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**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
FEBRUARY 15, 2007**

The Legislature convened at 6:00 p.m. with a call to order by the Chair, Mark R. Whalen.

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

The Clerk, Eric S. Denk, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Shafer).

Legislator Reynolds made a motion, seconded by Legislator Mather, that the minutes of the January 18, 2007 Regular Session be approved as prepared and presented by the Clerk.

Chairman Whalen noted that the committee minutes for the period January 18, 2007 through February 14, 2007 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Whalen asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made and seconded. Carried. Ayes-18, Nays-0, Absent-1 (Shafer).

**ANNOUNCEMENTS FROM THE CHAIR**

Chairman Whalen announced that the Committee of the Whole meeting for February 13, 2007 regarding construction of the J-pod at the Broome County Public Safety Facility and Central Arraignment options was rescheduled to March 13, 2007.

Chairman Whalen presented a Citation from the County Executive and a Proclamation from the Legislature to Christopher H. Marion.

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

- A. Letters from the County Executive, Barbara J. Fiala:
  - 1. Public Emergency-Bridge, Rogers Road over Page Brook 2/1/07
  - 2. Appointment to Greater Binghamton Airport Advisory Board
  - 3. Appointments to the Office for Aging Advisory Board
  - 4. Appointments to the Library Board of Trustees
  - 5. Appointment of Lorraine S. Wilmont as Acting Probation Director III
  - 6. Appointments to the Community Services Board
  - 7. Appointments to the Cornell Cooperative Extension of Broome County Board of Directors
  - 8. Appointment to the Broome County Library Board of Trustees
  - 9. Appointments to the Willow Point Nursing Home Advisory Board
  - 10. Appointments to the Broome County Fire Advisory Board
  - 11. Appointments to the Broome County Fire Advisory Board

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

- A. Petitions: None
- B. Communications:
  - 1. Personnel-CSEA Contract for 2006-2009
  - 2. Office of the County Clerk-Response to Cash Verification Audit
  - 3. Broome County Association of Municipal Clerks Meeting Minutes 1/18/07
  - 4. EMC Recycling & Waste Management Committee Meeting Minutes 1/22/07
  - 5. Cornell Cooperative Extension of Broome County Board of Directors Meeting Minutes 10/19/06

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6. EMC Natural Resources Committee Meeting Minutes 12/14/06
  7. Cornell Cooperative Extension of Broome County Board of Directors Meeting Minutes 12/7/06
  8. Board of Acquisition and Contract Meeting Minutes 1/24/07
  9. Environmental Management Council Meeting Minutes 12/7/06
- C. Notices:
1. Special Economic Development & Planning and County Administration Committee Meeting 1/18/07
  2. Committee of the Whole Meeting 2/13/07-Re: J-Pod Construction
  3. Special Committee Meetings 2/15/07-County Administration and Finance Committee Meeting; Transportation & Rural Development Committee Meeting; Economic Development & Planning Committee Meeting
- D. Reports:
1. Finance-Dog License Report
  2. Audit & Control-Quarterly Accounts Receivable Analysis 1/07
  3. Audit & Control-Cash Verification Audits 1/07
  4. Finance-Fourth Quarterly Report of 2006 Sales Tax Collections
  5. Broome Community College-Above Minimum Hire 12/06
  6. Shumaker Consulting Engineering & Land Surveying, P.C.-State Environmental Quality Review Final Scoping Document for the Supplemental Environmental Impact Statement: Broome County Section IV Entrance Evaluation 12/18/06
  7. Family Violence Prevention Council 2006 Annual Report
  8. Broome Community College Budget Transfers 12/06
  9. Board of Elections 2006 Annual Report

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

- A. Letters from the Chair, Mark R. Whalen
1. Appointment of Jerry F. Marinich to the Broome County Law Library Board of Trustees
  2. Designation for Mr. Garnar 1/18/07
  3. Appointment of John Smigelski to the Municipal Electric & Gas Supply Alliance
  4. Designation of Joseph S. Sanfilippo as representative on the Broome County Community Services Board
  5. Designations for Arthur J. Shafer week of 2/5/07

Mr. Kuzel made a motion, seconded by Ms. Buchta, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2007 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. Materese and Mr. Mather were designated as participants with Chairman Whalend in the 'Short Roll Call'. Resolutions were acted upon out of order, but for the purpose of clarity, they are presented here in numerical order.

#### **RESOLUTION RECALLED FROM PREVIOUS SESSION**

Mr. Reynolds made a motion, seconded by Mr. Hutchings, to recall Resolution No. 07-14 Confirming Appointments to Membership on the Greater Binghamton Airport Advisory Board. **Motion to recall carried.**

#### **RESOLUTION NO. 14**

By Transportation Committee

Seconded by Mr. Sanfilippo

#### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE GREATER BINGHAMTON AIRPORT ADVISORY BOARD**

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Mr. Reynolds made a motion, seconded by Mr. Mather to add Stephen Herz or his Legislative Designee, 787 State Route 79, Windsor, New York 13865 as a New Appointment with a Term Expiring 12/31/08. **Amendment carried. Ayes-18, Nays-0, Absent-1 (Shafer). Resolution as amended carried. Ayes-18, Nays-0, Absent-1 (Shafer).**

**RESOLUTIONS HELD OVER FROM PREVIOUS SESSION**

**RESOLUTION No. 56**

(Held Over by Mr. Hutchings)

By Economic Development & Planning Committee

Seconded by Mr. LaBare

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS**

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

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 57**

By County Administration and Finance Committees

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING AN AGREEMENT WITH VOTING MACHINE SERVICE CENTER FOR RENTAL OF VOTING MACHINES FOR THE BOARD OF ELECTIONS FOR 2007**

WHEREAS, the Broome County Board of Elections is responsible for facilitating elections in Broome County including maintenance and availability of voting machines, and

WHEREAS, the Commissioners of the Board of Elections request authorization for an agreement with Voting Machine Service Center for rental of thirty-eight (38) voting machines for the Board of Elections at a cost of \$950 per machine, total amount not to exceed \$36,100, for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said agreement is necessary to provided substitute voting machines to replace those that were damaged and unavailable due to the June 2006 floods, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Voting Machine Service Center, 1601 West Hill Road, PO Box 261, Gerry, New York 14740 for the rental of thirty-eight (38) voting machines for the Board of Elections for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$950 per voting machine, total amount not to exceed \$36,100 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 410001.4449.101000 (Other Operational 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. 58**

By County Administration and Finance Committees

Seconded by Mr. Garnar

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**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH INTEGRATED SYSTEMS FOR HARDWARE MAINTENANCE AND PURCHASE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2007**

WHEREAS, this County Legislature, by Resolution 29 of 2006, authorized renewal of the agreement with Integrated Systems for hardware maintenance and purchase for the Division of Information Technology at an amount not to exceed \$2,970 for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said agreement is necessary for the purchase of mission critical equipment found to be necessary as a result of the on-site maintenance of the Broome County Broadband Wireless Network, and

WHEREAS, said agreement expired by its terms on December 31, 2006, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$10,583, for the period January 1, 2007 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Integrated Systems, 7588 Main Street Fishers, Victor, New York 14564 for hardware maintenance and purchase for the Division of Information Technology for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,583 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370056.4449.101000 (Telephone 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. 59**

By Finance Committee

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES PLUS ACCRUED INTEREST AND PENALTIES ON PARCELS IN THE CITY OF BINGHAMTON**

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

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

FURTHER RESOLVED, that the cancellation of taxes authorized hereinabove is conditioned on demolition and/or redevelopment of the properties by the City of Binghamton.

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

**RESOLUTION NO. 60**

By Finance Committee

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF 2006 TOWN AND COUNTY TAXES ON A PROPERTY IN THE TOWN OF VESTAL**

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

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

Parcel ID/Tax Map No.: 206.09-2-28

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Town/Village: Town of Vestal  
 Owner: Bryan Schlundt  
 Address: West Hill Road  
 Action Required: Refund of overpayment of 2006 Town and County Taxes  
 Reason: Sewer return was reduced by the Town Board due to a broken pipe

	<u>Incorrect Bill</u>	<u>Correct Bill</u>
County	672.69	\$672.69
Town	306.61	306.61
Town Hgwy	105.24	105.24
Ret. Sewer	469.80	136.30
Ret. Water	115.60	115.60
Drain	7.50	7.50
Fire	65.06	65.06
Light	19.64	19.64
Cons. Swr Bd	6.83	6.83
Mt. 1 Swr	70.35	70.35
Cons. Wtr Bd	<u>22.78</u>	<u>22.78</u>
	\$1,862.10 (+pen & inst)	\$1,528.60 (+pen & inst)

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

### RESOLUTION NO. 61

By Finance Committee  
 Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH TIM SHEEHAN ADJUSTER/APPRaiser FOR INSURANCE ADJUSTER SERVICES FOR THE OFFICE OF RISK AND INSURANCE FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 52 of 2006, authorized renewal of the agreement with Tim Sheehan Adjuster/Appraiser for insurance adjuster services for the Office of Risk and Insurance at the rate of \$45 per hour, total amount not to exceed budgeted appropriations, for the period March 1, 2006 through February 28, 2007, and

