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

The Legislature convened at 5:04 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Shafer).

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

Mr. Miller made a motion, seconded by Mr. Mather, that the minutes of the February 17, 2005 Regular Session and March 1, 2005 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Shafer).

Mr. Schofield noted that the committee minutes for the period February 17, 2005 through March 16, 2005 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Marinich, seconded by Mr. Lindsey. **Carried**, Ayes-18, Nays-0, Absent-1 (Shafer).

ANNOUNCEMENTS FROM THE CHAIR

Mr. Jerry Marinich, Legislator for District 10, brought Troy Nickerson, an honor student from Chenango Forks High School, to the podium in order to recognize him as New York State's first five time wrestling champion. He was also named the Most Outstanding Wrestler for the Division I Tournament for the third consecutive year, and has plans to continue his wrestling career while attending Cornell University.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Barbara J. Fiala:
 - 1. Appointment to Willow Point Nursing Home Advisory Board
 - 2. Appointment to Broome County Family Violence Prevention Council
 - 3. Appointments to Broome County Department of Aviation Advisory Board
 - 4. Appointments to Broome County Planning Advisory Board
 - 6. Appointments to Broome County Fire Advisory Board
 - 7. Appointments to Broome County Board of Ethics
 - 8. Appointments to Broome County Environmental Management Council Board of Directors
 - 9. Appointments to Broome County Community Services Board
 - 10. Appointments to Broome County Veteran's Memorial Arena Board of Directors
 - 11. Appointments to Broome County Youth Bureau Advisory Board
 - 12. Appointments to Broome County Stop-DWI Advisory Board
 - 13. Appointments to Broome County Health Advisory Board
 - 14. Appointments to Broome County Library Board of Trustees
- B. 2005 State of the County

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 - 1. Broome County Association of Municipal Clerks Minutes 2/17/05
 - 2. Broome County Soil and Water Conservation District Directors' Minutes 2/8/05
 - 3. Cornell Cooperative Extension of Broome County Board of Director Minutes 12/9/04

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4. Broome County EMC Natural Resources Committee Minutes 1/20/05
 5. Broome County EMC Recycling & Waste Management Committee Minutes 1/24/05
 6. Broome County Environmental Management Council Minutes 2/3/05
 7. Cornell Cooperative Extension of Broome County Board of Directors Minutes 1/20/05
 8. Memo from Commissioner of Social Services Re: Cash Verification Audit, DSS
 9. Orange County Resolution Urging the State Legislature to Amend the Adolescent Tobacco Use Prevention Act Relating to the Imposition of Penalties and Sanctions for Violations Thereof
 10. Memo from Broome County Environmental Management Council Re: Hawkins Pond Nature Area-Proposed Land Swap
 11. Letter from Catherine Schaewe, Board of Ethics President, to County Executive Re: Board of Ethics Nominations and Documents
 12. Letter from Legislative Clerk to Town of Sanford and Town of Colesville Re: Recycling Drop-Off Centers
 13. Broome County EMC Brownfields Committee Minutes 2/9/05
- C. Notices:
1. Public Meeting- Hooper Road Over Norfolk Southern Railroad Bridge Rehabilitation 2/254/05
 2. Special County Administration & Finance Committee Meeting 2/17/05
 3. Special Public Works Committee Meeting 2/22/05
 4. Special Personnel Committee Meeting 3/17/05
 5. Special Public Safety and Emergency Services Committee Meeting 3/17/05
- D. Reports:
1. BCC Above Minimum Hire Report 1/05
 2. BCC Budget Transfers 1/05
 3. BCC Quarterly Income Statement 3/2/05
 4. Public Defender 2004 Annual Statistical Report
 5. Department of Personnel 2004 Annual Report
 6. Soil and Water Conservation District 2004 Annual Report

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel A. Schofield:
1. Thomas A. Hull as Designated Representative on the Broome County Community Services Board
 2. Designation for Mark Whalen 2/17/05
 3. Designation for William Miller 2/22/05
 4. Designations for Brian Mather and Arthur Shafer week of 3/7/05
 5. Designations for William Miller and David Lindsey week of 3/7/05

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

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

RESOLUTIONS RECALLED FROM PREVIOUS SESSION

Mr. Sanfilippo had made a motion, seconded by Mr. Schafer, to recall Resolution No. 62 of 2005 which failed at the February 17, 2005 Legislative Session. **Motion to recall carried, Ayes-18, Nays-0, Absent-1 (Shafer).** Mr. Sanfilippo then made a motion to amend said resolution, seconded

by Mr. Hull, for approval. The prefiled amendment is as follows: (Strikeout text to be removed, shaded text inserted.)

RESOLUTION NO. 62

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AMENDING RESOLUTION 660 OF 2004 AUTHORIZING AN AMENDMENT TO CONTRACTS WITH VENDORS PROVIDING TRANSPORTATION SERVICES TO BROOME COUNTY TO PROVIDE FOR A FUEL SURCHARGE ADJUSTMENT

WHEREAS, this County Legislature, by Resolution 660 of 2004, authorized an amendment to contracts with vendors providing transportation services to Broome County to provide for a fuel surcharge, and

WHEREAS, unforeseen and unanticipated market forces have caused the price of gasoline to rise dramatically in the past few months and these vendors use significant quantities of gasoline in providing these essential services, and

WHEREAS, this County Legislature authorized an amendment to these contracts to provide for a fuel surcharge adjustment for the remainder of the term of their contracts, and

WHEREAS, it is necessary to amend Resolution 660 of 2004 to delete all references to Southern Tier Medi Van, change the references in paragraphs 1 and 2 of the RESOLVED clause from December 2004 to December 2003 for the CPI difference to calculate the fuel surcharge adjustment and to revise paragraph 1 to allow for an increase or decrease in the CPI for the cost of fuel, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 660 of 2004 to change all references from surcharge to adjustment, delete all references to Southern Tier Medi Van, change the references in paragraphs 1 and 2 of the RESOLVED clause from December 2004 to December 2003 for the CPI difference to calculate the fuel surcharge adjustment and to revise paragraphs 1 and 2 to read as follows:

In lieu of any provision in any of the aforementioned contracts relating to "adjustments for fuel pricing," the aforementioned contracts shall be amended to provide for a fuel surcharge adjustment to be computed as follows:

1. Commencing January 1, 2005 and the first of every month thereafter, if the CPI for Northeast Urban Gasoline All Types for the previous month exceeds the CPI for Northeast Urban Gasoline All Types in effect for the month of December 2004 then the difference shall be calculated as a percent of increase the change in fuel prices experienced by contractors, as measured by the CPI for Northeast Urban Gasoline All Types, shall be calculated as a percentage increase or decrease.
2. The vendor may must then submit a voucher for a "fuel surcharge adjustment" calculated by multiplying the gallons of gasoline used in providing the contracted services during the previous month by the average price per gallon the vendor paid for gasoline during the month of December 2004 2003, with the product of the multiplication then multiplied by the percent of increase calculated pursuant to paragraph 1 above. The product of that multiplication shall be the fuel surcharge adjustment.

and be it

FURTHER RESOLVED, that Resolution 660 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.

Mr. Kuzel then made a motion to amend the amendment, seconded by Mr. Hutchings, changing the wording to reflect that in place of references to December 2003 or December 2004, the resolution read that the start date of each vendors current contract be used as a base point. **Amendment to the amendment carried**, Ayes-16, Nays-2 (Schofield, Whalen), Absent-1 (Shafer). **Amended amendment carried**, Ayes-16, Nays-2 (Brunza, Whalen), Absent-1 (Shafer). **Resolution as amended carried** Ayes-16, Nays-2 (Brunza, Whalen), Absent-1 (Shafer).

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 98

(Held over by Mr. Kuzel)

By Finance Committee

Seconded by Mr. Schafer

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

Mr. Kuzel made a motion to amend the resolution to change the amounts being distributed to the 6 libraries listed on this resolution back to the amounts they were awarded in 2004. **Amendment failed**, Ayes-4 (Materese, Brunza, Kuzel, Buchta), Nays-14, Absent-1 (Shafer). **Resolution as presented carried**, Ayes-13, Nays-5 (Materese, Brunza, Kuzel, Lindsey, Buchta, Absent-1 (Shafer).

RESOLUTION NO. 101

(Held over by Mr. Miller)

By County Administration, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF ENDICOTT FOR LABOR RELATIONS PROFESSIONAL SERVICES

Mr. Schofield made a motion, seconded by Mr. Mather, to remove the first and second FURTHER RESOLVED paragraphs, regarding compensation to the County for said services. **Amendment failed**, Ayes-3 (Materese, Kuzel, Schofield), Nays-15, Absent-1 (Shafer). **Resolution as presented carried**, Ayes-18, Nays-0, Absent-1 (Shafer).

RESOLUTION NO. 105

(Held over by Mr. Marinich)

By Personnel Committee

Seconded by Mr. Materese

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

Mr. Sanfilippo made a motion, seconded by Mr. Materese, to amend Item 11 of Exhibit A to read "Employees shall not be paid for unused sick leave upon separation or retirement with the exception of those employees who are employed by the County as of March 17, 2005 and who have accumulated sick days beyond the number of credited for retirement purposes. These employees shall have the monetary amount for said excess sick days as of March 17, 2005 applied to their health insurance premiums." Mr. Hull made a motion to table the resolution to a date uncertain, seconded by Mr. Lindsey. **Motion to table to a date uncertain carried**, Ayes-11 (Keibel, Schafer, Hull, Miller, Nannery, Howard, Kuzel, Marinich, Lindsey, Mather, Schofield), Nays-7 (Materese, Hutchings, Whalen, Sanfilippo, Brunza, Reynolds, Buchta), Absent-1, (Shafer).

