
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
WEDNESDAY, AUGUST 20, 2003**

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

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

Mr. Kolba made a motion, seconded by Mr. Marinich, that the minutes of the Regular and Special Sessions of July 17, 2003 be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Burger).

Mr. Schofield noted that the committee minutes for the period July 17, 2003 through August 20, 2003 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. Wike, seconded by Mr. Miller. **Carried**, Ayes-18, Nays-0, Absent-1 (Burger).

ANNOUNCEMENTS FROM THE CHAIR

- A. Economic Development & Planning Committee will conduct a Public Hearing on Consolidation of Agricultural District #5 on October 7, 2003 at 4:00 p.m.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Jeffrey P. Kraham:
1. Appointments to the Broome-Tioga Workforce Development Board

On behalf of Jeffrey P. Kraham, Terrence M. Kane, Deputy County Executive, read a Broome County Proclamation naming August 21, 2003 Broome County Transit Safe Driver 2002 Day and presented said proclamation to Arnold Bennett and James Pitcher, who accepted it on behalf of the 52 Broome County Coach Operators who have demonstrated exemplary safe driving records.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
1. Minutes
 - a. Broome County Soil and Water Conservation District 7/1/03
 - b. EMC Natural Resources Committee 6/19/03
 - c. EMC Recycling & Waste Management Committee 6/24/03
 2. Tioga County Legislature-Resolution-Agreement to Hold Joint Auction with Broome County
 3. Division of Solid Waste Management-Follow up letter to Lois Dilworth, Chairperson for the CAC, concerning the BC Landfill Permit Modification
 4. Letter from Stearns & Wheler-SEQRA Positive Declaration, NYSDEC Region 7, BC Landfill Permit Modification
 5. State Board of Real Property-2003 State Equalization Rate-Town of Union
 6. Letter from William Gibson-Living Wage Law
 7. Letter from NYS Department of Agriculture and Markets-Request for Proposals for Agricultural and Farmland Protection Projects

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8. Tioga County Legislature-Resolution-Legislators Oppose Legislation Which Limits Eligibility Benefits Through Veterans Administration

C. Notices:

1. Special Finance and County Administration meeting 7/17/03
2. Special Session 7/17/03

D. Reports:

1. Audit and Control-Quarterly Accounts Receivable Analysis 7/2003
2. Audit and Control-Payroll Audit –County Clerk 7/2003
3. Audit and Control-Fleet Management Division Audit 7/2003
4. Department of Finance-Second Quarter Report-2003 Sales Tax Collections
5. Personnel-Monthly Attrition 5/03
6. BCC-Above Minimum Hire 6/03
7. BCC -Above Minimum Hire 7/03
8. BCC-Budget Transfers 6/03
9. BCC-Adopted Budget 2003-2004
10. Broome County Soil and Water Conservation District Annual Report 2002
11. Department of Parks and Recreation Annual Report 2002
12. CASA-Nursing Home to Community Initiative 7/03
13. Law Department Annual Report 2002

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

1. Designations for W. Howard and M. Whalen 7/17/03
2. Designations for W. Howard 8/14/03
3. Designations for B. Mather 8/13/03 and 8/14/03
4. Designations for M. Whalen 8/11/03 & 8/14/03 and W. Miller 8/13/03

Mr. Kuzel made a motion, seconded by Mr. Reynolds, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2003 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 (Burger).

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

RESOLUTIONS INTRODUCED AT THIS SESSION

Mr. Schofield asked Mr. Shafer to read the Resolution of Condolence for Joseph Griffen. The resolution carried unanimously. (Resolution appears in its entirety in numerical order below.)

RESOLUTION NO. 321

By Health & Human Services Committee

Seconded by Mr. Kolba

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

WHEREAS, Jeffery P. Kraham, Broome County Executive, pursuant to the authority vested in him by Resolution 70 of 1984, 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>
Michael W. Lurie	New Appointment
501 Midvale Lane	Term Expires 12/31/07
Vestal, New York 13850	

Kristen Ericksen
311 Wilson Avenue
Endwell, New York 13760

New Appointment
Term Expires 12/31/06

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 70 of
1984 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 (Burger).

RESOLUTION NO. 322

By Public Works and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING AN ENCROACHMENT AGREEMENT WITH THE NEW YORK STATE ELECTRIC AND GAS CORPORATION

WHEREAS, the Commissioner of Public Works requests authorization for an
encroachment agreement with New York State Electric and Gas Corporation (NYSEG) for a
waterline through a NYSEG easement in the Town of Maine for the Division of Solid Waste
Management at a cost not to exceed \$1,000, and

WHEREAS, said agreement is necessary to install a buried water line at water tank site
No. 3 through a NYSEG easement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an encroachment agreement
with New York State Electric and Gas Corporation, 4425 Old Vestal Road, P.O. Box 3607,
Binghamton, New York 13902-3607, for a buried water line in the Town of Maine, as more fully
described in a map attached hereto as Exhibit "A," for the Division of Solid Waste Management,
and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the
Contractor an amount not to exceed \$1,000 for the aforesaid encroachment, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from
budget line 235036.2014.501345 (Water and Sewer Lines), and be it

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

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

RESOLUTION NO. 323

By County Administration and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING RENEWAL OF AN INTERMUNICIPAL AGREEMENT BETWEEN BROOME COUNTY DIVISION OF INFORMATION TECHNOLOGY AND THE VILLAGE OF ENDICOTT POLICE DEPARTMENT FOR COMPUTER AND NETWORK MAINTENANCE SERVICES FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 413 of 2002, authorized an intermunicipal
agreement between the Village of Endicott Police Department and the Broome County Division of
Information Technology for computer and network configuration and maintenance services for an
amount not to exceed \$6,600, for the period September 1, 2002 through August 31, 2003, and

WHEREAS, said services will provide the Village of Endicott Police Department routine
maintenance of personal computers, peripherals, network equipment and, if available, limited
computer training, and

WHEREAS, said agreement expires by its terms on August 31, 2003 and it is desired at this time to renew said intermunicipal agreement on substantially similar terms and conditions, for an amount not to exceed \$3,400, for the period September 1, 2003 through August 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the intermunicipal agreement between the Village of Endicott Police Department and the Broome County Division of Information Technology, to provide routine maintenance of personal computers, peripherals, network equipment and, if available, limited computer training, for the period September 1, 2003 through August 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall receive payment from the Village of Endicott Police Department an amount not to exceed \$3,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 370007.0027.101000 (Miscellaneous Data Processing Services), and be it

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

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

RESOLUTION NO. 324

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Kolba
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT, FOR COURT SECURITY SERVICES FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 303 of 2002, as amended by Resolution 110 of 2003, 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 \$720,000, for the period April 1, 2002 through March 31, 2003, 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, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$803,800, for the period April 1, 2003 through March 31, 2004, 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, 2003 through March 31, 2004, 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 \$803,800 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, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 325 not acted upon.

