
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
OCTOBER 20, 2005**

The Legislature convened at 5:00 p.m. with a call to order by the Chair, Daniel A. Schofield. The Deputy Clerk, Laurie L. Tracy, read the fire exit announcement and called the Attendance Roll, Present-15, Absent-4 (Whalen, Brunza, Lindsey, Mather).

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

Mr. Keibel made a motion, seconded by Mr. Miller, that the minutes of the September 13, 2005 and October 3, 2005 Regular Sessions be approved as prepared and presented by the Deputy Clerk. **Carried**, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Lindsey, Mather).

Mr. Schofield noted that the committee minutes for the period September 14, 2005 through October 19, 2005 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Deputy Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mr. Marinich, seconded by Mr. Hutchings. **Carried**, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Lindsey, Mather).

ANNOUNCEMENTS FROM THE CHAIR

Chair Schofield gave the floor to Thomas A. Hull, Legislator for District 6, in order that he could recognize Mr. Rob Russell and his Cub Scout Den #2 from the Towns of Binghamton, Conklin and the South Side of Binghamton.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Barbara J. Fiala:
1. Appointment to Broome Community College Board of Trustees
 2. Appointments to Broome-Tioga Workforce Investment Board
 3. Broome County Recommended 2006 Budget and Capital Improvement Program
 4. Broome County Recommended 2006 Budget Corrections

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. PETITIONS: None
- B. COMMUNICATIONS:
1. Broome County Industrial Development Agency Meeting Minutes 9/12/05
 2. EMC Natural Resources Committee Meeting Minutes 6/16/05
 3. Broome County Fire Advisory Board Meeting Minutes 5/26/05
 4. EMC Recycling & Waste Management Committee Meeting Minutes 7/25/05
 5. Broome County Association of Municipal Clerks Meeting Minutes 9/15/05
 6. Cornell Cooperative Extension of Broome County Board of Directors Meeting Minutes 6/23/05
 7. Landfill Citizens Advisory Committee Meeting Minutes 9/19/05
 8. Broome County Soil and Water Conservation District Directors Meeting Minutes 9/19/05
 9. Environmental Management Council Meeting Minutes 9/8/05
 10. EMC Natural Resources Committee Meeting Minutes 9/15/05
 11. Finance Committee's 2006 Budget Review Schedule 10/10/05, Revised 10/12/05, 10/14/05
 12. NYSAC-Receipt of Resolution 05-372

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13. The Council of the City of Binghamton-Resolution to The Broome County Legislature and Broome County Executive to Lower and/or Suspend the County Tax on Gasoline During the Gas Crisis
 14. Orange County Legislature-Resolution of the Orange County Legislature in Support and Continuation of Off-Track Betting Revenues for Participating Counties
 15. Orange County Legislature-Resolution of the Orange County Legislature Expressing Its Sentiments Opposing Further "Racinos" Unless Operated by the Statewide Off-Track Betting Corporation
 16. State Board of Real Property Services-List of Certified 2005 State Equalization Rates
 17. Assemblyman Gary Finch-Receipt of "Resolution for the Support and Continuation of Off-Track Betting Revenues for Participating New York State Counties"
 18. NYS Department of Health Former IBM Endicott Facility On-Site Investigation Update
 19. County Attorney Opinion on Conflict of Interest for Legislators Serving with Not-For-Profit Agencies
 20. County Attorney-Opinion of Sheriff's Commissary Fund
 21. County Executive Approval for Nathaalie Maxwell to be Adjunct Professor at Binghamton University
 22. Board of Acquisition and Contract Questions to Sheriff Harder Regarding 'Inmate Commissary and Computerized Accounting Services'
- C. NOTICES:
1. Board of Acquisition and Contract Meeting Changed to 9/28/05 at 2:00 pm
 2. Public Hearing 2006 Tentative Broome County Budget 10/20/05 at 7:00 pm
 3. Broome County Local Early Intervention Coordinating Council Meeting 10/20/05
 4. Public Works-Request for Qualifications-Building, Civil, Structural, Land Surveying, Geotechnical and Environmental Testing Services
- D. REPORTS:
1. Office of the State Comptroller-Report of Examination Court and Trust Funds County of Broome 2003-2004 and 2004-2005
 2. BCC Quarterly Report 8/31/05
 3. BCC Above Minimum Hire Report 7/05
 4. BCC Above Minimum Hire Report 8/05
 5. Audit and Control Quarterly Accounts Receivable Analysis 9/05
 6. Audit and Control Aviation Department Space Rental Income 9/05
 7. Finance Department-Semi-Annual Mortgage Tax Receipts and Disbursements
 8. Department of Social Services 2004 Annual Report
 9. Internship Manual

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel A. Schofield:
1. Designation for Mr. Hutchings 9/13/05
 2. Designation for Mr. Schofield 9/15/05-9/26/05
 3. Designation for Mr. Sanfilippo 10/10/05
 4. Designations for Mr. Keibel 10/10/05-10/13/05

Mr. Kuzel made a motion, seconded by Mr. Sanfilippo, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2005 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

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

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 489

By County Administration Committee

Seconded by Mr. Shafer

RESOLUTION OPPOSING FURTHER "RACINOS" UNLESS OPERATED BY THE CATSKILL OFF-TRACK BETTING CORPORATION

WHEREAS, since inception, through participation in the Catskill Off-Track Betting Corporation, member counties have received more than \$180 million as their share of wagering activities conducted by the Corporation through 2004, and has generated over \$220 million for the support of horse racing in the State of New York, and

WHEREAS, the Catskill OTB has paid over \$10 million to participating counties in the year 2003 and nearly \$8 million in 2004, including \$790,000 to Broome County, and

WHEREAS, in 2001, the State enacted new laws to allow video lottery terminals at certain New York racetracks for the support of education and to bolster the failing harness racing industry, and

WHEREAS, of the six New York harness tracks operating in 2001, one harness track has ceased operations for failure to obtain a harness racing license and subsequent bankruptcy, four harness tracks have opened racinos to present the video lottery games at their facilities and one has closed for renovation to create such a racino, and

WHEREAS, an additional new harness track will increase competition among already faltering harness tracks for best horses and race dates with the said new track diluting the monies paid to existing harness tracks from off-track betting, and

WHEREAS, a wealthy hobbyist has aggressively and successfully caused the Catskill Region participating County of Tioga to approve such a harness track/racino upon the property of a long defunct former quarter horse racetrack, and

WHEREAS, such track/racino will provide no revenues for Tioga County nor other counties; it will siphon off wagering from longstanding revenue producing OTBs within a four-county radius; it will offer its own off-track betting facility without surcharge revenues for the counties; it will divert much needed revenues from other participating OTB counties; it will deplete otherwise disposable and still other income from regional residents, now, therefore, be it

RESOLVED, that this County Legislature opposes State approval of a prospective track/racino seeking to operate with a participating county of the Catskill Region unless such track/racino is operated by the Catskill Off-Track Betting Corporation and unless revenues are paid to participating counties as were paid by OTB for Year 2003, and

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to send a copy of this Resolution to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, Senator Thomas W. Libous, Assemblywoman Donna A. Lupardo, Assemblyman Clifford Crouch, Assemblyman Gary Finch, the New York State Association of Counties and the President of the Catskill Off-Track Betting Corporation.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 490

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION LEVYING THE COST OF WORKERS' COMPENSATION FOR 2006

WHEREAS, a budget for the operation of the Broome County Self-Insurance Plan for Workers' Compensation for the year 2006 has been prepared, now, therefore, be it

RESOLVED, that the estimated costs of the Broome County Self Insurance Plan for Workers' Compensation for the year 2006, as apportioned to the County and the towns and villages participating in the fund be approved, and be it

FURTHER RESOLVED, that the apportioned amounts as to the towns and County shall be included in the respective next succeeding tax levies by the County Legislature unless otherwise provided for and paid to the Commissioner of Finance, and be it

FURTHER RESOLVED, that the Commissioner of Finance is hereby authorized to bill the Village of Endicott, Lisle, Port Dickinson and Whitney Point for the amounts apportioned to them, and be it

FURTHER RESOLVED, that when said amounts are collected, they shall be deposited to the Workers' Compensation account as follows:

<u>Municipality</u>	<u>Amount</u>
Broome County	\$2,098,290
Barker	20,813
Binghamton (T)	67,219
Chenango	92,893
Colesville	59,127
Conklin	51,792
Endicott	397,135
Lisle (T)	34,492
Lisle (V)	10,744
Maine	123,502
Nanticoke	6,392
Port Dickinson	7,694
Sanford	50,997
Triangle	31,985
Whitney Point	13,096
Windsor (T)	47,607
Total	\$3,113,778

Held over by Mr. Shafer until the completion of 2006 Budget deliberations.

RESOLUTION NO. 491

By Public Works and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE ITHACA AREA WASTEWATER TREATMENT FACILITY FOR DISCHARGE OF RAW LEACHATE FROM THE LEACHATE COLLECTION SYSTEM AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 210 of 2004, as amended by Resolution 261 of 2005, authorized an agreement with the Ithaca Area Wastewater Treatment Facility for the discharge of raw leachate from the leachate collection system at the Nanticoke Landfill for the period June 1, 2004 through September 30, 2005, at a cost not to exceed \$6.00 per 1,000 gallons of leachate, plus a surcharge of \$5.64 per 1,000 gallons (52 cents per pound) if the leachate exceeds 1,384 milligrams per liter Biological Oxygen Demand (BOD), total cost not to exceed \$81,000, and

WHEREAS, said services are necessary to discharge raw leachate to a treatment facility for final treatment and discharge into a major watercourse, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of an agreement with the Ithaca Area Wastewater Treatment Facility, 525 Third Street, Ithaca, New York 14850, for discharge of raw leachate from the leachate collection system at the Nanticoke Landfill, for the period October 1, 2005 through September 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6.00 per 1,000 gallons of leachate, plus a surcharge of \$5.64 per 1,000 gallons (52 cents per pound) if the leachate exceeds 1,384 milligrams per liter Biological Oxygen Demand (BOD), total cost not to exceed \$81,000, for the term of this agreement, and be it

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 492

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION APPROVING THE 2006-2011 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2006 Capital Budget and the 2006-2011 Capital Improvement Program as accompanying the tentative budget for 2006, and as corrected and amended, is hereby approved and adopted as the 2006 Capital Budget and 2006-2011 Capital Improvement Program for the County of Broome, and be it

FURTHER RESOLVED, that the Budget Officer be and hereby is authorized, empowered, and directed to correct any modifications, changes, additions, and/or typographical errors not effecting the substance of the capital budget and capital program, and that the Budget Officer is further directed, after making such corrections, to file the same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

Held over by Mr. Shafer until the completion of 2006 Budget deliberations.

