
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, JULY 18, 2002**

The Legislature convened at 4:04 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-0, Vacancy-1 (District 12).

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

Mr. Wike made a motion, seconded by Mr. Pasquale, that the minutes of the Regular Session of June 20, 2002 be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Vacant-1 (District 12).

Mr. Schofield noted that the committee minutes for the period June 14, 2002 through July 11, 2002 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Miller, seconded by Mr. Mather. **Carried**, Ayes-18, Nays-0, Vacant-1 (District 12).

ANNOUNCEMENTS FROM THE CHAIR

Chairman Schofield recognized the Participation in Government Class from Union-Endicott and Maine-Endwell School Districts.

Mr. Pasquale made a motion, seconded by Mr. Shafer, to suspend the rules to appoint Charlene Harvilla to the 12th District legislative seat and to act on Resolution No. 330, a resolution of condolence on the death of Deputy Sheriff Kevin Tarsia. **Motion to suspend the rules carried**, Ayes-18, Nays-0, Vacant-1 (District 12). Resolution No. 330 appears in sequential order below.

Mr. Pasquale made a motion, seconded by Mr. Howard, to appoint Charlene Harvilla to the District 12 legislative seat. **Motion carried**, Ayes-18, Nays-0, Vacancy-1 (District 12).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

- A. Appointments to the Willow Point Nursing Home Board of Directors.
- B. Appointment of Jay L. Wilber as Public Defender

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 - 1. Minutes:
 - a. Environmental Management Council
 - b. Soil and Water Conservation District
 - 2. Broome Community College
 - a. Recommended 2002-2003 Budget
 - 3. Environmental Management Council: letter soliciting nominations to fill vacancies on the Landfill Conservation Advisory Committee
 - 4. Solid Waste Management: electronics recycling collection data
 - 5. Parks and Recreation: Administrative Guidelines
 - 6. Broome County Democratic Committee: letter recommending the appointment of Andrew Kavulich to fill a vacancy in the 12th Legislative District

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7. Andrew Kavulich: letter withdrawing his name from consideration for appointment to the vacancy in the 12th Legislative District
 8. Audit and Control: Payroll Audit, Public Library, July 2002
- C. Notices:
1. Annual meeting of the Broome Tobacco asset Securitization Corporation, Friday, July 12, 2002, 2:30 p.m.
 2. Special meeting of the Economic Development and Planning Committee, Tuesday, August 6, 2002, 4:00 p.m., re: review of the draft Broome County Economic Development Plan
 3. Public Hearing: 2002-2003 Broome Community College Budget, Thursday, July 11, 2002, 5:00 p.m.
- D. Reports:
1. Annual Reports
 - a. PROBE
 - b. Office for Aging
 - c. Office of Emergency Services
 2. Community Emergency Preparedness in the 26th Congressional District
 3. Finance: Aviation Fund Quarterly Report of cash advances
 4. Broome Community College:
 - a. May 2002 Budget Transfers
 - b. Broome Community College: Above Minimum Hires, June 2002

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

1. Appointing the following Legislators for Patrick F. O'Day, Monday, July 8, 2002:
 - a. Education, Culture and Recreation Committee: William Miller as voting representative
 - b. Transportation Committee: George Kolba, Jr. as voting representative
2. Appointing Jane Sweet as Acting Chair for Brian Mather, Personnel Committee, Tuesday, July 9, 2002
3. Appointing Thomas Hull as voting representative for Arlene Nannery, Public Works Committee, Tuesday, July 9, 2002

Mr. Holley made a motion, seconded by Mr. Burger, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2002 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.
Carried.

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

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 239

(Held over by Mr. Burger)

By Public Work, Intergovernmental Relations and Finance Committees

Seconded by Mr. Holley

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TOWN OF FENTON FOR THE SALE OF SURPLUS PROPERTY FROM THE BROOME COUNTY DEPARTMENT OF PUBLIC WORKS. At the June Legislative Session Mr. Howard had made a motion, seconded by Mr. Shafer, to amend the resolution selling the equipment to the Town of Fenton for \$1. The resolution was then held over with the amendment on the floor. Mr. Pasquale made a motion, seconded by

Mr. Howard to remove the words "at fair market value of" from the third WHEREAS paragraph. **Mr. Pasquale's motion to amend carried. Mr. Howard's original motion to amend carried, Ayes-18, Nays-1 (Whalen). Resolution as amended carried.**

RESOLUTION NO. 256

(Held over by Mr. O'Day)

