
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, SEPTEMBER 16, 2004**

The Legislature convened at 5:01 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-17, Absent-2 (Hudak, Mather).

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a moment of silent meditation.

Mr. Wike made a motion, seconded by Howard, that the minutes of the August 18, 2004 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

Mr. Schofield noted that the committee minutes for the period August 18, 2004 through September 15, 2004 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Kolba, seconded by Mr. Marinich. **Carried**, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

ANNOUNCEMENTS FROM THE CHAIR

Chair Schofield introduced Peter R. Kehoe, Counsel and Executive Director of the New York State Sheriff's Association. Mr. Kehoe presented an award to Sheriff David Harder in recognition of the Broome County Civil Division of the Broome County Sheriff's Office achieving accreditation status with the New York State Sheriff's Association.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

A. State of Emergency 8/30/04 – Town/Village of Windsor

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. Petitions: None

B. Communications:

1. Hamilton County Board of Supervisors Resolution Urging Federal Intervention to Address the Property Tax Crisis in New York State
2. Broome County Fire Advisory Board Minutes 5/27/04
3. NYS Association of Clerks of County Legislative Boards 51st Annual School and Conference Meeting Minutes 5/21/04
4. Broome County Association of Municipal Clerks Meeting Minutes 6/17/04
5. Broome County Soil & Water Conservation District Directors Meeting Minutes 8/3/04
6. Broome County Environmental Management Council Meeting Minutes 9/2/04
7. NYSAC-Receipt of Resolution in Support of Legislation to Amend the Social Services Law in Relation to State Reimbursement for Care, Treatment, Maintenance and Nursing Services in Nursing Homes
8. Assemblyman Finch-Receipt of Resolution in Support of Legislation to Amend the Social Services Law in Relation to State Reimbursement for Care, Treatment, Maintenance and Nursing Services in Nursing Homes
9. State Board of Real Property Services List of Certified 2004 State Equalization Rates
10. County Attorney-Memo Regarding Update of Gas to Energy Project at the Landfill
11. Employment Contract Between Broome County and Local 2012 Security and Law Enforcement Council 82 AFSCME,AFL-CIO

C. Notices: None

D. Reports:

1. Law Department 2003 Annual Report
2. Parks and Recreation 2003 Annual Report
3. Information Technology 2003 Annual Report
4. Audit and Control-Sheriff's Commissary Administration Audit 9/04

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Designations for B. Mather 9/8/04 & 9/9/04.

Mr. Kuzel made a motion, seconded by Mr. Brunza, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2004 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

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

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 345

(Automatic Holdover)

By Legislator Hutchings

Seconded by Mr. Whalen

RESOLUTION AMENDING THE 2003-2004 RULES OF ORDER

Mr. Hutchings made a motion, seconded by Mr. Whalen, to amend Item 4 of the resolution to read "...shall have the right to address the County Legislature up to a maximum of three (3) minutes on legislation currently before the Legislature." **Amendment failed**, Ayes-7 (Brunza, Burger, Hutchings, Kuzel, Pasquale, Reynolds, Whalen), Nays-10 (Howard, Hull, Kolba, Lindsey, Marinich, Miller, Nannery, Shafer, Wike, Schofield), Absent-2 (Hudak, Mather). Mr. Howard made a motion to table the resolution to December 28, 2004, seconded by Mr. Shafer. **Motion to table to December 28, 2004 carried**, Ayes-12 (Burger, Howard, Hull, Kolba, Lindsey, Marinich, Miller, Nannery, Reynolds, Shafer, Wike, Schofield), Nays-5 (Brunza, Hutchings, Kuzel, Pasquale, Whalen), Absent-2 (Hudak, Mather).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 387

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN BROOME COUNTY AND BROOME COMMUNITY COLLEGE FOR RECIPROCAL USE OF COLLEGE AND COUNTY FACILITIES

WHEREAS, Broome Community College (hereinafter the "College") utilizes the Broome County Veterans Memorial Arena (hereinafter the "Arena") for its commencement exercises and desires to continue doing so, and

WHEREAS, various departments and agencies of Broome County (hereinafter the "County"), from time to time, wish to utilize the facilities of the College for County sponsored events, and

WHEREAS, the College and Broome County wish to formalize the practices presently in place whereby the College and the County utilize the facilities of each other, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement between Broome Community College and Broome County whereby the College shall, annually, have the use of the Arena for the commencement exercises of the College and that the usual and customary fee for rental of the Arena shall be waived, provided, however, that the College shall

be responsible for direct charges and costs incurred by the County in connection with the use of the Arena for the commencement event, and, be it

FURTHER RESOLVED, that the agreement herein authorized shall also provide that the County shall have the use of College facilities, such as parking areas, classrooms, auditoriums, and conference centers (but not including athletic facilities or the Ice Center) in connection with County sponsored events, to the extent said facilities are not being utilized by the College for College related activities at the time requested by the County, and that the College shall not charge the County any rent or fees for said use by the County of these College facilities, provided, however, that the County shall be responsible for all direct charges and costs incurred by the College in connection with the use by the County of College facilities for said events, and, be it

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

Carried, Ayes-16, Nays-1 (Kuzel), Absent-2 (Hudak, Mather).

RESOLUTION NO. 388

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE VOCATIONAL SUPPORT GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 532 of 2003, authorized and approved renewal of the Vocational Support Grant for the Department of Mental Health and adopted a program budget in the amount of \$100,000 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides assistance to mentally ill individuals striving to achieve their vocational goals, and

WHEREAS, it is desired to renew said grant program in the amount of \$102,468 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$102,468 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Vocational Support Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$102,468, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 389

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF A ROAD TO RECOVERY GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 535 of 2003, authorized and approved a Road to Recovery Grant 2004 for the Department of Mental Health and adopted a program budget in the amount of \$62,767 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides non-violent felony offenders with a history of drug and alcohol abuse a treatment alternative to incarceration, and

WHEREAS, it is desired to renew said grant program in the amount of \$67,297, for the period January 1, 2005 through December 31, 2005, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$67,297 from the New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203 for the Department of Mental Health's Road to Recovery Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$67,297, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 390

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE MENTALLY ILL CHEMICAL ABUSER (MICA) INTENSIVE CASE MANAGEMENT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 530 of 2003, authorized and approved the renewal of the Mentally Ill Chemical Abuser (MICA) Intensive Case Management Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$263,781 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides for a Mentally Ill Abuser Program through the Broome County Department of Mental Health, and

WHEREAS, it is desired to renew said grant program in the amount of \$266,519 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$200,657 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Mentally Ill Chemical Abuser (MICA) Intensive Case Management Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$266,519, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 391