WHEREAS, said agreement is necessary to investigate and accurately value claims against Broome County, and

WHEREAS, said agreement expires by its terms on February 28, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$45.50 per hour, total amount not to exceed \$30,900, for the period March 1, 2007 through February 29, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Tim Sheehan Adjuster/Appraiser, PO Box 3561, Binghamton, New York 13902 for insurance adjuster services for the Office of Risk and Insurance for the period March 1, 2007 through February 29, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$45.40 per hour, total amount not to exceed \$30,900 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4747.254000 (Fees for Other 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)**

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## RESOLUTION NO. 62

By Economic Development and Planning Committee

Seconded by Mr. Garnar

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

WHEREAS, Barbara J. 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 EXPIRING</u>
Andre LaClair 131 Ballyhack Road Port Crane, New York 13833	12/31/08 Reappointment
Karen Ciatyk 147 Glenwood Avenue Binghamton, New York 13905	12/31/08 Reappointment

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980, confirms the appointments of the above-named individuals to membership on the Broome County Environmental Management Council 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. 63

By Economic Development and Planning and Finance Committees

Seconded by Mr. Garnar

### RESOLUTION AUTHORIZING REVISION OF THE ENVIRONMENTAL RESTORATION PROGRAM GRANT FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT, ADOPTING A REVISED PROGRAM BUDGET AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH GZA GEOENVIRONMENTAL OF NEW YORK FOR 2001-2011

WHEREAS, this County Legislature, by Resolution 530 of 2005, authorized and approved the Environmental Restoration Program Grant for the Department of Planning and Economic Development, received a grant in the amount of \$136,800, adopted a program budget in the total amount of \$152,000 and authorized an agreement with GZA GeoEnvironmental of New York in the amount of \$152,000 to administer said program for the period June 28, 2001 through June 28, 2011, and

WHEREAS, said program grant will allow for the continued environmental investigation and interim remediation of a County owned property at 312 Maple Street in the Village of Endicott, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$200,350 in grant appropriations, an increase in County appropriations in the amount of \$7,250 and amend the agreement with GZA GeoEnvironmental of New York to reflect an increase in the amount of \$182,600, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Environmental Restoration Program Grant to reflect an increase of \$200,350 in grant appropriations and \$7,250 in County appropriations for the period June 28, 2001 through June 28, 2011, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$359,600, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with GZA GeoEnvironmental of New York, 346 Nagel Drive, Buffalo, New York 14225, to reflect an increase of \$182,600, to administer said program for the Department of Planning and Economic Development for the period June 28, 2001 through June 28, 2011, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$337,150 for the term of the agreement, and be it

FURTHER RESOLVED, that an additional \$25,000 will be appropriated for site restoration work not to be performed by GZA GeoEnvironmental of New York, and be it

FURTHER RESOLVED, that Resolution 530 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 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. 64**

By Public Works and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING RENEWAL OF AN INTERMUNICIPAL AGREEMENT WITH TIOGA COUNTY FOR THE COLLECTION OF HAZARDOUS WASTE IN TIOGA COUNTY FOR 2007**

WHEREAS, this County Legislature, by Resolution 702 of 2005, authorized renewal of an intermunicipal agreement with Tioga County allowing for the collection of hazardous waste from households and conditionally exempt small quantity generators at the Broome County Hazardous Waste Facility with revenue to the county for the period January 1, 2006 through December 31, 2006, and

WHEREAS, said agreement generates revenue to Broome County to offset a portion of the operating expenses at the Hazardous Waste Facility and, by providing this collection service to Tioga County, will enhance the regional economy and benefit the region's environment, and

WHEREAS, said agreement expired by its terms on December 31, 2006, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to the County for the period January 1, 2007 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the intermunicipal agreement with Tioga County for the collection of hazardous waste from households and conditionally exempt small quantity generators of hazardous wastes located in Tioga County for the Period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that Tioga County residents will be allowed access to the Broome County Hazardous Waste Facility during scheduled collection days during the months of April through November for the disposal of hazardous waste, following the facility's guidelines, and be it

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FURTHER RESOLVED, the following charges will apply to Tioga County, its residents and businesses:

- Tioga County will pay an annual fee of \$3,200 plus a disposal fee of \$0.75 per pound for all wastes brought to the facility by Tioga County residents
- Tioga County businesses and institutions meeting the criteria of "conditionally exempt small quantity generators (CESQGs)" will be permitted access to the facility on a year-round basis, during all scheduled days of operation subject to an annual fee of \$80 and a disposal fee of \$0.75 per pound.

and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 230078.0609.206000 (Permits) and 230078.0621.206000 (Disposal Fee), 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. 65**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL, INC. TO ADMINISTER THE FREE RADICALS YOUTH FORUM PROGRAM FOR THE YOUTH BUREAU'S SPECIAL DELINQUENCY PREVENTION PROGRAM FOR 2007**

WHEREAS, the Director of the Youth Bureau requests authorization for an agreement with Our Lady of Lourdes Memorial Hospital, Inc. to administer the Free Radicals Youth Forum Program for the Youth Bureau's Special Delinquency Prevention Program at a cost not to exceed \$5,790 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said agreement is necessary to develop an independent living curriculum for youth transitioning into independent living from foster care, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Memorial Hospital, Inc to administer the Free Radicals Youth Forum Program for the Youth Bureau's Special Delinquency Prevention Program for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,790 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 640011.4451.101000 (Youth Services Programs), 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. 66**

By County Administration and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH THE COUNTY CLERKS OFFICE AND THE TOWN OF TRIANGLE FOR THE USE OF TOWN FACILITIES FOR 2007**

WHEREAS, the County Clerk has requested authorization for an inter-municipal agreement with the Town of Triangle for the use of Town Facilities, at the cost of telephone, computer and cable services and equipment for the period January 1, 2007 through December 31, 2007, and

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WHEREAS, said agreement is necessary for the County to operate a satellite DMV Unit in Whitney Point, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an inter-municipal agreement with the Town of Triangle, 2612 Liberty Street, PO Box 289, Whitney Point, New York 13862, for the use of Town facilities for the County Clerks' Office-DMV Unit for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay for the cost of telephone, computer and cable services and equipment for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300020.4329.101000 (Building & Grounds), 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. 67

By Health and Human Services

Seconded by Mr. Garnar

#### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE WILLOW POINT NURSING HOME BOARD OF DIRECTORS**

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Fred Guley 107 Helen St. Binghamton, NY 13905	12/31/10
Darlene Leonard 1308 Irma Avenue Endicott, NY 13760	12/31/10
Alma Short 77 Old State Road Binghamton, NY 13901	12/31/10
Pearl Webb 311 Martin St. Endicott, NY 13760	12/31/10

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 XIV of the Broome County Charter and Administrative Code confirms the appointments of the above-named individuals to membership on the Willow Point Nursing Home Board of Directors for the terms indicated, in accordance with their appointment by the County Executive.

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

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**RESOLUTION NO. 68**

By Public Safety and Emergency Services Committee

Seconded by Mr. Garnar

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FIRE ADVISORY BOARD**

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

<u>NAME</u>	<u>TERM EXPIRING</u>
George Seltzer 32 North Parsons Rd. Whitney Point, NY 13862	12/31/07
Elwyn Eaton P.O. Box 68 Castle Creek, NY 13744	12/31/07
Byron Reed 1208 Nanticoke Dr. Endicott, NY 13760	12/31/07
Jerry Launt 14 Buttercup Hill Rd. Kirkwood, NY 13795	12/31/07
Thomas Giblin 9 Roman St. Binghamton, NY 13901	12/31/07
Clifford Colgan 11 Timberland Dr. Binghamton, NY 13903	12/31/07
Christopher Lupold 15 Knight Rd. Vestal, NY 13850	12/31/07
Irving Soden 113 Baker Rd. Windsor, NY 13865	12/31/07
Robert Brady 3114 Andover Rd. Endwell, NY 13760	12/31/07
Wesley Tyler 2127 Route 26 Endicott, NY 13760	12/31/07
Alice Fiacco 3605 Royal Rd. Endwell, NY 13760	12/31/07

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Henry Hawver 562 Hooper Rd. Endwell, NY 13760	12/31/07
James Cummings 964 East Maine Rd. Johnson City, NY 13790	12/31/07
David Rickard 24 Riverview Rd. Kirkwood, NY 13795	12/31/07
Lawrence Vesley 3217 Wayne St. Endwell, NY 13760	12/31/07
Peter Scarantino 3370 Jackson Rd. Binghamton, NY 13903	12/31/07
Wayne Sherwood 269 Kattelville Rd. Binghamton, NY 13901	12/31/07
Richard Materese 1425 Campville Road Endicott, New York 13760	12/31/07
Jerry Marinich 40 Clearview Place Binghamton, New York 13901	12/31/07
Brian K. Mather 301 Vandervort Avenue Vestal, New York 13850 and	12/31/07

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 XIX of the Broome  
County Charter and Administrative 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. 69**

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

**RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON THE BROOME  
COUNTY LIBRARY BOARD OF TRUSTEES**

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the authority vested  
in her by Resolution 221 of 84 of the Broome County Charter and Administrative Code, has duly  
designated and appointed the following named individual to membership on the Broome County  
Library Board of Trustees, for the term indicated, subject to confirmation by this County  
Legislature:

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NAME  
Ruth Levy  
15 Bennett Ave.  
Binghamton, NY 13905

TERM EXPIRING  
December 31, 2011

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 221 of 84 of the Broome County Charter and Administrative Code confirms the appointment of the above-named individual to membership on the Broome County Library Board of Trustees for the term indicated, in accordance with the appointment by the County Executive.

