved and adopted as the 2005 Capital Budget and 2005-2010 Capital Improvement Program for the County of Broome, and be it

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

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

**RESOLUTION NO. 495**

By Health & Human Services Committee

Seconded by Mr. Kolba

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

WHEREAS, Jeffrey P. Kraham, County Executive, pursuant to the authority vested in him by Resolution 70 of 1984 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 EXPIRING</u>
Dr. Robert Russell 1225 Fowler Place Binghamton, New York 13903	New Appointment Term Expires 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 Resolution 70 of 1984, 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, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

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### RESOLUTION NO. 496

By Economic Development and Planning Committee Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING THE BROOME COUNTY LEGISLATURE TO ESTABLISH AN ANNUAL 30-DAY PERIOD TO INCLUDE FARMLAND IN AN AGRICULTURAL DISTRICT**

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, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to Section 303-b of the Agriculture and Markets Law, hereby establishes an annual 30-day period wherein land owners can request inclusion of their property in a certified agricultural district, commencing on December 1 and concluding on December 30, and be it

FURTHER RESOLVED, that general notification shall be provided by the Clerk of this Legislature to make landowners aware of the 30-day period through a press release or through county/extension news letters.

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### RESOLUTION NO. 497

By County Administration and Finance Committees Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH IBM CORPORATION FOR SOFTWARE LEASES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005**

WHEREAS, this County Legislature, by Resolution 644 of 2003, authorized renewal of the agreement with IBM Corporation for lease of various mainframe software products for the Division of Information Technology at an amount not to exceed \$60,156, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary for the continued functioning of the Division of Information Technology and includes all IBM software products for major mainframe operating systems, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$60,156, for the period January 1, 2005 through December 31, 2005 now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with IBM Corporation, 1551 S. Washington Avenue, Piscataway, New Jersey 08854 for lease of various mainframe software products for the Division of Information Technology for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$60,156 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4515.101000 (Software Rental), and be it

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### RESOLUTION NO. 498

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH NEW YORK STATE OFFICE OF MENTAL HEALTH FOR LEASE OF SPACE FOR THE OFFICE OF THE SHERIFF FOR 2004-2005**

WHEREAS, this County Legislature, by Resolution 380 of 2003, authorized an agreement with the New York State Office of Mental Health for lease of space for the Office of the Sheriff at an annual payment of \$2,000 for the period October 1, 2003 through September 30, 2004 and with an option for two one-year renewals at the same cost and on substantially similar terms and conditions, and

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WHEREAS, said agreement expires by its terms on September 30, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions and for an increased amount, the total amount not to exceed \$3,667.20, for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the New York State Office of Mental Health, c/o Joan Wallis – Capital Operations, Administrative Support Services Group, Capital District Psychiatric Center – Unit Q & R, 75 New Scotland Avenue, Albany, New York 12208 for lease of space for the Office of the Sheriff for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,667.20 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 996025.603000 Subsidiary Trust Account 525525029, 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

### **RESOLUTION NO. 499**

By Public Works and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING AN AGREEMENT WITH C&S ENGINEERS, INC. FOR PROFESSIONAL ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES AT THE COLESVILLE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2004-2005**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with C&S Engineers, Inc. for professional engineering and construction management services at the Colesville Landfill for the Division of Solid Waste Management at a cost not to exceed \$169,256, for the period November 1, 2004 through October 31, 2005, and

WHEREAS, said services are necessary to provide design and construction management services associated with the necessary repairs to the closure cap at the Colesville Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with C&S Engineers, Inc., 499 Colonel Eileen Collins Boulevard, Syracuse, New York 13212 for professional engineering and construction management services at the Colesville Landfill for the Division of Solid Waste Management for the period November 1, 2004 through October 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$169,256 for the term of the agreement, and be it

