

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
AUGUST 18, 1994**

The Legislature convened at 4:00 P.M. with a call to order by the Chairman, Arthur J. Shafer.

The Clerk, Richard R. Blythe, called the Attendance roll: Present-16, Absent-3 (Brown, Schofield & Wagstaff).

Mr. Pasquale moved, seconded by Mr. Augostini that the minutes of the July 21, 1994 Special and Regular Sessions and August 4, 1994 Special Session be approved as prepared and as presented by the Clerk.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

A Public hearing was held concerning the continuation of AGRICULTURAL DISTRICT #5 (Towns of Barker, Chenango, Lisle, Maine, Nanticoke and Triangle). The Chairman, Mr. Shafer opened the hearing at 4:15 P.M. The clerk read the Legal Notice of the hearing and presented proof of publication. The clerk acknowledged receiving reports recommending continuance of the district from the Broome County Agricultural & Farmland Protection Board and the Broome County Department of Planning and Economic Development.

The first speaker was Fred Lewis of the Broome County Department of Planning and Economic Development who quoted from the department's report, ..."we have found that the recertification of Agricultural District # 5 of Broome County will foster the viability of agricultural operations and serve to protect the farming community of the northern tier of the County. The benefits of this recertification reflect the full spirit and intent of the Agriculture and Markets Law..."

David Bradstreet of Cornell Cooperative Extension was the second speaker. He spoke about the viability of the District and recommended technical modifications by adding four parcels in the

Town of Barker:

3-1, 3-2-S11, 3-2-S12, 3-2-S14

Mr. Ernest Patterson, owner of the four parcels recommended for addition addressed the Legislature and requested that one additional parcel be added in the Town of Barker: 3-20-S10

The Chairman closed the hearing at 4:27 P.M.

The following petitions, communications, notices and reports were presented to the County Legislature:

WRITTEN OR ORAL PRESENTATION OF THE COUNTY EXECUTIVE

Letters from the County Executive, Timothy M. Grippen:

1. Objection to Resolution 94-351 (Authorizing Transfer of Funds within the Department of Audit and Control for Single Audit).

COMMUNICATIONS:

1. Minutes from:
 - a. Willow Point Nursing Facility
 - b. Public Library
 - c. EMC Ad Hoc Committee on Composting
2. Letter from Town of Sanford regarding approval for site location for recycling drop-off with roll-out dumpster.
3. Department of Audit & Control: 1994 Sales Tax Revenue Update through July 1994.
4. Final EIS for George Harvey Justice Building Renovation Project.
5. Letter from Chair of Agricultural District Advisory Committee regarding continuance of Agricultural District #5.
6. 1994-95 Adopted Budget from Broome Community College

REPORTS:

1. 1993 Annual Reports:
 - a. Four County Library System
 - b. Mental Health Services
2. Broome County Industrial Development Agency (Financial

Statements, 12/31/1993).

3. Ross Park Zoo (1994 Progress Report to Broome County Detailing Use of Allocated Funds).
4. Property Accounting Inventory Report (County 11th Annual Auction).

Mr. Lindsey moved, seconded by Mr. Malley to receive and file the above noted reports and to publish any pertinent portions thereof in the Journal of Proceedings. **Carried.** Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chairman, Arthur J. Shafer:

1. Appointing James Malley as voting representative for Andrew Kavulich, Public Safety and Emergency Services Committee, August 9, 1994.
2. Appointing voting representatives for Margaret M. Coffey:
 - a. Merry Harris, Public Safety and Emergency Services Committee, 8/9/1994.
 - b. Mark R. Whalen, Finance Committee, August 11, 1994.
3. Appointing Chris W. Burger as voting representative and Kelly J. Wagstaff as Acting Chair for Wayne L. Howard, Education, Culture and Recreation Committee, August 10, 1994.
4. Appointing Louis P. Augostini as Acting Chair and voting representative for Michael P. Pazzaglini, County Administration, Economic Development and Planning Committee, August 11, 1994.