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

### **RESOLUTION NO. 70**

By County Administration and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH TIER TECHNOLOGIES FOR SOFTWARE MAINTENANCE FOR THE COUNTY'S FINANCE AND BUDGET PREPARATION SYSTEM FOR 2007**

WHEREAS, the Director of Information Technology requests authorization for an agreement with Tier Technologies for software maintenance for the County's Finance and Budget Preparation system at a cost not to exceed \$75,380.55, for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said services are necessary for software maintenance for the County's Finance (FAMIS) and Budget Preparation (BPREP) and Systemwide, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Tier Technologies, 10780 Parkridge Blvd, Suite 400, Reston, VA 20191, for software maintenance, for the County's Finance and Budget Preparation System for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$75,380.55 for the term of the agreement, and be it

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

FURTHER RESOLVED, that the County Executive or 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. 71**

By County Administration and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH NETSMART FOR SOFTWARE MAINTENANCE FOR BROOME COUNTY HEALTH DEPARTMENT FOR 2007**

WHEREAS, the Director of Information Technology requests authorization for an agreement with NetSmart for software maintenance for the Broome County Health Department at a cost not to exceed \$16,012.57, for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said services are necessary to maintain the Health-Clinic's AS/400 Patient Care Management System, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with NetSmart (formerly QS Technologies), 3500 Sunrise Highway, Suite D122, Great River, NY 11739, for software maintenance, for the Health Department for the period January 1, 2007 through December 31, 2007, and be it

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FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$16,012.57 for the term of the agreement, and be it

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

FURTHER RESOLVED, that the County Executive or 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. 72**

By County Administration and Finance Committees

Seconded by Mr. Mather

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH IBM FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR APRIL 1, 2007 THROUGH DECEMBER 31, 2007**

WHEREAS, the Director of Information Technology requests authorization for an agreement with IBM for software maintenance for the Division of Information Technology at a cost not to exceed \$6,284.84, for the period April 1, 2007 through December 31, 2007, and

WHEREAS, said services are necessary for software maintenance, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with IBM, 80 State St., Albany, NY 12207 for software maintenance, for the Division of Information Technology for the period April 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,284.84 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4513.501414 (Software Maintenance), and be it

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

**Carried. Ayes-17, Nays-0, Absent-1 (Shafer), Abstention-1 (Schofield)**

#### **RESOLUTION NO. 73**

By Finance Committee

Seconded by Mr. LaBare

#### **RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON 2007 TOWN AND COUNTY TAX BILLS**

WHEREAS, applications for Correction of Errors on Tax Rolls for various towns have been duly filed with the Director of Real Property Tax Service for the County of Broome, and

WHEREAS, the Director of Real Property Tax Service has filed a report pursuant to Section 554 of the Real Property Tax Law and certain claimed errors have been determined to exist that should be corrected, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the application for correction and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in accordance with the list attached hereto as Exhibit "A", pursuant to Section 554 of the Real Property Tax Law.

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

#### **RESOLUTION NO. 74**

By Transportation and Rural Development and Finance Committees

Seconded by Mr. Garnar

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**RESOLUTION AUTHORIZING AN AGREEMENT WITH McFARLAND-JOHNSON, INC. FOR DESIGN SERVICES FOR BROOME COUNTY DEPARTMENT OF AVIATION FOR DECEMBER 1, 2006 THROUGH MAY 1, 2007**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland-Johnson, Inc. for design services for Broome County Department of Aviation at a cost not to exceed \$118,848.00, for the period December 1, 2006 through May 1, 2007, and

WHEREAS, said services are necessary to design the scope of work for the Airport Parking Lot Improvement Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., 49 Court St., PO Box 1980, Binghamton, NY 13902, for design services, for the Broome County Department of Aviation for the period December 1, 2006 through May 1, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$118,848.00 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211011.4747.501488 (Other Improvements), 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. 75**

By Transportation and Rural Development and Finance Committees

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING ACCEPTANCE OF A NEW YORK STATE GRANT FOR THE GREATER BINGHAMTON AIRPORT CAPITOL IMPROVEMENT PROJECT**

WHEREAS, the Commissioner of Aviation requests authorization to accept a New York State Grant, for parking lot improvements at the Greater Binghamton Airport and adopt a program budget in the amount of \$300,000.00 for the period December 1, 2006 through November 30, 2007, and

WHEREAS, said funds will be used to make improvements to parking lots at the Greater Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$300,000.00 from New York State Department of Transportation for the parking lot improvements at the Greater Binghamton Airport for the period December 1, 2006 through November 30, 2007, and be it

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

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

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

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

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## RESOLUTION NO. 76

By Finance Committee  
Seconded by Mr. Garnar

### **RESOLUTION AUTHORIZING AN AGREEMENT WITH NEW YORK MUNICIPAL ADVISORS CORPORATION (NYMAC) FOR CONSULTING SERVICES FOR THE DEPARTMENT OF FINANCE FOR 2007-2010**

WHEREAS, New York Municipal Advisors Corporation (NYMAC) is an organization offering professional services relating to the planning, preparing and marketing of municipal financial issues, and

WHEREAS, the Commissioner of Finance requests authorization for an agreement with New York Municipal Advisors Corporation (NYMAC) for the period January 1, 2007 through December 31, 2010, and

WHEREAS, said services are necessary to provide professional services to the County of Broome in connection with the various County capital projects, bond sales, note issuances, the sale of tax sale certificates and other financing activities as requested by the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New York Municipal Advisors Corporation (NYMAC), 50 Jackson Ave., Suite 301, Syosset, NY 11791, for professional services in connection with the marketing of municipal bonds and capital notes, note issuances, and sales of tax sales certificates for the County of Broome, for the period January 1, 2007 through and including December 31, 2010, and be it

FURTHER RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay for said professional services including the preparation, printing and distribution of an Official Statement and Notice of Sale/Bid Form at the time of issuing serial bonds for a minimum fee of \$12, 500 per issue plus an additional amount not to exceed \$2.00 per \$1,000 of serial bonds sold, and be it

FURTHER RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay for said professional services including the preparation, printing and distribution of a Note Official Statement and Notice of Sale/Bid Form at the time of issuing notes, in an amount of \$5,000 per issue, and be it

FURTHER RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay for the said professional services at the time such tax sale certificates are sold, a fee of \$5,900 per issue, and be it

FURTHER RESOLVED, that for any additional services including but not limited to analysis of and assistance with financing through the State Revolving Fund a fee to be charged not to exceed \$100 per hour, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 920017.4723.101000 (Bond & Note Issue 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. 77

By Finance Committee  
Seconded by Mr. Garnar

### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH TESTONE, MARSHALL & DISCENZA, LLP FOR AUDITING SERVICES FOR DEPARTMENT OF AUDIT AND CONTROL FOR 2005-2009**

WHEREAS, this County Legislature, by Resolution 11 of 2006, authorized an agreement with Testone, Marshall & Discenza, LLP for auditing services of financial accounts for the

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Department of Audit and Control at a cost not to exceed \$151,000 for the year ending December 31, 2005, \$156,700 for the year ending December 31, 2006, \$162,600 for the year ending December 31, 2007, and \$168,700 for the year ending December 31, 2008 and \$175,100 for the year ending December 31, 2009, and

WHEREAS, said agreement provides financial and compliance audits, and

WHEREAS, it is necessary to authorize an amendment to said agreement to provide a change to the fee schedule for auditing services, and

WHEREAS, the Comptroller 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 Testone, Marshall and Discenza, LLP, 432 North Franklin St., Syracuse, NY 13204, for auditing services for the Department of Audit and Control for the period 2005-2009, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor the following additional amounts not to exceed \$4,500 for the year ending December 31, 2006, \$4,750 for the year ending December 31, 2007, \$5,000 for the year ending December 31, 2008, and \$5,250 for the year ending December 31, 2009, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 360008.4722.101000, and be it

FURTHER RESOLVED, that Resolution 11 of 2006, 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. 78**