RESOLUTION NO. 326

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Kolba
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WEST GROUP (WESTLAW)
FOR ON-LINE LEGAL RESEARCH SERVICES FOR THE OFFICE OF THE PUBLIC
DEFENDER FOR 2003-2004**

WHEREAS, this County Legislature, by Resolution 375 of 2002, authorized an agreement with West Group (Westlaw) for on-line legal research services for the Office of the Public Defender at an amount not to exceed \$9,480, for the period July 1, 2002 through June 30, 2003, and

WHEREAS, said services are necessary to provide on-line legal research capability for the attorneys assigned to the Office of the Public Defender, and

WHEREAS, said agreement expired by its terms on June 30, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$14,220, for the period July 1, 2003 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with West Group, 610 Opperman Drive, Eagan, MN 55123 for on-line legal research services for the Office of the Public Defender, for the period July 1, 2003 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,220 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 530006.4311.101000 (Books and Subscriptions), and be it

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

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

RESOLUTION NO. 327

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

**RESOLUTION AUTHORIZING RENEWAL OF THE INTEGRATED COUNTY PLANNING
PROGRAM GRANT FOR THE YOUTH BUREAU, ADOPTING A PROGRAM BUDGET IN
CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH THE UNITED WAY
FOR CONSULTING SERVICES FOR 2003**

WHEREAS, this County Legislature, by Resolution 672 of 2001, authorized and approved the Integrated County Planning Program Grant for the Youth Bureau, adopted a program budget in the amount of \$81,250 and authorized an agreement with the United Way for consulting services for an amount not to exceed \$37,500 for the period October 1, 2001 through December 31, 2002, and

WHEREAS, said grant program will be used to maintain an integrated, interagency planning process for Family and Children Services, and

WHEREAS, it is desired to renew said grant program in the amount of \$65,000, adopt a program budget and authorize an agreement with the United Way for consulting services for the period January 1, 2003 through December 31, 2003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$65,000 from the New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144-2796 for the period January 1, 2003 through December 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 \$65,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the United Way of Broome County, Jensen Road, Vestal, New York 13850, for consulting services in connection with this grant for an amount not to exceed \$45,500, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 640052.4457.104XXX (Subcontracted Program), and be it

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

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

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

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

RESOLUTION NO. 328

By County Administration and Health & Human Services

Seconded by Ms. Nannery

RESOLUTION REQUESTING THE STATE OF NEW YORK AMEND THE PENAL LAW, SOCIAL SERVICES LAW AND APPLICABLE REGULATIONS TO PREVENT THE ONGOING MISUSE OF CASH WELFARE BENEFITS BY BANNING USE OF CASH WELFARE BENEFITS FOR PURCHASES OF ALCOHOLIC BEVERAGES, TOBACCO PRODUCTS AND LOTTERY TICKETS.

WHEREAS, since 1965 New York State has participated in the Federal Food Stamp Program, and

WHEREAS, to assure that the basic nutritional needs of food stamp recipients are met and appropriations for issuance of food stamps are not squandered, the Federal Food Stamp Program strictly prohibits recipient purchases of non food items such as alcoholic beverages, tobacco and lottery tickets, and

WHEREAS, in addition to participation in the Federal Food Stamp Program, New York State also mandates substantial cash welfare benefits through the Family Assistance and Safety Net Assistance welfare programs, and

WHEREAS, similar to the Federal Food Stamp Program's purpose of meeting basic nutritional needs, the purpose for New York State's mandated cash welfare assistance programs is to meet basic needs for shelter and utility costs, and

WHEREAS, to meet such basic shelter and utility needs New York State's cash welfare programs require considerable taxpayer financed appropriations, including substantial local financing through taxes levied by New York State's County Governments, and

WHEREAS, this County Legislature is concerned that such taxpayer financed cash welfare appropriations not be misused, but rather, that such taxpayer funded welfare grants be used for their intended purpose, and

WHEREAS, unlike the Federal Food Stamp Program, New York State's mandated cash welfare program does not assure the intended provision of basic shelter and utilities, by protecting taxpayer financed welfare grants from being squandered, through reasonable statutory and regulatory proscriptions prohibiting use of welfare grants for purchases of alcoholic beverages, tobacco products and lottery tickets, and

WHEREAS, this County Legislature is desirous of requesting the State of New York review and amend the Penal Law, Social Services Law and applicable Regulations, to remedy such ongoing abuse and misuse of cash welfare grants, now, therefore, be it

RESOLVED, that this County Legislature requests the State of New York amend the Penal Law, Social Services Law and applicable regulations, to prohibit use of cash welfare grants for the purchase or sale of alcoholic beverages, tobacco and lottery tickets, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to send a copy of this Resolution to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, Senator Thomas W. Libous, Assemblyman Robert J. Warner, Assemblyman Clifford Crouch, Assemblyman Gary Finch and the New York State Association of Counties.

Ms. Hudak made a motion, seconded by Mr. Howard, to amend the title to read "...WELFARE BENEFITS BY ELIMINATING AND EXPLORING ALTERNATIVE BENEFIT DISTRIBUTION SYSTEMS" and the RESOLVED paragraph to read "...regulations, to eliminate cash welfare grants and explore alternative benefit distribution systems such as a debit card system and prohibit the purchase of items such as alcoholic beverages, tobacco and lottery tickets. **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Burger). Mr. Shafer made a motion, seconded by Mr. Howard, to add Senator Raymond A. Meier to the distribution list in the last FURTHER RESOLVED paragraph. **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Burger). **Resolution as amended carried**, Ayes-17, Nays-1 (Reynolds), Absent-1 (Burger).