By Public Works Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH JENNINGS ENVIRONMENTAL MANAGEMENT, INC. FOR AIR QUALITY MONITORING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000-2002

Mr. O'Day made a motion, seconded by Ms. Hudak, to amend the resolution to change the third WHEREAS paragraph to read "...increase the amount \$10,000, total amount not to exceed \$40,000..." and change the first FURTHER RESOLVED to read "...an additional amount of \$10,000, total amount not to exceed \$40,000...". **Amendment failed, Ayes-7 (Hudak, Kolba, Miller, O'Day, Sweet, Wike, Schofield), Nays-12 (Brunza, Burger, Harvilla, Holley, Howard, Hull, Lindsey, Mather, Nannery, Pasquale, Shafer, Whalen).** Mr. Hull made a motion to call the question, seconded by Mr. Lindsey. **Motion to call the question failed, Ayes-2 (Hull, Lindsey), Nays-17.** Following discussion, Mr. Pasquale made a motion to call the question, seconded by Mr. Shafer. **Motion to call the question carried, Ayes-11 (Howard, Hull, Harvilla, Lindsey, Mather, Miller, Nannery, Pasquale, Shafer, Sweet, Whalen), Nays-8 (Brunza, Burger, Holley, Hudak, Kolba, O'Day, Wike, Schofield).** **Resolution as presented carried, Ayes-16, Nays-3 (Hudak, Kolba, O'Day).**

RESOLUTION NO. 296

(Automatic Hold Over)

By County Administration, Personnel and Finance

Seconded by Mr. Shafer

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5, 2002, ENTITLED: "A LOCAL LAW ELECTING A RETIREMENT INCENTIVE AS AUTHORIZED BY CHAPTER 69, LAWS OF 2002, FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF BROOME"

Carried.

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 298

By Finance and Public Works Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AGREEMENT FOR THE PURCHASE OF REAL PROPERTY ON LEEKVILLE ROAD IN THE TOWN OF BARKER

WHEREAS, the County is interested in purchasing areas around the Nanticoke Landfill for use as a buffer zone for the Landfill Expansion Project, and

WHEREAS, the property at 526 Leekville Road, Town of Barker, is adjacent to the Nanticoke Landfill and suitable for use as a buffer zone for the Landfill Expansion Project, and

WHEREAS, the owners of said property, Ronald J. and Katherine Kittridge, have agreed to sell said property to the County of Broome, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Ronald J. and Katherine Kittridge, 526 Leekville Road, Binghamton, New York 13905 for the purchase of real property located at 526 Leekville Road, Town of Barker, Tax Map No. 054.01-2-5, and be it

FURTHER RESOLVED, that in consideration of said purchase, the County shall pay Ronald J. and Katherine Kittridge an amount not to exceed \$91,000 for said property, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from budget line 235044.2001.502269 (Original Acquisition), and be it

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

Carried.

RESOLUTION NO. 301

By Education, Culture & Recreation and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RENEWAL OF LIBOUS CHILDREN'S PROGRAM GRANT FOR THE BROOME COUNTY PUBLIC LIBRARY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002

WHEREAS, this County Legislature, by Resolution 394 of 2001, authorized and approved the Libous Children's Program Grant for the Broome County Public Library and adopted a program budget in the amount of \$4,550 for the period July 19, 2001 through December 31, 2002, and

WHEREAS, said grant program provides funding to enable the Broome County Public Library and each of the City of Binghamton Branch Libraries (Foundry Plaza, Ben Franklin and South Branch) to provide enhanced service to youth, including programs that will be provided as part of the regular summer reading programs at the Branch locations and as part of the Fall reading program at the Central Library, and

WHEREAS, it is desired to renew said grant program in the amount of \$5,970 for the period June 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,970 from special New York State Senate funding through Senator Thomas W. Libous, for the Broome County Central Library and City of Binghamton Branch Libraries' Libous Children's Program Grant for the period July 19, 2001 through December 31, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$5,970, and be it

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

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

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

Carried.