RESOLUTION NO. 493

By Finance Committee

Second by Mr. Schafer

RESOLUTION ADOPTING THE BROOME COUNTY BUDGET FOR FISCAL YEAR 2006

RESOLVED, that the tentative budget of the County of Broome, including the County's 2006 Capital Budget, as corrected and amended to \$XXX,XXX,XXX, be and hereby is adopted as the budget for the County of Broome, for the year commencing January 1, 2006 and ending December 31, 2006 and be it

FURTHER RESOLVED, that any available fund balances that exist on December 31, 2005 in excess of those appropriated for the 2006 budget, as certified by the Commissioner of Finance, be transferred to the Capital Fund to offset and replace borrowing authorization for projects as approved in the Capital Improvement Program. These funds shall be dedicated in the first instance to these projects that most directly effect real property taxes and projects with the shortest period of probable usefulness as set out in Section 11.00 of the Local Finance Law, and be it

FURTHER RESOLVED, that the Commissioner of Finance and Director of Budget and Research are directed to report to this Legislature and the Comptroller any transfers to the Capital Fund made pursuant to this Resolution, and be it

FURTHER RESOLVED, that the budget officer is hereby authorized, empowered, and directed to correct any modifications, changes, additions and/or typographical errors not effecting the substance of the budget and that the budget officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

Held over by Mr. Shafer until the completion of 2006 Budget deliberations.

RESOLUTION NO. 494

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME COUNTY GOVERNMENT FOR FISCAL YEAR 2006

WHEREAS, this County Legislature, by an accompanying Resolution XXX of 2005, has adopted a budget for fiscal year 2006, now, therefore, be it

RESOLVED, that the several amounts specified in such budget under the various categories and the various objects of expense in the 2006 tentative budget under the recommended column, unless a specific change or correction has been made in the same, in which case such change or corrected figure shall apply, shall be the amount appropriated for such items, effective January 1, 2006, and be it

FURTHER RESOLVED, that funds from the contingency and tax stabilization fund in the amount of \$2,000,000 be appropriated for 2006, and be it

FURTHER RESOLVED, that the Budget Officer is hereby authorized, empowered and directed to correct any modifications, changes, additions and/or typographical errors not affecting the substance of the budget, and that the Budget Officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

Held over by Mr. Shafer until the completion of 2006 Budget deliberations.

RESOLUTION NO. 495

By Economic Development & Planning Committee

Seconded by Mr. Shafer

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME-TIOGA WORKFORCE INVESTMENT BOARD (F/K/A THE BROOME-TIOGA WORKFORCE DEVELOPMENT BOARD)

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the authority vested in her by Resolution 499 of 2000, has duly designated and appointed the following named individuals to membership on the Broome-Tioga Workforce Investment Board (f/k/a the Broome-Tioga Workforce Development Board), for the terms indicated, subject to confirmation by this County Legislature:

<u>Name</u>	<u>Term Expiring</u>
Alison Alden Binghamton University P.O. Box 6000 Binghamton, New York 13902-6000	New Appointment - Regional (Replaces Thomas Kowalik) 6/30/07
Patrick Brennan P.O. Box 1766 Binghamton, New York 13902	New Appointment – Public (Replaces Terrance Kane) 6/30/07
Joseph Busch 435 Glenwood Road Binghamton, New York 13905	New Appointment – Regional (Replaces Lawrence Kiley) 6/30/07
Laurie Scheben 1 Grossett Drive Kirkwood, New York 13795	New Appointment – Business (Replaces Thomas Farrell) 6/30/07
Ken Smith 435 Glenwood Road Binghamton, New York 13905	Reappointment – Public 6/30/08
Janet Vanek P.O. Box 1625 Binghamton, New York 13901	Reappointment – Business 6/30/07

Mary Hughs
P.O. Box 549
Binghamton, New York 13902

Reappointment – Business
6/30/07

Robin Eccleston
86 Hawley Street
Binghamton, New York 13901

Reappointment – Business
6/30/07

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 499 of
2000, confirms the appointments of the above-named individuals to membership on the Broome-
Tioga Workforce Investment Board for the terms indicated, in accordance with their appointment
by the County Executive.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 496

By Finance Committee

Seconded by Mr. Miller

RESOLUTION APPROVING SALE OF COUNTY-OWNED PROPERTY IN VARIOUS TOWNS AND VILLAGES IN BROOME COUNTY

WHEREAS, the County of Broome now owns certain parcels of real property as listed on
Exhibit "A" and Exhibit "B", and

WHEREAS, in conformity with the procedures established by this County Legislature and
in accordance with all applicable laws, the Director of Real Property Tax Services requests
authorization to sell said properties to the individuals listed on Exhibit "A" and Exhibit "B", now,
therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County property as
indicated on Exhibit "A" and Exhibit "B" attached herewith, and be it

FURTHER RESOLVED, that the payments hereinabove referenced shall be credited to
budget line 630004.0212.101000 (Sale of Real Property), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is
hereby authorized to execute quit claim deeds, approved as to form by the Department of Law,
conveying the properties listed above to the new owners, together with other such documents as
may be necessary to implement the intent of this Resolution.

Carried, Ayes-14, Nays-0, Abstain-1 (Reynolds), Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 497

Personnel and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH UNITED HEALTH SERVICES HOSPITALS FOR DRUG AND ALCOHOL TESTING/TRAINING FOR THE PERSONNEL DEPARTMENT FOR 2006

WHEREAS, this County Legislature, by Resolution 596 of 2004, authorized renewal of
agreement with United Health Services Hospitals for drug and alcohol testing for the Department
of Personnel, payment in accordance with a rate schedule attached as Exhibit "A" to said
resolution, total amount not to exceed budgeted appropriations, for the period January 1, 2005
through December 31, 2005, and

WHEREAS, said services are necessary to conduct drug and alcohol testing for Broome
County employee commercial drivers license holders, as required by the United States
Department of Transportation, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired
at this time to renew said agreement on substantially similar terms and conditions, at the rate

schedule attached hereto as Exhibit "A" and not to exceed budgeted appropriations, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of an agreement with United Health Services Hospitals, 10-42 Mitchell Avenue, Phelps I, Binghamton, New York 13903 for drug and alcohol testing/training for the Department of Personnel for the period January 1, 2006 through December 31, 2006 and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate schedule attached hereto as Exhibit "A" and not to exceed budgeted appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4703.254000 (Lab Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 498

By Economic Development & Planning and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE MUNICIPAL ELECTRIC AND GAS ALLIANCE FOR LARGE GROUP PURCHASE OF POWER FOR BROOME COUNTY FOR 2006-2010

WHEREAS, this County Legislature, by Resolution 576 of 2000, as amended by Resolution 220 of 2002, authorized an agreement with the Municipal Electric and Gas Alliance (f/k/a The Tompkins and Tioga Counties Electric and Gas Alliance) to allow Broome County to participate in a large group purchase of power for the period December 1, 2000 through December 31, 2005, and

WHEREAS, said services are necessary to allow Broome County to participate in a large group purchase of power and to take advantage of a deregulated electrical energy market, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for the period January 1, 2006 through December 31, 2010, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Municipal Electric and Gas Alliance (M.E.G.A), P.O. Box 88, Ithaca, New York 14851-0088 that allows Broome County to participate in a large group purchase of power for Broome County for the period January 1, 2006 through December 31, 2010, and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 499

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH CORRECTIONAL MEDICAL SERVICES, INC. FOR MEDICAL SERVICES AT THE BROOME COUNTY JAIL FOR THE OFFICE OF THE SHERIFF FOR 2004-2005

WHEREAS, this County Legislature authorized an agreement with Correctional Medical Services, Inc. for medical, dental and related health care and administrative services, at the Broome County Jail for the Office of the Sheriff at a cost not to exceed \$1,379,784, for the period October 1, 2002 through September 30, 2003, with the option of four additional one year renewal terms on substantially similar terms and conditions and a Consumer Price Index increase, and

WHEREAS, said services are necessary to provide medical, dental and related health care and administrative services for the Broome County Jail and to comply with the minimum standards for such services prescribed by law, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term of the agreement through December 31, 2005 at an additional cost of \$116,223.86 per month plus an estimated charge of \$30,000 to cover catastrophic illnesses and a per diem charge of \$2.61 per inmate if the prison population exceeds 390, total cost not to exceed \$388,671.58 for the period October 1, 2005 through December 31, 2005, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Correctional Medical Services, Inc., 12647 Olive Boulevard, Saint Louis, Missouri, 63141, to extend the term of the agreement through December 31, 2005 for the Office of the Sheriff, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$116,223.86 per month plus an estimated charge of \$30,000 to cover catastrophic illnesses and a per diem charge of \$2.61 per inmate per day if the prison population exceeds 390, total cost not to exceed \$388,671.58 for the period October 1, 2005 through December 31, 2005, total amount not to exceed \$1,793,309.58, for the renewal term of the agreement of October 1, 2004 through December 31, 2005, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4715.101000 (Other Health and Medical Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 500

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH OVERDRIVE, INC. FOR DIGITAL LIBRARY RESERVE APPLICATION SERVICES FOR THE BROOME COUNTY PUBLIC LIBRARY FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 72 of 2005, authorized an agreement with Overdrive, Inc. for the Broome County Public Library at a rate of \$1,700 per month, total amount not to exceed \$20,400 for the period September 1, 2004 through August 31, 2005, and

WHEREAS, said agreement provided digital library reserve service application services and digital library reserve and library website guidelines, digital book technology and services as well as purchase of e-books, and

WHEREAS, said agreement expired by its terms on August 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$1,700 per month, total amount not to exceed \$20,400, for the period September 1, 2005 through August 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Overdrive, Inc., 8555 Sweet Valley Drive, Suite C, Cleveland, Ohio 44125, for digital library reserve service application services and website guidelines, digital book technology and services and the purchase of e-books, for the Broome County Public Library for the period September 1, 2005 through August 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$1,700, total amount not to exceed \$20,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 841007.4375.404131 (Electronic Access Material), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 501

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE RESEARCH FOUNDATION, STATE UNIVERSITY OF NEW YORK, FOR INFORMATION MANAGEMENT AND RESEARCH SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH'S DRUG FREE COMMUNITIES SUPPORT PROGRAM FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 464 of 2004, authorized an agreement with The Research Foundation, State University of New York, for information management and research services for the Department of Mental Health's Drug Free Communities Support Program at a cost not to exceed \$10,458, for the period October 1, 2004 through September 30, 2005, and

WHEREAS, said services are necessary to fund a team of Binghamton University graduate students to implement the Risk and Protective Factor School Survey among participating schools, to help interpret survey findings, and/or develop instruments to measure the process and outcome of prevention efforts, and

WHEREAS, said agreement expired by its terms on September 30, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$14,003, for the period October 1, 2005 through September 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Research Foundation, State University of New York, Office of Research & Sponsored Programs, P.O. Box 6000, Binghamton, New York 13902, for information management and research services for the Department of Mental Health's Drug Free Communities Support Program for the period October 1, 2005 through September 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,003 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.4747.105XXX (Other Fees for Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 502