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE MENTALLY ILL CHEMICAL ABUSER (MICA) COORDINATOR PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 534 of 2003, authorized and approved renewal of the Mentally Ill Chemical Abuser (MICA) Coordinator Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$80,470 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides a position of program coordinator to oversee a coordinated system to better serve individuals with co-occurring mental health and substance abuse disorders, and

WHEREAS, it is desired to renew said grant program in the amount of \$85,414 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$85,414 from New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203-3526 for the Department of Mental Health's MICA Coordinator Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$85,414, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 392

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH CASEWORKER GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 531 of 2003, authorized and approved renewal of the Mental Health Caseworker Grant for the Department of Mental Health and adopted a program budget in the amount of \$45,426 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides a caseworker to help clients navigate health systems and to assist with job training, and

WHEREAS, it is desired to renew said grant program in the amount of \$47,839 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$29,273 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Caseworker Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$47,839, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 393

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH ADMINISTRATIVE SUPPORT GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 536 of 2003, authorized and approved renewal of the Mental Health Administrative Support Grant for the Department of Mental Health and adopted a program budget in the amount of 57,422 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides funding for a Principal Account Clerk responsible for monitoring the Office of Mental Health regulations and Broome County procedures, and

WHEREAS, it is desired to renew said grant program in the amount of \$59,325 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$59,325 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Mental Health Administrative Support Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$59,325, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 394

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF A FORENSIC TRANSITIONAL MANAGEMENT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 518 of 2003, authorized and approved renewal of the Forensic Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$122,451 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides mental health services to clients in the legal system and helps minimize the need for hospitalization by providing a more intensive program, and

WHEREAS, it is desired to renew said grant program in the amount of \$48,915 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$48,915 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Forensic Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$48,915, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 395

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF FORENSIC OUTREACH PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 518 of 2003, authorized and approved renewal of the Forensic Program Grant for the Department of Mental Health and adopted a program budget in the amount of \$122,451 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides mental health services to clients in the legal system and helps minimize the need for hospitalization by providing a more intensive program, and

WHEREAS, it is desired to renew said grant program in the amount of \$64,418 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$64,418 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Forensic Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$64,418, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 396

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE FAMILIES FIRST PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 533 of 2003, authorized and approved a Families First Program Grant and adopted a program budget in the amount of \$438,430 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides intensive and specialized in-home professional, therapeutic and behavioral services to families with children at risk for out-of-home placement, and

WHEREAS, it is desired to renew said grant program in the amount of \$452,867 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$452,867 from the Broome County Department of Social Services for the Department of Mental Health's Families First Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$452,867, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 397

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF A TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) SERVICES BLOCK GRANT THROUGH THE DEPARTMENT OF SOCIAL SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH'S EMPLOYMENT RETENTION ADVANCEMENT (ERA) PROJECT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 517 of 2003, authorized and approved renewal of the Temporary Assistance to Needy Families (TANF) Block Grant through the Department of Social Services for the Department of Mental Health's Employment Retention Advancement (ERA) Project and adopted a program budget in the amount of \$53,857 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides funds for the ERA project to provide assessment, diagnosis and brief vocational goal-oriented psychotherapy to TANF recipients to help them seek positive employment, and

WHEREAS, it is desired to renew said grant program in the amount of \$57,330 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$57,330 through the Broome County Department of Social Services for the Department of Mental Health's Employment Retention Advancement (ERA) Project for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$57,330, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 398

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF A DRUG FREE COMMUNITIES SUPPORT PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL TO ADMINISTER SAID PROGRAM FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 516 of 2003, authorized and approved the Drug Free Communities Support Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$100,000 and authorized an agreement with Our Lady of Lourdes Hospital to administer said program for an amount not to exceed \$46,331 for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant programs goal is to establish and strengthen collaboration among communities in order to reduce risk factors and build assets that prevent the use of substances by youth, and

WHEREAS, it is desired to renew said grant program in the amount of \$170,847, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$100,000 from the U.S. Department of Justice, Office of the Justice Programs, 810 Seventh Street, NW-5th Floor, Washington, DC 20531 for the Department of Mental Health's Drug Free Communities Support Program Grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$70,847 from the New York State Office of Alcohol and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203-3526 for the Department of Mental Health's Drug Free Communities Support Program Grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$170,847, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 to administer said program grant for an amount not to exceed \$50,000 for the period October 1, 2004 through September 30, 2005, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 399

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF A CHEMICAL DEPENDENCY SERVICES GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 515 of 2003, authorized and approved renewal of the Chemical Dependency Services Grant for the Department of Mental Health and adopted a program budget in the amount of \$291,567 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides evaluations and assessments to Department of Social Services clients and forensic services at the Public Safety Facility, and

WHEREAS, it is desired to renew said grant program in the amount of \$291,125 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$71,184 from the New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12203-3526, for the Department of Mental Health's Chemical Dependency Services Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$291,125, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 400

By Health & Human Services and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE ADDICTION CENTER OF BROOME COUNTY, INC. FOR THE RENTAL OF OFFICE SPACE FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2005

WHEREAS, this County Legislature, by Resolution 504 of 2003, authorized renewal of the agreement with The Addiction Center of Broome County, Inc. for use of offices, including the use of the conference room, telephone lines, computer lines and utilities for the Department of Mental Health at an amount not to exceed \$9,328, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary for the use of two offices, including the use of the conference room, telephone lines, computer lines and utilities for the MICA Intensive Case Managers, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$9,562, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Addiction Center of Broome County, Inc., 30 West State Street, Binghamton, New York 13901 for the use of offices, including the use of the conference room, telephone lines, computer lines and utilities, for the Department of Mental Health's MICA Intensive Case Managers for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,562 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4422.104XXX (Building and Land Rental), and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 401

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE RESEARCH FOUNDATION AT BINGHAMTON UNIVERSITY FOR GRADUATE STUDENT TRAINING IN THE DEPARTMENT OF MENTAL HEALTH FOR 2005

WHEREAS, this County Legislature, by Resolution 503 of 2003, authorized renewal of an agreement with The Research Foundation at Binghamton University for graduate student training in the Department of Mental Health at an amount not to exceed \$28,445, for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said agreement is sponsored by Broome County to provide graduate psychology students with clinical training in the Broome County community while they provide services for the Mental Health Clinic, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$32,700, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Research Foundation at Binghamton University, Office of Research and Sponsored Programs, P.O. Box 6000, Binghamton, New York 13902 for graduate student training in the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$32,700 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 402

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH REPORTERS TRANSCRIPTION CENTER FOR TRANSCRIPTION SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 2005

WHEREAS, this County Legislature, by Resolution 502 of 2003, authorized renewal of the agreement with Reporters Transcription Center for transcription services for the Department of