RESOLUTION NO. 302

By Public Works and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH NORTHEAST SCALE CO., INC. FOR THE PURCHASE OF SOFTWARE FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2001-2002

WHEREAS, this County Legislature, by Resolution 658 of 2001, authorized an agreement with Northeast Scale Co., Inc. for the purchase of the SMS Turbo software, including setup and training, for the Division of Solid Waste Management at a cost of \$20,217 for the period December 1, 2001 through December 1, 2002, and

WHEREAS, said agreement provides the software that is necessary to upgrade the Scale Management System from the DOS-based program used by the County at the Nanticoke Landfill to a Windows-based version, and

WHEREAS, it is necessary to authorize an amendment to said agreement to increase the contract amount by \$5,473.99, total amount not to exceed \$25,691.49, to cover unanticipated installation costs that include additional consulting hours during the initial visit and the requirement for a second visit to reinstall the pervasive client/server product, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Northeast Scale Co., Inc., 88 Priscilla Lane – Unit 3, Auburn, New Hampshire 03032 to increase the contract amount by \$5,473.99 to cover unanticipated installation costs, for the Division of Solid Waste Management for the period December 1, 2001 through December 1, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$25,691.49, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4359.206000 (Computer Software and Supplies), and be it

FURTHER RESOLVED, that Resolution 658 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 303

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT, FOR COURT SECURITY SERVICES FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 364 of 2001, authorized renewal of the agreement with the Unified Court System of New York State, Sixth Judicial District, for court security services with revenue to the County in the amount of \$640,000, for the period April 1, 2001 through March 31, 2002, and

WHEREAS, said services are necessary for maintaining security in Supreme Court, County Court, Family Court and Binghamton City Court, and

WHEREAS, said agreement expired by its terms on March 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$685,000, for the period April 1, 2002 through March 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Unified Court System of the State of New York, Sixth Judicial District, State Office Building, 44 Hawley Street, Binghamton, New York 13901 for court security services for the period April 1, 2002 through March 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the Unified Court System of the State of New York, Sixth Judicial District, shall pay to the County of Broome the sum of \$685,000 for reimbursement of allowable costs incurred by the County of Broome in providing the services required under the terms of this agreement, and be it

FURTHER RESOLVED, that the revenue realized pursuant to such agreement shall be credited to budget line 031450.0038.101000 (Security Services), and be it

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

Carried.

RESOLUTION NO. 304

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH ZIMMET-SOLOMON HEALTHCARE CONSULTING, LLC FOR REVENUE CYCLE AUDIT SERVICES FOR WILLOW POINT NURSING HOME FOR 2002

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization for an agreement with Zimmet-Solomon Healthcare Consulting, LLC for revenue cycle audit services for Willow Point Nursing Home at a cost not to exceed \$17,500, for the period July 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to verify the accuracy of all claims submitted by Willow Point Nursing Home to public and private health insurance programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Zimmet-Solomon Healthcare Consulting, LLC, 4006 Route 9 South, Morganville, New Jersey 07751, for revenue cycle audit services, for the Willow Point Nursing Home for the period July 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$17,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010.4722.204000 (Audit Fees), and be it

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

Carried.

RESOLUTION NO. 305

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH BUCK ENVIRONMENTAL LABS, INC. FOR PROFESSIONAL LABORATORY SERVICES FOR DEPARTMENT OF HEALTH FOR 2002-2003

WHEREAS, the Director of Public Health requests authorization for an agreement with Buck Environmental Labs, Inc. for professional laboratory services for the Department of Health at a cost not to exceed \$4,360, for the period July 18, 2002 through March 31, 2003, and

WHEREAS, said services are necessary to monitor for terrorism agents and special beach water analysis in support of the Health Department's Water Supply Program, and

WHEREAS, said services shall be performed in addition to the Department of Health's existing surveillance sampling currently being performed, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Buck Environmental Labs, Inc., 3821 Buck Drive, Cortland, New York 13045-5150, for professional laboratory services, for the Department of Health for the period July 18, 2002 through March 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,360 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be \$2,280 from budget line 480137.4703.101000, and \$2,080 from budget line 480301.4703.104648 (Laboratory Services), and be it

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

Carried.

RESOLUTION NO. 306

By Health Services, Community & Social Services and Finance Committees
Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY, INC. FOR DRUG TESTING SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2002

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with The Addiction Center of Broome County, Inc. for specific drug testing services for the Department of Mental Health at a cost of \$5 per test, total amount not to exceed \$4,500, for the period July 1, 2002 through December 31, 2002, and

WHEREAS, said services are necessary to perform specific drug testing that includes monitored urine screen testing performed at the request of the Department of Social Services Child Protective Services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Addiction Center of Broome County, Inc., 455 State Street, Binghamton, New York 13901, for specific drug testing services for the Department of Mental Health for the period July 1, 2002 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5 per test, total amount not to exceed \$4,500, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470021.4747.101000 (Other Fees For Services), and be it

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

Carried.