The following resolutions (307, 308, 313, 350) that were heldover from the previous regular session (July 21, 1994) were again presented for consideration.

Several resolutions were taken out of order, one removed from the table and others called back for reconsideration, however for the sake of clarity, all resolutions are presented in numerical order. The preferred agenda was presented and seconded by Mr. Malley.

RESOLUTION NO. 307 by Finance heldover by Mr. Harbachuk.
RESOLUTION AUTHORIZING A CONTRACT WITH THE CENTER FOR GOVERNMENTAL RESEARCH, INC. FOR AN EFFICIENCY AND COST-SAVINGS STUDY OF SELECTED DEPARTMENTS AND/OR PROGRAMS OF BROOME COUNTY GOVERNMENT. Mr. Augostini moved, seconded by Mr. Pasquale to **table** to the September 14, 1994 session.
The tabling **Carried.** Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 308 by County Administration, Economic Development & Planning heldover by Mr. Shafer. **RESOLUTION AUTHORIZING BUSINESS RECORDS CORPORATION TO CONDUCT A REVIEW OF ALL COUNTY DEPARTMENTS FOR THE PURPOSE OF DETERMINING BROOME COUNTY'S ELIGIBILITY TO BE CONSIDERED FOR A REGIONAL TECHNOLOGY CENTER (RTC).**
Mr. Shafer moved, seconded by Mrs. Hudak to **table** the resolution.
The tabling **Carried.** Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 313 by Health & Human Services and Finance heldover by
Mr. Augostini. **RESOLUTION OF THE BROOME COUNTY LEGISLATURE CONCERNING MANDATES FROM THE NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES**
Mr. Burger moved, seconded by Mr. Augostini to **amend** the resolution by modifying the RESOLVED paragraph as follows:

RESOLVED, that this Legislature having reviewed said mandates referenced above does hereby accept said mandate(s) on the condition that the State of New York reimburse any additional expense the County may incur and does hereby instruct the Clerk of this Legislature to notify the State of New York and the affected department of Broome County's acceptance.

Mr. Augostini moved, seconded by Mrs. Coffey to **call the question** on the amendment. The call of the question **Carried.** Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

The amendment **lost.**

Ayes-9 Augostini, Burger, Harris, Howard, Mather, Taylor, Whalen, Wike & Shafer

Nays-7 Coffey, Harbachuk, Hudak, Kavulich, Lindsey, Malley & Pasquale

Absent-3 Brown, Schofield & Wagstaff

Mr. Augostini moved, seconded by Mr. Pasquale to **call to question** on the resolution. The call of the question **Carried.** Ayes-15, Nays-1 (Malley),

Absent-3 (Brown, Schofield & Wagstaff)

The resolution **carried.**

Ayes-12 Burger, Coffey, Harbachuk, Harris, Howard, Hudak, Kavulich, Lindsey, Malley, Mather, Pasquale & Shafer

Nays-4 Augostini, Taylor, Whalen & Wike

Absent-3 Brown, Schofield & Wagstaff

Mr. Burger moved, seconded by Mr. Augostini to **remove from the table** Resolution No. 94-315 for the purpose of offering clarifying

amendments.

Carried. Ayes-15, Nays-1 (Hudak), Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 315 by County Administration, Economic Development & Planning and Finance Committees. **RESOLUTION AUTHORIZING AGREEMENT WITH MIPS-MILLER INFORMATION PROCESSING CORP., FOR COMPUTER BACKUP GENERATOR AND CONTINGENCY PLANNING FOR THE DEPARTMENT OF COMPUTER SERVICES FOR 1994.**

Mr. Burger moved, seconded by Mr. Pasquale to **amend the resolution**, to reflect that the resolution was for (professional) services only at a cost not to exceed \$115,000 (down from \$150,000).