Mental Health at an amount not to exceed \$20,000 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said services are necessary to provide transcription services via the telephone system as well as taped dictation with a guaranteed turnaround time of 24-36 hours, and

WHEREAS, said agreement expires by its terms on December 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$.13 per line, total amount not to exceed \$20,000, for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Reporters Transcription Center, 71 State Street, Binghamton, New York 13901 for transcription services for the Department of Mental Health for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$.13 per line, total amount not to exceed \$20,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 403

By Education, Culture & Recreation and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING AN AGREEMENT WITH B.C. SNO RIDERS FOR THE MAINTENANCE OF SNOWMOBILE TRIALS IN BROOME COUNTY FOR THE DEPARTMENT OF PARKS AND RECREATION FOR 2004-2006

WHEREAS, this County Legislature by Resolution 269 of 2001, as amended by Resolution 672 of 2002, authorized the acceptance of grants from the New York State Office of Parks, Recreation and Historic Preservation for snowmobile trail development and maintenance in an amount not to exceed \$30,000 annually, and

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with B.C. Sno Riders for the maintenance of snowmobile trails in Broome County for the Department of Parks and Recreation within the guidelines set for the B.C. Sno Riders by the State of New York, for the period September 1, 2004 through March 31, 2006, and

WHEREAS, the Department of Parks and Recreation acts as a "pass through" agency for snowmobile trail development and maintenance within Broome County, and

WHEREAS, said services are necessary for the maintenance of snowmobile trails approved by the New York State Office of Parks and Recreation Historic Preservation (NYSOPRHP), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with B.C. Sno Riders, 1240 Colesville Road, Binghamton, New York 13904, for the maintenance of snowmobile trails in Broome County for the Department of Parks and Recreation, for the period September 1, 2004 through March 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall be paid according to the guidelines set for the B.C. Sno Riders by the State of New York for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from Trust Account 525 525027 established pursuant to Resolution 615 of 1995, 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 (Hudak, Mather).

RESOLUTION NO. 404

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF A QUALITY ASSURANCE AND ACCOUNTABILITY PROJECT GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AMENDMENT TO THE AGREEMENT WITH COORDINATED CARE SERVICES, INC. FOR 2004

WHEREAS, this County Legislature, by Resolution 514 of 2003, authorized the continued participation in the Quality Assurance and Accountability Project Grant for the Department of Mental Health, adopted a program budget in connection therewith in the total amount of \$228,915 and authorized an agreement with Coordinated Care Services, Inc. in the amount of \$215,262 to administer said program for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides stronger management and quality assurance capabilities as well as monitoring performance expectations, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$75,000 in grant appropriations and amend the agreement with Coordinated Care Services, Inc. to reflect an increase of \$75,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Quality Assurance and Accountability Project Grant to reflect an increase of \$75,000 for the period January 1, 2004 through December 31, 2004, 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 \$303,915, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Coordinated Care Services, Inc., 1099 Jay Street, Rochester, New York 14611, to reflect an increase of \$75,000, to administer said program for the Department of Mental Health for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$290,262 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4747.104869 (Other Fees for Services), and be it

FURTHER RESOLVED, that Resolution 514 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-17, Nays-0, Absent-2 (Hudak, Mather).

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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 407

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING THE BROOME COUNTY DEPARTMENT OF HEALTH TO CANCEL UNCOLLECTIBLE ACCOUNTS

WHEREAS, the Director of the Broome County Department of Health has requested authorization to cancel uncollectible accounts totaling \$17,303.75 in the Department of Health's Maternal Child Health and Development Division, and

WHEREAS, these debts are for the period 1994 through 1998 and all attempts to resolve the status of these accounts with the Medicaid office have been exhausted, and

WHEREAS, the Director of Public Health requests authorization to consider the amounts listed in Exhibit "A" as uncollectible and remove such amounts from the Department of Health's subsidiary records, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of Public Health to cancel as uncollectible the accounts listed in Exhibit "A", and be it

FURTHER RESOLVED, that the Director of Public Health, the Commissioner of Finance and the Comptroller are authorized to make all necessary accounting entries to effectuate the intent and purpose of this Resolution.

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 408

By County Administration and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH ASAP SOFTWARE, INC. FOR SOFTWARE LICENSE AND MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 302 of 2003, authorized an agreement with ASAP Software, Inc. for a Norton Anti-Virus software license and maintenance agreement for the Division of Information Technology at an amount not to exceed \$11,178, for the period August 1, 2003 through July 31, 2004, and

WHEREAS, said services are necessary to protect the County e-mail, network and computer system from viruses, Trojan horses and worms, and

WHEREAS, said agreement expired by its terms on July 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$18,560, for the period October 7, 2004 through October 6, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with ASAP Software, Inc., 850 Asbury Drive, Buffalo Grove, Illinois 60089 for a Norton Anti-Virus software license and maintenance agreement for the Division of Information Technology for the period October 7, 2004 through October 6, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$18,560 for the term of the agreement, and be it

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

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

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 409

By Public Works and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH C&S ENGINEERS, INC. FOR CIVIL/BUILDINGS ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 444 of 2000, authorized an agreement with C&S Engineers, Inc. for civil/building engineering services for the Department of Public Works at an amount not to exceed \$300,000, for the period September 1, 2000 through August 31, 2002, said agreement also including two-one year renewal provisions, at Broome County's option, at hourly rates renegotiated by the County and the Contractor, and

WHEREAS, said services are necessary to provide civil/building engineering services on an "as needed" basis for projects by various Broome County Departments, and

WHEREAS, said agreement expires by its terms on August 31, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at rates as shown on Exhibit "A and for a total amount not to exceed \$150,000, for the period September 1, 2004 through August 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with C&S Engineers, Inc., 59 Court Street, Suite 200, Binghamton, New York 13901 for civil/building engineering services for Department of Public Works for the period September 1, 2004 through August 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates as shown on Exhibit "A and for a total amount not to exceed \$150,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4746.various (Engineering and Architectural 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 410

By Public Works and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH JENNINGS ENVIRONMENTAL MANAGEMENT, INC. FOR AIR QUALITY MONITORING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 513 of 2000, as amended by Resolution 256 of 2002, authorized an agreement with Jennings Environmental Management Inc. for air quality monitoring services for the Department of Public Works at a cost not to exceed \$50,000 for the period October 1, 2000 through September 30, 2002, said agreement also including provision for two one-year renewals, at Broome County's option, at hourly rates renegotiated by the County and the Contractor, and

WHEREAS, said services are necessary to provide air quality monitoring services on an "as needed" basis for projects by various Broome County departments, and