RESOLUTION NO. 307

By Personnel and Public Safety & Emergency Services Committee Seconded by Mr. O'Day

RESOLUTION CONFIRMING THE APPOINTMENT OF JAY L. WILBER AS BROOME COUNTY PUBLIC DEFENDER

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the authority vested in him by Article XXII, Section 2201 of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, Jay L. Wilber, 3714 Highview Drive, Endicott, New York 13760 as Broome County Public Defender at the minimum annual salary of \$91,536 (AT6), effective July 18, 2002, and

WHEREAS, Jay L. Wilber is fully qualified to fill the position of Public Defender, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article XXII, Section 2201 of the Broome County Charter to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, hereby confirms the appointment of Jay L. Wilber as Broome County Public Defender, effective July 18, 2002, in accordance with his appointment by the County Executive.

Carried.

RESOLUTION NO. 308

By Finance Committee Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ADJUSTMENT OF REAL PROPERTY TAXES ON A PARCEL IN THE TOWN OF LISLE

WHEREAS, it is necessary to adjust the tax records of this parcel of real property by virtue of the reason stated below, now, therefore, be it

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

Parcel ID: 018.04-1-13.1
Town/Village: Town of Lisle
Owner: Margaret Landers and Roberta Dunham
Amount to be Adjusted: From \$695.12 to \$28.59
Reason: Property assessment was incorrect. Property was assessed at \$60,000 and it should have been assessed at \$2,000

Carried.

RESOLUTION NO. 309

By County Administration Committee Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RECEIPT OF CHECK IMAGES FROM BSB BANK AND TRUST FOR THE OFFICE OF THE COUNTY CLERK

WHEREAS, the County Clerk requests authorization to receive and retain check images from BSB Bank and Trust in lieu of cancelled checks, and

WHEREAS, such check images show both sides of each check and are considered the equivalent of original cancelled checks for purposes of record keeping and auditing requirements, and

WHEREAS, whenever a local government or any of its officers is required to receive, retain and/or produce for examination or audit a cancelled check, the local government, if so authorized, may receive, retain and/or produce proper alternative documentation in the form of check images, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the receipt and retainage of check images from BSB Bank and Trust in lieu of cancelled checks, and be it

FURTHER RESOLVED, any local government in Broome County may, if so authorized by the governing body of said local government, receive, retain and/or produce proper alternative documentation in the form of check images in lieu of cancelled checks, and be it

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

Carried.

RESOLUTION NO. 310

By Finance Committee Seconded by Mr. Miller
BOND RESOLUTION DATED JULY 18, 2002
A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,700,000 BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY THE ADDITIONAL COSTS ASSOCIATED WITH THE LANDFILL PUBLIC WATER SUPPLY

BE IT RESOLVED, by the County Legislature of the County of Broome, New York, as follows:

Section 1. The following are the classes of objects or purposes or specific objects or purposes to be financed by the County of Broome, New York, pursuant to this resolution, the maximum estimated costs thereof, and the subdivisions of Section 11.00(a) of the Local Finance Law and periods of probable usefulness applicable thereto:

Project Name/P.P.U./L.F.L. Section 11.00
Landfill Public Water Supply (40 years, sub 1)

Maximum Estimated Cost
\$8,900,000

NOTE: (\$6,200,000 OF BONDS FOR THIS PROJECT PREVIOUSLY
AUTHORIZED BY RESOLUTION 55 OF 1999)

Section 2. SEQR DETERMINATION. It is hereby declared to be the intent of this County Legislature that the projects listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act (SEQR), to the extent applicable, to ensure that said proposed projects are in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process.

Section 3. The aggregate maximum estimated cost of the aforesaid classes of objects or purposes or specific objects or purposes is \$8,900,000 and the plan for the financing thereof is by the issuance of \$8,900,000 bonds of said County, hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provision of the Local Finance Law.

Section 6. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest of such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried, Ayes-13, Nays-6 (Harvilla, Mather, O'Day, Pasquale, Sweet, Whalen).

RESOLUTION NO. 311

By Economic Development & Planning, County Administration and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF A WORKFORCE INVESTMENT ACT (WIA) HANDICAPPED ACCESSIBLE WORKSTATIONS GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002

WHEREAS, the Director of Employment and Training requests authorization to accept a Workforce Investment Act (WIA) Handicapped Accessible Workstations Grant and adopt a program budget in the amount of \$10,000 for the period January 1, 2002 through June 30, 2002, and

WHEREAS, said grant program provides funding for the purchase of handicapped accessible workstations equipment necessary to serve the disabled customer, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,000 from New York State Department of Labor, Workforce Development and Training Division, Building 12, Room 450, Governor W. Averell Harriman State Office Building Campus, Albany, New York 12240 for the Office of Employment and Training's Workforce Investment Act (WIA) Handicapped Accessible Workstations Grant for the period January 1, 2002 through June 30, 2002, 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 \$10,000, and be it

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

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

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

Carried.