The amendment to the resolution **carried.**

Ayes 14, Nays-2 (Hudak & Shafer), Absent-3 (Brown, Schofield & Wagstaff)

The resolution as amended **carried.**

Ayes 14, Nays-2 (Hudak & Shafer), Absent-3 (Brown, Schofield & Wagstaff)

Mr. Augustini moved, seconded by Mr. Pasquale to **reconsider** Resolution No. 321, adopted at the July 21st. session, for the purpose of offering an amendment.

The reconsideration **carried.** Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 321 by Finance Committee. **RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES OF THE 1994 TAX SALE AUCTION (1990 IN REM FORECLOSURE)**

Mr. Augostini moved, seconded by Mr. Pasquale the following amendment rejecting a bid by Mr. Donald Newby as follows:

FURTHER RESOLVED, that this County Legislature hereby rejects the following bid as the Department of Public Works has requested retention of said property for future highway reconstruction and authorizes retention and ownership of said parcel by Broome County:

TOWN and TAX MAP #: CHENANGO 7-15-4X

REJECTED BIDDER: Donald Newby, 343 Dorman Rd., Binghamton, NY 13901

BID AMOUNT: \$ 300(NOTE: DPW estimates a County cost of \$2000+/- if a purchase were necessary)

The amendment **Carried.** Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

The resolution as reconsidered and as amended **carried.** Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

The following resolution (350) that was heldover from the previous regular session (July 21, 1994) was again presented for consideration.

RESOLUTION NO. 350 by Finance, Personnel and County Administration, Economic Development & Planning heldover by Mrs. Wagstaff. **RESOLUTION AUTHORIZING THE COUNTY CORONERS PARTICIPATION IN THE BROOME COUNTY HEALTH BENEFITS PROGRAM**

Carried.

Ayes-11 Augustini, Burger, Harbachuk, Harris, Howard, Kavulich,
Lindsey, Mather, Pasquale, Taylor & Whalen

Nays-5 Coffey, Hudak, Malley, Wike & Shafer

Absent-3 Brown, Schofield & Wagstaff

Mr. Pasquale moved, seconded by Mr. Augustini to **reconsider** Resolution No. 351, adopted at the July 21st. session, for the purpose of offering an amendment.

The reconsideration **carried**. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 351 by Finance Committee. **RESOLUTION AUTHORIZING TRANSFER OF FUNDS WITHIN THE DEPARTMENT OF AUDIT AND CONTROL FOR SINGLE AUDIT FEES.**

Mr. Pasquale moved, seconded by Mr. Malley to **amend** the resolution to reflect a transfer from the contingency fund (instead of salary savings) in the amount of \$10,500. The Budget Office indicated a balance of \$214,200 in contingency fund.

The amendment **Carried**. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff).

The resolution as amended **carried**.
Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 355

by County Administration, Economic Development and Planning and Public Safety and

Emergency Services Committees

Seconded by Mr. Malley

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 12, 1994, ENTITLED: "A LOCAL LAW AMENDING LOCAL LAW NO. 8, 1992, REGULATING THE USE OF ALARM SYSTEMS LOCATED IN BROOME COUNTY AND CONNECTED TO THE BROOME COUNTY SHERIFF'S DEPARTMENT AND/OR EMERGENCY SERVICES".

RESOLVED, that Local Law Intro. No. 12, 1994, entitled: "A Local Law Amending Local No. 8, 1992, regulating the use of alarm systems located in Broome County and Connected to the Broome County Sheriff's Department and/or Emergency Services", be and the same hereby is adopted and approved in accordance with the Broome County Charter, Municipal Home Rule Law, and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 12, 1994

A Local Law Amending Local Law No. 8, 1992, Entitled "A Local Law Regulating the use of Alarm Systems Located in Broome County and connected to the Broome County Sheriff's Department and/or Emergency Services".

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

Section 1. Section 1 of Local Law No. 8, 1992 is hereby amended to read as follows:

Section 1. a. All residences and businesses containing or installing emergency alarm systems in Broome County connected to the Broome county Sheriff's Department and/or the Office of Emergency Services, must register with the Broome County Sheriff's Department and/or the Office of Emergency Services.

b. Each alarm user shall pay a registration fee of \$5.00 at the time the alarm system is registered with the Broome County Sheriff's Department and/or the

Office of Emergency Services.