RESOLUTION NO. 329

By County Administration and Health & Human Services Committee Seconded by Ms. Hudak
RESOLUTION REQUESTING THE STATE OF NEW YORK AMEND THE SOCIAL SERVICES LAW AND APPLICABLE REGULATIONS TO REFORM THE SAFETY NET ASSISTANCE WELFARE PROGRAM BY PROHIBITING GRANTS FOR NON-DISABLED ADULTS

WHEREAS, many States do not provide cash welfare grants for non-disabled adults, and
WHEREAS, New York State has had its own State and locally financed welfare program, known as Home Relief now known as Safety Net Assistance, since 1940, and

WHEREAS, since 1947 New York State has expressly mandated each County Government levy taxes against all taxable real property situate within its borders to provide revenue to maintain New York State's mandated Safety Net Assistance welfare program, and

WHEREAS, since the 1940's many alternative substantial welfare experiments and programs have been undertaken and created, including the Aid For Dependent Children Program, Food Stamp Program, welfare reform and federal block grants, the Family Assistance Program, Medical Assistance Medicaid Program, Social Security Supplemental Security Income (SSI) Program, as well as workers' compensation, unemployment insurance and job training programs, and

WHEREAS, notwithstanding the development of numerous substantial social welfare programs, including those programs referenced above, New York State has continued to maintain its own cash assistance welfare program, which together with other social welfare funding mandates imposed upon County Government results in New York State having the highest combined State and local taxation rates in the United States, and

WHEREAS, New York State's social welfare taxation mandates have become financially oppressive by requiring ever increasing burdensome taxation to be levied upon residents, and

WHEREAS, such ever increasing taxation has negatively impacted the quality of life throughout New York State, now, therefore, be it

RESOLVED, that this County Legislature hereby requests the State of New York amend the Social Services Law and applicable regulations and to reform the Safety Net Assistance to Welfare Program by prohibiting issuance of welfare grant payments to non-disabled adults, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to send a copy of this Resolution to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, Senator Thomas W. Libous, Assemblyman Robert J. Warner, Assemblyman Clifford Crouch, Assemblyman Gary Finch and the New York State Association of Counties.

Mr. Whalen made a motion, seconded by Mr. Mather, to amend the title to read "...BY PROHIBITING CASH GRANTS FOR NON-DISABLED ADULTS AND ASSUME FULL COST OF THIS PROGRAM and add a new first FURTHER RESOLVED paragraph to read "FURTHER RESOLVED, that the State of New York grant relief to the counties by assuming the full cost of this program, and be it". **Amendment carried**, Ayes-16, Nays-2 (Kuzel, Schofield), Absent-1 (Burger). Mr. Shafer made a motion, seconded by Mr. Wike, to add Senator Raymond A. Meier to the distribution list in the last FURTHER RESOLVED paragraph. **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Burger). **Resolution as amended carried**, Ayes-17, Nays-1 (Reynolds), Absent-1 (Burger).

RESOLUTION NO. 330

By Health & Human Services and Finance Committees Seconded by Mr. Kolba
RESOLUTION AUTHORIZING ACCEPTANCE OF A CHILD CARE HEALTH EDUCATOR TEAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, the Public Health Director requests authorization to accept a Child Care Health Educator Team Grant and adopt a program budget in the amount of \$16,049 for the period July 1, 2003 through December 31, 2003, and

WHEREAS, said grant program provides supervision services and on site and telephone consultation to day care providers concerning health and safety assessments, health and safety quality assurance issues, examination of exclusion criteria/policies and other activities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$16,049 from the Decker Foundation through the Broome Community College Foundation, Wales Building, P.O. Box 1017, Binghamton, New York 13902-1017, for the Department of Health's Child Care Health Educator Team Grant for the period July 1, 2003 through December 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 \$16,049, and be it

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

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

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

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

RESOLUTION NO. 331

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Kolba
RESOLUTION AUTHORIZING RENEWAL OF THE PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 356 of 2002, authorized and approved the Public Health Preparedness and Response to Bioterrorism Grant for the Department of

Health and adopted a program budget in the amount of \$200,536 for the period May 1, 2002 through August 31, 2003, and

WHEREAS, said grant program provides the means to develop response plans to address all forms of communicable disease outbreaks and terrorist threats, including biological, chemical and radiological, and includes staffing and development of a redundant communication and technology infrastructure, and

WHEREAS, it is desired to renew said grant program in the amount of \$236,706 for the period September 1, 2003 through August 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$236,706 from Health Research Incorporated, One University Place, Rensselaer, New York 12144-3455, for the Department of Health's Pubic Health Preparedness and Response to Bioterrorism Grant for the period September 1, 2003 through August 30, 2004, 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 \$236,706, and be it

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

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

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

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

RESOLUTION NO. 332

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH SOUTHERN TIER TRANSCRIBERS, INC. FOR MEDICAL TRANSCRIPTION SERVICES FOR WILLOW POINT NURSING HOME FOR 2003

WHEREAS, this County Legislature, by Resolution 614 of 2002, authorized an agreement with Southern Tier Transcribers, Inc. for Medical Transcription Services for Willow Point Nursing Home at a cost not to exceed \$16,200, for January 1, 2003 through December 31, 2003, and

WHEREAS, said agreement is necessary to provide medical transcription of resident medical information, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the amount by \$2,800 for expanded transcription services, and

WHEREAS, the Administrator of the Willow Point Nursing Home 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 Southern Tier Transcribers, Inc., 355 Riverside Drive, Johnson City, New York 13790, to increase the amount by \$2,800, total amount not to exceed \$19,000 for expanded transcription services for the Willow Point Nursing Home for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$2,800, total amount not to exceed \$19,000, for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 614 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 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 (Burger).

RESOLUTION NO. 333

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH KEANE CARE, INC. FOR A CLINICAL SOFTWARE MAINTENANCE AGREEMENT FOR THE WILLOW POINT NURSING HOME FOR 2003

WHEREAS, this County Legislature, by Resolution 611 of 2002, authorized an agreement with Keane Care, Inc. for software maintenance for the Willow Point Nursing Home at a cost not to exceed \$8,750 for the period January 1, 2003 through December 31, 2003, and

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

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the amount by \$2,100, for software maintenance, and

WHEREAS, the Administrator of the Nursing Home 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 Keane, Care, Inc. Executive Plaza III, Suite 600, 11350 McCormick Road, Hunt Valley, Maryland 21031, to increase the amount by \$2,100, total amount not to exceed \$10,850, for software maintenance for the Willow Point Nursing Home for the period January 1, 2003 through December 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$2,100, total amount not to exceed \$10,850, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010 and 160085.4419.204000 (General Office Expense), and be it

FURTHER RESOLVED, that Resolution 611 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 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 (Burger).