RESOLUTION NO. 312

By Economic Development & Planning and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING ACCEPTANCE OF A 2002 TANF SUMMER YOUTH PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH TIOGA COUNTY FOR 2002

WHEREAS, the Director of Employment and Training requests authorization to accept a 2002 TANF Summer Youth Program Grant, to adopt a program budget in the amount of \$192,325 and to enter into an agreement with Tioga County to administer a portion of said program for the period April 1, 2002 through September 31, 2002, and

WHEREAS, said grant program provides full wage subsidy paid summer employment to youth (ages 14-19) participants from income-eligible families in Broome and Tioga Counties, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$192,325 from the New York State Department of Labor, State Office Building Campus, Albany, New York 12240 for the Office of Employment and Training's 2002 TANF Summer Youth Employment Program Grant for the period April 1, 2002 through September 31, 2002, 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 \$192,325, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves the allocation of \$28,426 to Tioga County to administer a portion of said program grant in Tioga County for the period April 1, 2002 through September 31, 2002, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 720730.4538.308XXX (Tioga County), and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) 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.

RESOLUTION NO. 313

By Health Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RENEWAL OF THE JUVENILE ACCOUNTABILITY INCENTIVE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 403 of 2001, authorized and approved the Juvenile Accountability Incentive Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$28,230 and authorizing an agreement with Our Lady of Lourdes Hospital to administer said program for the period September 1, 2001 through August 31, 2002, and

WHEREAS, said grant program's focus is to hold juveniles and their families accountable for abusive behaviors. The objectives are to reduce new offenses and court involvement by

program participants who have successfully completed the family accountability program as well as reduce placements in non-secure detention facilities, and

WHEREAS, it is desired to renew said grant program in the amount of \$27,662, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period September 1, 2002 through September 30, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$27,662 from the State of New York, Division of Criminal Justice Services, Four Tower Place, Albany, New York 12203-3764, for the Department of Mental Health's Juvenile Accountability Incentive Program Grant for the period September 1, 2002 through September 30, 2003, 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 \$27,662, and be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 to administer said program grant for the period September 1, 2002 through September 30, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$27,662 for the term of the agreement, and be it

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

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

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

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

Carried.

RESOLUTION NO. 314

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

RESOLUTION AUTHORIZING AN AGREEMENT WITH NEW WORLD SYSTEMS FOR SOFTWARE LICENSING AND RELATED SERVICES FOR THE OFFICE OF THE SHERIFF'S MOBILE COMPUTING SYSTEM FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2002-2003

WHEREAS, the Director of Information Technology requests authorization for an agreement with New World Systems for software licensing and related services for the Office of the Sheriff's mobile computing system for the Division of Information Technology at a cost not to exceed \$136,400, for the period August 1, 2002 through July 31, 2003, and

WHEREAS, said agreement is necessary for software licensing, project management, installation and training for the Office of the Sheriff's mobile computing system, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New World Systems, 888 West Big Beaver Road, Suite 1100, Troy, Michigan 4084-4749, for software licensing and related services, for the Office of the Sheriff's mobile computing system for the Division of Information Technology for the period August 1, 2002 through July 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$103,700 for the software licensing and \$32,700 for project management services, installation and training, total amount not to exceed \$136,400, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be \$103,700 from budget line 450080.4515.104438 (Software Rental) and \$32,700 from budget line 450080.4726.104438 (Contracted Data Processing), and be it

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

Carried.

RESOLUTION NO. 315

By Community & Social Services, Health Services, Personnel, and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF THE TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) EARLY CHILDHOOD COORDINATOR PROJECT GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002

WHEREAS, this County Legislature, by Resolution 215 of 2001, authorized and approved acceptance of the state-approved TANF Services Block Grant Funds through the Department of Social Services for the Department of Health's Early Childhood Coordinator Project and adopted a program budget in the amount of \$64,935 for the period January 1, 2001 through December 31, 2001, and

WHEREAS, the County Executive authorized to extend the term of the agreement to June 30, 2002 for the purpose of expending unexpended grant funds, and

WHEREAS, said grant program improves birth outcomes, parenting skills and educational readiness of children ages birth to five years through coordination and development of community initiatives and programs serving these children and their families, and

WHEREAS, it is desired to renew said grant program in the amount of \$28,841 for the period July 1, 2002 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$28,841 from Broome County Department of Social Services, 36 Main Street, Binghamton, New York 13905, for the Department of Health's TANF Early Childhood Coordinator Project Grant for the period July 1, 2002 through December 31, 2002, 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 \$28,841, and be it

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

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

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

Carried.