Section 2. Except as herein above amended, Local Law No. 8, 1994 shall remain in full force and effect.

Section 3. This Local Law shall be effective upon filing with the Secretary of State.

Note: Material in brackets [] is deleted.

Material in underlining is added.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff).

RESOLUTION NO. 356

by County Administration and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING ACCEPTANCE OF A LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT GRANT FOR THE OFFICE OF THE COUNTY CLERK FOR 1994 THROUGH 1995.

WHEREAS, the office of the Broome County Clerk requests authorization to accept a Local Government Records Management Improvement Fund grant from the New York State Education Department/University of the State of New York in the amount of \$45,475.00 for the period June 30, 1994 through June 30, 1995, and

WHEREAS, said grant is designed to implement archival restoration of 25 Broome County Census books for the period 1820 through 1925, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the acceptance of a Local Government Records Management Improvement Fund grant from the New York State Education Department/University of the State of New York for the archival restoration of 25 Broome County census books in the amount of \$45,475.00 for the period June 30, 1994 through June 30, 1995, and be it

FURTHER RESOLVED, that this County Legislature adopts the

program budget annexed hereto as Exhibit A, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered 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 his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 357

by County Administration and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DOMENICO AND LUIGI FATA FOR LEASE OF OFFICE SPACE FOR THE BROOME COUNTY BUREAU OF MOTOR VEHICLES FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 174 of 1993, authorized an agreement with Domenico and Luigi Fata for lease of space for the Broome County Bureau of Motor Vehicles in Endicott, New York for the period May 1, 1993 through April 30, 1994 at a cost of \$3,056.00 per month, total cost not to exceed \$36,672.00, and

WHEREAS, said agreement expired by its terms on April 30, 1994, and it is desired at this time to renew said agreement on

substantially similar terms and conditions for 1994 through 1995 with a reduction of cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Domenico and Luigi Fata, 2902 Watson Boulevard, Endwell, New York 13760 for 3,514 square feet of floor space on the ground level of the building located at 124 Washington Avenue, Endicott, New York to be used for the Broome County Bureau of Motor Vehicles for the period May 1, 1994 through April 30, 1995, and be it

FURTHER RESOLVED, that in consideration of said lease, the County shall pay the Contractor \$1990.66 per month, total cost not to exceed \$23,888.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300020.4422.101000 (building and land rental), and be it

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 358

by Environment and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH BINGHAMTON/JOHNSON CITY JOINT SEWAGE TREATMENT BOARD FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL FOR 1994 THROUGH 1996.

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with Binghamton/Johnson City Joint

Sewage Treatment Board for treatment of leachate from the Nanticoke Landfill for the period August 6, 1994 through August 17, 1996, at a cost not to exceed \$20.00 per 1,000 gallons of leachate treated, with the total payments during each year of the agreement not to exceed \$40,000, and

WHEREAS, said services are necessary to serve as backup for the treatment of leachate as provided by the Village of Endicott, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Binghamton/Johnson City Joint Sewage Treatment Board for treatment of leachate from the Nanticoke Landfill, for the period August 16, 1994 through August 17, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20.00 per 1,000 gallons of leachate treated, with the total payments during each year of this agreement not to exceed \$40,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4449.206000 (other operational expenses), and be it

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 359

by Environment and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE VILLAGE OF ENDICOTT FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL AT THE

VILLAGE SEWAGE TREATMENT PLANT FOR 1994 THROUGH 1996

WHEREAS, this County Legislature, by Resolution 92-350 of 1992, authorized an agreement with the Village of Endicott for treatment of leachate from the Nanticoke Landfill at the Village's Sewage Treatment Plant at a cost of \$15.00 per 1,000 gallons of leachate treated with the total payments during each year of the agreement not to exceed \$200,000, and