WHEREAS, said agreement expires by its terms on September 30, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at rates as shown on Exhibit "A and for a total amount not to exceed \$50,000, for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Jennings Environmental Management, Inc., P.O. Box 831, Binghamton, New York 13902 for air quality monitoring services on an "as needed" basis for the Department of Public Works for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates as shown on Exhibit "A and for a total 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 various.4746.various (Engineering and Architectural 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 411

By Public Works and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING ABANDONMENT OF A PORTION OF THE OLD SANITARIA SPRINGS ROAD ROADBED IN THE TOWN OF COLESVILLE

WHEREAS, the West Colesville Baptist Church has requested that the County of Broome abandon a portion of the old Sanitaria Springs Road roadbed in the Town of Colesville, which adjoins the church's property, pursuant to Section 118A of the New York State Highway Law, and

WHEREAS, the West Colesville Baptist Church lost a portion of its property through eminent domain when the Sanitaria Springs Road was relocated, and

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

RESOLVED, that this County Legislature hereby authorizes the abandonment of a portion of the old Sanitaria Springs Road roadbed in the Town of Colesville to the West Colesville Baptist Church, 83 Sanitaria Springs Road, Binghamton, New York 13904 as the adjoining owner thereof, said property being as described on the annexed Exhibit "A", and be it

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

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

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 412

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE HOME ENERGY ASSISTANCE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 385 of 2003, as amended by Resolution 106 of 2004 authorized and approved renewal of the Home Energy Assistance Program Grant for the Office for Aging and adopted a program budget in the amount of \$33,400 for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant program provides assistance to meet the cost of home heating for eligible homeowners and renters based on household size, income and type of heating, and

WHEREAS, it is desired to renew said grant program in the amount of \$18,000 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$18,000 from the Broome County Department of Social Services, 38 Main Street, Binghamton, New York 13905 for the Office for Aging's Home Energy Assistance Program (HEAP) for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$18,000, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 413

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE WEATHERIZATION REFERRAL AND PACKAGING PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 393 of 2003, authorized and approved continued participation in the Weatherization Referral and Packaging Program Grant for the Office for Aging and adopted a program budget in the amount of \$49,392 for the period August 1, 2003 through December 31, 2004, and

WHEREAS, said grant program provides for screening and assessment of elderly, low-income housing to determine energy-related needs dealing with health and safety concerns and to determine if client's needs can be met by the weatherization program assistance with home repairs and provides for assessment and assisted referral to help offset costs, plans and monitors, and

WHEREAS, it is desired to renew said grant program in the amount of \$47,401 for the period August 1, 2004 through July 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$47,401 from the New York State Office for Aging, Empire State Plaza, Agency Building 2, Albany, New York 12223-0001 for the Office for Aging's Weatherization Referral and Packaging Program Grant for the period August 1, 2004 through July 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$47,401, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 414

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE NUTRITION SERVICES INCENTIVE PROGRAM GRANT (F/K/A THE USDA SUBSIDY GRANT) FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 390 of 2003, authorized and approved continued participation in the United States Department of Agriculture (USDA) Subsidy Program Grant for the Office for Aging and adopted a program budget in the amount of \$167,005 for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant program provides a per meal reimbursement for Congregate and Home Delivered meals served through the Office for Aging Nutrition Program, and

WHEREAS, it is desired to renew said grant program in the amount of \$184,219 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$184,219 from the New York State Office for Aging, Empire State Agency, Building 2, Albany, New York 12223-0001 for the Office for Aging's Nutrition Services Incentive Program Grant (NSIP) for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$184,219, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 415

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF THE TITLE VII ELDER ABUSE PREVENTION PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AMENDING THE AGREEMENT WITH ACTION FOR OLDER PERSONS, INC TO ADMINISTER SAID PROGRAM FOR 2004

WHEREAS, this County Legislature, by Resolution 472 of 2003, authorized and approved renewal of the Title VII Elder Abuse Prevention Program Grant for the Office for Aging, adopted a program budget in the amount of \$9,746 and authorized an agreement with Action for Older Persons, Inc. to administer said program for an amount not to exceed \$9,746 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides recruitment and training of volunteers for the Elder Abuse Prevention Program, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$892 in grant appropriations and amend said agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title VII Elder Abuse Prevention Program Grant to reflect an increase of \$892 for the period January 1, 2004 through December 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 \$10,638, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901, to reflect an increase of \$892, total amount not to exceed \$10,638 for recruitment and training of volunteers for the Office for Aging for the period January 1, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, that Resolution 472 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, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 416

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

RESOLUTION AUTHORIZING REVISION OF THE TITLE III-E FAMILY CAREGIVER PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004

WHEREAS, this County Legislature, by Resolution 640 of 2003, authorized the continued participation in the Title III-E Family Caregiver Program Grant and adopted a program budget in connection therewith in the total amount of \$159,363 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides caregivers with education, transportation, in-home and institutional respite, information and assistance, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$27,889 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-E Family Caregiver Program Grant to reflect an increase of \$27,889 for the period January 1, 2004 through December 31, 2004, 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 \$187,252, and be it

FURTHER RESOLVED, that Resolution 640 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 417

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF THE TITLE III-D DISEASE PREVENTION AND HEALTH PROMOTION PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004

WHEREAS, this County Legislature, by Resolution 639 of 2003, authorized the continued participation in the Title III-D Disease Prevention and Health Promotion Program Grant and adopted a program budget in connection therewith in the total amount of \$27,833 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides funding for health promotion activities, including mental health counseling, medication management for seniors and budget support for the Broome County Senior Games, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$3,079 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-D Disease Prevention and Health Promotion Program Grant to reflect an increase of \$3,079 for the period January 1, 2004 through December 31, 2004, 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 \$30,912, and be it

FURTHER RESOLVED, that Resolution 639 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 418

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

RESOLUTION AUTHORIZING REVISION OF TITLE III-C-2 HOME DELIVERED MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004

WHEREAS, this County Legislature, by Resolution 638 of 2003, authorized renewal of the Title III-C-2 Home Delivered Meals Program Grant and adopted a program budget in connection therewith in the total amount of \$595,381 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides home delivered meals to eligible individuals age 60 and over in accordance with standards established by the Older Americans Act and the New York State Office for Aging, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$34,779 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title III-C-2 Home Delivered Meals Program Grant to reflect an increase of \$ 34,779 for the period January 1, 2004 through December 31, 2004, 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 \$630,160, and be it

FURTHER RESOLVED, that Resolution 638 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 419

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

RESOLUTION AUTHORIZING REVISION OF TITLE IIIC-1 CONGREGATE MEALS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004

WHEREAS, this County Legislature, by Resolution 637 of 2003, authorized continued participation in the Title IIIC-1 Congregate Meals Program Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$887,970 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides senior center operations, including meals, health and educational programs and access to benefits and operates in accordance with the standards established by the Older Americans Act and the New York State Office for Aging, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$10,182 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Title IIIC-1 Congregate Meals Program Grant to reflect an increase of \$10,182 for the period January 1, 2004 through December 31, 2004, 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 \$898,152, and be it