By County Administration and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF A NEW YORK STATE VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES POLLING PLACE ACCESS IMPROVEMENT PROGRAM GRANT FOR THE BOARD OF ELECTIONS AND ADOPTING A PROGRAM BUDGET FOR 2006-2008**

WHEREAS, the Commissioners of Elections request authorization to accept a New York State Voting Access for Individuals with Disabilities Polling Place Access Improvement Program Grant and adopt a program budget in the amount of \$87,096 for the period April 1, 2006 through March 31, 2008, and

WHEREAS, said grant program will ensure that polling places are compliant according to the Americans with Disabilities Act (ADA) rules and regulations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$58,832 from the State of New York, State Board of Elections, 40 Steuben Street, Albany, New York 12207-6220 for the Board of Elections' New York State Voting Access for Individuals with Disabilities Polling Place Access Improvement Program Grant for the period April 1, 2006 through March 31, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$87,096, 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

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

FURTHER RESOLVED, that the County Executive or 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. 79**

By Education, Culture and Recreation and Finance Committees

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING ACCEPTANCE OF ENVIRONMENTAL PROTECTION FUND (EPF) GRANT FOR THE CONSTRUCTION OF THE WHITNEY POINT COMMUNITY AND LAKE WALKWAY/BIKEWAY AND ADOPTING A PROGRAM BUDGET FOR THE TERM OF THE GRANT**

WHEREAS, the Department of Parks and Recreation requests authorization to accept a Environmental Protection Fund Grant and adopt a program budget in the amount of \$200,000, and

WHEREAS, said program grant provides for the construction of the Whitney Point Community and Lake Walkway/Bikeway, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$200,000 from the New York State Office of Parks, Recreation and Historic Preservation for the construction of the Whitney Point Community and Lake Walkway/Bikeway Project, 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 \$200,000, 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. 80**

By Education, Culture and Recreation Committee

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING ACCEPTANCE OF LEAD AGENCY STATUS FROM THE VILLAGE OF WHITNEY POINT AND ACCEPTANCE OF A TRANSPORTATION ENHANCEMENT PROJECT GRANT FOR THE CONSTRUCTION OF THE WHITNEY POINT COMMUNITY AND LAKE WALKWAY/BIKEWAY AND ADOPTING A PROGRAM BUDGET FOR 2007**

WHEREAS, the Department of Parks and Recreation requests authorization to accept the transfer of lead agency status from the Village of Whitney Point in connection with the Whitney Point Community and Lake Walkway/Bikeway project, accept a \$86,170 Transportation

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Enhancement Project Grant by the NYS Department of Transportation for the construction of the walkway/bikeway, and adopt a program budget for 2007, and

WHEREAS, the grant was awarded to the Village of Whitney Point, and being that the Village will not go forward with the project, the grant will be re-awarded to Broome County, and

WHEREAS, said program grant provides for the construction of the Whitney Point Community and Lake Walkway/Bikeway, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the transfer of lead agency status and the acceptance of \$86,170 from the NYS Department of Transportation for the construction of the Whitney Point Community and Lake Walkway/Bikeway for 2007, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$86,170, 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. 81**

By Education, Culture and Recreation Committee

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING THE SALE OF SCOUTEN HILL ROAD PROPERTY IN THE TOWN OF WINDSOR TO BEN AND ANDREA DICOSTANZO AND ESTABLISHING A TRUST FUND TO RECEIVE A PORTION OF THE SALE PROCEEDS**

WHEREAS, the New York State Legislature enacted Chapter 270 of the Laws of New York (2006) which authorized the discontinuation of a portion of Hawkins Pond Nature Area Parklands more particularly described in Exhibit "A" annexed hereto conditioned on the County dedicating land adjacent to the Hawkins Pond Nature Area more particularly described in Exhibit "B" annexed hereto and further conditioned that if the fair market value of the land to be alienated is greater than the fair market value of the land to be dedicated that the County shall dedicate the difference in fair market value for the acquisition of additional parkland and/or capital improvements to existing park and recreational facilities, and

WHEREAS, this County Legislature pursuant to Resolution No. 426 of 2006 as authorized by Chapter 270 of the Laws of New York declared the parcel of land described in Exhibit "A" to no longer be part of the Hawkins Pond Nature Area and dedicated the parcel described in Exhibit "B" as parkland to be included in the Hawkins Pond Nature Area and further authorized the sale at public auction of the parcel described in Exhibit "A", and

WHEREAS, on November 4, 2006 a public auction of county real property was held including the auction of the parcel of land described in Exhibit "A" and Jodi Real Estate Investors, LLC and Ben DiCostanzo bid in the sum of \$169,000 for the parcel of land described in Exhibit "A" being the highest bid, and

WHEREAS, Jodi Real Estate Investors, LLC has assigned its interest in the premises to Ben DiCostanzo and Andrea DiCostanzo

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WHEREAS, the Commissioner of Parks and Recreation has requested authorization to sell the parcel of land described in Exhibit "A" to Ben and Andrea DiCostanzo for the sum of \$169,000.00 and establish a trust fund to receive a portion of the sale proceeds, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the sale of 45 Scouten Hill Road in the Town of Windsor as described in Exhibit "A" annexed hereto to Ben and Andrea DiCostanzo 437 Mayfair Drive South, Brooklyn, NY 11234 for the sum of \$169,000.00 being the highest bid for said real property at the auction of County real property held on November 4, 2006, and, be it

FURTHER RESOLVED that the first \$32,600 of sale proceeds shall be credited to budget line 630004.0212.101000 (Sale of Real Property), and be it

FURTHER RESOLVED. That the balance of the sale proceeds in the amount of \$136,400.00 shall be deposited in a trust fund that the Commissioner of Finance is hereby directed to establish to be known as the "Hawkins Pond Sale Proceeds Trust", and be it

FURTHER RESOLVED, that said "Hawkins Pond Sale Proceeds Trust" shall be perpetual in duration or until such time as there no longer are any assets in said trust and shall be used only for the purchase of additional park land and/or funding capital improvements to county parks, and be it

FURTHER RESOLVED, that upon request of the Commissioner of Parks and Recreation the Commissioner of Finance is authorized to transfer money from the said Hawkins Pond Sale Proceeds Trust to an appropriate Department of Parks and Recreation budget line to fund designated capital projects or the purchase of additional park land, 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. 82**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CBORD GROUP, INC. FOR DIETARY SOFTWARE PURCHASE AND MAINTENANCE FOR WILLOW POINT NURSING HOME FOR MARCH 1, 2007 THROUGH FEBRUARY 28, 2008**

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with The CBORD Group, Inc. for dietary software purchase and maintenance for Willow Point Nursing Home at a cost not to exceed \$4,195.00, for the period March 1, 2007 through February 29, 2008, and

WHEREAS, said services are necessary to purchase and maintain dietary software, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The CBORD Group, Inc., 61 Brown Road, Ithaca, NY 14850, for purchase and maintenance of dietary software, for the Willow Point Nursing Home for the period March 1, 2007 through February 29, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,195.00 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160119.4359.204000 (Computer Software & Supplies), 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)**

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### **RESOLUTION NO. 83**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH BINGHAMTON HOUSING AUTHORITY FOR HOMEMAKER SERVICES THROUGH THE OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY ENRICHED LIVING PROGRAM FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 78 of 2006, authorized renewal of the agreement with Binghamton Housing Authority for homemaker services through the Office for Aging's Community Services for the Elderly Enriched Program with revenue to the County in the amount of \$9,000 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said agreement is necessary to provide homemaker services in the North Shores Towers Building, and

WHEREAS, said agreement expires by its terms on March 31, 2007, 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, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Binghamton Housing Authority, 45 Exchange Street, Binghamton, New York 13901 for homemaker services through the Office for Aging's Community Services for the Elderly Enriched Living Program for the period April 1, 2007 through March 31, 2008, 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 761262.0166.105281 (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. 84**

By Personnel Committee

Seconded by Mr. Cleary

#### **RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION 82 OF 1989 REGARDING RESIDENCY REQUIREMENTS FOR CERTAIN BROOME COUNTY EMPLOYEES**

WHEREAS, this County Legislature, by Resolution 82 of 1989, granted preference to County residents for appointment to positions in County Government, within the limits of Civil Service Law, and

WHEREAS, when there is not a valid eligible list for competitive title, Broome County department heads are permitted to appoint employees on a provisional basis, and

WHEREAS, upon completion of recruiting efforts, a department head may determine that the best candidate available to fill a provisional position is not a Broome County resident, and

WHEREAS, the current residency preference policy goes beyond Section 23 of Civil Service Law which permits a jurisdiction to request a preference list, now, therefore, be it

RESOLVED, that the Broome County Department of Personnel will continue to certify Broome County residents ahead of non-residents, except where the department head with the concurrence of the Personnel Officer, requests a waiver of the preference policy based on the fact that a non-resident provisional appointment has been made in that title, and be it

FURTHER RESOLVED, that this Resolution pertains only to new hires, and be it

FURTHER RESOLVED, that Resolution 82 of 1989, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the effective date of this resolution shall be January 1, 2007.  
**Held over 'under the rules' by Mr. Herz**

#### **RESOLUTION NO. 85**

By Personnel, Health and Human Services and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING AN AMENDMENT TO THE HOURLY RATE SCHEDULE FOR NON- UNION, TEMPORARY AND SEASONAL EMPLOYEES FOR 2007**

WHEREAS, this County Legislature by Resolution 743 of 2006, authorized amendments to the hourly rates for various non-union, temporary and seasonal employees for 2007, and

WHEREAS, it is desired at this time to amend the hourly rate schedule for 2007 as indicated on the attached Exhibit "A", effective January 1, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary and seasonal employees for 2007 as indicated on attached Exhibit "A" effective January 1, 2007.