WHEREAS, said services expires by its terms on August 16, 1994, and it is desired at this time to renew said agreement for 1994 through 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Village of Endicott, 1009 East Main Street, Endicott, New York 13760 for treatment of leachate from the Nanticoke Landfill for the period August 19, 1994 through August 20, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$15.00 per 1,000 gallons of leachate treated, total cost not to exceed \$200,000 for each year of the agreement for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4449.206000 (other operational expenses), and be it

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 360

by Environment, County Administration, Economic Development and

Planning Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TOWN OF SANFORD TO INDEMNIFY THE TOWN OF SANFORD FROM AND AGAINST ANY AND ALL DAMAGES AND CLAIMS, UP TO ONE MILLION DOLLARS, WHICH MAY ARISE FROM THE COUNTY'S USE OF TOWN OF SANFORD PROPERTY FOR A COUNTY RECYCLING DROPOFF

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with the Town of Sanford to indemnify the Town of Sanford from and against damages and claims, up to one million dollars, which may arise from the County's use of Town property for a County Recycling Dropoff, and

WHEREAS, said agreement is necessary to ensure operation of the Broome County Recycling Center in the Town of Sanford for calendar year 1994 and 1995, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Sanford, 146 Front Street, Deposit, New York 13754, to indemnify the Town of Sanford from and against any and all damages and claims, up to one million dollars, which may arise from the County's use of Town property for the County Recycling Dropoff, and be it

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 361

by Environment and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AGREEMENT WITH STEARNS & WHELER ENVIRONMENTAL ENGINEERS & SCIENTISTS, FOR DESIGN SERVICES FOR LEACHATE TREATMENT FACILITY AT THE NANTICOKE LANDFILL.

WHEREAS, the Division of Solid Waste requests authorization for an agreement with Stearns & Wheler Environmental Engineers & Scientists for design services in connection with the installation of a leachate treatment facility at the Nanticoke Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns & Wheler Environmental Engineers & Scientists, One Remington Park Drive, Cazenovia, New York 13035 for design services in connection with the installation of a leachate treatment facility at the Nanticoke Landfill, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Stearns & Wheler an amount not to exceed \$450,000.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4746.501282 (Engineering and Architectural Services), and be it

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 362

by Environment and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AGREEMENT WITH WICKER APPRAISAL ASSOCIATES, FOR APPRAISAL SERVICES IN CONNECTION WITH THE BROOME

RECYCLING FACILITY.

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with Wicker Appraisal Associates for an appraisal of the Broome Recycling Facility located at 111 1/2 Broad Street, Binghamton, New York, and

WHEREAS, said appraisal is to determine the fair market value of the Recycling Facility to assess the County's option of purchase of the facility, and

WHEREAS, Wicker Appraisal Associates was the lowest cost proposal, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Wicker Appraisal Associates, 472 South Salina Street, Suite 400, Syracuse, NY 13202 for appraisal services of the Broome Recycling Facility located at 111 1/2 Broad Street, Binghamton, New York, for the period August 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Wicker Appraisal Associates an amount not to exceed \$2,600.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230078.4545.206000 (contracted 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.

Heldover by Mr. Lindsey.

RESOLUTION NO. 363

by Environment and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH METCALF AND EDDY, FOR LANDFILL GAS FEASIBILITY STUDY FOR THE DIVISION OF SOLID WASTE MANAGEMENT.

WHEREAS, the Division of Solid Waste requests authorization for an agreement with Metcalf and Eddy for professional engineering services associated with the development of a landfill gas (LFG) feasibility study, and

WHEREAS, said agreement is to include an estimate of the landfill gas generation rate, landfill gas quality, collection/use alternatives, federal landfill gas regulation, facility siting, cost analysis and estimate, the development of schematics for alternatives and recommendations and conclusions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Metcalf and Eddy, 480 South Street, Rensselaer, New York 12144, for development of a landfill gas feasibility study as more particularly described in the scope of services on file with the Clerk of the Broome County Legislature, and be it

FURTHER RESOLVED, that in consideration of said services, Broome County will pay Metcalf and Eddy an amount not to exceed \$41,500.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4746.206000 (Engineering and Architectural Services), and be it