FURTHER RESOLVED, that Resolution 637 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 420

By Health & Human Services, Personnel, County Administration and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF THE TITLE III-B SUPPORTIVE SERVICES PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004

WHEREAS, this County Legislature, by Resolution 636 of 2003, authorized and approved the Title III-B Supportive Services Program Grant for the Office for Aging and adopted a program budget in the amount of \$606,213 for the period January 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides a variety of services, including transportation, information and assistance, legal assistance, shopping services and caregiver services, and

WHEREAS, it is necessary at this time to revise said grant program to reflect an increase in grant appropriations in the amount of \$18,349 for the period January 1, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's Title III-B Supportive Services Program Grant to reflect an increase of \$18,349 for the period January 1, 2004 through December 31, 2004, 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 \$624,562, and be it

FURTHER RESOLVED, that Resolution 636 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, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 421

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE TOWN OF UNION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE OFFICE FOR AGING'S NUTRITION PROGRAM TITLE III-C-1 BROOME WEST SENIOR CENTER FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 411 of 2003, authorized renewal of the agreement with the Town of Union for Community Development Block Grant revenue in the amount of \$28,000 for the Office for Aging's Nutrition Program, Title III-C-1 Broome West Senior Center, for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said funds partially offset operating expenses associated with the Broome West Senior Center, and

WHEREAS, said agreement expires by its terms on September 30, 2004, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$25,000, for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Town of Union, 3111 East Main Street, Endwell, New York 13760 for Community Block Grant revenue for the Office for Aging's Nutrition Program, Title III-C-1 Broome West Senior Center for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$25,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760736.0900.104825 (Other Federal Revenue), 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 (Hudak, Mather).

RESOLUTION NO. 422

By Health and Human Services Committee

Seconded by Mr. Burger

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

WHEREAS, Jeffrey P. Kraham, County Executive, pursuant to the authority vested in him by Resolution 477 of 1985, has duly designated and appointed the following named individuals to membership on the Broome County Family Violence Prevention Council, for the term indicated, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Beth Harrington 182 Pendell Hill Road Whitney Point, NY 13862	New Appointment Term Expires 12/31/06
John Spencer 2092 Hampton Road Binghamton, New York 13903	New Appointment Term Expires 12/31/06

Alan Wabrek, M.D. The River House 38-42 Front Street Binghamton, New York 13905	New Appointment Term Expires 12/31/06
Cathy Williams 14 Laurel Avenue Binghamton, New York 13905	New Appointment Term Expires 12/31/06
Carol Aronowitz 67 Crestmont Road Binghamton, New York 13901	Reappointment Term Expires 12/31/06
Shelli Cordisco 3697 Mill Street Binghamton, New York 13903	Reappointment Term Expires 12/31/06
Dennis McCabe 4513 Madison Drive Vestal, New York 13850	Reappointment Term Expires 12/31/06
Galen Richmond, P.N.P. 180 Pollard Hill Road Johnson City, New York 13790	Reappointment 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 477 of
1985, hereby confirms the appointment of the above-named individuals to membership on the
Broome County Family Violence Prevention Council for the terms indicated, in accordance with
their appointment by the County Executive.

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 423

By Health & Human Services and Finance Committees Seconded by Mr. Burger
**RESOLUTION AUTHORIZING AN AGREEMENT WITH AUDIOLOGY ASSOCIATES FOR
SERVICES FOR THE DEPARTMENT OF HEALTH'S PHYSICALLY HANDICAPPED
CHILDREN'S PROGRAM AND EARLY INTERVENTION PROGRAM FOR 2004-2006**

WHEREAS, the Director of Public Health requests authorization for an agreement with
Audiology Associates for services for the Department of Health's Physically Handicapped
Children's Program and Early Intervention Program at the rates set by Medicaid and the New
York State Department of Health, total cost not to exceed \$12,000, for the period September 1,
2004 through August 30, 2006, and

WHEREAS, said agreement is necessary to provide audiology services such as hearing
evaluations, consultations, hearing aids, hearing aid batteries and acoustic reflex testing, now,
therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Audiology
Associates, 200 Plaza Drive, Vestal, New York 13850, for services for the Department of
Health's Physically Handicapped Children's Program and Early Intervention Program for the
period September 1, 2004 through August 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the
Contractor at the rates set by Medicaid and the New York State Department of Health, total
amount not to exceed \$12,000 for the term of the agreement, and be it

WHEREAS, said grant program is a special supplemental food program for an assigned caseload of 4,750 women, infants and children, and

WHEREAS, it is desired to renew said grant program in the amount of \$815,826 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$815,826 from the New York State Department of Health-WIC Program, 217 South Salina Street, Syracuse, New York 13202 for the Department of Health's Women, Infants and Children (WIC) Program Grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$ 815,826, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 426

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE HOME ENERGY ASSISTANCE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH OPPORTUNITIES FOR BROOME FOR SERVICES FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 417 of 2003, as amended by Resolutions 60 and 281 of 2004, authorized and approved the Home Energy Assistance Program Grant for the Department of Social Services and adopted a program budget in the amount of \$282,538 for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant program provides assistance with home heating fuel, winterization and fuel equipment, as well as emergency assistance such as utility shut-off and fuel, to eligible Temporary Assistance, Food Stamp and low-income families, and

WHEREAS, it is desired to renew said grant program in the amount of \$182,610, adopt a program budget and authorize an agreement with Opportunities for Broome for application filing services as required by New York State HEAP regulations for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$182,610 from the New York State Department of Temporary and Disability Assistance, 40 North Pearl Street, Albany, New York 12243-0001, for the Department of Social Services Home Energy Assistance Program (HEAP) Grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$182,610, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Opportunities for Broome, 56 Whitney Avenue, Binghamton, New York 13901 for application filing services as required by New York State HEAP regulations for an amount not to exceed \$10,000 for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670455.4561.104XXX (Purchase of Services), and be it

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

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

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

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 427

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE FOOD STAMP NUTRITION EDUCATION PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY TO ADMINISTER SAID PROGRAM FOR 2003-2004

WHEREAS, this County Legislature, by Resolution 628 of 2002, authorized and approved the renewal of the Food Stamp Nutrition Education Program Grant for the Department of Social Services, adopted a program budget in the amount of \$153,000 and authorized an agreement with Cornell Cooperative Extension of Broome County to administer said program for the period October 1, 2002 through September 30, 2003, and