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

#### **RESOLUTION NO. 86**

By Personnel Committee

Seconded by Mr. Garnar

#### **RESOLUTION AMENDING RESOLUTION 82 OF 1989 RESCINDING ALL RESIDENCY REQUIREMENTS AND ESTABLISHING RESIDENCY REQUIREMENTS FOR CERTAIN BROOME COUNTY RESIDENTS**

WHEREAS, this County Legislature, by Resolution 82 of 1989, rescinded in its entirety Resolution of 205 of 1976 and Resolution 370 of 1987, and established residency requirements for County employees occupying specific position titles identified in Exhibit "A", annexed thereto, and

WHEREAS, it is desirable at this time to bring the position titles affected in said annexed Exhibit "A" up to date based on elimination of positions, creation of new positions and the revision of position titles that have occurred since 1982, therefore be it

RESOLVED, that this County Legislature hereby authorizes an amendment of Exhibit "A" of Resolution 82 of 1989, attached hereto, to reflect the updated list of position titles, 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. 87**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH BEVERLY COMSTOCK FOR THE DEVELOPMENT OF A POINT OF ENTRY COMPUTERIZED RESOURCE LISTING FOR THE COMMUNITY ALTERNATIVE SYSTEMS AGENCY (CASA) FROM FEBRUARY 15, 2007 THROUGH SEPTEMBER 30, 2007**

WHEREAS, the Director of the Community Alternative Systems Agency (CASA) requests authorization for an agreement with Beverly Comstock for the development of the Point of Entry Computerized Resource Listing for the Community Alternative Systems Agency (CASA) at a cost not to exceed \$12,000, for the period February 15, 2007 through September 30, 2007, and

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WHEREAS, said services are necessary to develop the Point of Entry Computerized Resource Listing, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Beverly Comstock, PO Box 108, 348 Banta Road, Corbettsville, NY 13749, for development of a Point of Entry Computerized Resource Listing, for the Broome County Community Alternative Systems Agency (CASA) for the period February 15, 2007 through September 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 680066.4610.105240 (Personal 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. 88**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH UNITED HEALTH SERVICES FOR PROFESSIONAL SERVICES FOR THE OFFICE FOR AGING'S AGING FUTURES II PROJECT STROKE PREVENTION INITIATIVE FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 406 of 2006, authorized renewal of the agreement with United Health Services for professional services for the Office for Aging's Aging Futures II Project Stroke Prevention Initiative Program at an amount not to exceed \$11,277, for the period February 1, 2006 through January 31, 2007, and

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

WHEREAS, said agreement expired by its terms on January 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$4,150, for the period February 1, 2007 through January 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with United Health Services, 35-57 Harrison Street, Johnson City, New York 13790 for professional services for the Office for Aging's Aging Futures II Project Stroke Prevention Initiative for the period February 1, 2007 through January 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,150 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4457.105219 (Subcontracted Program 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. 89**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH DELAWARE COUNTY PUBLIC HEALTH NURSING SERVICE FOR BROOME COUNTY OFFICE FOR AGING TO PROVIDE SOCIAL ADULT DAY CARE TO DELAWARE COUNTY HOME HEALTH CARE CLIENTS FOR 2007-2008**

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WHEREAS, this County Legislature, by Resolution 79 of 2006, authorized renewal of the agreement with Delaware County Public Health Nursing Services for 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 the rate of \$20 per half day and \$40 per full day, for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said agreement is 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, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$20 per half day and \$40 per full day, for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Delaware County Public Health Nursing Service, Long Term Home Health Care Program, 99 Main Street, Delhi, New York 13753 for Broome County Office for Aging to provide social adult day care to Delaware County home health care clients for the period April 1, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, Delaware County shall pay Broome County at the rate of \$20 per half day and \$40 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 761254.0538.105280 (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. 90**

By Health and Human Services and Finance Committees

Seconded by Mr. Howard

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH RETIRED & SENIOR VOLUNTEER PROGRAM (RSVP) FOR SERVICES THE OFFICE FOR AGING'S AoA EMPOWERING OLDER PEOPLE GRANT FOR 2007**

WHEREAS, the Director of the Office for Aging requests authorization for an agreement with Retired & Senior Volunteer Program (RSVP) for services for the Office for Aging's AoA Empowering Older People Grant at a cost not to exceed \$60,185, for the period February 19, 2007 through July 31, 2007, and

WHEREAS, said agreement is necessary for the implementation of two evidence-based chronic disease programs in the community, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Retired & Senior Volunteer Program (RSVP), 230 Main Street, Binghamton, New York 13905 for services for the Office for Aging's AoA Empowering Older People Grant for the period February 19, 2007 through July 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$60,185 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4457.105265 (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-17, Nays-0, Absent-1 (Shafer), Abstention-1 (Sanfilippo)**

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## **RESOLUTION NO. 91**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH FAMILY & CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES FOR THE OFFICE FOR AGING FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 80 of 2006, authorized renewal of the agreement with Family & Children's Society of Broome County for counseling services for the Office for Aging at an amount not to exceed \$12,035, for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said agreement is necessary to provide in-home mental health counseling services for the elderly for the Office for Aging's Community Services for the Elderly Program, and

WHEREAS, said agreement expires by its terms on March 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$12,035, for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family & Children's Society of Broome County, 257 Main Street, Binghamton, New York 13905 for counseling services for the Office for Aging's Community Services for the Elderly Program for the period April 1, 2007 through March 31, 2008, 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 761320.4457.105284 (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. 92**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENTS WITH VARIOUS VENDORS FOR PERSONAL CARE/HOMEMAKER SERVICES FOR THE OFFICE FOR AGING'S EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 140 of 2006, authorized renewal of the agreements with various vendors for personal care/homemaker services for the Office for Aging's Expanded In-Home Services for the Elderly Program at the current approved Medicaid rate for Nursing Supervisor and the current 2006 Medicaid fixed rates as stated for the Personal Care/Homemaker Service, total amount not to exceed budgeted appropriations, for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said agreements expire by their terms on March 31, 2007, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at the current approved Medicaid rate for Nursing Supervisor and the current 2006 Medicaid fixed rates as listed below for the Personal Care/Homemaker Services, total amount not to exceed budgeted appropriations, for the period April 1, 2007 through March 31, 2008, and

WHEREAS, because the Medicaid rate changes from time to time, Broome County will pay the contractor for the Personal Care/Homemaker Service the 2006 Medicaid unless the Medicaid rate decreases, then the County will pay the lower, should the Medicaid rate increase, the County will pay the 2006 rate for the duration of the program period. The Nurse Supervisor will be paid at the current

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RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with the vendors listed below at the current approved State Medicaid rate for nursing Supervisor and the current 2006 Medicaid fixed rate as stated below 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, 2007 through March 31, 2008:

Metro Interfaith Housing Management Corp  
21 New Street  
Binghamton, NY 13903  
Hourly Rate \$14.50

Interim Healthcare Systems  
38 Front Street, Suite D  
Binghamton, NY 13905  
Hourly Rate \$17.00

Gentiva Health Services  
41 Chenango Street  
Binghamton, NY 13901  
Hourly Rate \$19.18

Homemakers of Broome County  
DBA Caregivers  
189 Riverside Drive  
Johnson City, NY 13790  
Hourly Rate \$16.38

Staffings Healthcare Systems  
PO Box 1015  
Binghamton, NY 13902-1015  
Hourly Rate \$20.25

Family & Children's Society of Broome County  
257 Main Street  
Binghamton, NY 13905  
Hourly Rate \$18.55

and be it

FURTHER RESOLVED, that if the Medicaid rate for 2007 for Personal Care/Homemaker Service decreases, then the County shall pay the reduced rate, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761122.4457.105279 (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 maybe necessary to implement the intent and purpose of this Resolution.