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 364

by Finance Committee

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AN ADDITIONAL AGREEMENT WITH SEDGWICK JAMES UNDER THE BROOME COUNTY PROPERTY AND LIABILITY PROGRAM FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 290 of 1994, authorized an agreement with Sedgwick James for certain insurance coverage under the 1994-1995 insurance program for the Department of Risk and Insurance, and

WHEREAS, it is desired at this time to provide additional fire coverage for the Broome County Transit Garage and Broome County Transit Buses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an addendum to the agreement with Sedgwick James, 2000 Lincoln First Square, Rochester, New York, 14604-1995, whereby said firm will provide fire insurance coverage for the Broome County Transit Garage and Broome County Transit Buses, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,950, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050062.4521.307000 (Insurance Premiums), and be it

FURTHER RESOLVED, that Resolution 290 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 365

by Environment Committee

Seconded by Mr. Kavulich

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS "LEAD AGENCY" WITH RESPECT TO THE ADOPTION OF LOCAL LAW INTRO. NO. 13, 1994 REGARDING SOLID WASTE TIPPING FEES AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to adopt a Local Law to modify the tipping fees for disposal of certain tires at the Nanticoke Landfill, and

WHEREAS, it has been determined that such project is subject to the requirements of the State Environmental Quality Review Act (SEQRA), and it is therefore, necessary to initiate procedures with respect thereto, and

WHEREAS, this County Legislature has determined that it is the agency with the broadest governmental powers for investigation of the impact of the proposed action and has the greatest capability for providing the most thorough environmental assessment of the project, and

WHEREAS, this County Legislature is the only involved agency as defined in the State Environmental Quality Review Act reviewing the aforementioned increase in tipping fees for tire disposal, and

WHEREAS, the change in tipping fees for disposal for certain tires may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of a proposed local law to change the tipping fees for disposal of certain tires at the Nanticoke Landfill, and be it

FURTHER RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the increase in tipping fees will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby

adopts the "Negative Declaration" annexed hereto as Exhibit "A."

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 366

by County Administration, Economic Development and Planning,
Environment and Finance Committees

Seconded by Ms. Harris

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 13, 1994, ENTITLED: "A LOCAL LAW AMENDING LOCAL LAW NO. 10, 1986, LOCAL LAW NO. 2, 1988, LOCAL LAW NO. 15, 1989, LOCAL LAW NO. 16, 1989, LOCAL LAW NO. 14, 1990, AND LOCAL LAW NO. 4, 1993, BROOME COUNTY SOLID WASTE CODE."

RESOLVED, that Local Law Intro. No. 13, 1994, entitled: "A Local Law amending Local Law No. 10, 1986, Local Law No. 2, 1988, Local Law No. 15, 1989, Local Law No. 16, 1989, Local Law No. 14, 1990, and Local Law No. 4, 1993, Broome County Solid Waste Code," be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 13, 1994

A Local Law amending Local amending Local Law No. 10, 1986, Local Law No. 2, 1988, Local Law No. 15, 1989, Local Law No. 16, 1989, Local Law No. 14, 1990, and Local Law No. 4, 1993, Broome County Solid Waste Code.

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

SECTION 1. Local Law No. 10, 1986, Local Law No. 2, 1988, Local Law No. 15, 1989, Local Law No. 16, 1989, Local Law No. 14, 1990, and Local Law No. 4, 1993, is hereby amended to read as follows:

(3).Commencing October 1, 1994, the following separate charges will apply at the Nanticoke Landfill:

(b)Tires

[(2) Over sixteen inch, but less than twenty-two inch rim: one dollar and fifty cents (\$1.50) per tire.]

[(3) Over twenty-two inch rim: ten dollars (\$10.00) per tire.]

(2) Over sixteen inch, but less than twenty-two inch rim: seven dollars and fifty cents (\$7.50) per tire. Tires not acceptable unless removed from rims.