RESOLUTION NO. 106

(Held over by Mr. Marinich)

By Personnel Committee

Seconded by Mr. Schafer

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

Mr. Mather made a motion to table to a date uncertain, seconded by Mr. Marinich. **Motion to table to a date uncertain carried**, Ayes-11 (Keibel, Schafer, Hull, Miller, Nannery, Howard, Kuzel, Marinich, Lindsey, Mather, Schofield), Nays-7 (Materese, Hutchings, Whalen, Sanfilippo, Brunza, Reynolds, Buchta), Absent-1 (Shafer).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 109

By County Administration Committee Seconded by Mr. Howard
RESOLUTION CONFIRMING THE APPOINTMENT OF THE HONORABLE ARTHUR J. SHAFER AS LEGISLATIVE AT-LARGE CONSTITUENT MEMBER AND STEERING COMMITTEE MEMBER ON THE BROOME COUNTY COUNCIL OF GOVERNMENTS

WHEREAS, Daniel A. Schofield, chair of the Broome County Legislature, pursuant to the powers vested in him by resolution 28 of 1992, has duly designated and appointed, pending confirmation by this legislature, the honorable Arthur J. Shafer as legislative at-large constituent member and steering committee member on the Broome County Council of Governments, now, therefore, be it

RESOLVED, that this county legislature, pursuant to the provisions of resolution 28 of 1992, does hereby confirm the honorable Arthur J. Shafer, 64 Main Street, Kirkwood, New York 13795, as legislative at-large constituent member and steering committee member on the Broome County Council of Governments in accordance with his appointment by the chair of the Broome County Legislature.

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

RESOLUTION NO. 110

By Education, Culture & Recreation Committee Seconded by Mr. Brunza
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BC OPEN AND BROOME COUNTY COMMUNITY CHARITIES, INC. FOR VOLUNTEER AND HANDICAPPED PARKING AT GRIPPEN PARK FOR 2005

WHEREAS, this County Legislature, by Resolution 2 of 2004, authorized an agreement with the BC Open and Broome County Community Charities, Inc. for volunteer and handicapped parking at Grippen Park at no cost to the County, for the period July 12, 2004 through July 18, 2004, and

WHEREAS, said services are necessary to provide volunteer and handicapped parking for spectators and participants during the BC Open Golf Tournament, and

WHEREAS, said agreement expired by its terms on July 18, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period July 11, 2005 through July 17, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the BC Open and Broome County Community Charities, Inc., P. O. Box 5571, Union Station, Endicott, New York 13763-5571, for volunteer and handicapped parking services during the BC Open for the period July 11, 2005 through July 17, 2005, at no cost to the County, and be it

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

Mr. Materese disclosed that his soccer team benefits from the BC Open.

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

RESOLUTION NO. 111

By Health Services, County Administration and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH DIETARY CONSULTING SERVICES, LLC FOR CONSULTING AND DATA INPUT SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2005

WHEREAS, the Administrator requests authorization for an agreement with Dietary Consulting Services, LLC for consulting and data input services for the Willow Point Nursing Home at a cost not to exceed \$5,198 plus travel expenses, for the period January 1, 2005 through June 30, 2005, and

WHEREAS, said agreement is necessary for data input and conversion, software set-up and training, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Dietary Consulting Services, LLC, PO Box 804, Monsey, New York 10952 for consulting and data input services for the Willow Point Nursing Home for the period January 1, 2005 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 \$5,198 plus travel expenses for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160260.2850.502272 (Computer Equipment), and be it

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

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

RESOLUTION NO. 112

By Health Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENT WITH REPORTERS TRANSCRIPTION CENTER FOR MEDICAL TRANSCRIPTION SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2005

WHEREAS, this County Legislature, by Resolution 643 of 2003 authorized an agreement with Reporters Transcription Center for medical transcription services for the Willow Point Nursing Home at a cost not to exceed \$18,000, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement is necessary to meet the present and future needs of the Physician Services Program by utilizing internet based digital and telephone dictation services at the Willow Point Nursing Home, and

WHEREAS, said agreement expired 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 \$18,000, for the period January 1, 2005 through December 31, 2005, with three (3) one-year renewal options by mutual consent at the same costs, terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Reporters Transcription Center, 71 State Street, Binghamton, New York 13901, for medical transcription services for the Willow Point Nursing Home for the period January 1, 2005 through December 31, 2005, with three (3) one-year renewal options by mutual consent at the same costs, terms and conditions, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$18,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160036.4747.204000 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 113

By Health Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH KEANE CARE, INC. FOR CLINICAL SOFTWARE MAINTENANCE FOR WILLOW POINT NURSING HOME FOR 2005

WHEREAS, this County Legislature, by Resolution 447 of 2003, authorized renewal of the agreement with Keane, Inc. for software maintenance for Willow Point Nursing Home at an amount not to exceed \$10,710, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to support the computer software program that maintains the patient clinical and billing records, and

WHEREAS, said agreement expired 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 \$11,600, 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 Keane Care, Inc., Executive Plaza III, Suite 600, 11350 McCormick Road, Hunt Valley, Maryland, 21031 for a maintenance agreement for clinical software 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 \$11,600 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010.4419.204000 and 160085.4419.204000 (General Office Expense), and be it

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

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

RESOLUTION NO. 114

By Health Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH SIBLEY NURSING PERSONNEL SERVICE, INC. FOR STAFFING SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2005

WHEREAS, this County Legislature, by Resolution 464 of 2003, authorized renewal of an agreement with Sibley Nursing Personnel Service, Inc. for staffing services for the Willow Point Nursing Home for an amount not to exceed \$310,000, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to maintain State required safety levels in the Certified Nursing Assistant, Licensed Practical Nurse and Registered Nurse staffing as required by State Standards and to provide additional hours of coverage that are required to allow staff to participate in the TANF Health Worker Training Initiative Program, and

WHEREAS, said agreement expired by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, and pay the contractor pursuant to the rate schedule and the holidays listed on the attached Exhibit "A", for a total amount not to exceed \$65,000, 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 Sibley Nursing Personnel Service, Inc., 1100 University Avenue, Suite 140, Rochester, New York

Department of Social Services New York Works Block Grant for the period March 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 \$100,000, and be it

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

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

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

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

RESOLUTION NO. 116

By Public Works Committee

Seconded by Mr. Howard

RESOLUTION AMENDING RESOLUTION 514 OF 2004 AUTHORIZING AN AGREEMENT WITH HELENA MELORO FOR THE TERMINATION AND REPLACEMENT OF AN EASEMENT IN THE TOWN OF MAINE

WHEREAS, this County Legislature, by Resolution 514 of 2004, authorized an agreement with Helena Meloro for the termination and replacement of an easement on Oakdale Road in the Town of Maine, and

WHEREAS, Ms. Meloro has requested the County take less of her land in the permanent easement as originally submitted and approved by Resolution 514 of 2004, and

WHEREAS, the Department of Public Works after reviewing her request has determined that the County can accommodate Ms. Meloro's request and still have sufficient access to the watershed (Site 26, Finch Hollow), and

WHEREAS, the Commissioner of Public Works requests an amendment to Resolution 514 of 2004, reducing the size of the easement through Ms. Meloro's property, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Helena Meloro, 23 Front Street, Binghamton, New York 13905 for a reduction in the size of the easement on Oakdale Road in the Town of Maine, as more fully described in a map and property description referred to as Exhibit "A", and be it

FURTHER RESOLVED, that the reduction in the size of the easement shall be at no cost to the County, and be it

FURTHER RESOLVED, that Resolution 514 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

Town: Conklin
 Tax Map Number: 161.08-1-27
 Owner: James Odell
 3 Midway Drive
 Binghamton, New York 13903
 Reason: The incorrect amount was re-levied on the bill for returned water charges.

2003 Town and County Tax Bill

	<u>Incorrect Tax</u>	<u>Correct Tax</u>
Budget Note	\$ 23.34	\$ 23.34
Medicaid Costs	170.00	170.00
County Service	49.85	49.85
Town General	31.41	31.41
Town Highway	29.64	29.64
Fire	30.21	30.21
Light	17.85	17.85
Sewer 1 Extension 3	170.72	170.72
Returned Water	<u>1,200.06</u>	<u>213.62</u>
	\$1,723.08	\$ 736.64
	(Plus interest and penalties)	(Plus interest and penalties)

Town: Barker
 Tax Map Number: 054.03-1-17
 Owner: Edward and Brenda Parkes
 989 Dunham Hill Road
 Binghamton, New York 13905
 Reason: The basic STAR exemption was not granted and should have been.