By Human Services, Personnel and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING REVISION OF THE DAY CARE REGISTRATION PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2005

WHEREAS, this County Legislature, by Resolution 320 of 2004, authorized and approved the Day Care Registration Program Grant for the Department of Social Services and adopted a program budget in the amount of \$289,341 for the period August 1, 2004 through July 31, 2005, and

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

WHEREAS, it is necessary at this time to revise said program to extend the term of the grant to December 31, 2005 and to reflect an increase in the amount of \$98,733 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Day Care Registration Program Grant to extend the term of the grant to December 31, 2005 and to reflect an increase in the amount of \$98,733 in grant appropriations for the period August 1, 2004 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$388,074, and be it

FURTHER RESOLVED, that Resolution 320 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 503

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE CATHOLIC CHARITIES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY TO ADMINISTER SAID PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 467 of 2004, as amended by Resolutions 161 and 342 of 2005, authorized and approved the Catholic Charities Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$1,806,931 and authorized an agreement with Catholic Charities of Broome County to administer said program for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides care and services to select clients with severe and persistent mental illness who are at greatest risk of relapse and rehospitalization or repeated utilization of emergency services, and

WHEREAS, it is desired to renew said program grant in the amount of \$1,729,665, adopt a program budget and renew the agreement with Catholic Charities of Broome County to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,729,665 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Catholic Charities Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$1,729,665, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Catholic Charities of Broome County, 232 Main Street, Binghamton, New York 13905 to administer said program grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,729,665 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5031.105XXX (Contracted Services-Catholic Charities), and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 504

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE CHILDREN'S HOME OF WYOMING CONFERENCE PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH CHILDREN'S HOME OF WYOMING CONFERENCE TO ADMINISTER SAID PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 468 of 2004, authorized and approved the Children's Home of Wyoming Conference Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$56,650 and authorized an agreement with Children's Home of Wyoming Conference to administer said program for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides support and respite services to children and families of children who have serious emotional illness, and

WHEREAS, it is desired to renew said program grant in the amount of \$56,650, adopt a program budget and renew the agreement with the Children's Home of Wyoming Conference to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$56,650 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Children's Home of Wyoming Conference Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$56,650, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901-1696 to administer said program grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$56,650 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5076.105XXX (Contracted Services-Children's Home of Wyoming Conference), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 505

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE COMMUNITY OPTIONS PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH COMMUNITY OPTIONS, INC. TO ADMINISTER SAID PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 469 of 2004, authorized and approved the Community Options Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$25,706 and authorized an agreement with Community Options, Inc. to administer said program for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides services to the Office of Mental Health clients enrolled in the VESID Program to assist with maintaining employment, such as integration skills and activities, pre-vocational skills training, employment preparation and on-the-job training for individuals, and

WHEREAS, it is desired to renew said program grant in the amount of \$25,706, adopt a program budget and renew the agreement with Community Options, Inc. to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$25,706 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Community Options Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$25,706, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Community Options, Inc., 182-184 State Street, Binghamton, New York 13901 to administer said program grant for the Department of Mental Health for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$25,706 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5078.105XXX (Contracted Services-Community Options), and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 506

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE FAIRVIEW RECOVERY SERVICES PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH FAIRVIEW RECOVERY SERVICES, INC. TO ADMINISTER SAID PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 470 of 2004, authorized and approved the Fairview Recovery Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$1,384,228 and authorized an agreement with Fairview Recovery Services, Inc. to administer said program for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides short and long-term residential services and crisis intervention for men and women with alcohol-related problems, and

WHEREAS, it is desired to renew said program grant in the amount of \$1,384,228, adopt a program budget and renew the agreement with Fairview Recovery Services, Inc. to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$72,074 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 and \$1,312,154 from the New York State Office of Alcoholism and Substance Abuse, 1450 Western Avenue, Albany, New York 12203-3526 for the Department of Mental Health's Fairview Recovery Services Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of 1,384,228, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Fairview Recovery Services, Inc., 5 Merrick Street, Binghamton, New York 13901 to administer said program grant, for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,384,228 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5032.105XXX (Contracted Services-Fairview Recovery Services), and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 507

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE FAMILY AND CHILDREN'S SOCIETY PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY TO ADMINISTER SAID PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 471 of 2004, authorized and approved the Family and Children's Society Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$205,597 and authorized an agreement with Family and Children's Society to administer said program for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant works with local school systems to provide mental health services to children in the community and enhance the family support center, and

WHEREAS, it is desired to renew said program grant in the amount of \$205,597, adopt a program budget and renew the agreement with Family and Children's Society to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$205,597 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Family and Children's Society Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$205,597, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Family and Children's Society, 257 Main Street, Binghamton, New York 13905 to administer said program for the Department of Mental Health for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$205,597 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5025.105XXX (Contracted Services-Family and Children's Society), and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 508

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE LOURDES HOSPITAL 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 2006

WHEREAS, this County Legislature, by Resolution 472 of 2004, authorized and approved the Lourdes Hospital Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$241,322 and authorized an agreement with Our Lady of Lourdes Hospital to administer said program for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides school-based counseling and prevention services to students in the Binghamton, Susquehanna Valley, Whitney Point, Windsor, Union Endicott and Deposit Central School Districts who are at risk of drug and alcohol use due to personal, school, peer or family problems, who are exhibiting risk-taking behaviors, or who have begun experimenting with alcohol and/or drug use and to expand the Mental Health Juvenile Justice Project, and

WHEREAS, it is desired to renew said program grant in the amount of \$196,008, adopt a program budget and renew the agreement with Our Lady of Lourdes Hospital to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$196,008 from the New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York 12223-3526 for the Department of Mental Health's Lourdes Hospital Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$196,008, 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 for the Department of Mental Health for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$196,008 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.4718.105XXX (Contracted Services-Lourdes Hospital), and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 509

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE MENTAL HEALTH ASSOCIATION PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH MENTAL HEALTH ASSOCIATION TO ADMINISTER SAID PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 473 of 2004, as amended by 343 of 2005, authorized and approved the Mental Health Association Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$666,367 and authorized an

agreement with Mental Health Association to administer said program for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant advocates improvements in the quality of care available to persons with mental and emotional disabilities, educating the public about the causes, treatments and prevention of mental illness and is an advocate for needed changes in law governing the care of the mentally ill, and

WHEREAS, it is desired to renew said program grant in the amount of \$683,364, adopt a program budget and renew the agreement with Mental Health Association to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$683,364 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's Mental Health Association Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$683,364, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Mental Health Association, 153 Court Street, Binghamton, New York 13901 to administer said program for the Department of Mental Health for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$683,364 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5028.105XXX (Contracted Services-Mental Health Association), and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 510

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF A SUPPORTED EMPLOYMENT PROGRAM GRANT FOR THE OFFICE OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER (STIC) TO ADMINISTER SAID PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 474 of 2004, authorized and approved renewal of the Supported Employment Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$23,137 and authorized an agreement with Southern Tier Independence Center (STIC) to administer said program for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides vocational evaluation, counseling and training programs, sheltered employment and vocational guidance to help individuals with disabilities improve their quality of life through productive employment, and

WHEREAS, it is desired to renew said program grant in the amount of \$23,137, adopt a program budget and renew the agreement with Southern Tier Independence Center (STIC) to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$23,137 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Department of Mental Health's Supported Employment Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$23,137, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Southern Tier Independence Center (STIC), 24 Prospect Avenue, Binghamton, New York 13901, to administer said program grant for the Department of Mental Health for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,137 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5079.105XXX (Contracted Services-STIC), and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 511

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE UNITED HEALTH SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH UNITED HEALTH SERVICES TO ADMINISTER SAID PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 475 of 2004, authorized and approved the United Health Services Program Grant for the Department of Mental Health, adopted a program budget in the amount of \$93,465 and authorized an agreement with United Health Services to administer said program for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant is necessary to provide funding for a multi-agency, multi-disciplinary program to meet the needs of the homebound elderly population with nursing and psychiatric assessments and also provides short-term counseling services to help prevent unnecessary acute mental health hospitalization, and

WHEREAS, it is desired to renew said program grant in the amount of \$25,000, adopt a program budget and renew the agreement with United Health Services to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$25,000 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229 for the Department of Mental Health's United Health Services Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$25,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with United Health Services, 10-42 Mitchell Avenue, Binghamton, New York 13903 to administer said program for the Department of Mental Health for the period January 1, 2006 through December 31, 2006, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5030.105XXX (Contracted Services-United Health Services), and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 512

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF A VOCATIONAL REHABILITATION SERVICES PROGRAM GRANT FOR THE OFFICE OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWING AGREEMENT WITH VOCATIONAL REHABILITATION SERVICES TO ADMINISTER SAID PROGRAM FOR 2006

WHEREAS, this County Legislature, by Resolution 467 of 2004, authorized and approved the Vocational Rehabilitation Services Program Grant for the Office of Mental Health, adopted a program budget in the amount of \$110,536 and authorized an agreement with Vocational Rehabilitation Services to administer said program for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant provides services to enable individuals with disabilities to improve quality of life through productive employment, including vocational evaluation, counseling and training programs, sheltered employment and vocational guidance, and

WHEREAS, it is desired to renew said program grant in the amount of \$94,014, adopt a program budget and renew the agreement with Vocational Rehabilitation Services to continue to administer said program for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$94,014 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for the Office of Mental Health's Vocational Rehabilitation Services Program Grant for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$94,014, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Vocational Rehabilitation Services, 200 Court Street, P.O. Box 310, Binghamton, New York 13902, to administer said program grant for the Department of Mental Health for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$94,014 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470153.5009.105XXX (Contracted Services-Vocational Rehab Services), and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 513

By Health Services, Personnel and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE PREVENTIVE DENTISTRY/DENTAL SEALANT PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 408 of 2003, as amended by Resolutions 48 and 193 of 2004, authorized and approved renewal of the Preventive Dentistry/Dental Sealant Program Grant for the Department of Health, adopted a program budget in the amount of \$267,772 and renewed the agreement with United Health Services Hospitals to provide dental services for the period October 1, 2003 through September 30, 2005, and

WHEREAS, said program grant promotes good oral hygiene to Broome County school children by providing dental exams, cleanings, sealants and educational services, and

WHEREAS, it is desired to renew said program grant in the amount of \$41,250 for the period October 1, 2005 through June 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$41,250 from the New York State Department of Health, Bureau of Dental Health, Empire State Plaza, Corning Tower, Room 542, Albany, New York 12237-0619 for the Department of Health's Preventive Dentistry/Dental Sealant Program Grant for the period October 1, 2005 through June 30, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$41,250, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 514

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE DSS-PREVENTIVE DENTISTRY/DENTAL SEALANT PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 546 of 2004, authorized and approved the DSS-Preventive Dentistry/Dental Sealant Program Grant for the Department of Health and adopted a program budget in the amount of \$35,614 for the period October 1, 2004 through December 31, 2005, and