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

### **RESOLUTION NO. 93**

By Health and Human Services, Personnel and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING REVISION OF INTEGRATED SOCIAL DAY CARE FOR THE ELDERLY PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2007**

WHEREAS, this County Legislature, by Resolution 624 of 2006, authorized and approved renewal of the Integrated Social Day Care for the Elderly Program Grant for the Office for Aging and adopted a program budget in the total amount of \$50,717 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides a social day care setting for mentally-challenged individuals, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$2,362 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Integrated Social Day Care for the Elderly Program Grant to reflect an increase of \$2,362 for the period January 1, 2007 through December 31, 2007, 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 \$53,079, and be it

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FURTHER RESOLVED, that Resolution 624 of 2006, 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. 94**

By Health and Human Services, Personnel and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING REVISION OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 138 of 2006, authorized and approved renewal of the Supplemental Nutrition Assistance Program Grant for the Office for Aging and adopted a program budget in the total amount of \$317,980 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant 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 \$15,820 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Supplemental Nutrition Assistance Program Grant to reflect an increase of \$15,820 for the period April 1, 2006 through March 31 2007, 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 \$333,800, and be it

FURTHER RESOLVED, that Resolution 138 of 2006, 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)**

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## **RESOLUTION NO. 95**

By Health and Human Services, Personnel and Finance Committees  
Seconded by Mr. Garnar

### **RESOLUTION AUTHORIZING REVISION OF THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 139 of 2006, authorized and approved renewal of the Expanded In-Home Services for the Elderly Program (EISEP) Grant for the Office for Aging and adopted a program budget in the total amount of \$799,683 for the period April 1, 2006 through March 31, 2007, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$17,991 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Expanded In-Home Services for the Elderly Program (EISEP) Grant to reflect an increase of \$17,991 for the period April 1, 2006 through March 31 2007, 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 \$817,674, and be it

FURTHER RESOLVED, that Resolution 139 of 2006, 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. 96**

By Health and Human Services, Personnel and Finance Committees  
Seconded by Mr. Garnar

### **RESOLUTION AUTHORIZING REVISION OF THE COMMUNITY SERVICES FOR THE ELDERLY (CSE) PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 142 of 2006, authorized and approved renewal of the Community Services for the Elderly (CSE) Program Grant for the Office for Aging and adopted a program budget in the total amount of \$480,452 for the period April 1, 2006 through March 31, 2007, and

WHEREAS, said program grant 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 necessary at this time to revise said program to reflect an increase in the amount of \$23,441 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Community Services for the Elderly (CSE) Program Grant to reflect an increase of \$23,441 for the period April 1, 2006 through March 31 2007, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$503,893, and be it

FURTHER RESOLVED, that Resolution 142 of 2006, 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. 97**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH JEANNE STRACUZZI FOR NUTRITION COUNSELING FOR THE OFFICE FOR AGING'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 225 of 2006, authorized renewal of the agreement with Jeanne Stracuzzi for nutrition counseling for the Office for Aging at the rate of \$34.45 per hour, total amount not to exceed \$22,254 for the period May 1, 2006 through March 31, 2007, and

WHEREAS, said agreement is necessary to provide professional nutritional counseling services required by the SNAP Program, and

WHEREAS, said agreement expires by its terms on March 31, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$35.49 per hour, total amount not to exceed \$24,914, for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the 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 (SNAP) for the period April 1, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$35.49 per hour, total amount not to exceed \$24,914 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761239.4741.105285 (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. 98**

By Health and Human Services and Finance Committees

Seconded by Mr. Herz

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**RESOLUTION AUTHORIZING RENEWAL OF LONG TERM CARE OMBUDSMAN PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET AND RENEWING AGREEMENT WITH ACTION FOR OLDER PERSONS TO ADMINISTER SAID PROGRAM FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 82 of 2006, 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, 2006 through March 31, 2007, and

WHEREAS, said program grant 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, 2007 through March 31, 2008, 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, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$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, 2007 through March 31, 2008, 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 761197.4457.105287 (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, 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-17, Nays-0, Absent-1 (Shafer), Abstention-1 (LaBare)**

**RESOLUTION NO. 99**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING REVISION OF THE MENTAL HEALTH OUTREACH PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006**

WHEREAS, this County Legislature, by Resolution 686 of 2005, authorized and approved renewal of the Mental Health Outreach Program Grant for the Office for Aging and adopted a program budget in the total amount of \$46,843 for the period January 1, 2006 through December 31, 2006, and

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WHEREAS, said program grant provides funding for in-home assessment, mental health counseling and treatment for seriously mentally ill elders over 60 year of age, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$135 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Mental Health Outreach Program Grant to reflect an increase of \$135 for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$46,978, and be it

FURTHER RESOLVED, that Resolution 686 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 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. 100**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH VARIOUS DAY CARE PROVIDERS FOR MEDICATION ADMINISTRATION TRAINING PROVIDED BY THE BROOME COUNTY HEALTH DEPARTMENT FOR 2007**

WHEREAS, this County Legislature, by Resolution 71 of 2006, authorized renewal of the agreements with various day care providers for medication administration training provided by the Broome County Health Department with revenue to Broome County in the amount of \$100 per person for the period March 1, 2006 through March 1, 2007, and

WHEREAS, said agreements are necessary for training to meet state health and safety issues requiring that childcare providers be certified to administer medication to children under their care, and

WHEREAS, said agreements expire by their terms on March 1, 2007, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with revenue to Broome County in the amount of \$100 per person, for the period March 1, 2007 through March 1, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with various day care providers as listed on Exhibit "A" to enable Broome County Health Department to provide Medication Administration Training to said day care providers for the period March 1, 2007 through March 1, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County will be reimbursed \$100 per person or voucher from the Medication Administration Training Grant Program for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to 480293.0057.101080 (Student Tuition, PT Day), 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

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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. 101**

By Health and Human Services, Personnel and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING REVISION OF EARLY INTERVENTION ADMINISTRATION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2006-2007**

WHEREAS, this County Legislature, by Resolution 455 of 2006, authorized and approved renewal of the Early Intervention Administration Program Grant for the Department of Health and adopted a program budget in the total amount of \$129,670 for the period October 1, 2006 through September 30, 2007, and

WHEREAS, said program grant provides funding to identify and register infants and children with suspected disabilities and developmental delays and refers them to the Early Intervention Program to ensure they are provided with appropriate services, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$1,297 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Early Intervention Administration Program Grant to reflect an increase of \$1,297 for the period October 1, 2006 through September 30, 2007, 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 \$130,967, and be it

FURTHER RESOLVED, that Resolution 455 of 2006, 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. 102**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER FOR SIGNING SERVICES FOR THE DEPARTMENT OF HEALTH, THE COUNTY CLERK, THE WILLOW POINT NURSING HOME AND THE OFFICE FOR AGING FOR 2007**

WHEREAS, this County Legislature, by Resolution 524 of 2006, authorized renewal of the agreement with Southern Tier Independence Center for signing services for the Department of Health, the County Clerk and the Willow Point Nursing Home at the rate of \$50 per hour for certified interpreters, \$40 per hour for non-certified interpreters, \$60 per hour for certified

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interpreter in court, weekends and evenings between the hours of 11:00 p.m., and 6:00 a.m., total amount not to exceed \$10,000 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said agreement is necessary to comply with applicable New York State regulations, and

WHEREAS, it is necessary to authorize an amendment to said agreement to include the Office for Aging, for an additional \$2,000 for the term June 1, 2007 through December 31, 2007, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Southern Tier Independence Center, 24 Prospect Avenue, Binghamton New York 13901 for signing services for the Office for Aging for an additional \$2,000 for the period June 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$50 per hour for certified interpreters, \$40 per hour for non-certified interpreters, \$60 per hour for certified interpreter in court, weekends and evenings between the hours of 11:00 p.m. and 6:00 a.m., total amount not to exceed \$12,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4706.various (Other Health and Medical Services) and various.4715.various (Rehab and Therapy Services), and be it

FURTHER RESOLVED, that Resolution 524 of 2006, 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. 103**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF THE SOUTHERN TIER HEALTHY BEGINNINGS PERINATAL PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2007**

WHEREAS, the Director of Public Health requests authorization to accept a Southern Tier Healthy Beginnings Perinatal Program Grant and adopt a program budget in the amount of \$34,000 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant will provide home visits to conduct a nursing assessment to identify risk factors associated with poor pregnancy outcomes and perinatal depression, and to develop a plan of care, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$34,000 from Monroe Plan for Medial Care, Excellus Blue Cross Blue Shield, 53 Chenango Street, Binghamton, New York 13901 for the Department of Health's Southern Tier Healthy Beginnings Perinatal Program Grant for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$34,000, 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

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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. 104**

By Health and Human Services, Personnel and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING REVISION OF THE UNITED WAY SUPPORT OF EARLY CHILDHOOD COALITION COORDINATION PROJECT GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2007**

WHEREAS, this County Legislature, by Resolution 591 of 2006, authorized and approved renewal of the United Way Support of Early Childhood Coalition Coordination Project Grant for the Department of Health and adopted a program budget in the total amount of \$107,604 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant provides funds for a Coordinator position and Public Health Nurses to collaborate and coordinate early childhood initiatives under the "Building Brighter Futures for Broome" project, focusing on effective parenting, healthy children and quality childcare/early education, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$1,582 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the United Way Support of Early Childhood Coalition Coordination Project Grant to reflect an increase of \$1,582 for the period January 1, 2007 through December 31, 2007, 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 \$109,186, and be it