2003 Town and County Tax Bill

	<u>Incorrect Tax</u>	<u>Correct Tax</u>
Budget Note	\$ 12.79	\$ 12.79
Medicaid Costs	93.13	93.13
County Service	27.31	27.31
Town Highway	49.00	49.00
Fire	32.22	32.22
School Re-levy	349.39	-0-
	\$563.84	\$214.45
	(Plus interest and penalties)	(Plus interest and penalties)

RESOLUTION NO. 120

By Finance, Human Services, County Administration, and Health Committees
Seconded by Mr. Howard

RESOLUTION AUTHORIZING TRANSFERS OF FUNDS FOR THE DISTRICT ATTORNEY, FAMILY VIOLENCE PREVENTION, INFORMATION TECHNOLOGY and HEALTH DEPARTMENTS

RESOLVED, that in accordance with a request from the District Attorney, in order to provide funds for the Aid to Prosecution Grant as requested by BF# 002923, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-Object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	330001	4427	101000	Electric Current	7,257
TO:	330001	9005	101000	Transfer to Grant	7,257

and be it

FURTHER RESOLVED, that in accordance with a request from the former Director of the Youth Bureau on behalf of the Director of Family Violence Prevention, in order to accept incoming revenue to program and expenditure lines as requested by BF# 004404, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-Object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
Increase Revenue:	640003	0216	104023	Donations	5,000
Increase Approp.:	640003	4311	104023	Books / Subscriptions	200
	640003	4418	104023	Dues / Memberships	200
	640003	4458	104023	Other Program Exp.	1,800
	640003	4747	104023	Other Fees	2,800

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Information Technology, in order to provide funds for computer software supplies as requested by BF# 004750, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-Object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	370031	2850	501393	Computer Equipment	89,123
TO:	370031	4359	501393	Computer Soft. Supp.	89,123

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Public Health, in order to reflect actual expenditures and to maximize grant funding as requested by BF# 005450, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104770	Salaries, Full Time	288
	480301	4461	104770	Mileage & Parking	218
	480301	4463	104770	Education & Training	236
	480301	4465	104770	Non-Employee Travel	456
	480301	4466	104770	Advisory Board	600
	480301	4606	104770	Telephone Billing	600
	480301	8010	104770	State Retirement	719
	480301	8030	104770	Social Security	79
	480301	8040	104770	Workman's Compensation	690

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
	480301	8050	104770	Life Insurance	10
	480301	8060	104770	Health Insurance	1,765
	480301	8063	104770	Disability	4
	480301	8070	104770	Unemployment	104
TO:	480301	1500	104770	Salaries, Part-Time	288
	480301	4311	104770	Books & Subscriptions	98
	480301	4319	104770	Office Supplies	807
	480301	4346	104770	Training & Education	100
	480301	4359	104770	Computer Supp. & Soft.	219
	480301	4411	104770	Postage & Freight	5
	480301	4418	104770	Dues & Membership	160
	480301	4419	104770	General Office Expense	100
	480301	4448	104770	Advertising & Promotional	10
	480301	4449	104770	Other Operational	80
	480301	4610	104770	Personal Services	2,564
	480301	4614	104770	Other Chargeback Exp.	500
	480301	4615	104770	Gasoline	20
	480301	4617	104770	Duplicating & Printing	818

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

RESOLUTION NO. 121

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR PERSONAL CARE/HOMEMAKER SERVICES FOR THE OFFICE FOR AGING'S EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 59 of 2004, authorized agreements with various vendors for personal care/homemaker services for the Office for Aging's Expanded In-Home Services for the Elderly Program at rates indicated in said resolution, for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said agreements expire by their terms on March 31, 2005, and it is desired at this time to renew said agreements on substantially similar terms and conditions and at the current approved Medicaid rate for Nursing Supervisor and \$14.25 per hour for the Personal Care/Homemaker Service, total amount not to exceed budgeted appropriations, for the Office for Aging's Expanded In-Home Services for the Elderly Program for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreements with the vendors listed below at the current approved State Medicaid rates for Nursing Supervisor and \$14.25 per hour for the Personal Care/Homemaker Service, total amount not to exceed budgeted appropriations, for the Office for Aging's Expanded In-Home Care for the Elderly Program for the period April 1, 2005 through March 31, 2006:

Metro Interfaith Housing
Management Corp.
21 New Street
Binghamton, NY 13903

Interim Healthcare Systems
38 Front Street, Suite D
Binghamton, NY 13905

Gentiva Health Services
41 Chenango Street
Binghamton, NY 13901

Homemakers of Broome County
DBA Caregivers
189 Riverside Drive
Johnson City, NY 13790

Stafkings Healthcare Systems
P.O. Box 1015
Binghamton, NY 13902-1015

Family & Children's Society of Broome County
257 Main Street
Binghamton, NY 13905

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761122.4457.105017 (Subcontracted Program Expense), and be it

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

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

RESOLUTION NO. 122

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JEANNE STRACUZZI FOR NUTRITION COUNSELING FOR THE OFFICE FOR AGING'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 56 of 2004 authorized renewal of an agreement with Jeanne Stracuzzi for nutrition counseling for the Office for Aging's Supplemental Nutrition Assistance Program, at a rate of \$32.49 per hour, total amount not to exceed \$22,794, for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said services are necessary for Office for Aging's Nutrition Program and are 100% State reimbursed, and

WHEREAS, said agreement expires by its terms on March 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$33.45 per hour, total amount not to exceed \$23,482 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Jeanne Stracuzzi, R.D., 93 Riley Road, Windsor, New York 13865 for nutrition counseling for the Office for Aging's Supplemental Nutrition Assistance Program for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$33.45 per hour, total amount not to exceed \$23,482 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761239.4741.105018 (Dietary Services), and be it

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

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

RESOLUTION NO. 123

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE BINGHAMTON HOUSING AUTHORITY FOR HOMEMAKER SERVICES THROUGH THE OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY ENRICHED LIVING PROGRAM FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 54 of 2004, authorized renewal of an agreement with the Binghamton Housing Authority for homemaker services through the Office

for Aging's Community Services for the Elderly Enriched Living Program, with revenue to the County in the amount of \$9,000 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said services are necessary to provide homemaker services in the North Shore Towers Building, and

WHEREAS, said agreement expires by its terms on March 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County in the amount of \$9,000, for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Binghamton Housing Authority, Exchange Street, Binghamton, New York 13902 for homemaker services through the Office for Aging's Community Services for the Elderly Enriched Living Program for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount of \$9,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 761262.0166.105014 (Miscellaneous Contributions), and be it

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

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

RESOLUTION NO. 124

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DELAWARE COUNTY PUBLIC HEALTH NURSING SERVICE FOR THE BROOME COUNTY OFFICE FOR AGING TO PROVIDE SOCIAL ADULT DAY CARE TO DELAWARE COUNTY HOME HEALTH CARE CLIENTS FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 57 of 2004, authorized and approved renewal of the agreement with Delaware County Public Health Nursing Service for the Broome County Office for Aging to provide social adult day care services to Delaware County long term home health care clients with revenue to the County at a rate of \$18 per half day and \$34 per full day, for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said services are necessary to provide social day care services to long term home health care clients in Delaware County, and

WHEREAS, said agreement expires by its terms on March 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$18 per half day and \$34 per full day revenue to the County, for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Delaware County Public Health Nursing Services, 99 Main Street, Delhi, New York 13753 for the Broome County Office for Aging to provide social adult day care services to Delaware County long term home health care clients for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, Delaware County shall pay Broome County at a rate of \$18 per half day and \$34 per full day for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 761254.0538.105013 (Long Term Home Health Care Fees), and be it

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

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

RESOLUTION NO. 125

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY & CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES FOR THE OFFICE FOR AGING FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 58 of 2004, authorized renewal of the agreement with Family & Children's Society of Broome County, Inc. for in-home mental health counseling services for the elderly for the Office for Aging's Community Services for the Elderly Grant at an amount not to exceed \$12,035 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said agreement expires by its terms on March 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$12,035, for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Family & Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for in-home mental health counseling services for the Office for Aging's Community Services for the Elderly Grant for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,035 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761320.4457.105012 (Subcontracted Program Expense), and be it

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

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

RESOLUTION NO. 126

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VETERANS ADMINISTRATION HEALTHCARE NETWORK UPSTATE NEW YORK AT SYRACUSE FOR SOCIAL DAY CARE SERVICES FOR VETERANS UNDER THE OFFICE FOR AGING'S CSE ADULT DAY CARE PROGRAM FOR 2005

WHEREAS, this County Legislature, by Resolution 470 of 2003, authorized renewal of the agreement with Veterans Administration Healthcare Network Upstate New York at Syracuse for social day care services to veterans under the Office for Aging's CSE Adult Day Care Program with revenue to Broome County of \$34 per client per day or \$18 per client per half day for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement provides social day care services to veterans residing in Broome County, and

WHEREAS, said agreement expired by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to Broome County for an amount not to exceed \$34 per client per day or \$18 per client per half day, 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 Veterans Administration Healthcare Network Upstate New York at Syracuse, 800 Irving Avenue, Syracuse, New York 13210, for social day care services to veterans under the Office for Aging's CSE Adult Day Care Program for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$34 per client per day or \$18 per client per half day for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 761254.0142.105013 (Office for Aging Fees), and be it

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

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

RESOLUTION NO. 127

By Human Services, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 86 of 2004, as amended by companion Resolution, authorized and approved continued participation in the Supplemental Nutrition Assistance Program (SNAP) Grant for the Office for Aging and adopted a program budget in the amount of \$280,431 for the period April 1, 2004 through March 31, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$281,639 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$167,341 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Supplemental Nutrition Assistance Program (SNAP) Grant for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$281,639, and be it

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

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

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

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

RESOLUTION NO. 128

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE CONGREGATE SERVICES INITIATIVE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 267 of 2004, authorized the continued participation in the Congregate Services Initiative Program Grant for the Office for Aging and adopted a program budget in the amount of \$15,089 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said grant program provides funding for various congregate center activities including meal enhancement and testing, transportation, health/wellness and computer equipment, and

WHEREAS, it is desired to renew said grant program in the amount of \$15,089 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,274 from New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Congregate Services Initiative Program Grant for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$15,089, and be it