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

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

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

### **RESOLUTION NO. 500**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SUNY HEALTH SCIENCE CENTER AT SYRACUSE, CLINICAL CAMPUS AT BINGHAMTON FOR MEDICAL DIRECTOR SERVICES FOR THE DEPARTMENTS OF HEALTH AND SOCIAL SERVICES FOR 2005**

WHEREAS, this County Legislature, by Resolution 485 of 2003, authorized renewal of agreement with State University of New York, Health Science Center at Syracuse, Clinical

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Campus of Binghamton, for medical director services for the Departments of Health and Social Services at an amount not to exceed \$80,257 for medical director services plus \$549 for the cost of liability insurance, total amount not to exceed \$80,806, with each department paying 50% of the total cost for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement provides the services of a physician specializing in population-based health to provide professional physician services, consultation and clinical supervision for the Departments of Health and Social Services, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$87,877.50 for medical director services plus \$520 for the cost of liability coverage, total amount not to exceed \$88,397.50, with each department paying 50% of the total cost, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with State University of New York, Health Science Center at Syracuse, Clinical Campus at Binghamton, 425 Robinson Street, Binghamton, New York 13901 for medical director services for the Departments of Health and Social Services for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$87,877.50 for medical director services plus \$520 for the cost of liability insurance, total amount not to exceed \$88,397.50 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Department of Health's budget line 480012.4715.101000 (Other Health and Medical Services) with the Department of Social Services paying 50% of the cost through the chargeback system, 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

#### **RESOLUTION NO. 501**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH GTL, INC. AND PROJECT HEAR FOR PERSONAL EMERGENCY RESPONSE SERVICES (PERS) FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2005-2006**

WHEREAS, this County Legislature, by Resolution 574 of 2001, authorized renewal of agreements with GTL, Inc. at a rate of \$30 per installation for each PERS unit and \$24 per month per unit monitoring fee and with Project HEAR for \$35 per installation of each PERS unit and \$25 per month per unit monitoring fee, for Personal Emergency Response Services for the Department of Social Services, for the period January 1, 2002 through December 31, 2004, and

WHEREAS, New York State mandates the Personal Emergency Response System (PERS) pursuant to Social Services Law for certain eligible medical assistance recipients, the objective being to reduce or eliminate the number of hours necessary for home care workers to be in a client's home solely for the purpose of monitoring the client's health and safety, and

WHEREAS, said agreements expire by their terms on December 31, 2004, and it is desired at this time to renew said agreements on substantially similar terms and conditions, GTL, Inc. rates being \$30 per installation and \$24 per month monitor fee and the Project HEAR rates being \$35 per installation and \$25 per month monitor fee, total amount not to exceed budget appropriations for the period January 1, 2005 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with GTL, Inc., d/b/a Link to Life 297 North Street, Pittsfield, Massachusetts 01201 and Project HEAR, 4401 Vestal Parkway East, Vestal, New York 13850 for Personal Emergency Response

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Services for the Department of Social Services, for the period January 1, 2005 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay GTL, Inc. at rates of \$30 per installation and \$24 per month monitor fee and Project HEAR at rates of \$35 per installation and \$25 per month monitor fee, total amount not to exceed budget appropriations, for the terms of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS Medical Assistance), 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### **RESOLUTION NO. 502**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS AGENCIES FOR THE ASSISTED LIVING CARE SERVICES PROGRAM OF THE DEPARTMENT OF SOCIAL SERVICES FOR 2005-2006**

WHEREAS, this County Legislature, by Resolution 490 of 2003, authorized agreements with United Methodist Homes for the Aging of the Wyoming Conference d/b/a Hilltop Assisted Living Program, Elizabeth Church-DePaul Corporation d/b/a St. Louise Manor Assisted Living Program, and Ideal Senior Living Housing Corporation for the Assisted Living Care Services Program for the Department of Social Services for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to provide cost-effective alternatives to nursing home placements for individuals who are eligible for residential health care facility placements and are not in need of nursing home facility placement, and