RESOLUTION NO. 316

By Community & Social Services, Personnel and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING RENEWAL OF THE DAY CARE HOMES REGISTRATION PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 372 of 2001, authorized the continued participation in the Day Care Homes Registration Grant for the Department of Social Services and adopted a program budget in the amount of \$175,000 for the period August 1, 2001 through July 31, 2002, and

WHEREAS, said grant program provides registration and inspection, including investigations and enforcement referrals, of family day care homes and school-age child care programs on the local level, and

WHEREAS, it is desired to renew said grant program in the amount of \$186,000 for the period August 1, 2002 through July 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$186,000 from the New York State Office of Children and Family Services, Bureau of Early Childhood Services, 52 Washington Street, Riverview Center, 6th Floor, Rensselaer, New York 12144, for the Department of Social Services Day Care Homes Registration Grant for the period August 1, 2002 through July 31, 2003, 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 \$186,000, and be it

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

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

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

Carried.

RESOLUTION NO. 317

By Community & Social Services, Personnel and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING REVISION OF THE TANF SERVICES BLOCK GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2001-2002

WHEREAS, this County Legislature, by Resolution 215 of 2001, as amended by Resolution 224 of 2002, authorized the continued participation in Broome County's OTDA-approved TANF Services Plan, and authorized the TANF Services Block Grant for the Department of Social Services and adopted a program budget in connection therewith in the total amount of \$1,373,413 for the period January 1, 2001 through December 31, 2002, and

WHEREAS, said grant program is designed to assist TANF recipients to achieve self-sufficiency and transition from welfare to work, and focuses on families, youths, domestic violence, and drug and alcohol screening rehabilitation, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$467,529 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the TANF Services Block Grant to reflect an increase of \$467,529 for the period January 1, 2001 through December 31, 2002, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$1,840,942, and be it

FURTHER RESOLVED, that Resolution 215 of 2001 and Resolution 224 of 2002, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

Carried.

RESOLUTION NO. 318

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK WORKS BLOCK GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002

WHEREAS, the Commissioner of Social Services requests authorization to accept a New York Works Block Grant and adopt a program budget in the amount of \$77,096 for the period July 1, 2002 through September 30, 2002, and

WHEREAS, said grant program provides employment, training and job search programs to Temporary Assistance to Needy Families (TANF) recipients, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$77,096 from New York State Department of Labor, Welfare-to-Work Division, Harriman State Office Building Campus, Building 12, Room 228, Albany, New York 12240 for the Department of Social Services New York Works Block Grant for the period July 1, 2002 through September 30, 2002, 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 \$77,096, and be it

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

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

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

Carried.

RESOLUTION NO. 319

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON VARIOUS PARCELS IN VARIOUS TOWNS

WHEREAS, it is necessary to clear the tax records of certain parcels of real property by virtue of the reasons stated in Exhibit "A", now, therefore, be it

RESOLVED, that taxes, accrued interest and penalties will be cancelled on the parcels of real property as shown in Exhibit "A".

Carried.

RESOLUTION NO. 320

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH EASTERN COPY PRODUCTS FOR THE LEASE AND RELATED SERVICE AGREEMENT FOR A DIGITAL COPIER FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF SOLID WASTE MANAGEMENT FOR 2002-2007

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Eastern Copy Products for the lease and related service agreement for a digital copier for the Department of Public Works, Division of Solid Waste Management at a cost not to exceed \$190.44 per month, total cost not to exceed \$11,426.40, with an overage rate of \$.0055 per copy when applicable, for the period August 1, 2002 through July 31, 2007, and

WHEREAS, the Division of Solid Waste Management is in need of a copier for the downtown office to replace the Xerox copier purchased in 1994, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Eastern Copy Products, 423 Commerce Road, Vestal, New York 13850, for a lease and service agreement for a digital copier for the Department of Public Works, Division of Solid Waste Management, for the period August 1, 2002 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 \$190.44 per month, total cost not to exceed \$11,426.40, with an overage rate of \$.0055 per copy when applicable, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230060.4518.206000 (Copying Machine Rentals), and be it

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

Carried.