WHEREAS, said program grant provides educational and preventive oral health services to school aged children, and

WHEREAS, it is desired to renew said program grant in the amount of \$43,750 for the period October 1, 2005 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$43,750 from the Broome County Department of Social Services, 36 Main Street, Binghamton, New York 13905, for the Department of Health's DSS-Preventive Dentistry/Dental Sealant Program Grant for the period October 1, 2005 through December 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$43,750, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 515

By Health Services and Finance Committees

Seconded by Mr. Shafer

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

WHEREAS, this County Legislature, by Resolution 166 of 2005, authorized and approved renewal of the Child Care Health Educator Program Grant for the Department of Health and adopted a program budget in connection therewith in the total amount of \$75,204 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant serves as a health and safety resource for infant and toddler day care providers through direct on site and telephone consultation to day care providers concerning health and safety assessments, health and safety quality assurance

issues, examination of exclusion criteria/policies and health and safety educational training sessions, and

WHEREAS, it is necessary at this time to revise said program grant to reflect a decrease in the amount of \$36,692 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Child Care Health Educator Team Program Grant to reflect an decrease of \$36,692 for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$38,512, and be it

FURTHER RESOLVED, that Resolution 166 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 516

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENTS/RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS TO PROVIDE VARIOUS SERVICES FOR THE DEPARTMENT OF HEALTH'S EARLY INTERVENTION PROGRAM FOR 2006-2007

WHEREAS, this County Legislature, by Resolution 520 of 2003, authorized renewal of agreements with various vendors to provide various services for the Department of Health's Early Intervention Program, for an amount not to exceed budget appropriations for the period January 1, 2004 through December 31, 2005, and

WHEREAS, said agreements are necessary to provide various services, including itinerant speech, occupational and physical therapies, special education, medical services (including psychological evaluation, social histories, physical examinations and non-physical evaluations), classroom and personal care aides, services coordination, interpreters, nursing services, counseling and transportation, and

WHEREAS, said agreements expire by their terms on December 31, 2005, and it is desired at this time to renew said agreements on substantially similar terms and conditions, for an amount not to exceed budget appropriations for the period January 1, 2006 through December 31, 2007, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements/renewal of agreements with various vendors to provide various services as listed on Exhibit "A" for the Department of Health's Early Intervention Program for the period January 1, 2006 through December 31, 2007, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at rates set by the New York State Department of Health, which are modified from time to time, the current rate sheet is attached hereto as Exhibit "B", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.various.101082, and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 517

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN INCREASE OF THE PETTY CASH FUND FOR THE DIVISION OF WEIGHTS AND MEASURES

WHEREAS, the Division of Weights and Measures currently has a petty cash fund in the amount of \$150, which is inadequate for its current needs, and

WHEREAS, the Comptroller has requested an increase of \$50 of said petty cash fund in order to have funds sufficient to meet its daily needs, and

WHEREAS, the Commissioner of Finance has determined that the petty cash fund should be increased by \$50, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and increases the petty cash fund for the Division of Weights and Measures by \$50 to the total amount of \$200, and further authorizes the Commissioner of Finance to transfer \$50 to the petty cash fund previously established, and be it

FURTHER RESOLVED, that the administration of said funds shall be in accordance with those rules and procedures governing the use of petty cash funds created by the County Comptroller including, but not limited to, the requirement that at all times the petty cash allowance be fully accounted for in the form of cash on hand, receipts and records.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 518

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH THE HARTFORD LIFE INSURANCE CO. FOR FINANCIAL AND TRUSTEE SERVICES FOR THE OFFICE OF RISK AND INSURANCE'S DEFERRED COMPENSATION PLAN FOR EMPLOYEES OF BROOME COUNTY FOR 2005-2010

WHEREAS, this County Legislature, pursuant to Resolution No. 238 of 1984, as amended by Resolution No. 491 of 2002 and Resolution 432 of 2004, in accordance with Section 5 and the Regulations the New York State Deferred Compensation Board, has adopted and currently administers the Model Plan provided by said Board known as the Deferred Compensation Plan for Employees of Broome County, and

WHEREAS, the Deferred Compensation Committee, as established by Resolution 623 of 1995 and amended by Resolution 25 of 2000, has reviewed competitive proposals from various vendors in response to a publicly advertised Request for Proposals, and

WHEREAS, the Deferred Compensation Committee has recommended authorization for an agreement with The Hartford Life Insurance Co. for financial and trustee services for the Broome County Deferred Compensation Plan at no cost to the County, for the period October 1, 2005 through September 30, 2010, and

WHEREAS, said agreement is necessary to provide financial services to Broome County Employees who wish to take part in said Deferred Compensation Plan, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The Hartford Life Insurance Co., Atlantic Division Institutional Government Markets, 55 Farmington Avenue, Suite 601, Hartford, Connecticut 06105, for financial and trustee services, for the Office of Risk and Insurance's Deferred Compensation Plan for Employees of Broome County for the period October 1, 2005 through September 30, 2010, and be it

FURTHER RESOLVED, that in consideration of said services, there shall be no cost to the County for the term of the agreement, and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 519

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH DANKA FOR THE LEASE/MAINTENANCE OF COPIER MACHINES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005-2008

WHEREAS, the Director of Information Technology requests authorization for an agreement with Danka for the lease/maintenance of a Canon C3220 color copier and a Heidelberg Digimaster 9110 black and white copier at a rate of \$5,215 per month or \$62,580 per year plus \$2,500 for overages charges which will accrue at a rate of \$.0063 for the 9110, \$.063 color and \$.01046 black and white copier, for a total cost not to exceed \$195,240, for the period November 1, 2005 through October 31, 2008, and

WHEREAS, said copiers are necessary for the Broome County Print Shop to provide printing services for various Broome County departments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Danka, 100 Meridian Centre, Suite 100, Rochester, New York 14618, (Danka to immediately assign said lease/maintenance payments to GE Capital, P.O. Box 642444, Pittsburgh, Pennsylvania 15264-2444) for the lease of a Canon C3220 color copier and a Heidelberg Digimaster 9110 black and white copier for the Division of Information Technology, for the period November 1, 2005 through October 31, 2008, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$65,080 per year, which includes a combined lease payment of \$5,215 per month, and \$2,500 per year for overage copies, total cost not to exceed \$195,240 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4518.101000 (Copy Machine 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-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 520

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

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH NEW WORLD SYSTEMS FOR AN EXPANDED SOFTWARE SITE LICENSE FOR ADDITIONAL LAPTOP SOFTWARE MODULES FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2005-2006

WHEREAS, the Director of Information Technology requests authorization for an agreement with New World Systems for an expanded software site license for additional laptop software modules for the Division of Information Technology at a cost not to exceed \$21,250, for the period November 1, 2005 through October 31, 2006, and

WHEREAS, said services are necessary to expand the site license for 17 additional laptop software modules for the Office of the Sheriff's Law Enforcement Terrorism Prevention Program Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New World Systems, 888 West Big Beaver Road, Suite 1100, Troy, Michigan 48084-4749 to expand

the site license for an additional 17 laptop software modules for the period November 1, 2005 through October 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$21,250, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450122.4515.105XXX (Software Rental-License), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 521

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

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH INTEGRATED SYSTEMS FOR INSTALLATION OF A WIRELESS SYSTEM IN BROOME COUNTY FOR INFORMATION TECHNOLOGY FOR 2005-2006

WHEREAS, the Director of Information Technology requests authorization for an agreement with Integrated Systems for the installation of a wireless system for Information Technology at a cost not to exceed \$167,392, for a one-year period beginning on or about November 1, 2005, and

WHEREAS, said services are necessary to install wireless antenna equipment on existing towers throughout the County to provide for complete wireless coverage for the Sheriff's mobile computers as part of the Sheriff's Law Enforcement Terrorism Prevention Program Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Integrated Systems, 7588 Main Street, Fishers, New York 14564, for the installation of a wireless system, for Information Technology for a one-year period beginning on or about November 1, 2005, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$167,392 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450122.4726.105XXX (\$47,875—Contracted Data Processing Services), 450122.4514.105XXX (\$8,810—Hardware Maintenance), 450122.4359.105XXX (\$73,053—Computer Software and Equipment), 370056.4359.101000 (\$37,654—Computer Software and Supplies), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 522

By Finance and Public Works Committees

Seconded by Mr. Shafer

RESOLUTION AMENDING THE 2005 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2005 Capital Improvement Program is hereby amended to change the following project for the Department of Public Works:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
501405	Systematic Roof Replacement	600,000	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
			0	0	600,000
			<u>Local Finance Law Section 11</u>		<u>How Financed:</u>
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		2005	15	600,000	0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
501405	Systematic Roof Replacement	647,000	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
			0	0	647,000
			<u>Local Finance Law Section 11</u>		<u>How Financed:</u>
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		2005	15	600,000	47,000

and be it

FURTHER RESOLVED that in accordance with a request from the Commissioner of Public Works, in order to transfer funds to cover the costs of the amendment to the 2005 CIP, Systematic Roof Replacement (project 501405) as requested by BF # 005131 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

Moving Money From

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>\$ Amount</u>
FROM:	900084	4752	101000	Contingency Fund	47,000
TO:	930024	9004	101000	Transfer to Capital	47,000

Moving Money To

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>\$ Amount</u>
FROM:	035139	0227	501405	Transfer From General	47,000
TO:	035139	2011	501405	Improve. & Alterations	47,000

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 523

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TIER TECHNOLOGIES, INC. FOR SOFTWARE MAINTENANCE FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2006

WHEREAS, this County Legislature, by Resolution 458 of 2004, authorized renewal of an agreement with Tier Technologies, Inc. for software maintenance for the Division of Information Technology at an amount not to exceed \$73,185, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary for the maintenance of Broome County's FAMIS financial and BPREP budget preparation software, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$73,185, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Tier Technologies, Inc., 10780 Parkridge Boulevard, Suite 400, Reston, Virginia 20191 for

software maintenance for the Division of Information Technology for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$73,185 for the term of the agreement, and be it

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 524

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

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH NEW WORLD SYSTEMS FOR SUPPORT SERVICES FOR THE MOBILE COMPUTER SYSTEM MIGRATION FOR DIVISION OF INFORMATION TECHNOLOGY FOR 2005-2006

WHEREAS, the Director of Information Technology requests authorization for an agreement with New World Systems for support services for the Sheriff's Mobile Computer System migration for the Division of Information Technology at a cost not to exceed \$32,800, for the period November 1, 2005 through October 31, 2006, and

WHEREAS, said services are necessary for support services for mobile migration and field reporting implementation of the Sheriff's Mobile Computer System in police vehicles, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New World Systems, 888 West Big Beaver Road, Suite 1100, Troy, Michigan 48084, for support services for the Sheriff's Mobile Computer System migration for the Division of Information Technology for the period November 1, 2005 through October 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$32,800 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4359.101000 (\$8,000 Computer Software and Supplies), 450056.4449.101000 (\$4,800 Other Operational Expenses) and 450064.4449.101000 (\$20,000 Other Operational Expenses), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 525