WHEREAS, said grant program provides funding for nutrition education, food purchase and preparation instruction and life skills training to pregnant, parenting and at-risk teens and young adult food stamp recipients, and

WHEREAS, it is desired to renew said grant program in the amount of \$161,500, adopt a program budget and renew the agreement with Cornell Cooperative Extension of Broome County to continue to administer said program for the period October 1, 2003 through September 30, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$161,500 from the New York State Department of Social Services, for the Department of Social Services Food Stamp Nutrition Education Program Grant for the period October 1, 2003 through September 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 \$161,500, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Cornell Cooperative Extension of Broome County, 840 Upper Front Street, Binghamton, New York 13905 to administer said program grant for the period October 1, 2003 through September 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$161,500 for the term of the agreement, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 428

By County Administration and Finance Committees

Seconded by Mr. Burger

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

WHEREAS, this County Legislature, by Resolution 278 of 2002, as amended by Resolutions 254 and 339 of 2003 and Resolution 12 of 2004, authorized and approved renewal of the PY2002 Workforce Investment Act (WIA) Dislocated Worker, Adult, Youth and Shared Costs Program Grants for the Department of Employment and Training and adopted program budgets in connection therewith in the total amount of \$570,319, \$559,439, \$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 an increase to the PY2002 WIA Dislocated Workers Grant in the amount of \$237 in grant appropriations, and an increase to the PY2002 WIA Adult Grant in the amount of \$237 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the PY2002 WIA Dislocated Workers Grant, increasing grant appropriations in the amount of \$237, and increasing grant appropriations to the PY2002 WIA Adult Grant in the amount of \$237, 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 budget annexed hereto as Exhibit "A" in the total amount of \$559,676 and Exhibit "B" in the total amount of \$570,556, and be it

FURTHER RESOLVED, that Resolution 278 of 2002, as amended by Resolutions 254 and 339 of 2003 and Resolution 12 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 429

By County Administration and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF THE PY2004 WORKFORCE INVESTMENT ACT DISLOCATED WORKER GRANT FOR THE DEPARTMENT OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2006

WHEREAS, this County Legislature, by Resolution 231 of 2004, authorized and approved renewal of the PY2004 Workforce Investment Act (WIA) Dislocated Worker Program Grant for the Department of Employment and Training and adopted a program budget in connection therewith in the total amount of \$739,663 for the period July 1, 2004 through June 30, 2006, and

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

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$145,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the PY2004 Workforce Investment Act (WIA) Dislocated Worker Program Grant to reflect a decrease of \$145,000 for the period July 1, 2004 through June 30, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$594,663, and be it

FURTHER RESOLVED, that Resolution 230 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 430

By County Administration and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF THE PY2004 WORKFORCE INVESTMENT ACT (WIA) ADULT PROGRAM GRANT FOR THE DEPARTMENT OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2006

WHEREAS, this County Legislature, by Resolution 230 of 2004, authorized and approved renewal of the PY2004 WIA Adult Program Grant for the Department of Employment and Training and adopted a program budget in connection therewith in the total amount of \$566,304 for the period July 1, 2004 through June 30, 2006, and

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

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$145,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the PY2004 WIA Adult Program Grant to reflect an increase of \$145,000 for the period July 1, 2004 through June 30, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$711,304, and be it

FURTHER RESOLVED, that Resolution 231 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 431

By Finance and Public Works Committees

Seconded by Mr. Miller

RESOLUTION AMENDING THE 2004 CAPITAL IMPROVEMENT PROGRAM

(Description Change Only)

RESOLVED, that the 2004 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501391	Highway Equip. Replacement	240,000	0	0	240,000
			<u>How Financed:</u>		
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		2004	15	240,000	0

Description: To purchase replacement excavator which replaces existing 20 yr old machine. County have only one excavator.

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501391	Highway Equip. Replacement	240,000	0	0	240,000
			<u>How Financed:</u>		
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		2004	15	240,000	0

Description: Replace road maintenance and snow removal equipment as necessary.

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 (Hudak, Mather).

RESOLUTION NO. 432

By Finance and Personnel Committees

Seconded by Mr. Burger

RESOLUTION AMENDING THE DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF BROOME COUNTY

WHEREAS, the New York State Deferred Compensation Board ("the Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board ("the Regulations"), has promulgated a model Deferred Compensation Plan (the Plan) for adoption by municipalities within the State of New York that offer employees a Deferred Compensation Plan, and

WHEREAS, this County Legislature, pursuant to Resolution No. 238 of 1984, in accordance with Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Broome County, and

WHEREAS, this County Legislature, by Resolution No. 491 of 2002, adopted the amended and restated Model Deferred Compensation Plan promulgated by the Board, effective January 1, 2002, and

WHEREAS, upon due deliberations and having received the recommendation of the Deferred Compensation Committee, this County Legislature has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Broome County by amending said Plan to include provisions for Plan participants to apply for loans from the Plan, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the Deferred Compensation Plan for Employees of Broome County effective January 1, 2002 to include provisions for Plan participants to apply for loans from the Plan, effective January 1, 2004 in the form on file with the Clerk of the Legislature, and be it

FURTHER RESOLVED, that the Deferred Compensation Committee 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 (Hudak, Mather).

RESOLUTION NO. 433

By Health & Human Services, Personnel, Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AN INMATE STD TESTING/JAIL PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005

WHEREAS, this County Legislature, by Resolution 125 of 2004, authorized and approved an Inmate STD Testing/Jail Program Grant and adopt a program budget in the amount of \$6,637 for the period April 1, 2004 through December 31, 2004, and

WHEREAS, said grant program provides funds for a part-time public health nurse position for inmate STD testing at the jail, and

WHEREAS, it is desired to renew said grant program in the amount of \$39,504 for the period January 1, 2005 through December 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$39,504 from the Broome County Correctional Facility, 155 Lt. VanWinkle Drive, P.O. Box 2047, Binghamton, New York 13902-2047 for the Department of Health's Inmate STD Testing/Jail Program Grant for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$39,504, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 434

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 373 of 2003, authorized and approved the continued participation in the Children with Special Health Care Needs Program Grant for the Department of Health and adopted a program budget in the amount of \$26,456 for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant program provides aid in determining the children with special needs, identifies relevant issues and works with State agencies to resolve such issues, and

WHEREAS, it is desired to renew said grant program in the amount of \$26,456 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$26,456 from the New York State Department of Health, Division of Family and Local Health, Corning Tower, Empire State Plaza, Albany, New York 12237-0657, for the Department of Health's Children with Special Health Care Needs Program Grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$26,456, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 435

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE TRAFFIC SAFETY AWARENESS PROGRAM GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 376 of 2003, as amended by Resolution 69 of 2004, authorized and approved continued participation in the Traffic Safety