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

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

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

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

RESOLUTION NO. 129

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE CAREGIVER RESOURCE CENTER PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 85 of 2004, authorized and approved continued participation in the Caregiver Resource Center Program Grant for the Office for Aging and adopted a program budget in the amount of \$20,000 for the period April 1, 2004 through March 31, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$20,000 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Caregiver Resource Center Program Grant for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$20,000, and be it

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

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

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

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

RESOLUTION NO. 130

By Human Services, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY SERVICES FOR THE ELDERLY (CSE) PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 90 of 2004, as amended by Resolution 31 of 2005, authorized and approved continued participation in the Community Services For The Elderly (CSE) Program Grant for the Office for Aging and adopted a program budget in the amount of \$468,827 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said grant program provides for a variety of services including social day care, transportation, rural shopping, in-home mental health counseling and the GROW Program, and

WHEREAS, it is desired to renew said grant program in the amount of \$458,897 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$224,206 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Community Services for the Elderly (CSE) Program grant for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$458,897, and be it

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

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

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

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

RESOLUTION NO. 131

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE LONG TERM CARE OMBUDSMAN PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS TO ADMINISTER SAID PROGRAM FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 87 of 2004, as amended by Resolution 620 of 2004, authorized and approved the continued participation in the Long Term Care Ombudsman Program Grant for the Office for Aging, adopted a program budget in the amount of \$11,354 and authorized an agreement with Action for Older Persons to administer said program for the period April 1, 2004 through March 31, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$11,354, adopt a program budget and renew the agreement with Action for Older Persons to continue to administer said program for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,354 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001, for the Office for Aging's Long Term Care Ombudsman Program Grant for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$11,354, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Action for Older Persons, 30 West State Street, Binghamton, New York 13901, for recruitment and training services, for the Office for Aging's Long Term Care Ombudsman Program Grant for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,710 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4457.105020 (Subcontracted Program Expense), and be it

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

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

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

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

RESOLUTION NO. 132

By Human Services, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 89 of 2004, as amended by Resolution 32 of 2005, authorized and approved continued participation in the Expanded In-Home Services for the Elderly Program (EISEP) Grant for the Office for Aging and adopted a program budget in the amount of \$519,226 for the period April 1, 2004 through March 31, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$529,929 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$320,955 from the New York State Office for Aging, Empire State Agency Building 2, Albany, New York 12223-0001 for the Office for Aging's Expanded In-Home Services for the Elderly Program for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$529,929, and be it

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

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

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

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

RESOLUTION NO. 133

By Economic Development & Planning Committee

Seconded by Mr. Howard

RESOLUTION ADOPTING A PLAN FOR THE MODIFICATION OF BROOME COUNTY AGRICULTURAL DISTRICTS 4 AND 5 PURSUANT TO SECTION 303-b OF THE AGRICULTURE AND MARKETS LAW

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

WHEREAS, during the statutory thirty-day period, commencing December 1, 2004, 28 parcels were submitted for inclusion in Broome County Agricultural Districts 4 and 5, and

WHEREAS, the Broome County Agricultural and Farmland Protection Board has reviewed the 28 applications and found that all parcels contained viable agricultural land that would strengthen the agricultural industry in their districts, and

WHEREAS, the Broome County Agricultural and Farmland Protection Board has recommended to the Broome County Legislature, that all 28 listed parcels below be included in their appropriate agricultural district, now, therefore, be it

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

Agricultural District 4

Town	Tax Parcel Number		Town	Tax Parcel Number	
Colesville	84.03-1-4	102.14-1-7	Union	124.03-1-24	126.02-1-63
	102.01-1-3	102.01-1-5		126.02-1-57	109.04-1-31
	102.01-1-6		Maine	108.02-1-34.2	108.01-1-12.1
Windsor	166.02-2-29			093.01-1-32.1	
	Kirkwood	146.04-1-48	Chenango	077.01-1-5.1	
Binghamton		191.02-1-16		191.02-1-20	
	191.02-1-35	177.01-1-1			

Agricultural District 5

Table	Tax Parcel Number	
Maine	063.01-1-20 063.03-1-1.1	063.01-1-21 063.03-1-8
Nanticoke	053.02-1-28	054.02-2-1
Lisle	032.00-1-11 006.00-1-11	025.00-1-19

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

FURTHER RESOLVED, that the Clerk of this County Legislature, pursuant to Section 303-b of the Agriculture and Markets Law, is hereby directed on behalf of this County Legislature to submit to the Commissioner of Agriculture and Markets a certified copy of this Resolution and copy of the plan for the modification of Broome County Agricultural Districts 4 and 5, which proposal heretofore has been filed with the Clerk of the Legislature, the Broome County Clerk, the Broome County Planning Department and the Broome County Agricultural and Farmland Protection Board, it being noted herein that less than 90 days have passed from the end of the statutory thirty-day period wherein land owners can request inclusion of their property in a certified agricultural district and said proposal was submitted to this body to the date of adoption of this Resolution.

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

RESOLUTION NO. 134

By Human Services, Personnel and Finance Committees

Seconded by Mr. Howard

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

WHEREAS, this County Legislature, by Resolution 86 of 2004, authorized and approved renewal of the Supplemental Nutrition Assistance Program (SNAP) Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$257,742 for the period April 1, 2004 through March 31, 2005, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$22,689 in supplemental funding, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Supplemental Nutrition Assistance Program (SNAP) Grant to reflect an increase of \$22,689 in supplemental funding for the period April 1, 2004 through March 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$280,431, and be it

FURTHER RESOLVED, that Resolution 86 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

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

RESOLUTION NO. 135

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH UNITED HEALTH SERVICES FOR PROFESSIONAL SERVICES FOR THE OFFICE FOR AGING'S AGING FUTURES II PROJECT STROKE PREVENTION INITIATIVE FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 35 of 2005, authorized renewal of agreement with United Health Services for professional services for the Office for Aging's Aging Futures II Project Stroke Prevention Initiative at an amount not to exceed \$31,480 for the period February 1, 2005 through January 31, 2006, and

WHEREAS, said agreement is necessary to conduct hypertension and stroke prevention management activities, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the amount by \$4,923 to include the purchase of blood pressure monitoring equipment and marketing services to include educational brochures and newspaper ads for the period February 1, 2005 through January 31, 2006, and

WHEREAS, the Director of the Office for Aging has requested authorization for said amendments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with United Health Services, 35-57 Harrison Street, Johnson City, New York 13790 to increase the amount by \$4,923 to include the purchase of blood pressure monitoring equipment and marketing services to include educational brochures and newspaper ads for the Office for Aging's Aging Futures II Project Stroke Prevention Initiative for the period February 1, 2005 through January 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall be authorized to pay the Contractor an additional \$4,923, total amount not to exceed \$36,403, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4457.105010 (Subcontracted Program Services), and be it

FURTHER RESOLVED, that Resolution 35 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 136

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS FOR AN OLDER DRIVER SAFETY TRAINING PROGRAM FOR THE OFFICE FOR AGING FOR 2005

WHEREAS, the Director of Office for Aging requests authorization to accept funds for an older driver safety training program for the Office for Aging in the total amount of \$2,000 for the period February 1, 2005 through September 30, 2005, and

WHEREAS, said funding will be used as part of the Community-Based Approach to Older Driver Safety Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,000 from the National Association of Area Agencies on Aging 1730 Rhode Island Avenue, NW, Suite 1200, Washington, DC 20036, for the Office for Aging's Older Driver Safety Training Program for the period February 1, 2005 through September 30, 2005, and be it

FURTHER RESOLVED, that payments herein above shall be credited to budget line 760751.0166.104824 (Miscellaneous Contributions), and be it

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

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

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

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

RESOLUTION NO. 137

By Health Services Committee

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY COMMUNITY SERVICES BOARD

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

<u>NAME</u>	<u>TERM EXPIRES</u>
Jeri Ann Randesi 281 Front Street Binghamton, New York 13905	Reappointment 12/31/08
Jacqueline M. Shrader PO Box 1017 Binghamton, New York 13902	Reappointment 12/31/08

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article VIII of the Broome County Charter and Administrative Code, hereby confirms the appointments of the above-named individuals to membership on the Broome County Community Services Board for the terms indicated, in accordance with their appointments by the County Executive.

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

RESOLUTION NO. 138

By Health Services Committee

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY HEALTH ADVISORY BOARD

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Article VII, Section 703 of the Broome County Charter and Code, has duly designated and appointed the following named individuals to membership on the Broome County Health Advisory Board, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRES</u>
Jeff Davis Jeff K. Davis Consulting, LLC 64 Front Street, 2 nd Floor Binghamton, New York 13905	Reappointment 12/31/08
Mike Doll United Health Services Hospitals 10-42 Mitchell Avenue Binghamton, New York 13903	Reappointment 12/31/08
Lawrence Rowe Johnson City Central Schools 666 Reynolds Road Johnson City, New York 13790	Reappointment 12/31/08

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it RESOLVED, that this County Legislature, pursuant to the provisions of Article VII, Section 703 of the Broome County Charter and Code, hereby confirms the appointments of the above-named individuals to membership on the Broome County Health Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 139

By Human Services Committee

Seconded by Mr. Howard

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

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

<u>NAME</u>	<u>TERM EXPIRES</u>
Janette Cyganovich 3 Canterbury Drive Endicott, New York 13760	Reappointment 12/31/07
Theresa Di'Lorenzo 3116 Robins Street Endwell, New York 13760	New Appointment 12/31/07

<u>NAME</u>	<u>TERM EXPIRES</u>
Susan DiBenedetto 20 Westmoor Place Binghamton, New York 13905	New Appointment 12/31/07
Dave Cody 15 Bigelow Street Binghamton, New York 13904	New Appointment 12/31/07

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
 RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 163 of 1971 and Resolution 133 of 1976, confirms the appointments of the above-named individuals to membership on the Broome County Youth Bureau Advisory Board for the terms indicated, in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 140

By Health Services Committee

Seconded by Mr. Howard

RESOLUTION CONFIRMING AN APPOINTMENT TO MEMBERSHIP ON THE WILLOW POINT NURSING HOME BOARD OF DIRECTORS

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

<u>NAME</u>	<u>TERM EXPIRES</u>
Robert Ford 108 Highland Avenue Binghamton, New York 13905	Reappointment 12/31/07

and

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

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

RESOLUTION NO. 141

By Human Services Committee

Seconded by Mr. Howard

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

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Resolution 477 of 1985, has duly designated and appointed the following named individual to membership on the Broome County Family Violence Prevention Council, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRES</u>
Robert Warner 837 Main Street Vestal, New York 13850	12/31/06 New Appointment

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 477 of
1985 confirms the appointment of the above-named individual to membership on the Broome
County Family Violence Prevention Council for the term indicated, in accordance with his
appointment by the County Executive.