RESOLUTION NO. 334

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING ACCEPTANCE OF WELFARE-TO-WORK OPPORTUNITIES PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, the Commissioner of Social Services requests authorization to accept a Welfare-To-Work Opportunities Program Grant and adopt a program budget in the amount of \$52,000 for the period May 1, 2003 through April 30, 2004, and

WHEREAS, said grant program provides case management employment services to about 30 individuals receiving temporary assistance, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$52,000 from the Broome-Tioga Workforce Development System, P.O. Box 1766, Binghamton,

New York 13902-1766 for the Department of Social Services Welfare-To-Work Opportunities Program Grant for the period May 1, 2003 through April 30, 2004, 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 \$52,000, and be it

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

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

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

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

RESOLUTION NO. 335

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Kolba
RESOLUTION AUTHORIZING REVISION OF THE FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 405 of 2002, authorized the continued participation in the Food Stamp Employment and Training Program Grant for the Department of Social Services and adopted a program budget in connection therewith in the total amount of \$62,628 for the period October 1, 2002 through September 30, 2003, and

WHEREAS, said grant program provides job related readiness activities to non-public assistance and safety net food stamp recipients, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$48,156 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Food Stamp Employment and Training Program Grant to reflect an increase of \$48,156 for the period October 1, 2002 through September 30, 2003, 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 \$110,784, and be it

FURTHER RESOLVED, that Resolution 405 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, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 336

By Health & Human Services and Finance Committees Seconded by Mr. Kolba
RESOLUTION AUTHORIZING REVISION OF THE NEW YORK WORKS BLOCK GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2002-2003

WHEREAS, this County Legislature, by Resolution 148 of 2003, authorized the continued participation in the New York Works Block Grant for the Department of Social Services and adopted a program budget in connection therewith in the total amount of \$291,053 for the period October 1, 2002 through September 30, 2003, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$809 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the New York Works Block Grant to reflect an increase of \$809 for the period October 1, 2002 through September 31, 2003, 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 \$291,862, and be it

FURTHER RESOLVED, that Resolution 148 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 337

By Economic Development & Planning and Finance Committees Seconded by Mr. Kolba
RESOLUTION AUTHORIZING AN AGREEMENT WITH CMS IMAGING SOLUTIONS FOR THE LEASE OF A NETWORKED PRINTER/DIGITAL COPY MACHINE FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT FOR 2003-2006

WHEREAS, the Director of Purchasing has received quotations for a three-year lease agreement for a networked printer/digital copy machine in the Department of Planning and Economic Development, and

WHEREAS, following a review of the three quotations received, the lowest submitted by CMS Imaging Solutions, the Director of Purchasing and the Commissioner of the Department of Planning and Economic Development request authorization for a lease agreement with CMS Imaging Solutions for a networked printer/digital copy machine for a three (3)-year period beginning on or about September 1, 2003, and

WHEREAS, CMS Imaging Solutions will provide a Toshiba e-Studio 45 networked printer/digital copy machine at a cost not to exceed \$282.99 per month for 12,000 copies, total cost not to exceed \$10,187.64 for the term of the agreement plus an overage rate of .0075 per copy per month, now, therefore, be it

NCI
Michael Muller
4700 Vestal Parkway East
Binghamton, NY 13850-4750

NTE \$ 38,000

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 720730.various.308XXX, 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, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 339

By Economic Development & Planning, Personnel and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING REVISION OF THE PY2002 WORKFORCE INVESTMENT ACT DISLOCATED WORKER AND ADULT PROGRAM GRANTS FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING REVISED PROGRAM BUDGETS IN CONNECTION THEREWITH FOR 2002-2004

WHEREAS, this County Legislature, by Resolution 278 of 2002, as amended by Resolution 254 of 2003, authorized the PY2002 Workforce Investment Act Dislocated Worker, Adult, Youth and Shared Cost Program Grants for the Office of Employment and Training and adopted program budgets in connection therewith in the amount of \$484,504, \$481,899, \$512,560, and \$793,665, respectively, for the period July 1, 2002 through June 30, 2004, and

WHEREAS, said grant program provides customers with core employment services by providing job search assistance and labor market information as well as more intensive services including career training programs, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$92,459 in PY2002 WIA Dislocated Workers grant appropriations, and an increase in the amount of \$77,540 in PY2002 WIA Adult Program grant appropriations now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the PY2002 WIA Dislocated Workers Program Grant to reflect a decrease of \$92,459 and a revision of the PY2002 WIA Adult Program to reflect an increase in the amount of \$77,540 for the period July 1, 2002 through June 30, 2004, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budgets annexed hereto as Exhibit "A" in the total amount of \$392,045 and Exhibit "B" in the total amount of \$559,439, and be it

FURTHER RESOLVED, that Resolution 278 of 2002 and Resolution 254 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 340

By Economic Development & Planning, County Administration and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING ACCEPTANCE OF A WORK INCENTIVE PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2005

WHEREAS, the Director of Employment and Training requests authorization to accept a Work Incentive Program Grant and adopt a program budget in the amount of \$300,000 for the period July 1, 2003 through June 30, 2005, and

WHEREAS, said grant program will develop and implement a comprehensive, seamless system of services to ensure full access to employment and related services for people with disabilities residing in the project's five-county target area that includes Broome, Tioga, Chenango, Delaware and Otsego Counties, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$300,00 from The United States Department of Labor, Employment and Training Administration, 200 Constitution Avenue, N.W., Washington, DC 20210 for the Office of Employment and Training's Work Incentive Program Grant for the period July 1, 2003 through June 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$300,000, and be it

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

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

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

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

RESOLUTION NO. 341

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

RESOLUTION AUTHORIZING REVISION OF THE INTENSIVE SUPERVISION PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 524 of 2002, authorized the continued participation in the Intensive Supervision Program Grant for the Department of Probation and adopted a program budget in connection therewith in the total amount of \$213,902 for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said grant program provides an alternative to incarceration, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$16,712 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Intensive Supervision Program Grant to reflect a decrease of \$16,712 for the period January 1, 2003 through December 31, 2003, 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 \$197,190, and be it

FURTHER RESOLVED, that Resolution 524 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, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 342

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

RESOLUTION AUTHORIZING REVISION OF THE PROBATION ELIGIBLE DIVERSION PROGRAM GRANT FOR THE DEPARTMENT OF PROBATION AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, this County Legislature, by Resolution 482 of 2002, authorized acceptance of the Probation Eligible Diversion Program Grant for the Department of Probation and adopted a program budget in connection therewith in the total amount of \$166,147 for the period January 1, 2003 through December 31, 2003, and