FURTHER RESOLVED, that Resolution 591 of 2006, 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

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. 105**

By Health and Human Services, Personnel and Finance Committees

Seconded by Mr. Garnar

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**RESOLUTION AUTHORIZING RENEWAL OF THE IMMUNIZATION ACTION PLAN GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 124 of 2006, authorized and approved the Immunization Action Plan Grant for the Department of Health and adopted a program budget in the amount of \$32,025 for the period April 1, 2006 through March 31, 2007, and

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

WHEREAS, it is desired to renew said program grant in the amount of \$32,025 for the period April 1, 2007 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$32,025 from the New York State Department of Health, Corning Tower, 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, 2007 through March 31, 2008, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$32,025, 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. 106**

By Health and Human Services, Personnel and Finance Committees

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING RENEWAL OF THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 607 of 2005, as amended by Resolution 593 of 2006, authorized and approved the Childhood Lead Poisoning Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$91,721 for the period January 1, 2006 through March 31, 2007, and

WHEREAS, said program grant oversees screening and follow up required of Primary Care Providers, coordinates remediation activities with property owners and is responsible for community awareness and promotion, and

WHEREAS, it is desired to renew said program grant in the amount of \$73,417 for the period January 1, 2007 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$73,217 from the Childhood Lead Poisoning Prevention Program, Bureau of Child & Adolescent Health, New York State Department of Health, Tower Building, Empire State Plaza, Albany, New York 12237, for the Department of Health's Childhood Lead Poisoning Prevention Program Grant for the period April 1, 2007 through March 31, 2008, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$73,417, 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. 107**

By Health and Human Services, Personnel and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING RENEWAL OF ENHANCED WATER SUPPLY PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET FOR 2007-2008**

WHEREAS, this County Legislature, by Resolution 68 of 2006, authorized and approved renewal of 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, 2006 through March 31, 2007, and

WHEREAS, said program grant 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 program grant in the amount of \$162,000 for the period April 1, 2007 through March 31, 2008, 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 Grant for the period April 1, 2007 through March 31, 2008, and be it

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

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**RESOLUTION NO. 108**

By Health and Human Services and Finance Committees

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING AMENDMENT TO AN AGREEMENT WITH UNITED HEALTH SERVICES FOR SERVICES FOR THE DEPARTMENT OF HEALTH'S CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT FOR 2007**

WHEREAS, the Board of Acquisition and Contract, on January 24, 2007, authorized the agreement with United Health Services for services for the Department of Health's Childhood Lead Poisoning Prevention Program at a cost not to exceed \$2,500, for the period January 24, 2007 through March 31, 2007, and

WHEREAS, said agreement is necessary to increase screening rates, conduct parental follow-up and measure project performance and outcomes, and

WHEREAS, it is necessary to authorize an amendment to said agreement to United Health Services to increase the amount \$2,500, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with United Health Services, Stay Healthy Center, 33-57 Harrison Street, Johnson City, New York 13790 to increase the amount \$2,500 for services for the Department of Health's Childhood Lead Poisoning Prevention Program for the period January 24, 2007 through March 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$2,500, total amount not to exceed \$5,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480376.4457.105145 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that CA No. 10-829 of 2007, 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. 109**

By Education, Culture and Recreation and Finance Committees

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENTS WITH LOCAL LIBRARIES FOR THE DISTRIBUTION OF COUNTY LIBRARY AID FOR 2007**

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

WHEREAS, it is the desire of this Legislature to distribute the 2007 budgeted library aid to said Public Libraries, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or her duly authorized representative to execute such agreements, approved as to form by the Department of Law, for the distribution of 2007 budgeted library aid in the manner described above to local libraries as follows:

<u>Library</u>	<u>Amount</u>
Deposit Free Library	\$4,739
G. F. Johnson Memorial	\$106,539
Lisle Free Library	\$13,609
Mary Wilcox Memorial	\$18,668
Moody Memorial (Fenton)	\$37,800

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Nineveh Public Library	\$4,245
Vestal Public Library	\$258,665
Your Home Public Library	<u>\$138,170</u>
<b>Total</b>	<b>\$582,435</b>

and be it

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

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

Ms. Buchta made a motion, seconded by Mr. Materese to amend the resolution to add a second further resolved paragraph to read "Further Resolved, that the amounts allocated to George F. Johnson Memorial Library and Your Home Public Library be paid to the Town of Union" **Amendment Carried. Ayes-18, Nays-0, Absent-1 (Shafer). Resolution as amended carried. Ayes. 18, Nays-0, Absent-1 (Shafer)**

### RESOLUTION NO. 110

By Finance and Health and Human Services Committees

Seconded by Mr. Garnar

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

RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts to maximize spending for the Healthy Living Partnership Integrated Cancer Service Program 06-07 Grant, as requested by BF# 005952, 005953 and 006313, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480376	1000	105176	Salaries Full-Time	1109
	480376	1500	105176	Salaries Part-Time	1212
	480376	4461	105176	Mileage & Parking – Local	400
	480376	4463	105176	Education & Training	100
	480376	8010	105176	State Retirement	3974
	480376	8030	105176	Social Security	805
	480376	8040	105176	Workers Compensation	1615
	480376	8050	105176	Life Insurance	24
	480376	8060	105176	Health Insurance	3557
	480376	8070	105176	Unemployment Insurance	735
TO:	480376	1600	105176	Salaries – Temporary	110
	480376	4319	105176	Office Supplies	2200
	480376	4346	105176	Training & Edu Supplies	4324
	480376	4359	105176	Computer Software/Supp	775
	480376	4363	105176	Med Lab/Clinic Supplies	330
	480376	4411	105176	Postage & Freight	275
	480376	4419	105176	General Office Supplies	191
	480376	4448	105176	Advertising & Promo Exp	2425
	480376	4466	105176	Adv Board of Trustee Exp	135
	480376	4609	105176	Data Processing Chargebk	2000
	480376	4614	105176	Other Chargeback Exp	160
	480376	4617	105176	Dup & Printing Chrgbck	400
	480376	4626	105176	Transportation Svs Chrgbk	200
	480376	8063	105176	Disability Insurance	6

and be it

FURTHER RESOLVED, that in accordance with a request from the Public Health Director, in order to appropriate sufficient funds to various accounts to close out Steps to a Healthier US 04-05, as requested by BF# 005970, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	4463	104931	Education & Training	100
TO:	480301	1000	104931	Salaries – Full Time	79
	480301	1500	104931	Salaries - Part Time	21

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

**RESOLUTION NO. 111**

By Personnel, Health and Human Services and Finance Committees

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING THE SALARY INCREASE FOR DR. CLARK P. GARDNER AND DR. ERIC Y. LINN, STAFF PSYCHIATRISTS**

WHEREAS, the Commissioner of Mental Health has recommended a salary increase for Dr. Clark P. Gardner (current salary of \$126,136) and Dr. Eric Y. Linn (current salary of \$126,136) Staff Psychiatrists, to an annual salary of \$138,000 and

WHEREAS, Dr. Clark P. Gardner and Dr. Eric Y. Linn are qualified as Staff Psychiatrists and have experience and/or education, which justifies said salary increase, now, therefore, be it RESOLVED, that this County Legislature hereby authorizes salary increase of Dr. Clark P. Gardner and Dr. Eric Y. Linn, Staff Psychiatrists, to an annual salary of \$138,000 at budget line 470013.1000.101000 effective January 1, 2007

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

**RESOLUTION NO. 112**

By Finance and Public Works Committees

Seconded by Mr. Mather

**RESOLUTION AMENDING THE 2007 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 2007 Capital Improvement Program is hereby amended to add a new project as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Cost:</u>		<u>County</u>	
			<u>State</u>	<u>Federal/Other</u>		
5023	Whitney Point Community	521,000	286,170	0	234,830	
88	& Lake Walkway/Bikeway Project at Dorchester Park					
		<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
		2007	15	19 (c)	0	234,830

Description: It has been determined that a new Capital Improvement Project be established to fund the Whitney Point Community & Lake Walkway/Bikeway Project at Dorchester Park. The County's portion is anticipated to be in the form of in-kind services with any cash expenditure to come from the proceeds of the Hawkins Pond site sale.

and be it

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

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

**RESOLUTION NO. 113**

By Transportation and Rural Development Committee

Seconded by Mr. Garnar

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

WHEREAS, Mark R. Whalen, Chair of the Broome County Legislature, pursuant to the authority vested in him by Resolution 115 of 1944 and Resolution 27 of 1972, has duly designated and appointed the following named individual to membership on the Broome County Soil and Water Conservation District Board of Directors, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Steven R. Livingston 167 Hunts Corner Road Richford, NY 13835	New Appointment December 31, 2008 (Farm Bureau Rep.)