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

RESOLUTION NO. 142

By Education, Culture & Recreation Committee

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in
her by Resolution 221 of 1984 has duly designated and appointed the following named
individuals to membership on the Broome County Public Library Board of Trustees, for the terms
indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRES</u>
Norman Sweeney 1 Sunrise Drive Binghamton, New York 13905 (County Appointee)	Reappointment 12/31/09
Dina Hartung 1616 Sylvia Drive Endwell, New York 13760 (County Appointee)	New Appointment 12/31/09
Peter Cronk 53 Chenango Street PO Box 1623 Binghamton, New York (City Appointee)	Reappointment 12/31/09
Diana Benz 1701 North Street Endicott, New York 13760 (County Appointee)	New Appointment 12/31/09

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 221 of
1984, hereby confirms the appointment of the above-named individuals to membership on the
Broome County Public Library Board of trustees for the terms indicated, in accordance with their
appointment by the County Executive.

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

RESOLUTION NO. 143

By Education, Culture & Recreation Committee

Seconded by Mr. Howard

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

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

<u>NAME</u>	<u>TERM EXPIRES</u>
Joseph Coffey 30 Davis Street Binghamton, New York 13903	New Appointment 12/31/07
Anthony Fiala, Jr. 8 Stanley Street Binghamton, New York 13905	New Appointment 12/31/07
James Rounds 6 Ford Road Windsor, New York 13865	New Appointment 12/31/07
James Norris 18 Wagner Street Binghamton, New York 13904	New Appointment 12/31/07

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV, Section 2408 of the Broome County Charter and Code confirms the appointments of the above-named individuals to membership on the Broome County Veterans Memorial Arena Board of Directors for the terms indicated, in accordance with their appointment by the County Executive. **Carried, Ayes-18, Nays-0, Absent-1 (Shafer).**

RESOLUTION NO. 144

By County Administration Committee

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY BOARD OF ETHICS

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Resolution 109 of 1971, has duly designated and appointed the following named individuals to membership on the Broome County Board of Ethics, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRES</u>
Margaret Coffey 30 Davis Street Binghamton, New York 13903	New Appointment 12/31/07
John Perticone 12 Cornell Avenue Binghamton, New York 13903	New Appointment 12/31/07

<u>NAME</u>	<u>TERM EXPIRES</u>
Paul J. Sweeney 180 Leroy Street Binghamton, New York 13904	New Appointment 12/31/07

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 109 of 1971, hereby confirms the appointment of the above-named individuals to membership on the Broome County Board of Ethics for the terms indicated, in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 145

By Economic Development & Planning Committee

Seconded by Mr. Howard

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

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in her by Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980, has duly designated and appointed the following named individuals to membership on the Broome County Environmental Management Council Board of Directors, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRES</u>
Robert Denz B.C. Environmental Health Ex-Officio	12/31/08 Reappointment
David Cody B.C. Parks and Recreation Ex-Officio	12/31/08 New Appointment
Henry Weissmann B.C. Commissioner of Public Works Ex-Officio	12/31/08 New Appointment
John Kowalchuk B.C. Division of Solid Waste Ex-Officio	12/31/08 New Appointment
Rita Petkash B.C. Director of Planning Ex-Officio	12/31/08 New Appointment
R. Timothy Wolcott 13 Marlayne Drive Johnson City, New York 13790	12/31/06 New Appointment
Ruth Levin 517 Harvard Street Vestal, New York 13850	12/31/06 New Appointment

<u>NAME</u>	<u>TERM EXPIRES</u>
James Mitrowitz 217 Dorman Road Binghamton, New York 13902	Reappointment 12/31/05
Clifford Colgan 11 Timberland Drive Binghamton, New York 13903	Reappointment 12/31/05
Christopher Lupold 15 Knight Road Vestal, New York 13850	Reappointment 12/31/05
Irving Soden 113 Baker Road Windsor, New York 13865	Reappointment 12/31/05
Robert Brady 3114 Andover Road Endwell, New York 13760	Reappointment 12/31/05
Larry Vesley 3217 Wayne Street Endwell, New York 13760	Reappointment 12/31/05
Peter Scarantino 3370 Jackson Road Binghamton, New York 13903	Reappointment 12/31/05
Wesley Tyler 2127 NY Route 26 Endicott, New York 13760	Reappointment 12/31/05
Earl O'Brien 409 South Street Chenango Forks, New York 13746	New Appointment 12/31/05
Ellwyn VanVorce 839 Park Avenue Binghamton, New York 13903	Reappointment 12/31/05
Alice Fiacco 3605 Royal Road Endwell, New York 13760	Reappointment 12/31/05
Henry Hawver 562 Hooper Road Endwell, New York 13760	New Appointment 12/31/05
James Cummings 964 East Maine Road, Apt. 3 Johnson City, New York 13790	Reappointment 12/31/05

<u>NAME</u>	<u>TERM EXPIRES</u>
David L. Lindsey, Chair 12 Mulberry Street Binghamton, New York 13901	Reappointment 12/31/05 Public Safety & Emergency Services Committee
Jerry F. Marinich 40 Clearview Place Binghamton, New York 13901	Reappointment 12/31/05 Broome County Legislature
Brian K. Mather 301 Vandervort Avenue Vestal, New York 13850	Reappointment 12/31/05 Broome County Legislature

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Article XIX of the
Broome County Charter and Code, confirms the appointments of the above-named individuals to
membership on the Broome County Fire Advisory Board for the terms indicated, in accordance
with their appointment by the County Executive.

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

RESOLUTION NO. 147

By Public Safety & Emergency Services Committee

Seconded by Mr. Howard

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY
STOP-DWI ADVISORY BOARD**

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in
her by Resolution 492 of 1981, has duly designated and appointed the following named
individuals to membership on the Broome County STOP-DWI Advisory Board, for the terms
indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRES</u>
Chief Gary F. O'Neill 1456 Miner Circle Endicott, New York 13760	Reappointment 12/31/06
Gerald F. Mollen 4209 Emerson Place Vestal, New York 13850	Reappointment 12/31/06
Douglas Stento 32 Rosedale Drive Binghamton, New York 13905	Reappointment 12/31/06
David Whalen 26 Oakridge Drive Binghamton, New York 13903	Reappointment 12/31/05
Leonard G. Pasquale 610 Valley View Drive Endwell, New York 13760	Reappointment 12/31/05

<u>NAME</u>	<u>TERM EXPIRES</u>
Captain Eric C. Janis New York State Police 515 Twist Run Road Endwell, New York 13760	Reappointment 12/31/06
Dave Nemec 627 Chenango Street Binghamton, New York 13901	Reappointment 12/31/06
Gerald Johansen 134 Chapin Street, 1-R Binghamton, New York 13905	Reappointment 12/31/06

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 492 of
1981, hereby confirms the appointments of the above-named individuals to membership on the
Broome County STOP-DWI Advisory Board for the terms indicated, in accordance with their
appointment by the County Executive.

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

RESOLUTION NO. 148

By Economic Development & Planning Committee

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE PLANNING AND ECONOMIC DEVELOPMENT ADVISORY BOARD

WHEREAS, Barbara Fiala, Broome County Executive, pursuant to the authority vested in
her by Article XV of the Broome County Charter and Code, has duly designated and appointed
the following named individuals to membership on the Planning and Economic Development
Advisory Board, for the terms indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRES</u>
David Ligeakis Regional Planning & Program Manager NYS Dept. of Transportation State Office Building-44 Hawley Street Binghamton, New York 13901 Ex-Officio	12/31/08 Reappointment
Daniel Schofield Broome County Legislature, Chair County Office Building 44 Hawley Street, PO Box 1766 Binghamton, New York 13902 Ex-Officio	12/31/06 Reappointment
Henry Weissmann Commissioner of Public Works & Parks County Office Building 44 Hawley Street, PO Box 1766 Binghamton, New York 13902 Ex-Officio	12/31/08 New Appointment

John Kowalchyk
Deputy Commissioner of Solid Waste Mgmt
County Office Building
44 Hawley Street, PO Box 1766
Binghamton, New York 13902
Ex-Officio

12/31/08
New Appointment

Dave West
1263 Via Yezzi Road
Binghamton, New York 13903

12/31/08
New Appointment

Jack Chaneka
Director of Planning
City of Binghamton
City Hall-38 Hawley Street
Binghamton, New York 13901

12/31/05
New Appointment

and

WHEREAS, it is desired at this time to confirm said appointment, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Article XV of the
Broome County Charter and Code, hereby confirms the appointment of the above-named
individuals to membership on the Planning and Economic Development Advisory Board for the
terms indicated, in accordance with their appointment by the Broome County Executive.
Carried, Ayes-18, Nays-0, Absent-1 (Shafer).