RESOLUTION NO. 321

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ABANDONMENT OF A PORTION OF NEW HYDE STREET IN THE TOWN OF BARKER

WHEREAS, James E. and Anne-Marie Hilderbrant have requested that the County of Broome abandon a portion of New Hyde Street in the Town of Barker, which adjoins their property, pursuant to Section 118A of the New York State Highway Law, and

WHEREAS, the Department of Public Works has reviewed the proposed abandonment and has determined that the County has no present or future use for the area described on the attached map as the area described as part of the old road bed which is no longer utilized by the County due to reconstruction in the area, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the abandonment of a portion of New Hyde Street in the Town of Barker to James E. and Anne-Marie Hilderbrant, 8 Parsons

Drive South, Whitney Point, New York 13862 as the adjoining owner thereof, said property being as described on the annexed Exhibit "A", and be it

FURTHER RESOLVED, that the abandonment of right-of-way requested herein shall not affect the right-of-way for existing utilities within the abandoned area, and be it

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

Carried.

RESOLUTION NO. 322

By Transportation and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH BRIDGESTONE/FIRESTONE, INC., DIVISION OF MILEAGE SALES, FOR LEASE OF BUS TIRES FOR THE DEPARTMENT OF TRANSPORTATION FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 339 of 1999, authorized an agreement with Bridgestone/Firestone, Inc., Division of Mileage Sales, for lease of bus tires for the Department of Transportation at an amount not to exceed \$38,502 per year, for the period August 1, 1999 through July 31, 2002, and

WHEREAS, said services provided with a lease agreement are more cost effective than purchase, and

WHEREAS, said agreement expires by its terms on July 31, 2002, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at an increased amount due to extended hours and Sunday service, total amount not to exceed \$45,000, for the period August 1, 2002 through July 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Bridgestone/Firestone, Inc., Division of Mileage Sales, 1200 Firestone Parkway, Akron, Ohio 44317-0001, for lease of bus tires for the period August 1, 2002 through July 31, 2003, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 220004.4348.203115 (Tires and Tubes), and be it

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

Carried.

RESOLUTION NO. 323

By Personnel, Economic Development and Planning, Transportation and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR EMPLOYMENT AND TRAINING AND TRANSIT

RESOLVED, that in accordance with a request from the Director of Employment and Training as contained in PCR#02-285, this County Legislature hereby authorizes abolishment of (1) Sr. Employment and Training Counselor position, Full Time, at budget line 720722.1000.308112, minimum salary of \$28,594, grade 15, Union CSEA, and the creation of (1) Employment and Training Counselor position, Full Time, at budget line 720722.1000.308112, minimum salary of \$27,196, grade 14, Union CSEA effective date 7/1/02.

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Public Transportation as contained in PCR#02-291, this County Legislature hereby authorizes the creation of (1) Program Assistant position, Full Time, at budget line 225029.1000.213004, (JARC/TANF - TRANSIT GRANT) minimum salary of \$22,291, grade 10, Union CSEA, effective date 7/22/02.

Carried.

RESOLUTION NO. 324

By Finance and Public Safety & Emergency Services Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR PROBATION

RESOLVED, that in accordance with a request from the Director of Probation in order to increase State Aid and decrease Transfer from General fund revenue, as requested in BF# 0001986, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds for 2002:

	<u>Index</u> <u>code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
Decrease:	280065	0227	104624	Transfer From General Fund	11,800
Increase:	280065	0258	104624	Intensive Supervision (State Aid)	11,800

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

Carried.

RESOLUTION NO. 325

By County Administration and Finance Committee Seconded by Mr. O'Day
RESOLUTION AUTHORIZING AGREEMENT WITH BIELS INFORMATION TECHNOLOGY SYSTEMS FOR BACK SCANNING FOR BACK FILE CONVERSION SERVICES FOR THE COUNTY CLERK FOR 2002

WHEREAS, the County Clerk requests authorization for an agreement with Biels Information Technology Systems for back scanning for back file conversion services for the County Clerk at a cost not to exceed \$80,000, for a four month period beginning on or about August 1, 2002, and

WHEREAS, said services are necessary to expand public internet access, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Biels Information Technology Systems, 1201 Indian Church Road, Buffalo, New York 14224-1383, for back scanning done off-site for back file conversion services, for the County Clerk for a four month period beginning on or about August 1, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$80,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300012.4359.101000 (Computer Software and Supplies), and be it

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

Carried.

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

Carried.