By Transportation and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH YELLOW MEDI-VAN & TAXI, INC. FOR LEASE OF SPACE IN THE TERMINAL BUILDING AT THE GREATER BINGHAMTON AIRPORT

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Yellow Medi-Van & Taxi, Inc. for the lease of approximately 171 square feet of space in the Terminal Building on a month-to-month basis, beginning October 1, 2005, with revenue to the County of \$276.45 per month, and

WHEREAS, said lease is necessary to provide space for a baggage delivery office to sort airline luggage, when required, for delivery to the addresses of local traveler's homes and/or businesses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Yellow Medi-Van & Taxi, Inc., 375 State Street, Binghamton, New York 13902 for the lease of approximately 171 square feet of space in the Terminal Building for a baggage delivery office, beginning October 1, 2005, and be it

FURTHER RESOLVED, that in consideration of said lease, the Contractor shall pay the County an amount not to exceed \$276.45 per month on a month-to-month basis, and be it

FURTHER RESOLVED, that the revenue shall be credited to budget line 210070.0108.207000 (Space Rental-Other), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 526

By Transportation and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR GRANT FUNDS FOR THE BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION FOR 2005

WHEREAS, the Secretary of the United States Department of Transportation is authorized to make grants for mass transportation programs, and

WHEREAS, the Commissioner of Transportation requests authorization to accept a United States Department of Transportation Federal Transit Administration Grant Award for operating assistance for Broome County's Mass Transportation Program in the amount of \$1,737,080 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said grant award provides the Federal share of the operating funds for the Broome County Department of Public Transportation Mass Transportation Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,737,080 from the United States Department of Transportation Federal Transit Administration, for operating assistance of Broome County's Mass Transportation Program for the period January 1, 2005 through December 31, 2005, and be it

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits provided that said budget transfers do not affect a personnel line, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the program of projects and budget, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 527

By Public Works and Finance Committees

Seconded by Mr. Shafer

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

WHEREAS, this County Legislature, by Resolution 410 of 2004, as amended by Resolution 407 of 2005, authorized renewal of an agreement with Jennings Environmental Management, Inc. for air quality monitoring services for the Department of Public Works at a cost not to exceed \$100,000 for the period October 1, 2004 through September 30, 2005, 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, it is necessary to authorize an amendment to said agreement to extend the term of the agreement to December 31, 2005 at no additional cost to allow time to prepare a new Request for Qualifications (RFQ) to be advertised and the selection process for a vendor to provide air quality monitoring services for the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Jennings Environmental Management, Inc., P.O. Box 831, Binghamton, New York 13902 to extend the term of the agreement at no additional cost for a new period of October 1, 2004 through December 31, 2005, and be it

FURTHER RESOLVED, that Resolutions 410 of 2004 and 407 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 528

By Public Works and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AMENDMENT TO THE 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 409 of 2004, authorized an agreement with C&S Engineers, Inc. for civil/building engineering services for the Department of Public Works at hourly rates as shown on the Exhibit "A", total amount not to exceed \$150,000, for the period September 1, 2004 through August 31, 2005, 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, it is necessary to authorize an amendment to said agreement to extend the term of the agreement to December 31, 2005 at no additional cost to allow time to prepare a new Request for Qualifications (RFQ) to be advertised and the selection process for a vendor to provide civil/building engineering services for the County, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with C&S Engineers, Inc., 59 Court Street, Suite 200, Binghamton, New York 13901 to extend the term of the agreement at no additional cost for the period of September 1, 2004 through December 31, 2005, and be it

FURTHER RESOLVED, that Resolution 409 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 529

By Finance, Public Works and Transportation Committees Seconded by Mr. Schafer
RESOLUTION AMENDING THE 2005 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2005 Capital Improvement Program is hereby amended to add the following project for the Division of Solid Waste Management:

Financial Information:

<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>
502378	Landfill Maintenance Building Modification	50,000	0	0	50,000
		<u>Local Finance Law Section 11</u>		<u>How Financed:</u>	
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		2005	N/A	0	50,000

Description: Doing Modifications to the Landfill Maintenance Building, as recommended in the Broome County Landfill Hygiene Evaluation Study, completed on September 2004.

Note: The funds for modifications were included in the operating budget instead of the Capital Improvement Program as required by County procedures. The money will be transferred from lines 230086.4423.206000 and 230086.4329.206000.

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Public Works-Division of Solid Waste Management, in order to provide funds for the aforementioned Capital Project, this County Legislature hereby authorizes the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	230086	4423	206000	Bldg., Grnds & Equip. Repair	49,339
	230086	4329	206000	Bldg. & Grounds Supplies	661
TO:	230086	9005	206000	Transfer to Capital	50,000

and be it

FURTHER RESOLVED, that the 2005 Capital Improvement Program is hereby amended as follows:

<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>
501407	Highway Reconstruction	605,692	0	605,692	0
		<u>Local Finance Law Section 11</u>		<u>How Financed:</u>	
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>
		2005	10	20	0

Description: Reconstruct various County Roads based on need.

RESOLVED, that this County Legislature hereby approves and increases the petty cash fund for the Broome County Veterans Memorial Arena by \$1,000 for use at the Arena Box Office to the total amount of \$3,000, and further authorizes the Commissioner of Finance to transfer \$1,000 to the petty cash fund previously established, and be it

FURTHER RESOLVED, that the administration of said funds shall be in accordance with those rules and procedures governing the use of petty cash funds created by the County Comptroller including, but not limited to, the requirement that at all times the petty cash allowance be fully accounted for in the form of cash on hand, receipts and records.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 532

By Personnel and Public Safety & Emergency Services Committees

Seconded by Mr. Shafer

RESOLUTION GRANTING A WAIVER OF RESIDENCY FOR DEBORAH L. PHELPS FOR EMPLOYMENT AS A BROOME COUNTY DEPUTY SHERIFF DETECTIVE

WHEREAS, this County Legislature, by Resolution 82 of 1989, as amended by Resolution 510 of 1999, adopted residency requirements for Broome County officers and employees, and

WHEREAS, said Resolutions provided for waivers of the residency requirement upon the happening of certain conditions, and

WHEREAS, Deborah L. Phelps, who resides in Tioga County and has been a Broome County Deputy Sheriff of the Highway Patrol since 1997, and prior to that has served as a Deputy Sheriff with the Office of the Sheriff of Tioga County, and

WHEREAS, this County Legislature, by Resolution 184 of 2004, granted a waiver of residency to Deborah L. Phelps for the position of Deputy Sheriff of Highway Patrol, and

WHEREAS, Ms. Phelps is in line for a promotion to Deputy Sheriff Detective, pending approval by the County Legislature of a waiver of the residency requirement for said position, now, therefore, be it

RESOLVED, that this County Legislature hereby finds that based on Ms. Phelps experience with the Highway Patrol and her pending promotion to Detective justifies the granting of a waiver of the residency requirement for the position, and be it

FURTHER RESOLVED, that this County Legislature hereby exempts and waives the certificate of residency for Deborah L. Phelps and the residency requirement of Resolution 82 of 1989, as amended by Resolution 510 of 1999, in order that she may continue to work in the Office of the Broome County Sheriff as a Deputy Sheriff Detective, and be it

FURTHER RESOLVED, that this exemption and waiver shall be effective immediately and shall continue for so long as Ms. Phelps shall hold the aforementioned position.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 533

By Personnel and Public Safety & Emergency Services Committees

Seconded by Mr. Shafer

RESOLUTION GRANTING A WAIVER OF RESIDENCY FOR MICHAEL WILLIAMS FOR EMPLOYMENT AS A BROOME COUNTY CORRECTIONS OFFICER AT THE BROOME COUNTY JAIL

WHEREAS, this County Legislature, by Resolution 82 of 1989, as amended by Resolution 510 of 1999, adopted residency requirements for Broome County officers and employees, and

WHEREAS, said resolutions provided for waivers of the residency requirement upon the happening of certain conditions, and

WHEREAS, Michael Williams is qualified for the position of Corrections Officer at the Broome County Jail and has served in said capacity for the last 13 years, and

WHEREAS, Corrections Officer Williams has moved to a new home he purchased in Homer, New York (Cortland County), and

WHEREAS, since Mr. Williams has satisfactorily performed the duties of a Broome County Corrections Officer for the last 13 years and in light of his performance and his general experience as a Corrections Officer, the Broome County Sheriff requests that this County Legislature grant a residency waiver, allowing Mr. Williams to continue to work as a Corrections Officer at the Broome County Jail, now, therefore, be it

RESOLVED, that this County Legislature hereby exempts and waives the certificate of residency for Michael Williams and the residency requirement of Resolution 82 of 1989, as amended by Resolution 510 of 1999, in order that he may continue to work as a Corrections Officer at the Broome County Jail, and be it

FURTHER RESOLVED, that this exemption and waiver shall be effective immediately and shall continue for so long as Mr. Williams shall hold the aforementioned position.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 534

By Personnel and Public Safety & Emergency Services Committees

Seconded by Mr. Shafer

RESOLUTION GRANTING A WAIVER OF RESIDENCY FOR JONATHAN CRISSELL FOR EMPLOYMENT AS A BROOME COUNTY CORRECTIONS OFFICER AT THE BROOME COUNTY JAIL

WHEREAS, this County Legislature, by Resolution 82 of 1989, as amended by Resolution 510 of 1999, adopted residency requirements for Broome County officers and employees, and

WHEREAS, said resolutions provided for waivers of the residency requirement upon the happening of certain conditions, and

WHEREAS, Jonathan Crissell is qualified for the position of Corrections Officer at the Broome County Jail and has served in said capacity for the last 12½ years, and

WHEREAS, Corrections Officer Crissell's Broome County home sold very quickly after being placed on the market and he had to locate a larger home for his family, finding one that was also reasonably priced in Greene, New York (Chenango County) , and

WHEREAS, since Mr. Crissell has satisfactorily performed the duties of a Broome County Corrections Officer for the last 12½ years and in light of his performance and his general experience as a Corrections Officer, the Broome County Sheriff requests that this County Legislature grant a residency waiver, allowing Mr. Crissell to continue to work as a Corrections Officer at the Broome County Jail, now, therefore, be it

RESOLVED, that this County Legislature hereby finds that the situation pertaining to Mr. Crissell as a Corrections Officer at the Broome County Jail is a unique situation, justifying the granting of a waiver of the residency requirements for the position, and be it

FURTHER RESOLVED, that this County Legislature hereby exempts and waives the certificate of residency for Jonathan Crissell and the residency requirement of Resolution 82 of 1989, as amended by Resolution 510 of 1999, in order that he may continue to work as a Corrections Officer at the Broome County Jail, and be it