RESOLUTION NO. 149

By Health Services, Personnel and Finance Committees
**RESOLUTION AUTHORIZING RENEWAL OF THE ENHANCED WATER SUPPLY PROGRAM
GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN
CONNECTION THEREWITH FOR 2005-2006**

Seconded by Mr. Howard

WHEREAS, this County Legislature, by Resolution 124 of 2004, authorized and approved
the Enhanced Water Supply Program Grant for the Department of Health and adopted a
program budget in the amount of \$162,000 for the period April 1, 2004 through March 31, 2005,
and

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

WHEREAS, it is desired to renew said grant program in the amount of \$162,000 for the
period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of
\$162,000 from the New York State Department of Health, Bureau of Public Water Supply
Protection, Flanigan Square, 547 River Street, Troy, New York 12180, for the Department of
Health's Enhanced Water Supply Program for the period April 1, 2005 through March 31, 2006,
and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the
program budget annexed hereto as Exhibit "A" in the total amount of \$162,000, and be it

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

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

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

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

RESOLUTION NO. 150

By Transportation, Public Works and Economic Development & Planning Committees

Seconded by Mr. Howard

RESOLUTION DESIGNATING THE PREFERRED SITE AND THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED BINGHAMTON INTERMODAL TRANSIT TERMINAL

WHEREAS, this County Legislature, by Resolution 442 of 2003, authorized an agreement with Wendel Duchschere Architects and Engineers for engineering and design services for the proposed Binghamton Intermodal Transit Terminal, and

WHEREAS, the Intermodal Steering Committee, based on studies prepared for said project, selected a preferred site located in the City Binghamton, bounded by Chenango Street, Lewis Street, Prospect Avenue and Henry Street, and

WHEREAS, it has been determined that such project is subject to the requirements of the State Environmental Quality Review Act and it is therefore necessary to initiate procedures with respect thereto, and

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

WHEREAS, it appears there are other involved agencies in connection with said review and it is necessary to conduct a coordinated review as defined in the State Environmental Quality Review Act, reviewing the aforementioned project, and

WHEREAS, said project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature accepts as the preferred site for the proposed Binghamton Intermodal Transit Terminal that portion of the area located in the City of Binghamton bounded by Chenango Street, Lewis Street, Prospect Avenue and Henry Street, and be it

FURTHER RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of said project and directs the Department of Planning and Economic Development to coordinate the review of the proposed action with other involved and interested agencies, and be it

FURTHER RESOLVED, that a copy of this Resolution be forwarded to each involved and interested agency.

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

RESOLUTION NO. 151

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF THE HIV SEROPREVALENCE STUDY GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 275 of 2004, authorized and approved renewal of the HIV Seroprevalence Study Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$18,000 for the period July 1, 2004 through June 30, 2005, and

WHEREAS, said grant program allows the Broome County Department of Health STD Clinic to participate in a blinded HIV Seroprevalence Study in order to expand local knowledge of

the nature and scope of the epidemic among Broome County's STD population and provide important information necessary to enhance local prevention strategies, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$4,500 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the HIV Seroprevalence Study Grant to reflect an increase of \$4,500 for the period July 1, 2004 through June 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$22,500, and be it

FURTHER RESOLVED, that Resolution 275 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 152

By Health Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE RESEARCH FOUNDATION OF SUNY AT BINGHAMTON FOR THE DEPARTMENT OF HEALTH'S WEST NILE VIRUS SURVEILLANCE PROGRAM FOR 2005

WHEREAS, this County Legislature, by Resolution 171 of 2004, authorized renewal of an agreement with the Research Foundation of SUNY at Binghamton for the Department of Health's West Nile Virus Surveillance Program at an amount not to exceed \$8,500, for the period April 22, 2004 through September 30, 2004, and

WHEREAS, said services are necessary for bird surveillance, the collection, identification and testing of adult mosquito/larva for the West Nile Virus throughout Broome County, and

WHEREAS, said agreement expired by its terms on September 30, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$8,500, for the period April 1, 2005 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Research Foundation of SUNY, Office of Research and Sponsored Programs, Cooper Administration Building-242, P.O. Box 6000, Binghamton, New York 13902 for bird surveillance, the collection, identification and testing of adult mosquito/larva for the West Nile Virus for the Department of Health for the period April 1, 2005 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 \$8,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480137.4545.101000 (Contracted Services), and be it

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

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

RESOLUTION NO. 153

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AMENDING RESOLUTION 503 OF 2004 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, this County Legislature, by Resolution 503 of 2004, authorized renewal of agreements with eight vendors for transportation services for Medicaid recipients as listed on an Exhibit "A" for the period January 1, 2005 through December 31, 2006, and

WHEREAS, Resolution 503 of 2004 is limited in scope and it is necessary to allow flexibility in contracting with other, unnamed vendors who are authorized by New York State to provide Medicaid transportation to Medicaid recipients, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with medical transportation providers who are authorized by New York State to provide Medicaid transportation for Broome County Medicaid recipients on an as needed basis 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 State-mandated rates as listed in Exhibit "B", not to exceed budgeted 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 670075.4567.103000 (Medical Assistance), and be it

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

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

RESOLUTION NO. 154

By County Administration and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 555 OF 2004 AUTHORIZING A LEASE AGREEMENT WITH TIME WARNER TELECOM FOR FIBER CONNECTION AND EQUIPMENT FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005-2014

WHEREAS, this County Legislature, by Resolution 555 of 2004, authorized a lease agreement with Time Warner Telecom for fiber connection and equipment for the Division of Information Technology at a cost not to exceed \$150,000, for the period January 1, 2005 through December 31, 2014, and

WHEREAS, said lease is necessary to provide fiber connection and equipment for data transfer between the Broome County Office Building and the Broome County Public Safety Facility for high availability 911, dispatch and Sheriff's systems and backup and will be funded by an Emergency Services 911 Grant, and

WHEREAS, it is necessary to authorize an amendment to Resolution 555 of 2004 to authorize splitting the cost for said agreement between two Emergency Services grants, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 555 of 2004 to authorize splitting the cost of said agreement between two Emergency Services grants, for the Division of Information Technology for the period January 1, 2005 through December 31, 2014, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$150,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be \$141,120 from budget line 460072.4516.104907 (Hardware Rental) and \$8,880 from budget line 460072.4516.104918 (Hardware Rental), and be it

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

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

RESOLUTION NO. 155

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

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH NEW WORLD SYSTEMS FOR AN UPGRADE TO THE BROOME COUNTY PUBLIC SAFETY'S SOFTWARE SYSTEM FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005

WHEREAS, the Director of the Division of Information Technology requests authorization for an agreement with New World Systems for an upgrade to the Broome County Public Safety's Software System for the Division of Information Technology at a cost not to exceed \$11,000, for the period April 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to upgrade the Public Safety System software (911, Mobile, Corrections, fingerprint, mug shot, etc.) to Version 7.0 to bring the Broome County Public Safety System to the latest supported version and for the High Availability Project, and

WHEREAS, the County will be billed at the rate of \$150 per hour for an estimated 60 hours plus travel expenses estimated at \$2,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New World Systems, 888 West Big Beaver Road, Suite 1100, Troy, Michigan 48084, for an upgrade to the Broome County Public Safety's Software System, for the Division of Information Technology for the period April 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$150 per hour for an estimated 60 hours of service, \$2,000 for estimated travel expenses, total amount not to exceed \$11,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the following payments hereinabove authorized shall be made from budget line 460072.4726.104918 (Contracted Data Processing Services), and be it

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

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

RESOLUTION NO. 156

By Human Services, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF MEDICAID MANAGED CARE PROGRAM (MAX) GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 98 of 2004, as amended by Resolution 521 of 2004, authorized and approved continued participation in the Medicaid Managed Care Program (MAX) Grant for the Department of Social Services and adopted a program budget in the amount of \$135,000 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, the Medicaid Managed Care Program is a voluntary managed care program that provides access to primary care services for approximately 7,400 Medicaid recipients, and

WHEREAS, it is desired to renew said grant program in the amount of \$135,000 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$135,000 in State and Federal Aid, for the Department of Social Services Medicaid Managed Care Program (MAX) for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$135,000, and be it

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

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

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

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

RESOLUTION NO. 157

By Human Services, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID OUTSTATIONED WORKER GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 99 of 2004, authorized and approved continued participation in the Medicaid Outstationed Worker Grant for the Department of Social Services and adopted a program budget in the amount of \$91,663 for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said grant program provides funding for staff personnel to conduct Medicaid assistance eligibility activities and process Medicaid applications at both Lourdes and UHS hospitals, enhancing the County's ability to serve indigent Broome County residents in need of assistance while hospitalized, and

WHEREAS, it is desired to renew said grant program in the amount of \$101,050 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,525 from the New York State Department of Health and \$50,525 from Miscellaneous Contributions, for the Department of Social Services' Medicaid Outstationed Worker Grant for the period April 1, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$101,050, and be it

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

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

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

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

RESOLUTION NO. 158

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FOOD BANK OF THE SOUTHERN TIER FOR FOOD DISTRIBUTION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2005

WHEREAS, this County Legislature, by Resolution 100 of 2004, authorized renewal of an agreement with the Food Bank of the Southern Tier for food distribution services for the Department of Social Services at an amount not to exceed \$10,000, for the period January 1, 2004 through December 31, 2004, and

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

WHEREAS, said agreement expired by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$10,000, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Food Bank of the Southern Tier, 945 County Route 64, Elmira, New York 14903 for food distribution services for the Department of Social Services for the period January 1, 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 \$10,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670018.4747.103000 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 159

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH COORDINATED CARE SERVICES, INC. FOR CONTRACT COORDINATING AND ANALYSIS FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2005

WHEREAS, this County Legislature, by Resolution 405 of 2003 as amended by Resolution 538 of 2003, authorized an agreement with Coordinated Care Services, Inc. for consultant services for the Department of Social Services at a cost not to exceed \$35,000 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement is necessary to coordinate County activities with contract service providers to establish performance expectations while monitoring County Planning and Management performance and also perform Medicaid expenditure analysis and contract analysis while also monitoring for Purchase of Service contracts in 2005, and

WHEREAS, said agreement expired 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 \$35,000, for the period April 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Coordinated Care Services, Inc., 1099 Jay Street Building J, Rochester, New York 14611-1153 for contract coordinating and analysis for the Department of Social Services for the period April 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 \$35,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670018.4747.103000 (Other Fees for Services), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.
Carried, Ayes-18, Nays-0, Absent-1 (Shafer).