RESOLUTION NO. 327

By Transportation and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH MARSH USA FOR INSURANCE COVERAGE FOR THE BINGHAMTON REGIONAL AIRPORT FOR 2001-2004

WHEREAS, this County Legislature, by Resolution 301 of 2001, authorized an agreement with MARSH USA to broker insurance coverage for the Binghamton Regional Airport at an amount not to exceed \$35,250 per year for the period July 1, 2001 through June 30, 2004, and

WHEREAS, the attacks on the World Trade Center and the Pentagon on September 11, 2001 caused large losses in the insurance industry, especially for insurers providing coverage for airport owners and operators, and

WHEREAS, ACE USA, the insurer providing the coverage for the Binghamton Regional Airport pursuant to the brokerage agreement with MARSH USA, has, as a result of the said losses incurred, and, pursuant to the terms of the policy, increased the annual premium to \$50,270 effective July 1, 2002 and notified the County on July 2, 2002, and

WHEREAS, the Manager of Risk and Insurance as a result of said premium increase requests authorization to amend said agreement to increase the premium to \$50,270 per year for insurance for the Binghamton Regional Airport for the term July 1, 2002 through June 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with MARSH USA, 300 State Street, 3rd Floor, Syracuse, New York 13221 for insurance coverage for the Binghamton Regional Airport for the period July 1, 2002 through June 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$50,270 per year, total amount not to exceed \$100,540 for the remaining term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4521.254000 (Insurance Premiums), and be it

FURTHER RESOLVED, that Resolution 301 of 2001, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 328

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AGREEMENT WITH TIPPERARY HILL, INC. FOR LEASE OF A PARKING AREA AT THE BROOME COUNTY LANDFILL FOR 2002-2012

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Tipperary Hill, Inc. for the lease of a six-acre site at the Broome County Landfill for use as a parking area for Tipperary Hill patrons, for the period August 1, 2002 through July 31, 2012, lease payments to be \$600 the first year with CPI increases for the additional years, and

WHEREAS, said lease provides a parking area for the Tipperary Hill Picnic Grounds, subject to the terms and conditions as specified by the Division of Solid Waste Management, now, therefore, be it

RESOLUTION NO. 330

By All Members

Seconded by Ms. Hudak

RESOLUTION OF CONDOLENCE ON THE DEATH IN THE LINE OF DUTY OF BROOME COUNTY DEPUTY SHERIFF KEVIN J. TARSIA

WHEREAS, Deputy Kevin J. Tarsia was killed in the line duty on our Nation's Independence Day, July 4, 2002, and

WHEREAS, the death of Deputy Tarsia made him the first member of the Office of the Broome County Sheriff to sacrifice his life protecting and preserving the rights of the people of Broome County since the Broome County's Sheriff's Office was established in 1806, and

WHEREAS, Deputy Tarsia paid the supreme sacrifice of a Law Enforcement Official when he surprised a group of individuals believed to be involved in an illegal activity, and

WHEREAS, there is no greater sign of heroism from a police officer than to have him lay down his life for his fellow man, and

WHEREAS, Deputy Tarsia joins the long blue-gray line of gallant heroes who have given their lives in the line of duty so that the rest of us may live in the peace and security that shields us from harm's way, and

WHEREAS, Deputy Tarsia was a dedicated police officer, a devoted man to his family and friends, a man of nature, a lover of animals, a man committed to all the things that made him, his family and friends happy by enjoying the gifts and dreams they enjoyed during his brief life with them, and

WHEREAS, Deputy Tarsia was on the verge of marriage, ready to take the next step to the next level of commitment and love for all those things he had dreamed would soon be his, now, therefore, be it

RESOLVED, the members of this County Legislature hereby recognize the loss of Deputy Kevin J. Tarsia and extend their sincere sympathy to his family, his fiancé and his friends, and be it

FURTHER RESOLVED, the members of this County Legislature salute Deputy Kevin J. Tarsia, the hero who gave his life in the line of duty for our safety and our protection, for his dedicated service to our County and for a "job well done" for the people of Broome County for the past 13 years, and be it

FURTHER RESOLVED, this County Legislature invites all of the Citizens of Broome County to honor Deputy Kevin J. Tarsia for his heroism and his dedication to our service as he joins for the ages that long blue-gray line of law enforcement heroes who have sacrificed their lives for our peace and security.

Carried.

Mr. Pasquale made a motion to adjourn, seconded by Mr. Howard. **Motion to adjourn carried.**
The meeting was adjourned at 5:18 p.m.



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