FURTHER RESOLVED, that this exemption and waiver shall be effective immediately and shall continue for so long as Mr. Crissell shall hold the aforementioned position.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 535

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

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF A LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (LETPP) GRANT FOR THE OFFICE OF THE SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2004-2007

WHEREAS, the Sheriff requests authorization to accept a Law Enforcement Terrorism Prevention Program (LETPP) Grant and adopt a program budget in the amount of \$175,000 for the period October 1, 2004 through March 31, 2007, and

WHEREAS, said program grant provides funding for tower equipment, vehicle communications equipment and network equipment for digital network operations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$175,000 from The New York State Office of Homeland Security, Harriman State Office Campus, Building 7A, 7th Floor, 1220 Washington Avenue, Albany, New York 12226 for the Office of the Sheriff's Law Enforcement Terrorism Prevention Program (LETPP) Grant for the period October 1, 2004 through March 31, 2007, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$175,000, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 536

By Human Services, Personnel and Finance Committees

Seconded by Mr. Shafer

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 2005

WHEREAS, this County Legislature, by Resolution 626 of 2004, 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 \$164,847 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said program grant 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 \$24,606 in 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 \$24,606 for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$189,453, and be it

FURTHER RESOLVED, that Resolution 626 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 537

By Human Services and Finance Committees

Seconded by Mr. Shafer

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 2005

WHEREAS, this County Legislature, by Resolution 550 of 2004, 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, 2005 through December 31, 2005, and

WHEREAS, said program grant 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 \$3,892 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 \$3,892 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 \$13,638, 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 \$3,892, total amount not to exceed \$13,638 for recruitment and training of volunteers for the Office for Aging for the period January 1, 2005 through December 31, 2005, and be it

FURTHER RESOLVED, that Resolution 550 of 2004, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or 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-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 538

By Human Services, Personnel and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING REVISION OF THE NEW YORK STATE OFFICE FOR AGING (SOFA) SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 276 of 2005, authorized and approved renewal of the New York State Office for Aging (SOFA) Senior Community Service Employment Program (SCSEP) Grant for the Office for Aging and adopted a program budget in connection therewith in the total amount of \$47,267 for the period July 1, 2005 through June 30, 2006, and

WHEREAS, said program grant provides a subsidized employment and training program for low income eligible persons aged 55 and older, including part-time jobs for applicants in not-for-profit agencies, classroom training, on-the-job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$13,206 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the New York State Office for Aging(SOFA) Senior Community Service Employment Program (SCSEP) Grant to reflect a decrease of \$13,206 for the period July 1, 2005 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 \$34,061, and be it

FURTHER RESOLVED, that Resolution 276 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 539

By Human Services, Personnel and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING REVISION OF ROBERT WOOD JOHNSON FOUNDATION PROGRAM GRANT FOR THE OFFICE FOR AGING FUTURES II PROJECT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 30 of 2005, authorized and approved renewal of the Robert Wood Johnson Foundation Program Grant for the Office for Aging Futures II Project and adopted a program budget in connection therewith in the total amount of \$262,325 for the period February 1, 2005 through January 31, 2006, and

WHEREAS, said program grant provides data for a comprehensive community needs assessment for the elderly, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$49,601 in appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Robert Wood Johnson Foundation Program Grant to reflect an increase of \$49,601 for the period February 1, 2005 through January 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$311,926, and be it

FURTHER RESOLVED, that Resolution 30 of 2005, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 540

By Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH WBNG-TV FOR PHONE BANK SERVICES FOR THE OFFICE FOR AGING FUTURES II PROJECT FOR 2005

WHEREAS, the Director of the Office for Aging requests authorization for an agreement with WBNG-TV for phone bank services for the Office for Aging Futures II Project at a cost not to exceed \$7,500, for the period November 1, 2005 through December 31, 2005, and

WHEREAS, said phone bank services is an effective way to conduct and offer follow up contacts to seniors to ensure their educational and service needs have been met, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with WBNG-TV, 560 Columbia Drive, Suite 1, Johnson City, New York 13790 for phone bank services for the Office for Aging Futures II Project for the period November 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 \$7,500 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 761114.4448.105010 (Advertising and Promotion), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 541

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THERAPEEDS PHYSICAL THERAPY OF UPSTATE NEW YORK, PLLC, d/b/a G&E THERAPIES FOR PHYSICAL, SPEECH AND OCCUPATIONAL THERAPY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2006

WHEREAS, this County Legislature, by Resolution 191 of 2005, authorized renewal of an agreement with Therapeeds Physical Therapy of Upstate New York, PLLC, d/b/a G&E Therapies, for physical, speech and occupational therapy services for the Willow Point Nursing Home, at a cost not to exceed \$19,000 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide physical, speech and occupational therapy services in the absence of a staff therapist and increase Medicare reimbursement at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$65.00 per hour for Physical, Occupational and Speech Therapy Services and a rate of \$45.00 per hour for Physical Therapy Assistant Services, total amount not to exceed \$19,830, for the period January 1 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Therapeeds Physical Therapy of Upstate New York, PLLC, d/b/a G&E Therapies, 1977 Marshland Road, Apalachin, New York 13732 for physical, speech and occupational therapy services for the Willow Point Nursing Home for the period January 1, 2006, through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the following rates:

\$65.00 per hour Physical, Occupational and Speech Therapy Services
\$45.00 per hour Physical Therapy Assistant Services

total amount not to exceed \$19,830 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 160226.4706.204000, 160242.4706.204000 and 160234.4706.204000 (Rehabilitation and Therapy Services), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.
Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 542

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH KEANE CARE, INC. FOR SOFTWARE SUPPORT AND MAINTENANCE FOR THE WILLOW POINT NURSING HOME FOR 2006

WHEREAS, this County Legislature, by Resolution 113 of 2005, authorized renewal of an agreement with Keane Care, Inc., for software support and maintenance for the Willow Point Nursing Home, at a cost not to exceed \$11,600 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to support and maintain the software for the patient clinical and billing records, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$12,150, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Keane Care, Inc., Executive Plaza III, Suite 600, 11350 McCormick Road, Hunt Valley, Maryland 21031, for software support and maintenance for the Willow Point Nursing Home for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at an amount not to exceed \$12,150 for the term of the agreement, and be it

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

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried**, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 543

By Health Services and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH NEW YORK ASSOCIATION OF HOMES AND SERVICES FOR THE AGING FOR SOFTWARE MAINTENANCE FOR THE WILLOW POINT NURSING HOME FOR 2006

WHEREAS, this County Legislature, by Resolution 462 of 2004, authorized renewal of an agreement with the New York State Association of Homes and Services for the Aging for software support and maintenance for the Willow Point Nursing Home, at a cost not to exceed \$2,700 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to support and maintain the software for quality control at the nursing home, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$2,625, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the New York State Association of Homes and Services for the Aging, 150 State Street, Suite 301, Albany, New York 12207, for software support and maintenance for the Willow Point Nursing Home for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,625 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160077.4419.204000 (General Office Expense), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried**, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 544

By Health Services and Finance Committees Seconded by Mr. Shafer
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LOURDES HOSPITAL FOR LAB TESTING SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2006

WHEREAS, this County Legislature, by Resolution 465 of 2004, authorized renewal of an agreement with Lourdes Hospital for lab testing services for Willow Point Nursing Home at an amount not to exceed \$40,000 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary for lab testing services at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at an amount not to exceed \$55,800 for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 for lab testing services for the Willow Point Nursing Home for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$55,800 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4747.204000 (Other Fees for Services), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).**

RESOLUTION NO. 545

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PATRICIA M. MONZO-SALMON, RPH, FOR PHARMACY CONSULTANT SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2006

WHEREAS, this County Legislature, by Resolution 453 of 2004, authorized renewal of an agreement with Patricia M. Monzo-Salmon, RPh, for pharmacy consultant services for the Willow Point Nursing Home at a rate of \$37.25 per hour for up to 1,200 hours, total amount not to exceed \$44,700, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary for pharmacy consultant services at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$38.50 per hour for up to 1,200 hours, total amount not to exceed \$46,200, for the period January 1, 2006 through December 31, 2006, with an option for two one-year renewals, contingent on the same rate of commission, terms and conditions and at the discretion of the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Patricia M. Monzo-Salmon, RPh, 98 Moore Avenue, Binghamton, New York 13903, for pharmacy consultant services for the Willow Point Nursing Home for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$38.50 per hour for up to 1,200 hours, total amount not to exceed \$46,200 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160200.4747.204000 (Other Fees for Services), and be it

FURTHER RESOLVED, that this Legislature hereby authorizes two (2) one-year renewals, at the discretion of the County, contingent on the same rate of commission and terms and conditions hereinabove authorized, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).**

RESOLUTION NO. 546

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH F. KEITH KENNEDY, MD, PC, FOR MEDICAL DIRECTOR SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2006

WHEREAS, this County Legislature, by Resolution 504 of 2004, authorized renewal of an agreement with F. Keith Kennedy, MD, PC, for medical director services for the Willow Point Nursing Home at an amount not to exceed \$69,209, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary as New York State requires that a Medical Director be part of the medical staff at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$69,209, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with F. Keith Kennedy, MD, PC, 21 Mitchell Avenue, Binghamton, New York 13903 for medical director services for the Willow Point Nursing Home for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$69,209 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160044.4712.204000 (Physician Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 547

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DENTSERV FOR DENTAL SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2006

WHEREAS, this County Legislature, by Resolution 452 of 2004, authorized renewal of an agreement with Dentserv for dental services for the Willow Point Nursing Home at a rate of \$4,681.67 per month, total amount not to exceed \$56,184, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide dental services to residents at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions and reimbursed at current rates approved by New York State Department of Health, at a rate of \$4,915.75 per month, total amount not to exceed \$58,989, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with DentServ, 15 Canal Road, Pelham Manor, New York 10803 for dental services for the Willow Point Nursing Home for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at current reimbursement rates approved by New York State Department of Health, at a rate of \$4,915.75, total amount not to exceed \$58,989 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160218.4712.204000 (Physician Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 548

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CONSTANCE G. ALEXANDER FOR SPEECH THERAPY AND SWALLOWING EVALUATION SERVICES FOR THE WILLOW POINT NURSING HOME FOR 2006

WHEREAS, this County Legislature, by Resolution 451 of 2004, authorized renewal of an agreement with Constance G. Alexander for speech therapy and swallowing evaluation services for Willow Point Nursing Home at a rate of \$62.50 per hour, total amount not to exceed \$46,400 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary for speech therapy and swallowing evaluations, mandated every two (2) years by New York State, as ordered by a physician for any resident at the Willow Point Nursing Home, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$62.50 per hour, total amount not to exceed \$46,400, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Constance G. Alexander, 505 Magnolia Drive, Vestal, New York 13850 for speech therapy and swallowing evaluations for the Willow Point Nursing Home for the period January 1, 2006, through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$62.50 per hour, total amount not to exceed \$46,400 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160242.4706.204000 (Rehabilitation and Therapy Services), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried**, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 549