RESOLUTION NO. 160

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH DOCUMENT & DIGITAL PRESERVATION SERVICES, INC. FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2005-2007

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 a cost not to exceed \$30,000, for the period May 1, 2005 through April 30, 2006, with the option to renew for the period May 1, 2006 through April 30, 2007 at the same costs, terms and conditions, and

WHEREAS, said agreement is necessary for on-site consulting services, analysis and records management for the DSS Imaging Project-Year One, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Document & Digital Preservation Services, Inc., 45 Main Street, Suite 608, Brooklyn, New York 11201, for professional services for the Department of Social Services Imaging Project-Year One for the period May 1, 2005 through April 30, 2006, with the option to renew for the period May 1, 2006 through April 30, 2007 at the same costs, terms and conditions, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670372.4747.501421 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 161

By Health Services and Finance Committees

Seconded by Mr. Materese

RESOLUTION AUTHORIZING REVISION OF CATHOLIC CHARITIES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY FOR 2005

WHEREAS, this County Legislature, by Resolution 467 of 2004, authorized the continued participation in the Catholic Charities Program Grant for the Department of Mental Health, adopted a program budget in connection therewith in the total amount of \$1,556,894 and authorized an agreement with Catholic Charities of Broome County to administer said program for the period January 1, 2005 through December 31, 2005, 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 necessary at this time to revise said program to reflect an increase in the amount of \$194,780 in grant appropriations and amend the agreement with Catholic Charities of Broome County to reflect an increase in the amount of \$194,780, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Catholic Charities Program Grant to reflect an increase of \$194,780 for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$1,751,674, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Catholic Charities of Broome County, 232 Main Street, Binghamton, New York 13905, to reflect an increase of \$194,780 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 \$1,751,674 for the term of the agreement, and be it

FURTHER RESOLVED, that Resolution 467 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried, Ayes-17, Nays-0, Absent-1 (Shafer), Abstain-1 (Sanfilippo).

RESOLUTION NO. 162

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE IMMUNIZATION ACTION PLAN GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 114 of 2004, authorized and approved renewal of the Department of Health's Immunization Action Plan Grant and adopted a program budget in the amount of \$30,500 for the period April 1, 2004 through March 31, 2005, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$30,500 for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$30,500 from the New York State Department of Health, Corning Tower, The Nelson A. Rockefeller Empire State Plaza, Albany, New York 12237, for the Department of Health's Immunization Action Plan Grant for the period April 1, 2005 through March 31, 2006, and be it

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

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

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

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

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

RESOLUTION NO. 163

By Health Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SCREENING SERVICES GRANT FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 357 of 2004, authorized an agreement for services with Chenango Health Network at a cost not to exceed \$12,000 for the period April 1, 2004 through March 31, 2005; and the Board of Acquisition and Contract on January 12, 2005 authorized agreements for services with United Health Services at a cost not to exceed \$1,500 and United Medical Associates at a cost not to exceed \$1,500 for the period January 13, 2005 through March 31, 2005, for the Department of Health's Healthy Living Partnership Integrated Cancer Screening Services Grant, and

WHEREAS, said services may include outreach, recruitment, recalls, screening, provider support, kit distribution, follow-up and referrals for the Breast and Cervical Program and the Colorectal Cancer Screening Program, and

WHEREAS, said agreements expire by their terms on March 31, 2005, and it is desired at this time to renew said agreements on substantially similar terms and conditions, for an amount not to exceed those listed on Exhibit "A", for the period April 1, 2005 through March 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with various vendors and services as listed on Exhibit "A" for the Department of Health's Healthy Living Partnership Integrated Cancer Screening Services Grant for the period April 1, 2005 through March 31, 2006, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105XXX (Subcontracted Program Expense), and be it

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

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

form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

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

RESOLUTION NO. 166

By Health Services, Personnel and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE CHILD CARE HEALTH EDUCATOR TEAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 229 of 2004, authorized and approved the Child Care Health Educator Team Grant for the Department of Health and adopted a program budget in the amount of \$93,680 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program serves as a health and safety resource for infant and toddler day care providers through direct on site and telephone consultation to day care providers concerning health and safety assessments, health and safety quality assurance issues, examination of exclusion criteria/policies and health and safety educational training sessions, and

WHEREAS, it is desired to renew said grant program in the amount of \$75,204 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 \$75,204 from the Decker Foundation through the Broome Community College Foundation, Wales Building, P.O. Box 1017, Binghamton, New York 13902-1017, for the Department of Health's Child Care Health Educator Team 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 \$75,204, and be it

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

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

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

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

RESOLUTION NO. 167

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Howard
RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDING FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR SCUBA AND WATER RESCUE EQUIPMENT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, the Broome County Sheriff requests authorization to accept funding from the New York State Division of Criminal Justice Services for scuba and water rescue equipment for the Office of the Sheriff and adopt a program budget in the amount of \$3,000 for the period March 1, 2005 through September 15, 2006, and

WHEREAS, said funding will be used for the purchase of scuba and water rescue equipment for a multi-disciplined dive team, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$3,000 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 for scuba and water rescue equipment for the Office of the Sheriff for the period March 1, 2005 through September 15, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$3,000, and be it

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

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

RESOLUTION NO. 168

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

RESOLUTION AUTHORIZING RENEWAL OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 63 of 2004, authorized and approved the

Selective Traffic Enforcement Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$10,911 for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant program will assist in reducing aggressive driving, speeding and impaired driving-related motor vehicle crashes, and

WHEREAS, it is desired to renew said grant program in the amount of \$7,608 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 \$7,608 from the New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, New York 12228, for the Office of the Sheriff's Selective Traffic Enforcement 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 \$7,608, and be it

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

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

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

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

RESOLUTION NO. 169

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

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDING FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR LIVSCAN-CARDSCAN SERVER EXPANSION FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, the Broome County Sheriff requests authorization to accept funding from the New York State Division of Criminal Justice Services for livescan-cardscan server expansion for the Office of the Sheriff and adopt a program budget in the amount of \$48,260 for the period March 1, 2005 through September 30, 2005, and

WHEREAS, said funding is for use in upgrading the existing livescan-cardscan server so as to expand its use to the Southern Tier Region, said funds being provided through the NYS Division of Criminal Justice Store and Forward Expansion Project, an initiative aimed at assisting local law enforcement agencies in their acquisition and implementation of livescan or cardscan technology for the electronic capture and transmission of arrest fingerprints, data and mugshots to the Division of Criminal Justice to upgrade the existing livescan-cardscan server to expand the use to the Southern Tier Region, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$36,195 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 for livescan-cardscan server expansion for the Office of the Sheriff for the period March 1, 2005 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 \$48,260, and be it

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

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

RESOLUTION NO. 170

By Transportation and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENTS WITH AVIS RENT A CAR SYSTEM, INC. AND BUDGET RENT A CAR SYSTEM, INC. FOR LEASE OF THE CAR WASH FACILITY AT THE GREATER BINGHAMTON AIRPORT FOR THE DEPARTMENT OF AVIATION FOR 2005-2010

WHEREAS, the Commissioner of Aviation requests authorization for agreements with Avis Rent A Car Systems, Inc. and Budget Rent A Car System, Inc. for lease of the car wash facility at the Greater Binghamton Airport for the period March 1, 2005 through February 28, 2010, with revenue to the County of \$10,955.16 per year from each company, with a total of \$21,910.32 revenue per year, and

WHEREAS, said services are necessary for both companies to have a place to wash, vacuum and perform minor service on their vehicles, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with Avis Rent A Car Systems, Inc., 6 Sylvan Way, Parsippany, New Jersey 07054 and Budget Rent A Car System, Inc., 1 Campus Drive, Parsippany, New Jersey 07054 for the lease of the car wash

facility at the Greater Binghamton Airport for the period March 1, 2005 through February 28, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, each Contractor shall pay to the County an amount of \$10,955.16 per year, for a total amount between both companies of \$21,910.32 per year for the term of this agreement, and be it

FURTHER RESOLVED, that the rate will be subject to annual adjustments equal to the U.S. City Average CPI with a cap in each annual adjustment of 5.0 percent, and be it

FURTHER RESOLVED, that the revenues shall be credited to budget line 210120.0122.207000 (Service Center/Storage/Wash Rack Rental), and be it