Awareness Program Grant for the Department of Health and adopted a program budget in the amount of \$39,624 for the period October 1, 2003 through September 30, 2004, and

WHEREAS, said grant program supports local programs, public education events and activities designed to reduce mortality and morbidity related to traffic accidents, and

WHEREAS, it is desired to renew said grant program in the amount of \$40,624 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$40,624 from the Governor's Traffic Safety Committee, Department of Motor Vehicles, 6 Empire State Plaza, Room 414, Albany, New York 12228, for the Department of Health's Traffic Safety Awareness Program Grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$ 40,624, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 436

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

RESOLUTION AUTHORIZING REVISION OF THE TOBACCO CONTROL AND INSURANCE INITIATIVES PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 272 of 2004, authorized and approved renewal of the Tobacco Control and Insurance Initiatives Program Grant for the Department of Health, adopted a program budget in connection therewith in the total amount of \$205,000 and authorized an agreement with the Tioga County Health Department to assist in administration of said grant for the period August 1, 2004 through July 31, 2005, and

WHEREAS, said grant program allows the Broome County Department of Health to be the fiscal agent and to support tobacco control and prevention-related project activities, and

WHEREAS, it is necessary at this time to revise said grant program to reflect an increase in the amount of \$78,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Tobacco Control and Insurance Initiatives Program Grant to reflect an increase of \$78,000 for the period August 1, 2004 through July 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$283,000, and be it

FURTHER RESOLVED, that Resolution 272 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 437

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AN AGREEMENT WITH DR. MARIANNE SODEN-SERJANEJ FOR VARIOUS SERVICES FOR THE DEPARTMENT OF HEALTH'S HEALTHY LIVING PARTNERSHIP INTEGRATED CANCER SERVICES PROGRAM GRANT FOR 2004-2005

WHEREAS, the Director of Public Health requests authorization for an agreement with Dr. Marianne Soden-Serjanej for various services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant at rates set by the New York State Department of Health as listed on Exhibit "B" for the period April 1, 2004 through March 31, 2005, and

WHEREAS, said services are necessary to provide a regional approach to breast, cervical, colorectal and prostate cancer screening, diagnostics, education, treatment and follow up in uninsured or underinsured women and men over fifty ears of age in five counties (Broome, Tioga, Chenango, Otsego and Delaware), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Dr. Marianne Soden-Serjanej, Maine Medical, 2352 Route 26, Endicott, New York 13760 for various services for the Department of Health's Healthy Living Partnership Integrated Cancer Services Program Grant for the period April 1, 2004 through March 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates set by the New York State Department of Health as listed on Exhibit "B" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4715.104XXX (Other Health and Medical Services) and 480301.4707.104XXX (Medical and Hospital 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 438

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE TANF EARLY CHILDHOOD COALITION GRANT FOR DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004

WHEREAS, this County Legislature, by Resolution 627 of 2003, authorized and approved the Temporary Assistance to Needy Families (TANF) Early Childhood Coalition Grant for the Department of Health and adopted a program budget in the amount of \$17,152 for the period January 1, 2004 through June 30, 2004, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$9,158 for the period September 30, 2004 through December 31, 2004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$9,158 from the Broome County Department of Social Services, 36 Main Street, Binghamton, New York 13905, for the Department of Health's TANF Early Childhood Coalition Grant for the period September 30, 2004 through December 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 \$9,158, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 439

By Health & Human Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING ESTABLISHMENT AND/OR RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR GRANT-RELATED SERVICES FOR THE DEPARTMENT OF HEALTH'S STEPS TO A HEALTHIER US INITIATIVE GRANT FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 170 of 2004, authorized agreements with various vendors for grant-related services for the Department of Health's Steps to a Healthier US Initiative Grant at amounts not to exceed those listed on Exhibit "A" for the period May 1, 2004 through September 21, 2004, and

WHEREAS, said services are necessary to provide healthy lifestyles in Broome County by reducing the burden of obesity, diabetes and asthma through selected community and school-based interventions, and

WHEREAS, the existing agreements expire by their terms on September 21, 2004, and it is desired at this time to establish and/or renew agreements on substantially similar terms and conditions, for an amount not to exceed those listed on Exhibit "A", for the period September 22, 2004 through September 31, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes establishment and/or renewal of agreements with various vendors as shown on Exhibit "A" for grant related services for the Department of Health's Steps to a Healthier US Initiative Grant for the period September 22, 2004 through September 31, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors amounts not to exceed those listed on Exhibit "A" for the terms of the agreements, and be it

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

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

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 440

By Public Works and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS MUNICIPALITIES IN BROOME COUNTY FOR THE CONTROL OF SNOW AND ICE ON COUNTY ROADS AND HIGHWAYS FOR 2005-2007

WHEREAS, this County Legislature, by Resolution 389 of 2002, authorized renewal of the agreements with various Towns in Broome County whereby said Towns contracted to remove snow and ice from certain County highways for the period January 1, 2003 through December 31, 2004, and

WHEREAS, said agreements expire by their terms on December 31, 2004, and it is desired at this time to renew said agreements on substantially similar terms and conditions, at a rate of \$3,400 for 2005, at a rate of \$3,500 per mile in 2006, and at a rate of \$3,600 per mile for 2007, the term of the agreement being January 1, 2005 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with the Towns of Triangle, Nanticoke, Maine, Lisle, Kirkwood, Conklin, Binghamton, Vestal and Barker whereby said Towns will remove snow and ice from certain County highways at a rate of \$3,400 per mile for the period January 1, 2005 through December 31, 2005, at a rate of \$3,500 per mile for the period January 1, 2006 through December 31, 2006 and at a rate of \$3,600 per mile for the period January 1, 2007 through December 31, 2007, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 030130.4512.301000 (Outside Rental-Machinery), 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 (Hudak, Mather).