WHEREAS, said grant program keeps non-violent drug abusers out of State facilities and ensures that probationers released from custody are actively supervised in the community, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$55,327 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Probation Eligible Diversion Program Grant to reflect a decrease of \$55,327 for the period January 1, 2003 through December 31, 2003, 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 \$110,820, and be it

FURTHER RESOLVED, that Resolution 482 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, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 343

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING ACCEPTANCE OF A TRAFFIC SAFETY CORRIDOR ENFORCEMENT PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003

WHEREAS, the Sheriff requests authorization to accept a Traffic Safety Corridor Enforcement Program Grant and adopt a program budget in the amount of \$2,200 for the period January 1, 2003 through September 30, 2003, and

WHEREAS, said grant program provides funding of overtime salaries during the "Enforcement Blitz", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,200 from the New York State Department of Motor Vehicles, 6 Empire State Plaza, Albany, New York 12228 for the Office of the Sheriff's Traffic Safety Corridor Enforcement Program Grant for the period January 1, 2003 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 \$2,200, and be it

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

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

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

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

RESOLUTION NO. 344

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

RESOLUTION AUTHORIZING RENEWAL OF THE DEA OVERTIME TASK FORCE PROGRAM GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 433 of 2002, authorized and approved the continued participation in the DEA Overtime Task Force Program Grant for the Office of the Sheriff and adopted a program budget in the amount of \$20,000 for the period April 1, 2002 through March 31, 2003, and

WHEREAS, said grant program provides funding for overtime and fringe benefits for one officer, and

WHEREAS, it is desired to renew said grant program in the amount of \$20,000 for the period April 1, 2003 through March 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the New York State Division of Criminal Justice Services, Executive Park Tower, Stuyvesant Plaza, Albany, New York 12203-3764, for the Office of the Sheriff's DEA Overtime Task Force Program Grant for the period April 1, 2003 through March 31, 2004, and be it

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

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

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

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

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

RESOLUTION NO. 345

By Public Works and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH STEARNS & WHEELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 349 of 2002, authorized renewal of the agreement with Stearns & Wheeler, LLC for professional engineering services for the Division of Solid Waste Management at a cost of \$15,000, for the period September 1, 2002 through August 31, 2003, and

WHEREAS, said services are necessary to assist the leachate treatment plant operations staff with anaerobic reactor operations, evaluation of chemical usage, trouble shooting operations issues and plant maintenance and repair issues at the County's leachate treatment facility at the Nanticoke Sanitary Landfill, and

WHEREAS, said agreement expires by its terms on August 31, 2003, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$15,000, for the period September 1, 2003 through August 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Stearns & Wheeler, LLC, 1 Remington Park Drive, Cazenovia, New York 13035 for professional engineering services for the Division of Solid Waste Management for the period September 1, 2003 through August 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,000 for the term of the agreement, and be it

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

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

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

RESOLUTION NO. 346

By Public Works and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR REIMBURSEMENT TO THE COUNTY FOR COURT MAINTENANCE SERVICES FOR 2003-2008

WHEREAS, this County Legislature, by Resolution 104 of 1999, authorized an agreement with New York State Unified Court System for court maintenance services for the department of public works at an amount not to exceed \$183,842 per year, for the period April 1, 1998 through March 31, 2003, and

WHEREAS, said services are necessary for the maintenance and minor repairs of court facilities, and

WHEREAS, said agreement is necessary to allow the County to receive reimbursement for maintenance services provided by the Department of Public Works as requested by the Court System, and

WHEREAS, said agreement expired by its terms on March 31, 2003 and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount to be negotiated annually between the County and the Court System for work provided during the period April 1, 2003 through March 31, 2008, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New York State Unified Court System, Sixth Judicial District, State Office Building Suite 1501, 44 Hawley St., Binghamton, New York 13901-4466 for reimbursement to the County for court maintenance services during the period April 1, 2003 through March 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County and the Court System shall negotiate annually for a fee for maintenance services requested by the Court System and performed by the Department of Public Works, and be it

FURTHER RESOLVED, that the fees hereinabove referenced shall be credited to budget line 030031.0589.101100 (State Aid – Court Facilities), and be it

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

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

RESOLUTION NO. 347

By Finance Committee

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MARSH USA FOR INSURANCE COVERAGE FOR BROOME COUNTY FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 419 of 2002, authorized an agreement with Marsh USA for insurance coverage for county-owned property, boiler and machinery and inland

WHEREAS, this County Legislature, by Resolution 596 of 1999, authorized a written agreement with CSEA Unit 6150-01, Local 804, setting forth the terms and conditions of employment for those employees represented by said union for the period January 1, 2000 through December 31, 2003, and

WHEREAS, the labor agreement with said union and the County expires by its terms on December 31, 2003, and

WHEREAS, said union and Broome County have negotiated a new three-year agreement effective January 1, 2004 through December 31, 2006 incorporating the terms and conditions as set out in Exhibit "A" attached hereto, and

WHEREAS, said agreement has been ratified by the union, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with CSEA Unit 6150-01, Local 804 (Library Employees), setting forth the terms and conditions of employment for those employees represented by said Union, for the period January 1, 2004, through December 31, 2006, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 2000 written labor agreement with the exception of those changes listed on Exhibit "A" attached hereto, 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.

EXHIBIT "A"

Tentative Agreement Between Broome County and
CSEA Library Unit 6150-01, Local 804
2004-2006

For the purposes of extending the current collective bargaining agreement, which expires 12/31/03, the parties have agreed to the following:

1. Article III – Compensation
 - 2004 – 2%
 - 2005 – 3%
 - 2006 – 3%
 - 5.) Remove Pay Equity Language – Is addressed in Article XXII – Employee – Employer Relations
2. Article XI – Holidays
 - 4.) Add sentence:
"Any unused personal time as of December 31st of each year will be converted to sick leave credits."

This was agreed to in the 2000-03 negotiations and inadvertently omitted from the contract.