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

RESOLUTION AUTHORIZING AGREEMENT WITH NEW WORLD SYSTEMS FOR PURCHASE OF SOFTWARE LICENCES AND SERVICE FOR DIVISION OF INFORMATION TECHNOLOGY FOR 2005-2006

WHEREAS, the Director of Information Technology requests authorization for an agreement with New World Systems for purchase of Public Safety Photo-Imaging software licenses and services for the Division of Information Technology at a cost not to exceed \$31,000, for the period September 14, 2005 through March 31, 2006, and

WHEREAS, said services are necessary to purchase unlimited Public Safety Photo-Imaging software licenses, training and travel costs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New World Systems, 888 West Big Beaver, Suite 600, Troy, Michigan 48084, for purchase of Public Safety Photo-Imaging software licenses and services for the Division of Information Technology for the period September 14, 2005 through March 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$15,000 for the Photo-Imaging software licenses, \$150 per hour for 80 hours at a cost of \$12,000 for training costs and \$4,000 in travel expenses, total amount not to exceed \$31,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460097.4449.101000 (Other Operational Expenses) and 460098.4513.101000 (Software Maintenance), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 550

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF A NEW YORK STATE EDUCATION DEPARTMENT-LOCAL RECORDS MANAGEMENT IMPROVEMENT FUND GRANT FOR THE OFFICE OF THE COUNTY CLERK AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2005-2006

WHEREAS, the County Clerk requests authorization to accept a New York State Education Department-Local Records Management Improvement Fund Grant and adopt a program budget in the amount of \$33,669 for the period October 1, 2005 through July 31, 2006, and

WHEREAS, said program grant provides funding for the microfilming of civil action files, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$33,669 from the New York State Education Department, The University of the State of New York, The New York State Archives, Grants Administration and Program Support Unit, 9A81 Cultural Education Center, Albany, New York 12230 for the County Clerk's New York State Education Department-Local Records Management Improvement Fund Grant for the period October 1, 2005 through July 31, 2006, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$33,669, and be it

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

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 551

By Personnel and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST(S) FOR AUDIT AND CONTROL AND FINANCE

RESOLVED, that in accordance with a request contained in PCR#05-299 from the Department of Audit & Control, this County Legislature hereby authorizes transferring one Accountant (County) position, Union Code 04 (CSEA), Grade 16, minimum salary \$34,574 from budget line 360008.1000.101000 (Audit & Control) to budget line 340000.1000.101000 (Department of Finance) effective from October 1, 2005.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 552

By Personnel, Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST(S) FOR PUBLIC HEALTH DEPARTMENT

RESOLVED, that in accordance with a request contained in PCR#05-303 and PCR#05-304 from the Public Health Department, this County Legislature hereby authorizes the creation

of a Public Health Sanitarian position, Union Code 08 (CSEA), Grade 17, minimum salary \$34,095 at budget lines 480301.1500.104989 and 480301.1500.105036, effective from October 24, 2005 through September 30, 2006.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 553

By Finance and Public Safety & Emergency Services Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF AUDIT & CONTROL, PROBATION AND FINANCE

RESOLVED that in accordance with a request from the Director of Probation, in order to transfer funds to reflect actual expenditures as requested by BF#00136, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>\$ Amount</u>
FROM:	280024	1000	101000	Salaries F-T	7,852
	280024	4427	101000	Electric Current	4,000
	280024	4429	101000	Bldg. & Grounds	2,100
	280024	4461	101000	Mileage & Parking	3,255
TO:	280024	1600	101000	Salaries Temp	7,852
	280024	4326	101000	Fuel and Heating	4,650
	280024	4418	101000	Dues & Memberships	100
	280024	4425	101000	Water & Sewer	4,000
	280024	4428	101000	Taxes	330
	280024	4359	101000	Computer Software	275

FURTHER RESOLVED that in accordance with a request from the Comptroller, in order to transfer funds to reflect requested personnel changes as requested (PCR05-299) by BF#004701 and 004702 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>\$ Amount</u>
FROM:	360008	1000	101000	Salaries F-T	8,644
	360008	8010	101000	Retirement	1,037
	360008	8030	101000	Social Security	661
	360008	8050	101000	Life Insurance	6
	360008	8060	101000	Health Insurance	994
	360008	8063	101000	Disability Insurance	30
TO:	340000	1000	101000	Salaries F-T	8,644
	340000	8010	101000	Retirement	1,037
	340000	8030	101000	Social Security	661
	340000	8050	101000	Life Insurance	6
	340000	8060	101000	Health Insurance	994
	340000	8063	101000	Disability Insurance	30

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 554

By Economic Development & Planning Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE COMMISSIONER OF PLANNING AND ECONOMIC DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH THE NORFOLK SOUTHERN RAILWAY COMPANY FOR A RIGHT-OF-WAY EASEMENT FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING FOR 2005-2006

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to enter into an agreement with the Norfolk Southern Railway Company for a right-of-way easement for the Department of Economic Development and Planning, for the period September 14, 2005 through March 1, 2006, and

WHEREAS, said agreement is necessary to enter upon the property of the Norfolk Southern Railway Company adjacent to 312 Maple Street in the Village of Endicott to remove contaminated soil at the Maple Street site in connection with the environmental restoration of the site pursuant to a Brownfield Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Planning and Economic Development to enter into an agreement with the Norfolk Southern Railway Company for a right-of-way easement in the Village of Endicott for the Department of Economic Development and Planning, for the period September 14, 2005 through March 1, 2006, and be it

FURTHER RESOLVED, that the County shall indemnify and hold harmless the Norfolk Southern Railway Company against any and all damages that may be caused by the County during the environmental restoration of said site, and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 555

By Education, Culture & Recreation Committee

Seconded by Mr. Shafer

RESOLUTION CONFIRMING APPOINTMENT TO MEMBERSHIP ON BROOME COMMUNITY COLLEGE BOARD OF TRUSTEES

WHEREAS, Barbara J. Fiala, Broome County Executive, pursuant to the powers vested in her by Article XXIII-A of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, the following named individual to membership on the Broome Community College Board of Trustees for the term indicated:

<u>Name</u>	<u>Term</u>
Angelo Mastrangelo 16 Saddlebrooke Lane Binghamton, New York 13901	9/1/05 – 8/30/2014 (Replaces Anthony V. Mincolla, III)

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XXIII-A of the Broome County Charter and Code, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIII-A of the Broome County Charter and Code, does hereby confirm the appointment of the above-named individual to membership on the Broome Community College Board of Trustees in accordance with his appointment by the County Executive.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 556

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH ST. PAUL TRAVELERS, C/O MARSH USA, INC., FOR EMPLOYEE BOND INSURANCE FOR THE OFFICE OF RISK AND INSURANCE FOR 2005-2006

WHEREAS, the Risk Manager requests authorization for an agreement with St. Paul Travelers, c/o Marsh USA, Inc., for employee bond insurance for the Office of Risk and Insurance at a cost not to exceed \$20,000, for the period November 1, 2005 through October 31, 2006, and

WHEREAS, said agreement is necessary to provide required bonds for employees, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with St. Paul Travelers, c/o Marsh USA, Inc., 175 Sully's Trail, Suite 301, Pittsford, New York 14534, for employee bond insurance for the Office of Risk and Insurance for the period November 1, 2005 through October 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an 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 050088.4521.254000 (Insurance Premiums), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 557

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH MERCER HUMAN RESOURCE CONSULTING, INC. FOR PROFESSIONAL SERVICES FOR THE OFFICE OF RISK AND INSURANCE FOR 2005-2006

WHEREAS, the Risk Manager requests authorization for an agreement with Mercer Human Resource Consulting, Inc. for professional services for the Office of Risk and Insurance at a cost not to exceed \$27,000, for the period November 1, 2005 through October 31, 2006, and

WHEREAS, said services are necessary to do actuarial equivalency testing for the current Broome County Retiree Health Plan as compared to the Medicare Prescription Plan (Part D), provide an Actuarial Certification and assist Broome County in the preparation of an application for a subsidy from Medicare for providing prescription drug benefits, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mercer Human Resource Consulting, Inc., 1166 Avenue of the Americas, New York, New York 10036, for professional services, for the Office of Risk and Insurance for the period November 1, 2005 through October 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$27,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4747.252000 (Other Fees for Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 558

By Finance Committee

Seconded by Mr. Shafer

A RESOLUTION APPROVING AN AMENDMENT TO THE RESIDUAL CERTIFICATE ISSUED BY THE BROOME TOBACCO ASSET SECURITIZATION CORPORATION

WHEREAS, the County of Broome (the "County") has previously entered into a Purchase and Sale Agreement with the Broome Tobacco Asset Securitization Corporation (the "LDC") dated as of July 15, 2001 (the "Purchase and Sale Agreement") pursuant to which the County sold its rights, title and interest in and to the Tobacco Settlement Revenues (as defined in such Agreement), and

WHEREAS, the LDC issued its Tobacco Settlement Asset-Backed Bonds, Series 2001 (the "Series 2001 Bonds") pursuant to an Indenture with Manufacturer's and Traders Trust Company, as Trustee, dated as of August 1, 2001 (the "Indenture") to fund the purchase of the Tobacco Settlement Revenues from the County, and

WHEREAS, the LDC has also issued a Residual Certificate pursuant to the Indenture and deposited same into a statutory trust established under the laws of the State of Delaware designated Broome TASC Residual Trust (the "Residual Trust") and caused an undivided beneficial interest in the Residual Trust to be conveyed to the County (the "Beneficial Interest"), and

WHEREAS, the County's Beneficial Interest in the Residual Trust includes the right to receive all Tobacco Settlement Revenues in excess of the amounts necessary to pay the principal of and interest on the Series 2001 Bonds, the expenses of the LDC, the expenses of the Indenture Trustee for the Series 2001 Bonds and any amounts necessary to maintain the reserve funds required to be maintained by the Indenture, and

WHEREAS, a rating downgrade of RJ Reynolds Tobacco Holdings, Inc. as well as an increase in market share of non-participating tobacco manufacturers has resulted in Trapping Events under the Indenture, and

WHEREAS, as a result of such Trapping Events the County has not received any payments from the Residual Trust since 2002 and it is unlikely that the County would receive any residual payments over the next several years as a result of the likely continuation of at least one of these Trapping Events, and

WHEREAS, it is proposed that the LDC issue new bonds (the "Series 2005 Bonds") providing for an upfront payment to the County of additional Tobacco Settlement Revenues not previously pledged to the holders of the Series 2001 Bonds, and

WHEREAS, in order to secure to present generations a portion of the benefits intended to be conferred by the Tobacco Settlement Revenues, it is necessary or desirable for the County to authorize an amendment to the Residual Trust and Residual Certificate to permit for such upfront payment, now, therefore, be it

RESOLVED by the County Legislature of the County of Broome, as follows:

Section 1. An amendment to the Residual Certificate (to provide for payment thereunder from Tobacco Settlement Revenues only when the Series 2005 Bonds are no longer outstanding), is hereby authorized in exchange for the delivery to or upon the order of the County of the net proceeds of the Series 2005 Bonds after (A) payment of all costs, fees, credit and liquidity enhancements, costs of issuance, and other expenses of the LDC and (B) the funding of all reserve funds, debt service accounts for the payment of capitalized interest, and other pledged funds which may be necessary or desirable in connection with the issuance of the Series 2005 Bonds.