RESOLUTION NO. 441

By Health & Human Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF THE EARLY INTERVENTION ADMINISTRATION/CHILD FIND PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 375 of 2003, authorized and approved continued participation in the Early Intervention Administration/Child Find Program Grant for the Department of Health and adopted a program budget in the amount of \$129,450 for the period October 1, 2003 through September 30, 2004, and

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

WHEREAS, it is desired to renew said grant program in the amount of \$129,450 for the period October 1, 2004 through September 30, 2005, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$129,450 from the New York State Department of Health, Division of Family and Local Health, Corning Tower, Empire State Plaza, Albany, New York 12237-0657 for the Department of Health's Early Intervention Administration/Child Find Program Grant for the period October 1, 2004 through September 30, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$129,450, 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-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 442

By Finance and Health & Human Services Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING THE BUDGET TRANSFERS FOR DEPARTMENT OF HEALTH AND VETERANS' SERVICES

RESOLVED, that in accordance with a request from the Director of Health to modify the appropriations to maximize the EI Administration Grant as requested in BF#005178 & 005179, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104817	Salaries – Full Time	11,983
	480301	8010	104817	Sate Retirement	1,296
	480301	8030	104817	Social Security	773
	480301	8040	104817	Workers' Compensation	718
	480301	8050	104817	Life Insurance	15
	480301	8060	104817	Health Insurance	2,977
	480301	8063	104817	Disability	13
	480301	8070	104817	Unemployment	915
TO:	480301	1500	104817	Salaries – Part Time	4,033
	480301	1600	104817	Salaries - Temporary	1,300
	480301	4319	104817	Office Supplies	555
	480301	4359	104817	Computer Software	1,200
	480301	4457	104817	Subcontracted Prog. Exp.	634
	480301	4606	104817	Telephone	215
	480301	4610	104817	Personal Services	10,753

FURTHER RESOLVED, that in accordance with a request from the Director of Health to modify the appropriations to maximize the Diabetes Grant as requested in BF#005173, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1500	104802	Salaries – Part Time	578
	480301	4617	104802	Duplicating and Printing	3,000
	480301	8010	104802	State Retirement	122
TO:	480301	4346	104802	Training and Education	3,700

FURTHER RESOLVED, that in accordance with a request from the Director of Veterans Services to cover the unexpected high number of indigent burials as requested in BF#005337, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingency	57,000
TO:	420000	4589	101000	Burials	57,000

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

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 443

By County Administration and Public Safety & Emergency Services Committees

Seconded by Mr. Burger

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

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

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

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

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

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

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

LOCAL LAW INTRO. NO. 15, 2004

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

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

SECTION 1 . IMPOUNDMENT OF VEHICLES

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

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

1. The vehicle may be released to the arrestee no earlier than twelve (12) hours after the time of the arrest.
2. The vehicle may be released to a party other than the arrestee if:
 - (a) The vehicle is owned or leased by the individual claiming the vehicle other than the arrestee, or
 - (b) The vehicle is owned or leased by the arrestee, the arrestee is eighteen (18) or older, and the arrestee gives their written permission, pursuant to the requirements of the arresting law enforcement agency or its duly authorized agent, to another individual to claim the vehicle, or
 - (c) The vehicle is owned or leased by the arrestee, the arrestee, the arrestee is under eighteen (18) and unemancipated, the vehicle may be released to the parent or legal guardian of the arrestee.
3. A vehicle impounded under this section shall not be released to any person unless the person claiming the vehicle from the arresting law enforcement agency or its duly authorized agent:
 - (a) Presents a valid license, proof of ownership or lawful authority to operate a motor vehicle,
 - (b) Would not be in violation of New York Vehicle & Traffic Law Sections 1192(1), 1192(2), 1192(3), 1192(4), 1192(5), 1192(6) and/or 1192-a, in connection with operating the vehicle and is otherwise able to operate the vehicle in a safe manner, and
 - (c) Meets any other reasonable conditions established for release of the vehicle established by the arresting law enforcement agency or its duly authorized agent, including but not limited to reasonable fees for towing and storage of the vehicle until the time the vehicle is claimed. The arresting law enforcement agency or its duly authorized agent may retain custody of the vehicle until such conditions are complied with or fees paid.
4. Nothing in this Local Law shall be construed to prevent or supersede a court of competent jurisdiction from exercising its authority in connection with the release of a vehicle impounded under this Local Law.

SECTION 2. EFFECT OF OTHER LAWS

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

SECTION 3. RULES AND REGULATIONS

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

SECTION 4. SEVERABILITY

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

SECTION 5. EFFECTIVE DATE

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

Held over 'under the rules' by Mr. Lindsey.

RESOLUTION NO. 444

By Personnel, Health & Human Services and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING THE HIRING OF DR. ERIC Y. LIN AS STAFF PSYCHIATRIST.

WHEREAS, the Commissioner of Mental Health has recommended the hiring of Dr. Eric Y. Lin, as Staff Psychiatrist at an annual salary of \$126,136, and

WHEREAS, Dr. Eric Y. Lin is qualified as Staff Psychiatrist and has experience and/or education which justify said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Dr. Eric Y. Lin as Staff Psychiatrist, annual salary of \$126,136 at budget line 470013.1000.101000, effective 9/20/2004.

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 445

By Health & Human Services and Finance Committee Seconded by Mr. Burger
RESOLUTION AUTHORIZING AN AGREEMENT WITH TECHNOLOGY SOLUTIONS FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 2004

WHEREAS, the Commissioner of Social Services requests authorization for an agreement with Technology Solutions for professional services for the Department of Social Services at a cost not to exceed \$7,000 for the period June 1, 2004 through September 30, 2004, and

WHEREAS, said services are necessary to change the Imaging indexing requirements to be State Indexing Guideline compliant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Technology Solutions, 5820 Main Street, Suite 102, Williamsville, New York 14221 for professional services, for the Department of Social Services for the period June 1, 2004 through September 30, 2004, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670455.4747.104816 (Other Fees for Services), and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

RESOLUTION NO. 446

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION FIXING THE DATE, TIME AND PLACE OF A PUBLIC HEARING BY THE BROOME COUNTY LEGISLATURE ON THE 2005 TENTATIVE BUDGET

WHEREAS, the County Executive will present a tentative 2005 Budget to the members of the County Legislature on or before Friday, October 1, 2004, including a proposed budget, a capital program, and the budget message, and

WHEREAS, Section C606 of the Broome County Charter requires that the County Legislature hold a public hearing on the proposed budget, the capital program and the budget message submitted by the County Executive, now, therefore, be it

RESOLVED, that a Public Hearing on the tentative Broome County Budget for 2005 will be held on Wednesday, October 20, 2004 at 7:30 p.m. in the Legislative Chambers, Sixth Floor, Edwin L. Crawford County Office Building, Government Plaza, Hawley Street, Binghamton, New York, and the Clerk of this County Legislature is hereby authorized to publish notice of said public hearing in the official newspaper(s) of the County pursuant to the provisions of the Broome County Charter.

Carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather).

Mr. Shafer made a motion, seconded by Mr. Whalen, to change the Legislative Session to receive the Proposed 2005 County Budget from October 1, 2004 Legislative Session to September 30, 2004, 5:00 p.m. **Carried**, Ayes-17, Nays-0.

Mr. Shafer made a motion to adjourn, seconded by Mr. Pasquale. Motion to adjourn carried, Ayes-17, Nays-0, Absent-2 (Hudak, Mather). The meeting was adjourned at 5:28 p.m.

This page intentionally left blank.