3. Article XIII – Leave of Absence Without Pay
Insert language outlining provisions of Family Medical Leave Act of 1993.
4. Article XVII – Insurance
Change – Effective January 1, 2006
 - 1.) The employees shall pay 15% of the health insurance premium for single and family coverage. (previous – 10%)

-
- 2.) Non-generic or brand-name prescription co-pay increases from \$10 to \$15
 - 3.) Change Mail Order co-pay to 2 retail co-pays for a 3-month supply (previous – 0)
 - 4.) Add requirement that any 1 prescription filled be limited to 30-day supply.
5. Article XXII – Employee-Employer Relations
 - x.) Change to read:

“The Director shall meet with the Union once a month to discuss and seek solutions to workplace issues and inequities, both Immediate and future. The above shall not preclude more frequent meetings. Meetings shall take place at mutually agreeable times.”
 5. Article XXV – Termination and Modification
3 year agreement – 1/1/04 – 12/31/06

Carried, Ayes-16, Nays-1 (Kuzel), Absent-2 (Burger, Wike).

RESOLUTION NO. 350

By County Administration and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING ACCEPTANCE OF A LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT FOR THE COUNTY CLERK, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH PHOTOMICROGRAPHICS, INC. FOR MICROFILMING BROOME COUNTY ELECTION BOOKS FOR 2003-2004

WHEREAS, the County Clerk requests authorization to accept a Local Government Records Management Improvement Fund Grant, adopt a program budget in the amount of \$50,000 and enter into an agreement with Photomicrographics, Inc. for microfilming Broome County election books for the period July 1, 2003 through June 30, 2004, and

WHEREAS, said grant program provides funding to microfilm 2000 Election Poll Books/Voter Registrations to ensure the protection of these historical documents from any further deterioration and to provide safety and backup in the case of a disaster, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from the Local Government Records Management Improvement Fund, State Education Department, Room 542EB, Albany, New York 12230 for the County Clerk's Local Government Records Management Improvement Fund Grant for the period July 1, 2003 through June 30, 2004, and be it

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

FURTHER RESOLVED, that this County Legislature hereby approves and adopts an agreement with Photomicrographics, Inc., 150 Ackley Avenue, Johnson City, New York 13790 for the microfilming of 2000 Election Poll Books/Voter Registrations for the Broome County Clerk's Office, for the period July 1, 2003 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 \$50,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300061.4651.104811 (Purchase of Services), and be it

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

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

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

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

RESOLUTION NO. 351

By Health & Human Services and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY, INC. FOR DRUG TESTING SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2003

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with The Addiction Center of Broome County, Inc. for specific drug testing services for the Department of Social Services at a cost of \$5 per test, total amount not to exceed \$8,000 for the period January 1, 2003 through December 31, 2003, 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., 30 West State Street, Binghamton, New York 13901, for specific drug testing services for the Department of Social Services for the period January 1, 2003 through December 31, 2003, 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 \$8,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670059.4701.103000 (Medical and Physical Exams), and be it

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

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

RESOLUTION NO. 352

By Public Safety & Emergency Services, Transportation and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TRANSPORTATION SECURITY ADMINISTRATION (TSA) FOR REIMBURSEMENT TO BROOME COUNTY'S DIVISION OF SECURITY FOR LAW ENFORCEMENT OFFICERS AT THE GREATER BINGHAMTON AIRPORT FOR 2003-2007

WHEREAS, this County Legislature, by Resolution 189 of 2002, authorized an agreement with the Federal Aviation Administration (acting on behalf of the US DOT/Transportation Security Administration) for security services at the screening point of the Binghamton Regional Airport with reimbursement to Broome County at an amount not to exceed \$349,247 for the period May 1, 2002 through December 1, 2003, with the option to extend the term of said agreement an additional 90 days at the TSA's sole discretion, and

WHEREAS, said agreement is necessary to provide Law Enforcement Officers at the security screening point at the Greater Binghamton Airport, and

WHEREAS, said agreement was cancelled by the Transportation Security Administration on May 31, 2003, and

WHEREAS, as a result of subsequent discussions with the Transportation Security Administration, it was decided to restore the contract for Law Enforcement Officers at the security screening checkpoint at the Greater Binghamton Airport, and

WHEREAS, it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rates as outlined in Appendix "A", for the period June 1, 2003 through September 30, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Transportation Security Administration TSA HQ, East Tower, Floor #10, TSA-7, 601 South 12th Street, Arlington, Virginia 22202 for reimbursement to Broome County's Division of Security for Law Enforcement Officers at the security screening checkpoint at the Greater Binghamton Airport for the period June 1, 2003 through September 30, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the Transportation Security Administration shall reimburse the County at the rates as outlined in Appendix "A" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall credited to budget line 030080.0584.101000 (Public Safety Grant-Federal), and be it

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

RESOLUTION NO. 353

By County Administration and Finance Committee

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING AGREEMENT WITH DOCUMENT & DIGITAL PRESERVATIONS SERVICES, INC. FOR DATA ENTRY SERVICES FOR THE COUNTY CLERK'S OFFICE FOR 2003

WHEREAS, the County Clerk requests authorization for an agreement with Document & Digital Preservations Services, Inc., for data entry services for the County Clerk's Office at a cost not to exceed \$9,500, for the period August 21, 2003 through November 10, 2003, and

WHEREAS, said services are necessary to provide backfile data entry services of Discharge and Assignment Documents, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Document & Digital Preservations Services, Inc., 1000 Sterling Place, Suite 2A, Brooklyn, New York 11217, for data entry services for the County Clerk's Office for the period August 21, 2003 through November 10, 2003, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 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, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 354

By Finance, Public Works and Transportation Committees

Seconded by Mr. Shafer

RESOLUTION AMENDING THE 2003 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2003 Capital Improvement Program is hereby amended as follows:

FROM:

Code	Project Name	Total	Estimated Construction Cost		County
			State	Federal/Other	
501381	Passenger Boarding Bridge Purchase/Refurbishment	1,548,750	546,800	842,400	159,550

Year Start	Local Finance Law Sec. 11		How Financed	
	YPU	Subd.	Bond	Current Revenue
2003	5	32	125,100*	159,550

Description: The project entails the purchase and installation of three (3) passenger boarding bridges to be located in the airport departure lounge. The installation would include delivery, placement, utility connections, building alterations and support pavement work. The bridge would provide the passengers of the airport with an avenue to board and deplane commercial aircraft in a safer, more secure environment, inside and free from the elements. Additionally, this project will entail the refurbishment of one (1) existing boarding bridge currently located at Passenger Gate#3 with the intent of making it compatible with the type of aircraft serving our airport. **NOTE:** Airport will be closing project #501370 (2001 Passenger Boarding Bridge Purchase).

*Local share paid entirely with PFC funding. Bond financing required for short term cash flow.