(3) Tires over twenty-two inch rim are not acceptable.

SECTION 2.Except as hereinabove amended, Local Law No. 10, 1986, Local Law No. 2, 1988, Local Law No. 15, 1989, Local Law No. 16, 1989, Local Law No. 14, 1990, and Local Law No. 4, 1993, shall remain in full force and effect.

SECTION 3.This Local Law shall become effective upon filing with the Secretary of State.

Note: Material in brackets [] is deleted.

Material in underlining is added.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 367

by Public Works Committee

Seconded by Mr. Malley

RESOLUTION AUTHORIZING ACCEPTANCE OF FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE GEORGE HARVEY JUSTICE BUILDING RENOVATION PROJECT AND AUTHORIZING ADDITIONAL ADMINISTRATIVE TASKS IN CONNECTION THEREWITH.

WHEREAS, this County Legislature, by Resolution No. 242 of 1994, and pursuant to the requirements of the State Environmental Quality Review Act (SEQRA), accepted as complete the Draft

Environmental Impact Statement (DEIS) for the proposed George Harvey Justice Building Renovation Project, and issued the same for public review, circulation, and comment, and

WHEREAS, said resolution directed that a public hearing be held on June 16, 1994 to receive oral comments on the DEIS, and

WHEREAS, said resolution further directed the Chairman of the County Legislature to: preside over the aforesaid public hearing; have transcripts of said hearing prepared and transmitted to this Legislature; and in cooperation with the Department of law and the Department of Public Works to prepare and file a Notice of Completion and Hearing as provided in 6 NYCRR Section 617.10 (c) and (e), and file and make available copies of the DEIS, as provided in 6 NYCRR Section 617.10 (d), and

WHEREAS, the Public Works Department was directed to coordinate the preparation of the final environmental impact statement (FEIS) and together with the Department of Law prepare a proposed statement of SEQRA findings and decision for this Legislature's consideration, and

WHEREAS, said resolution provided that public comment on the DEIS would continue to be received until June 27, 1994, and

WHEREAS, the Department of Public Works has submitted a proposed FEIS, prepared by the County's consultant, Shumaker Consulting Engineers, to this Legislature for consideration, as directed by Resolution No. 242 of 1994, and

WHEREAS, the proposed FEIS incorporates the DEIS by reference, specifically addressing options A and AA, and contains any revisions or supplements thereto; includes copies of substantive comments received on the DEIS and their source; and contains responses of Shumaker Consulting Engineers to substantive comments received, and

WHEREAS, this Legislature has reviewed said FEIS and believes that it is appropriate at this time to accept said FEIS as complete, to issue and file a Notice of Completion in connection therewith, and to

authorize the filing thereof, all as provided in 6 NYCRR §617.10 (f) and make copies available as provided in 6 NYCRR §617.10(g), now, therefore, be it

RESOLVED, that this County Legislature, based on the factors set forth in 6 NYCRR §617.11, hereby accepts as complete the FEIS for the George Harvey Justice Building Renovation Project, directs that the Chairman of the County Legislature in cooperation with the Department of Law and Public Works Department file the FEIS and a Notice of Completion in the form attached hereto as Exhibit A, and make copies available, as provided in 6 NYCRR §617.10, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Mr. Whalen moved, seconded by Mrs. Taylor to **table** the resolution. The tabling **carried**.

Ayes-10Burger, Harbachuk, Harris, Hudak, Kavulich, Lindsey, Pasquale, Taylor, Whalen & Wike
Nays-6Augustini, Coffey, Howard, Malley, Mather & Shafer
Absent-3Brown, Schofield & Wagstaff

RESOLUTION NO. 368

by Public Safety and Emergency Services and Finance Committees
Seconded by Mr. Malley

RESOLUTION DESIGNATING COUNTY DOG SHELTER REVENUES RECEIVED FROM TOWNS OR OTHER MUNICIPALITIES AND ANY RESULTING SURPLUS SOLELY TO DOG SHELTER OPERATIONS