WHEREAS, said agreements expire by their terms on December 31, 2004, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at established New York State Medicaid rates, for the period January 1, 2005 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreements with United Methodist Homes for the Aging of the Wyoming Conference, d/b/a Hilltop Assisted Living Program, 286 Deyo Hill Road, Johnson City, New York 13790, Elizabeth Church-DePaul Corporation, d/b/a St. Louise Manor Assisted Living Program, 861 Front Street, Binghamton, New York 13905 and Ideal Senior Living Housing Corporation, 508 High Avenue, Endicott, New York 13760 to provide services for the Department of Social Services' Assisted Living Care Services Program for the period January 1, 2005 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors pursuant to the New York State established Medicaid rates attached hereto as Exhibit "A", and be it

FURTHER RESOLVED, that the requested rates will continue until such a time as a new rate schedule is approved by New York State, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS Medical Assistance), 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

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### RESOLUTION NO. 503

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR TRANSPORTATION SERVICES FOR MEDICAID RECIPIENTS OF BROOME COUNTY FOR 2005-2006**

WHEREAS, this County Legislature, by Resolution 575 of 2001, authorized agreements with various vendors for transportation services for Medicaid recipients of Broome County at State mandated rates, not to exceed budgeted appropriations for the period January 1, 2002 through December 31, 2004, and

WHEREAS, the system for providing transportation to Medicaid recipients to medically covered services requires that individual counties utilize the services of transportation providers as approved by the State, and

WHEREAS, said agreements expires by their terms on December 31, 2004, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at the rates as listed on Exhibit "B", not to exceed budgeted appropriations, for the period January 1, 2005 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various vendors as listed on Exhibit "A" for transportation services for Medicaid recipients of Broome County for the period January 1, 2005 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the rates as listed on Exhibit "B", not to exceed budgeted appropriations for the term of the agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS Medical Assistance), 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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

### RESOLUTION NO. 504

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH F. KEITH KENNEDY, MD, PC, FOR MEDICAL DIRECTOR SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2005**

WHEREAS, this County Legislature, by Resolution 30 of 2004, authorized renewal of an agreement with Dr. F. Keith Kennedy, MD, PC, for Medical Director services for the Willow Point Nursing Home at an amount not to exceed \$67,193, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary as New York State requires that a Medical Director be part of the medical staff at Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$69,209, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Dr. F. Keith Kennedy, MD, PC, 21 Mitchell Avenue, Binghamton, New York 13903 for Medical Director services for the Willow Point Nursing Home for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$69,209 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160044.4712.204000 (Physician Services), and be it

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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-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 505**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH PROFESSIONAL HOME CARE FOR OXYGEN THERAPY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2005**

WHEREAS, this County Legislature, by Resolution 96 of 2004, as amended by Resolution 309 of 2004, authorized renewal of an agreement with Professional Home Care for oxygen therapy services for the Willow Point Nursing Home at an amount not to exceed \$63,320, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement provides oxygen therapy services to residents at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$66,000, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Professional Home Care, 4401 Vestal Parkway East, Vestal, New York 13850 for oxygen therapy services for Willow Point Nursing Home for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$66,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160101.4363/4512.204000 (Medical, Lab and Clinic Supplies/Outside Rental), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

#### **RESOLUTION NO. 506**

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A STEPS TO A HEALTHIER US PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005**

WHEREAS, the Director of the Office for Aging requests authorization to accept a Steps to a Healthier US Program Grant and adopt a program budget in the amount of \$11,000 for the period September 22, 2004 through September 21, 2005, and

WHEREAS, said grant program provides funding for the Office for Aging's Mission Meltaway Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,000 from the Broome County Department of Health, 225 Front Street, Binghamton, New York 13905 for the Office for Aging's Steps to a Healthier US Program Grant for the period September 22, 2004 through September 21, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$11,000, and be it