Section 2. The County Executive, or her duly authorized representative is hereby further authorized to execute and deliver, on behalf of the County, such other agreements, instruments or authorizations, as may be contemplated by, or necessary or advisable to consummate or otherwise give full effect to, this resolution, and which are deemed necessary or desirable to effectuate the transactions contemplated by this resolution and to perform all acts and do all things required or contemplated to be performed or done by this ordinance or by any agreement, instrument or authorization approved, contemplated or authorized hereby.

Section 3. The County hereby pledges to and agrees with the LDC and the holders of any bonds, notes and other obligations (hereinafter the "Bonds") of the LDC including without

limitation the Series 2005 Bonds that the County will not limit or alter the rights of the LDC to fulfill the terms of its agreements with the holders of the Bonds or in any way impair the rights and remedies of such holders or the security for the Bonds until the Bonds, together with the interest thereon and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully paid and discharged. The Legislature further hereby delegates to the County Executive or her duly authorized representative the power to make, ratify and confirm such pledge to and agreement with the LDC and the holders of its Bonds to be made or enforced. The LDC is hereby authorized to include in any agreement with or for the benefit of the holders of its Bonds the pledges and agreements made by this Legislature and by the County Executive on behalf of the County pursuant to this Section.

Section 4. This resolution shall take effect immediately.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 559

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MARK SILVERIO, DVM, CHENANGO ANIMAL HOSPITAL, FOR VETERINARIAN SERVICES AND MEDICAL SUPPLIES FOR THE BROOME COUNTY ANIMAL SHELTER FOR 2006

WHEREAS, this County Legislature, by Resolution 594 of 2004, authorized renewal of the agreement with Mark Silverio, DVM, Chenango Animal Hospital, for veterinarian services and medical supplies for the Broome County Animal Shelter at an amount not to exceed \$25,380, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to comply with State law that requires animals to be vaccinated against rabies prior to release from an animal shelter and to provide the animal shelter with the necessary medical supplies for sick and injured animals under the care of the shelter throughout the year, provide veterinarian services and medical supplies to the Office of the Sheriff's canines and provide reimbursement to the Broome County Health Department for rabies vaccines, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$25,380, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Mark J. Silverio, DVM, Chenango Animal Hospital, 1445 Front Street, Binghamton, New York 13901 for veterinarian and medical supplies for the Broome County Animal Shelter, for the Office of the Sheriff's canines and to provide reimbursement to the Broome County Health Department for rabies vaccines for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$25,380 for the term of the agreement, to be paid as follows:

Medical Supplies -	NTE \$18,000	031476.4742.101000 (Veterinarian Services)
Sheriff Canines -	NTE \$ 2,500	450049.4742.101000 (Veterinarian Services)
Vaccinations -	NTE \$ 4,880	480137.4742.101000 (Veterinarian 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-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 560

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

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE SOS SHELTER, INC. FOR PET BOARDING AT THE BROOME COUNTY DOG SHELTER FOR 2006

WHEREAS, this County Legislature, by Resolution 595 of 2004, authorized renewal of an agreement with the SOS Shelter, Inc. to provide pet boarding and spay/neuter services for the pets of those families in need, at no cost to the County or to the pet owner, for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide boarding and spay/neuter services to pets belonging to families attempting to leave an abusive situation and in need of a safe place for their pets, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, including a program to provide spay/neuter services on a voluntary basis and at no charge, for the animals of SOS Shelter clients, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the SOS Shelter, Inc., P.O. Box 393, Endicott, New York 13760 for pet boarding and spay/neuter services at the Broome County Dog Shelter for the period for January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, there shall be no cost to the pet owner, and be it

FURTHER RESOLVED, that the County shall bear the cost of the spay/neuter services with local veterinarians at a total cost not to exceed \$250 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 031470.4742.101000 (Veterinarian Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 561

By County Administration and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE ABOLISHMENT OF THE PETTY CASH FUND FOR THE BROOME COUNTY BOARD OF ELECTIONS

WHEREAS, current operations do not necessitate the maintenance of a petty cash fund for the Broome County Board of Elections, and

WHEREAS, it is necessary that said petty cash fund be abolished, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the abolishment of the Broome County Board of Elections petty cash fund of \$50, and be it

FURTHER RESOLVED, that said petty cash funds, receipts and records maintained by the Broome County Board of Elections be immediately provided to the Commissioner of Finance.

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 562

By Finance Committee

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE GUARDIAN LIFE INSURANCE COMPANY OF NEW YORK FOR LIFE INSURANCE FOR ELIGIBLE BROOME COUNTY EMPLOYEES FOR THE OFFICE OF RISK AND INSURANCE FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 484 of 2003, authorized renewal of an agreement with The Guardian Life Insurance Company of New York for life insurance for eligible Broome County employees for the Office of Risk and Insurance at a rate of \$1.30 per enrollee per month, and \$.30 per enrollee per month for accidental death and dismemberment, for the period December 1, 2003 through November 30, 2005, and

WHEREAS, said services are necessary to provide life insurance coverage for eligible Broome County Employees, and

WHEREAS, said agreement expires by its terms on November 30, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$1.30 per enrollee per month, and \$.30 per enrollee per month for accidental death and dismemberment, for the period December 1, 2005 through November 30, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with The Guardian Life Insurance Company of New York, 3900 Burgess Place, Bethlehem, Pennsylvania 18017 for life insurance for eligible Broome County employees for the Office of Risk and Insurance for the period December 1, 2005 through November 30, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$1.30 per enrollee per month, and \$.30 per enrollee per month for accidental death and dismemberment, for the term of the agreement, and be it

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

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 563

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TIOGA COUNTY FOR HOUSING OF PRISONERS FOR THE OFFICE OF THE SHERIFF FOR 2005-2006

WHEREAS, this County Legislature, by Resolution 11 of 2005, as amended by Resolution 179 of 2005, authorized renewal of the agreement with Tioga County at a cost not to exceed \$80 per day per prisoner for the housing of prisoners to relieve overcrowding at the Broome County Public Safety Facility for the period August 14, 2004 through August 13, 2005, and

WHEREAS, overcrowding constitutes an unsafe condition within the meaning of Section 504 of the Corrections Law and, from time to time, other New York State Counties are willing to house Broome County prisoners on a per diem basis, and

WHEREAS, said agreement expired by its terms on August 13, 2005, and it is desired at this time to renew said agreement with Tioga County on substantially similar terms and conditions for the period August 14, 2005 through August 13, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Tioga County, 103 Corporate Drive, Owego, New York 13827 to house Broome County prisoners to relieve overcrowding at the Public Safety Facility for the period August 14, 2005 through August 13, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, Broome County shall pay Tioga County an amount not to exceed \$80 per day per prisoner, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4435.101000 (Inmate Expense-Other Facility), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 564

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH ELMIRA FAMILY MEDICINE, P. C. FOR PHYSICIAN AND MEDICATION SERVICES FOR BROOME COUNTY INMATES HOUSED IN THE TIOGA COUNTY JAIL FOR THE OFFICE OF THE SHERIFF FOR 2006

WHEREAS, this County Legislature, by Resolution 12 of 2005, authorized renewal of the agreement with Elmira Family Medicine, P.C. for physician and medication services to Broome County inmates housed in the Tioga County Jail for the Office of the Sheriff at a cost not to exceed \$4,000 for the period January 1, 2005 through December 31, 2005, and

WHEREAS, said services are necessary to provide physician and medication services for Broome County inmates housed in the Tioga County Jail, and

WHEREAS, said agreement expires by its terms on December 31, 2005, and it is desired at this time to renew said agreement on substantially similar terms and conditions, for an amount not to exceed \$4,000, for the period January 1, 2006 through December 31, 2006, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Elmira Family Medicine, P.C., P.O. Box 224, Breesport, New York 14816-0224 for physician and medication services to Broome County inmates housed in the Tioga County Jail for the Office of the Sheriff for the period January 1, 2006 through December 31, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4365.101000 (Prescription Drugs), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 565

By Public Works and Finance Committees

Seconded by Mr. Miller

RESOLUTION AUTHORIZING AGREEMENT WITH SHUMAKER CONSULTING ENGINEERS & LAND SURVEYING, P.C. FOR CONSULTING ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2005-2006

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Shumaker Consulting Engineers & Land Surveying, P.C. for consulting engineering services for the Department of Public Works at a cost not to exceed \$54,900, for the period October 24, 2005 through October 23, 2006, and

WHEREAS, said services are necessary to evaluate the Jennings Creek Road slope failure and prepare a design for the necessary repairs and storm draining mitigation effort, including construction support services, and

WHEREAS, the damage caused to Jennings Road in the Town of Lisle during heavy rains of April 2-4, 2005 was declared a Public Emergency by the County Executive on August 26, 2005, and

WHEREAS, the Federal Emergency Management Agency (FEMA), after investigating the damage, have authorized funds to assist the County in covering part of the costs required to repair the damaged area of Jennings Road to avoid a collapse of the traveling portion of the roadway, and

WHEREAS, it is necessary to waive the normal procurement process to retain said firm due to the time constraints required to design, bid and repair the damaged roadway area, now, therefore, be it

RESOLVED, that this County Legislature hereby waives the normal procurement process for engineering services and authorizes an agreement with Shumaker Consulting Engineers & Land Surveying, P.C., 143 Court Street, Binghamton, New York 13901, for consulting engineering services, for the Department of Public Works, for the period October 24, 2005 through October 23, 2006, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$54,900 for the term of the agreement, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from budget line 035031.4746.501407 (Engineering and Architectural Services), and be it

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

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

RESOLUTION NO. 566

By Finance Committee

Seconded by Mr. Keibel

RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES FROM THE 2005 TAX SALE AUCTION

WHEREAS, the County of Broome owns certain parcels of real property as a result of in rem foreclosures as listed on Exhibit "A", and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 2005 was held on October 15, 2005 and all bids submitted were tabulated, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 2005 Broome County tax sale as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the successful bidders in each such case, together with such other documents as may be necessary to implement the intent of this Resolution

Carried, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey).

Mr. Howard made a motion to adjourn, seconded by Mr. Marinich. **Motion to adjourn carried**, Ayes-15, Nays-0, Absent-4 (Whalen, Brunza, Mather, Lindsey). The meeting was adjourned at 5:19 p.m.

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