TO:

Code	Project Name	Total	Estimated Construction Cost		County
			State	Federal/Other	
501381	Passenger Boarding Bridge Purchase	2,070,958	564,406	1,159,324	347,228

Year Start	Local Finance Law Sec. 11		How Financed	
	YPU	Subd.	Bond	Current Revenue
2003	5	32	125,100*	347,228

Description: The project entails the purchase and installation of four (4) passenger boarding bridges to be located in the airport departure lounge. The installation would include delivery, placement, utility connections, building alterations and support pavement work. The bridge would provide the passengers of the airport with an avenue to board and deplane commercial aircraft in a safer, more secure environment, inside and free from the elements. **NOTE:** Airport will be closing project #501370 (2001 Passenger Boarding Bridge Purchase).

* Local share paid entirely with PFC funding. Bond financing required for short term cash flow.

FURTHER RESOLVED, that the Commissioner of Finance is hereby authorized to make a short term non-interest interfund loan from other operating funds to the above Capital Project to provide cash sufficient to complete the project until state aid is received, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Burger, Wike).

RESOLUTION NO. 355

By Transportation and Finance Committees

Seconded by Mr. Miller

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH MCFARLAND JOHNSON, INC. FOR DESIGN SERVICES FOR THE PASSENGER BOARDING BRIDGE PROJECT FOR THE DEPARTMENT OF AVIATION FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 235 of 2003, authorized an agreement with McFarland Johnson, Inc. for design services for the Passenger Boarding Bridge Project at the Greater Binghamton Airport for the Department of Aviation at a cost not to exceed \$74,843 for the period June 1, 2003 through May 31, 2004, and

WHEREAS, said agreement provides for design services for the installation of three new passenger boarding bridges and the refurbishment of a fourth bridge, and

WHEREAS, it is necessary to authorize amendments to said agreement removing reference to refurbishment of a fourth bridge and changing the number of new passenger boarding bridges to be designed to four and changing the budget line number to 211011.4746.501381, and

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

RESOLVED, that this County Legislature hereby authorizes amendments to the agreement with McFarland Johnson, Inc., 49 Court Street, P.O. Box 1980, Binghamton, New York 13901, removing reference to refurbishment of a fourth bridge from said agreement and changing the number of new passenger boarding bridges to be designed to four, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$74,843, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211011.4746.501381 (Architectural/Engineering Services), and be it

FURTHER RESOLVED, that Resolution 235 of 2003, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Burger, Wike).

RESOLUTION NO. 356

By Transportation and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING ACCEPTANCE OF AN AIRPORT IMPROVEMENT PROGRAM GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE GREATER BINGHAMTON AIRPORT'S AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) BUILDING REFURBISHMENT PROJECT

WHEREAS, the Commissioner of Transportation requests authorization to accept an Federal Aviation Administration Airport Improvement Program Grant in the amount of \$116,413 for the Aircraft Rescue and Fire Fighting Building Refurbishment Project, and

WHEREAS, said funds are to be used for the design and construction work associated with the refurbishment of the Aircraft Rescue & Fire Fighting Building at the Greater Binghamton Airport, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes and approves the acceptance of \$116,413 from the Federal Aviation Administration – New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530 to be applied towards the design and construction costs associated with the Greater Binghamton Airport's ARFF Building Refurbishment Project, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 211012.0384.501379 (Federal Aid/Airport Capital), 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required with 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 (Burger).

RESOLUTION NO. 357

By Transportation and Finance Committees

Seconded by Mr. Miller

RESOLUTION AUTHORIZING ACCEPTANCE OF AN AIRPORT IMPROVEMENT PROGRAM GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE GREATER BINGHAMTON AIRPORT'S PASSENGER BOARDING BRIDGE PROJECT

WHEREAS, the Commissioner of Transportation requests authorization to accept a Federal Aviation Administration Airport Improvement Program Grant in the amount of \$1,159,324 for the Passenger Boarding Bridge Project, and

WHEREAS, said funds are to be used for the design, purchase and installation of passenger boarding bridges for use at the Greater Binghamton Airport, now therefore be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,159,324 from the Federal Aviation Administration – New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530 for the Passenger Boarding Bridge Project, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 211012.0384.501381 (Federal Aid/Airport Capital), 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required with this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried, Ayes-16, Nays-1 (Brunza), Absent-2 (Burger, Wike).

RESOLUTION NO. 358

By Transportation and Finance Committees

Seconded by Mr. Kolba

RESOLUTION AUTHORIZING ACCEPTANCE OF AN AIRPORT IMPROVEMENT PROGRAM GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE GREATER BINGHAMTON AIRPORT'S SNOW REMOVAL EQUIPMENT PURCHASE PROJECT

WHEREAS, the Commissioner of Transportation requests authorization to accept a Federal Aviation Administration Airport Improvement Program Grant in the amount of \$177,186 for the Snow Removal Equipment Purchase Project, and

WHEREAS, said funds are for the purchase of airport snow removal equipment for use at the Greater Binghamton Airport, now therefore be it

RESOLVED, that this County Legislature hereby authorizes and approves the acceptance of \$177,186 from the Federal Aviation Administration – New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, New York 11530 to be applied towards the purchase of new airport snow removal equipment, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 211012.0384.501382 (Federal Aid/Airport Capital), 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) is hereby authorized to make any transfers of funds required with 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 (Burger).

RESOLUTION NO. 359

By Public Works and Finance Committees

Seconded by Mr. Kolba

A RESOLUTION AMENDING RESOLUTION 26 OF 1994 REGARDING THE ANIMAL SHELTER TRUST ACCOUNT

WHEREAS, this Legislature pursuant to Resolution 26 of 1994 established a trust account for Animal Shelter operations, and

WHEREAS, the Commissioner of Public Works has requested an amendment to Resolution 26 of 1994 to clarify that the Animal Shelter can use moneys donated and deposited in the trust account for operations and programs, now, therefore be it

RESOLVED, that this County Legislature authorizes the Commissioner of Public Works to expend funds in the Animal Shelter Trust Account in accordance with the provisions of state and local laws and that the use of these funds should be solely restricted to Broome County Animal Shelter operations and programs, and be it

FURTHER RESOLVED, that the Commissioner of Finance, Director of Budget, County Comptroller and Commissioner of Public Works are hereby authorized and directed to take any and all necessary steps required to effectuate the intent and purpose of this resolution.