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



as requested in BF# 005294 & 005295, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104822	Salaries, Full Time	10,540
	480301	1600	104822	Salaries, Temporary	6,249
	480301	4606	104822	Telephone Chargeback	276
	480301	8010	104822	State Retirement	1,551
	480301	8030	104822	FICA	1,142
	480301	8040	104822	Workers' Compensation	864
	480301	8050	104822	Life Insurance	18
	480301	8063	104822	Disability Insurance	71
	480301	8070	104822	Unemployment Insurance	519
TO:	480301	1500	104822	Salaries, Part Time	1,241
	480301	4319	104822	Office Supplies	479
	480301	4359	104822	Computer Supp. & Software	225
	480301	4363	104822	Med, Lab and Clinics	15,906
	480301	4610	104822	Personal Svcs. Chargeback	3,218
	480301	4618	104822	Office Supp. Chargeback	150
	480301	4627	104822	Single Audit Chargeback	11

FURTHER RESOLVED, that in accordance with a request from the Director of the Public Health as contained in PCR#04-347 this County Legislature hereby authorizes the change of (1) Dental Program Coordinator position, Part Time, at budget line 480301.1500.104822, minimum salary of \$30,156 FTE, Grade 15, Union CSEA, to (1) Dental Program Coordinator position, Full Time, at budget line 480301.1000.104822, minimum salary of \$30,156, Grade 15, Union CSEA effective date 9/27/04.

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

**Carried**, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).

### RESOLUTION NO. 509

By Finance Committee

Seconded by Mr. Kolba

#### RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR THE DEPARTMENT OF HEALTH, OFFICE FOR AGING AND THE DEPARTMENT OF SOCIAL SERVICES

RESOLVED, that in accordance with a request from the Director of Health, to modify the appropriations to maximize the Tuberculosis Elimination Grant, as requested in BF#005176 & 005177, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104884	Salaries – Full Time	26,147
	480301	4411	104884	Postage & Freight	5
	480301	4462	104884	Travel, Hotel & Meals	200
	480301	4463	104884	Education & Training	157
	480301	4617	104884	Duplicating & Printing	25
	480301	8010	104884	State Retirement	2,994

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	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	480301	8030	104884	Social Security	734
	480301	8040	104884	Workers Compensation	317
	480301	8050	104884	Life Insurance	18
	480301	8060	104884	Health Insurance	2,419
	480301	8063	104884	Disability Insurance	102
	480301	8070	104884	Unemployment Insurance	412
TO:	480301	1600	104884	Salaries – Temporary	16,298
	480301	4319	104884	Office Supplies	2,475
	480301	4346	104884	Training & Education	3,325
	480301	4349	104884	Misc. Operational Expense	8,920
	480301	4461	104884	Mileage & Parking	607
	480301	4606	104884	Telephone Billing	105
	480301	4609	104884	Data Processing	1,800

FURTHER RESOLVED, that in accordance with a request from the Director of the Office for Aging, to modify the appropriations to cover anticipated training costs for program participants on the SCSEP SOFA and NOCA Grants, as requested in BF#004969, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	761056	1600	104912	Salaries – Temporary	1,000
	761056	1600	104913	Salaries – Temporary	500
TO:	761056	4467	104912	Non-Emp. Education/Trng.	1,000
	761056	4467	104913	Non-Emp. Education/Trng.	500

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Social Services, to adjust appropriations to account for Legislatures fringe benefit reduction in 2004 budget that was all reduced from 670018 index code, as requested in BF#005238, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	670026	8060	103000	Health Insurance	23,005
	670034	8060	103000	Health Insurance	20,903
	670042	8060	103000	Health Insurance	38,107
	670059	8060	103000	Health Insurance	12,985
TO:	670018	8060	103000	Health Insurance	95,000

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

**Carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).**

Mr. Shafer made a motion to adjourn, seconded by Mr. Brunza. **Motion to adjourn carried, Ayes-16, Nays-0, Absent-3 (Howard, Hutchings, Pasquale).** The meeting was adjourned at 5:19 p.m.

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