and

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

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

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

**RESOLUTION NO. 114**

By Finance Committee

Seconded by Mr. Hutchings

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

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

WHEREAS, said authorization expires on November 30, 2007, and

WHEREAS, Broome County wishes to have said authorization extended by the New York State Legislature for an additional two years to November 30, 2009, now, therefore, be it RESOLVED, that this County Legislature requests the New York State Legislature adopt an amendment to the Tax Law authorizing and empowering the County of Broome to impose an additional one percent Sales and Compensating Use Tax through November 30, 2009, and be it

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

Carried. Ayes-17, Nays-1 (Kuzel), Absent-1 (Shafer)

**RESOLUTION NO. 115**

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Garnar

**RESOLUTION AUTHORIZING ACCEPTANCE OF A DISASTER PREPAREDNESS INITIATIVES AND EMERGENCY MANAGEMENT PROGRAM GRANT FOR THE OFFICE OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2007**

WHEREAS, the Acting Director of Emergency Services requests authorization to accept a Disaster Preparedness Initiatives and Emergency Management Program Grant and adopt a

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program budget in the amount of \$60,160.80 for the period January 1, 2007 through December 31, 2007, and

WHEREAS, said program grant will support local disaster planning and preparedness purposes, including coordination of disaster preparedness plans and purposes with the Cities, Towns and Villages within the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$60,160.80 from the New York State Emergency Management Office, 1220 Washington Avenue, Building 22, Suite 101, Albany, New York 12226-2251 for the Office of Emergency Services Disaster Preparedness Initiatives and Emergency Management Program Grant for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$60,160.80, 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 Economic Development and Planning

Seconded by Mr. Garnar

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

WHEREAS, Mark R. Whalen, Chair of the Broome County Legislature, pursuant to the authority vested in him by Resolution 272 of 1991, hereby appoints, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Environmental Management Council for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Timothy P. Cleary	December 31, 2008
Ronald J. Keibel	December 31, 2008

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 272 of 1991, hereby confirms the appointments of the above-named individuals to membership on the Broome County Environmental Management Council for the terms indicated, in accordance with their appointment by the Legislative Chair.

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

#### **RESOLUTION NO. 117**

By Transportation and Rural Development

Seconded by Mr. Garnar

#### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE CORNELL COOPERATIVE EXTENSION ASSOCIATION**

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WHEREAS, Barbara J. Fiala, County Executive, pursuant to the authority vested in her by Section 2405 of the Broome County Charter and Code, has duly designated and appointed the following named individuals to membership on the Cornell Cooperative Extension Association, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Stephen D. Herz	December 31, 2008
Ronald J. Keibel	December 31, 2008

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 Section 2405 of the Broome County Charter and Code, hereby confirms the appointment of the above-named individuals to membership on the Cornell Cooperative Extension Association for the terms indicated, in accordance with their appointment by the County Executive.

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

### **RESOLUTION NO. 118**

By Transportation & Rural Development Committee

Seconded by Mr. Mather

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

WHEREAS, Mark R. Whalen, Chair of the Broome County Legislature, pursuant to the authority vested in him by Article 25AA of the Agriculture and Markets Law, has duly designated and appointed the following named individual(s) to membership on the Broome County Agricultural and Farm Land Protection Board, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
David A. Bradstreet 363 Perry Road Binghamton, NY 13905	December 31, 2008
Rita M. Petkash 608 Old Lane Road Vestal, NY 13850	December 31, 2008
Dewey A. Decker 123 NYS Route 41 Windsor, NY 13865	December 31, 2008
Glenn S. Winsor 2649 NYS Route 79 Harpursville, NY 13787	December 31, 2008
Stephen D. Herz 787 State Route 79 Windsor, NY 13865	December 31, 2008
Kevin Keough 185 Richards Road Chenango Forks, NY 13746	December 31, 2008
Niechelle Wade 4007 Rt. 26 Whitney Point, NY 13862	December 31, 2008

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April Lucas  
1335 River Rd  
Binghamton, NY 13901

December 31, 2008

Tonya Northrup  
McDowell-Walker  
PO Box 338 11 Mill St.  
Afton, NY 13730

December 31, 2008

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it  
RESOLVED, that this County Legislature, pursuant to the provisions of Article 25AA of the  
Agriculture and Markets Law, hereby confirms the appointment of the above-named individual(s)  
to membership on the Broome County Agricultural and Farm Land Protection Board for the  
terms indicated, in accordance with their appointment by the Legislative Chair.

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

### **RESOLUTION NO. 119**

By County Administration Committee

Seconded by Mr. Garnar

#### **RESOLUTION REQUESTING IMMEDIATE FINANCIAL ASSISTANCE FROM NEW YORK STATE AND THE FEDERAL GOVERNMENT TO AID THE CATASTROPHICALLY IMPACTED SCHOOL DISTRICTS OF BROOME COUNTY**

WHEREAS, the major flood of June, 2006, crippled many towns and school districts in  
Broome County, and

WHEREAS, hundreds of homes and businesses across multiple townships and school  
districts were destroyed or heavily damaged, and WHEREAS, this devastation has resulted in a  
catastrophic negative impact on the school tax base, and

WHEREAS, we do not want the taxpayers of these school districts, and more importantly,  
the students of these school districts, to suffer with additional consequences from this  
catastrophic flood, now, therefore, be it

RESOLVED, that this Broome County Legislature asks for the immediate assistance of the  
following State and Federal Representatives in obtaining additional financial aid for the  
catastrophically impacted school districts of Broome County:

U.S. Senator Charles E. Schumer

U.S. Senator Hillary Rodham Clinton

U.S. Representative Maurice D. Hinchey

Governor Eliot Spitzer

N.Y. State Senator Thomas W. Libous

N.Y. State Assemblyman Clifford W. Crouch

N.Y. State Assemblyman Gary D. Finch

N.Y. State Assemblywoman Donna A. Lupardo

N.Y. State Assemblyman Thomas F. O'Mara

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

### **RESOLUTION NO. 120**

By Economic Development and Planning Committee

Seconded by Mr. Hutchings

#### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE SOUTHERN TIER EAST REGIONAL PLANNING DEVELOPMENT BOARD**

WHEREAS, the Chair of the Broome County Legislature, pursuant to the powers vested in  
him by Resolution 230, adopted June 27, 1967, Resolution 416, adopted December 30, 1974,  
Resolution 48, adopted February 7, 1984, and Resolution 108, adopted March 31, 1987, has

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duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Southern Tier East Regional Planning Development Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Mark R. Whalen Chairman, Broome County Legislature	12/31/09
Jerome Knebel Broome County Commissioner of Finance	12/31/09
Henry D. Weissmann Broome County Commissioner of Public Works	12/31/09
Merry E. Harris 12 Cornell Ave Binghamton, NY 13903	12/31/09
Joseph M. Moody 1100 Irving Avenue Endicott, NY 13760	12/31/09
Alexis R. Dugon, E.I.T. 2005 NYS Route 79 Windsor, NY 13865	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 230, adopted June 27, 1967, Resolution 416, adopted December 30, 1974, Resolution 48, adopted February 7, 1984, and Resolution 108, adopted March 31, 1987, confirms the appointments of the above-named individuals to membership on the Southern Tier East Regional Planning Development Board for the terms indicated, in accordance with their appointment by the Chair of the Broome County Legislature.

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

#### **RESOLUTION NO. 121**

By Health and Human Services Committee

Seconded by Mr. Garnar

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

WHEREAS, Barbara J. 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 EXPIRING</u>
Jane Sweet 2 Alice Street Binghamton, New York 13901	New Appointment 12/31/10
Joelle Martyanik 525 Winston Drive Vestal, New York 13850	New Appointment 12/31/10

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William Parsons  
125 Pennsylvania Avenue  
Binghamton, New York 13903

New Appointment  
12/31/10

Kristen Ericksen  
318 Wilson Hill Road  
Binghamton, New York 13905

Reappointment  
12/31/10

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 appointment by the County Executive.

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

### **RESOLUTION NO. 122**

By Planning and Economic Development and Finance Committees

Seconded by Mr. Garnar

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH JIM MURRAY APPRAISAL SERVICE FOR APPRAISAL SERVICES AS PART OF THE INTERMODAL TRANSIT TERMINAL PROJECT**

WHEREAS, the Commissioner of Planning and Economic Development requests  
authorization for an agreement with Jim Murray Appraisal Service for appraisal services as part  
of the Intermodal Transit Terminal Project

WHEREAS, said services are necessary to acquire independent appraisals of properties,  
now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Jim  
Murray Appraisal Service, 36 Oakdale Rd., Johnson City, NY 13790, for appraisal services for  
independent appraisals of properties as part of the Intermodal Transit Terminal Project, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the  
Contractor an amount not to exceed \$7,500.00 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from  
budget line 225011.4545.501468 (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)**

Mr. Mather made a motion to adjourn, seconded by Mr. Hull. **Motion to adjourn carried.** The  
meeting was adjourned at 6:53 p.m.