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

RESOLUTION NO. 360

By Economic Development and Planning Committee

Seconded by Mr. Kolba

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

WHEREAS, Daniel A. Schofield, 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 individuals to membership on the Broome County Agricultural and Farm Land Protection Board, subject to confirmation by this County Legislature:

NAME/ADDRESS	TERM EXPIRING
Dewey A. Decker 123 NYS Route 41 Windsor, New York 13865	December 31, 2006 Active Farmer (Reappointment/4-year term)
Steve Livingston 167 Hunts Corners Road Richford, New York 13835	December 31, 2006 Active Farmer (Reappointment/4-year term)
Glenn S. Winsor 2883 NYS Route 79 Harpurville, New York 13787	December 31, 2006 Active Farmer (Reappointment/4-year term)

April Lucas
1335 River Road
Binghamton, New York 13901

December 31, 2006
Agricultural Land Preservation
(Reappointment/4-year term)

William H. Miller
178 Main Street
Windsor, New York

December 31, 2004
Member of County Legislature

David A. Bradstreet
363 Perry Road
Binghamton, New York 13905

Coterminous Appointment
County Cornell Cooperative
Extension Agent

Chris W. Burger
110 Walters Road
Whitney Point, New York 13862

Coterminous Appointment
Chair, County Soil & Water
Conservation District Board of
Directors

Julie M. Sweet
92 Riverside Drive
Binghamton, New York 13905

Coterminous Appointment
Broome County Planning
Commissioner

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, does hereby confirm the appointments of the above-named
individuals 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 (Burger).

RESOLUTION NO. 361

By Finance, Public Works and Education, Culture & Recreation Committees
Seconded by Mr. Kolba

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR DPW – BUILDINGS AND GROUNDS AND THE ARENA

RESOLVED, that in accordance with a request from the Commissioner of Public Works
and the Parks and Recreation, in order to cover the increased cost of electricity for the Arena as
requested in BF# 002863, this County Legislature hereby authorizes the Commissioner of
Finance to make the following transfer of funds for 2003:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
From:	030031	4326	101000	Fuel & Heating Supplies	15,000
	030031	4423	101000	Bldg & Ground Equip. Repair	25,000
	030031	4429	101000	Bldg & Grounds	10,000
To:	655027	4427	306000	Electric Current	50,000

and be it

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

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

RESOLUTION NO. 362

By Public Works, Education, Culture & Recreation and Finance Committees
Seconded by Mr. Kolba

RESOLUTION AUTHORIZING AN AGREEMENT WITH SOUTHERN TIER CELEBRATES, INC. ALLOWING THE USE OF COUNTY OWNED FACILITIES FOR PUBLIC EVENTS DURING THE PERIOD JULY 1, 2003 THROUGH JUNE 30, 2006

WHEREAS, this County Legislature pursuant to Resolution Number 685 of 1999 as amended by Resolution Number 624 of 2000 authorized an agreement with First Night Binghamton, Inc. (hereinafter "First Night") providing for the use of the Broome County Veterans Memorial Arena and the Performing Arts Forum in connection with First Night Celebrations through 2003 with a waiver of the rental fee, provided that First Night shall pay all related expenses associated with the use of said county facilities, and

WHEREAS the Binghamton Summer Music Festival has merged into First Night Binghamton, Inc. which now is doing business as Southern Tier Celebrates with the intent being to promote celebratory events in Broome County area not only during the New Years celebration but all throughout the year, and

WHEREAS First Night Binghamton, Inc. d/b/a Southern Tier Celebrates has requested this County Legislature to authorize an agreement with First Night Binghamton, Inc. d/b/a Southern Tier Celebrates allowing First Night during the period from July 1, 2003 through June 30, 2006 to use various county facilities, included the government plaza administered by the Tripartite Agreement, with a waiver of any rental fee provided that First Night shall pay all related expenses associated with the use of said county facilities, including the government plaza, and

WHEREAS, such an agreement will promote tourism and provide for a quality of life that will assist in economic development promotions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with First Night Binghamton, Inc. d/b/a Southern Tier Celebrates, 1 Hawley Street, Binghamton, New York 13901 providing for the use by First Night of various county facilities, including the government plaza administered pursuant to the Tripartite Agreement, for celebratory events during the period July 1, 2003 through June 30, 2006, and be it

FURTHER RESOLVED, that the rental fee for the use of these facilities shall be waived provided that First Night shall be responsible for the payment of all related expenses associated with its use of said facilities and further provided that First Night shall provide proof of insurance naming Broome County as an additional insured in connection with the said celebratory events, and be it

FURTHER RESOLVED, that any proposed use must first be approved by the Commissioner of Public Works or Commissioner of Parks and Recreation depending on where the event is to be held, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreement, 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 (Burger).

RESOLUTION NO. 363

By All Members

Seconded by Mr. Shafer

RESOLUTION OF CONDOLENCE TO THE FAMILY OF JOSEPH A. GRIFFIN

WHEREAS, Town of Kirkwood Supervisor Joseph A. "Joe" Griffin passed away on the First day of August, 2003, and

WHEREAS, Joe Griffin was a retired 30-year employee of the IBM Corp, served for 30 years on the Kirkwood Town Board and worked for the last nine years with the Broome County Division of Security, and

WHEREAS, Joe Griffin for more than half of his lifetime served the people of the County as Town of Kirkwood Councilman and Supervisor, as secretary of the Broome County Board of

Ethics and as a County Security Officer with a strong sense of dedication and commitment to public service, and

WHEREAS, Joe Griffin will long be remembered as a bi-partisan politician among his circle of friends, his colleagues and his constituents, and

WHEREAS, Joe Griffin's community involvement extended far beyond his elective offices, including such other organizations as memberships in the New York State Association of Towns, the Binghamton Fraternal Order of Police, the Binghamton Elks B.P.O.E #852, the Kirkwood Knights of Columbus, the Broome County Sportsman Club, the Independent Mutual Aid Society and the Kirkwood Democratic Club, and

WHEREAS, Joe Griffin's presence and leadership distinguished himself as a model for all who seek to serve the public in elective office, and

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

RESOLVED, that the members of this County Legislature hereby recognize the loss of a political leader and friend, Joseph A. "Joe" Griffin, and extend its sincere sympathy to his family, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to place this Resolution in the minutes of the Regular Session of the County Legislature held on August 20, 2003.

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

Mr. Brunza made a motion to adjourn, seconded by Mr. Shafer. **Motion to adjourn carried**, Ayes-17, Nays-0, Absent-2 (Burger, Wike). The meeting was adjourned at 5:14 p.m.

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