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

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

RESOLUTION NO. 171

By Transportation and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION (TSA) FOR UTILITY EXPENSES AND JANITORIAL SERVICES AT THE GREATER BINGHAMTON AIRPORT FOR THE DEPARTMENT OF AVIATION FOR 2005-2006

WHEREAS, the Commissioner of Transportation requests authorization for an agreement with the Transportation Security Administration (TSA) for utility expenses and janitorial services at the Greater Binghamton Airport for the Department of Aviation with revenue to the County of \$3,500, for the period March 1, 2005 through February 28, 2006, and

WHEREAS, said agreement provides reimbursement to the County for utility expenses for the TSA's three different types of electrically powered security screening devices and for janitorial services in the security checkpoint area, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Transportation Security Administration, TSA-25, 601 South 12th Street, Arlington, Virginia 22202, for utility expenses and janitorial services at the Greater Binghamton Airport for the Department of Aviation, for the period March 1, 2005 through February 28, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the TSA shall pay the County an amount of \$3,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 2110070.0492.207000 (Miscellaneous Administration and Other Income), and be it

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

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

RESOLUTION NO. 172

By Public Works Committee

Seconded by Mr. Howard

RESOLUTION DECLARING THE DEPARTMENT OF PUBLIC WORKS' COUNTY ROAD 249 (RIVER ROAD) RECONSTRUCTION PROJECT IN THE TOWN OF SANFORD TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION

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

WHEREAS, said project is necessary to reconstruct a portion of the washed out river embankment and roadway, which has been shut down to the traveling public since December 23, 2004 by emergency declaration, and

WHEREAS, the reconstruction of a portion of County Road 249 (River Road) in the Town of Sanford has been determined under the New York State Environmental Quality Review Act to have no substantial effect on the environment in that it involves only the replacement of the existing river embankment and roadway, and

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

WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the project involves only the reconstruction of a portion of the washed out river embankment and roadway, having no substantial effect on the environment, and at this time it appears that only one parcel shall be obtained from the adjoining property owner, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Department of Public Works' County Road 249 (River Road) reconstruction project in the Town of Sanford to be "de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the acquisition by purchase or condemnation of the real property necessary to undertake and perform the aforesaid reconstruction project in accordance with the design and specifications for said project. **Carried**, Ayes-18, Nays-0, Absent-1 (Shafer).

RESOLUTION NO. 173

By Human Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY INTEGRATED COUNTY PLANNING GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AN AGREEMENT WITH UNITED WAY OF BROOME COUNTY, INC. TO ADMINISTER SAID PROGRAM FOR 2005

WHEREAS, this County Legislature, by Resolution 119 of 2004, authorized and approved the Integrated County Planning Grant for the Department of Social Services, adopted a program budget in the amount of \$6,500 and authorized an agreement with United Way of Broome County, Inc. to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides guidance for the allocation and management of human services resources in Broome County, and

WHEREAS, said grant expired by its terms on December 31, 2004 and it is desired to renew said grant program in the amount of \$3,500, adopt a program budget and renew the agreement with United Way of Broome County, 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 \$3,500 from various County departments for the Department of Social Services' Broome County Integrated County Planning 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 \$3,500, and be it

FURTHER RESOLVED, that this County Legislature hereby renewal of an agreement with United Way of Broome County, Inc., Jensen Road, Vestal, New York 13850, to administer said program grant, for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,500 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 her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

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

RESOLUTION NO. 174

By Public Works and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH STEARNS & WHEELER, LLC FOR CONSULTING SERVICES FOR THE BROOME COUNTY LANDFILL TITLE V AIR PERMIT FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2004-2005

WHEREAS, this County Legislature, by Resolutions 187 of 2004, as amended by Resolutions 366 and 664 of 2004, authorized an agreement with Stearns & Wheeler, LLC for consulting services for the Broome County Landfill Title V Air Permit for the Division of Solid Waste Management at a cost not to exceed \$148,400 for the period May 1, 2004 through December 31, 2006, and

WHEREAS, said agreement provides:

- Technical and regulatory services associated with air emissions from the County's landfill for Title V Air Permit compliance
- Additional nonmethane organic carbon (NMOC) testing at the passive vents at the landfill and regulatory review services as required by the US Environmental Protection Agency (USEPA) and the New York State Department of Environmental Conservation (NYSDEC)
- Technical and engineering services in connection with the proposed vertical expansion of Section III to include a new master plan for the utilization of landfill gas (LFG), including environmental compliance and control of gas emissions at the landfill and to propose options,

and

WHEREAS, it is necessary to authorize an amendment to said agreement to eliminate forensic engineering services, thereby decreasing the cost of the agreement by \$25,000 to a total amount of \$123,400, for the period May 1, 2004 through December 31, 2006, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheeler, LLC One Remington Park Drive, Cazenovia, New York 13035 to eliminate forensic engineering services and reduce the amount of the agreement by \$25,000, for the Division of Solid Waste Management, for the period May 1, 2004 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$123,400, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4746.206000 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 187, 366 and 664 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 175

By Public Works and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH LeBOEUF, LAMB, GREENE & MACRAE, LLP FOR CONSULTING SERVICES IN CONNECTION WITH THE VERTICAL EXPANSION AT THE NANTICOKE LANDFILL FOR 2005

WHEREAS, this County Legislature, by Resolution 659 of 2004, authorized an agreement with LeBoeuf, Lamb, Greene & MacRae, LLP for consulting services in connection with the vertical expansion at the Nanticoke Landfill at a cost not to exceed \$350 per hour for the services of Thomas West, \$250 per hour for the services of Joseph Suich and \$190 per hour for the services of David Carpenter, total amount not to exceed \$20,000, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to assist the County Attorney with determining the feasibility of commencing legal action against various entities involved in the vertical expansion project and/or developing negotiating strategies, and

WHEREAS, it is necessary to authorize an amendment to said agreement to provide a generic hourly rate plan for the services of said contractor and to provide funds to retain the consulting engineering firm of Stearns & Wheler, LLC for forensic engineering services at a cost not to exceed \$25,000, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with LeBoeuf, Lamb, Greene & MacRae, L.L.P., 99 Washington Avenue Suite 2020, Albany, New York 12210-2820 to replace the previously authorized payment plan with a generic hourly rate plan for the services of said contractor and to provide funds to retain the consulting engineering firm of Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035, for forensic engineering services at a cost not to exceed \$25,000, for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the payment to LeBoeuf, Lamb, Greene & MacRae, L.L.P. pursuant to the following generic rate plan:

Senior Energy Lawyers	\$450.00 per hour
Senior Partners	\$370.00 per hour
Senior Associates	\$250.00 per hour
Junior Associates	\$200.00 per hour
Paralegals	\$ 95.00 per hour

and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$45,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4736.501319 1995 Landfill Expansion Project (Legal Charges and Fees) and be it

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

Mr. Howard made a motion, seconded by Mr. Mather, to change the second FURTHER RESOLVED paragraph to read "...not to exceed \$45,000 plus costs and disbursements exclusive of the \$25,000 authorized herein, for the term of the agreement, and be it". **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Shafer). **Resolution as amended carried**, Ayes-18, Nays-0, Absent-1 (Shafer).

RESOLUTION NO. 176

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Hull
RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE BROOME COUNTY COUNCIL OF CHURCHES FOR RELIGIOUS SERVICES FOR INMATES OF THE BROOME COUNTY PUBLIC SAFETY FACILITY FOR 2005

WHEREAS, this County Legislature, by Resolution 164 of 2002, authorized an agreement with the Broome County Council of Churches for religious services for inmates of the Broome County Public Safety Facility at an amount \$43,260 for Chaplaincy Services and \$16,066 for Pre-Release Services, for a total amount not to exceed \$59,326 for the period January 1, 2002 through December 31, 2002, with an option to renew for three additional consecutive one-year terms at said rate, and

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

WHEREAS, said agreement that had been renewed for two consecutive one-year terms at said rate, expired 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 \$43,260 for Chaplaincy Services and \$26,066 for Pre-Release Services, total amount not to exceed \$69,326, 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 Broome County Council of Churches, 3 Otsenigo Street, Binghamton, New York 13903 for religious services for inmates of the Broome County Public Safety Facility 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 \$43,260 for Chaplaincy Services and \$26,066 for Pre-Release Services, total amount not to exceed \$69,326 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4437.101000 (Religious Expenses), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried**, Ayes-15, Nays-3 (Miller, Brunza, Kuzel), Absent-1 (Shafer).

RESOLUTION NO. 177

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Lindsey
RESOLUTION AUTHORIZING APPLICATION FOR JUSTICE ASSISTANCE GRANT JOINTLY WITH THE CITY OF BINGHAMTON

WHEREAS, the City of Binghamton and the County of Broome are jointly eligible for a Justice Assistance Grant (JAG), offered through the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, and

WHEREAS, the Grant is the successor to two prior Bureau of Justice Assistance programs, the Local Law Enforcement Block Grant Program (LLEBG) and the Edward Byrne Memorial Formula Grant Program, and

WHEREAS, in past years the City of Binghamton has received 100% of the grants for the purpose of funding the City Parks and Substation Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an execution of an Interlocal Agreement between the City of Binghamton and the County of Broome to apply for the 2005

Justice Assistance Grant offered through the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, and be it

FURTHER RESOLVED, that the Interlocal Agreement will provide that the City of Binghamton retain 100% (\$22,400) from the JAG award and that there shall be no local match requirements to the Grant, and be it

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

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

Mr. Howard made a motion to adjourn, seconded by Mr. Reynolds. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Shafer). The meeting was adjourned at 6:42 p.m.

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