WHEREAS, this County Legislature recognizes that the County Dog Shelter performs a vital service that is of great benefit to the towns which have entered into contracts for shelter services, and

WHEREAS, this Legislature has concluded that is necessary that the County Dog Shelter operate on a self-sustaining basis, without the need for support from County tax revenues, and

WHEREAS, numerous towns have expressed a willingness to

amend their existing contracts to increase the level of payments made to the Shelter so that fees paid to the Shelter will be sufficient to cover all costs of the Shelter or subsequent deficits when accumulated surplus is insufficient to do so, and

WHEREAS, the towns that have expressed such willingness desire to be assured that fees paid to the Shelter and any resulting surplus in any year will not be used for County purposes other than Dog Shelter operations, now, therefore, be it

RESOLVED, that this County Legislature hereby designates all County Dog Shelter revenues received from towns or other municipalities and any resulting surplus solely to County Dog Shelter operations.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 369

by Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AMENDMENT AND EXTENSION OF AGREEMENT WITH MUNICIPALITIES OF BROOME COUNTY FOR DOG SHELTER SERVICES.

WHEREAS, this County Legislature, by Resolution 426 of 1991, authorized agreements with the towns, city and villages of Broome County for Dog Shelter services, pursuant to New York State Agriculture and Markets Law, Article 7, for a five year term, except for a one year term for the Town of Colesville, and

WHEREAS, this County Legislature by Resolution No. 645 of 1993 authorized an agreement with the Town of Colesville for the same purpose for a one-year term expiring on December 31, 1994; and

WHEREAS, the County has entered into contracts with the Towns of Barker, Binghamton, Chenango, Conklin, Dickinson, Fenton, Kirkwood, Nanticoke, Triangle, Union, and Windsor for terms expiring on December 31, 1997 and with the Town of Colesville expiring December 31, 1994, and

WHEREAS, it is desired by the County and each of those Towns to amend such agreements as of January 1, 1995 to provide for higher payments to the County so that the County Dog Shelter will be self-sustaining, and to extend the term of such agreements until December 31, 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the towns, city and villages of Broome County for a five year term, January 1, 1995 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration for dog shelter services provided by Broome County, the County will retain all impoundment fees as set by the Legislature and collected by the Shelter, all the County's statutory share of licensing fees, and all adoption fees collected by the Shelter, and, in addition, each participating municipality shall remit to Broome County seven dollars (\$7.00) for each spayed or neutered dog licensed by the participating municipality, nine dollars (\$9.00) for each unspayed or unneutered dog so licensed, and twenty dollars (\$20.00) for each dog issued a New York State Purebred license, and be it

FURTHER RESOLVED, that each agreement shall provide that revenues from such fees and any resulting surplus shall be restricted to support of County Dog Shelter operations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 031476.0177.101000 (reimbursement animal shelter), and be it

FURTHER RESOLVED, that Resolutions No. 426 of 1991 and 645 of 1993 to the extent consistent herewith shall remain in full force and effect, and be it

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

Heldover by Mr. Malley

RESOLUTION NO. 370

by Public Works Committee

Seconded by Mr. Malley

**RESOLUTION AUTHORIZING ABANDONMENT OF
HIGHWAY RIGHT OF WAY ON COLESVILLE ROAD IN THE
TOWN OF COLESVILLE.**

WHEREAS, the Department of Public Works requests that this County Legislature authorize the abandonment of the highway right of way on Colesville Road in the Town of Colesville, as indicated on the annexed Exhibit "A", and

WHEREAS, the Department of Public Works has determined that the highway right of way is no longer needed for County purposes and recommends that any and all rights to said right of way be abandoned by Broome County, and

WHEREAS, the prospective purchaser of said property which contains the highway right of way has agreed to pay the County the amount of \$1,000 for said abandonment, now, therefore,

RESOLVED, that this County Legislature hereby authorizes the abandonment of any and all rights to the highway right of way located on Colesville Road in the Town of Colesville, more particularly described on the annexed Exhibit "A", and be it

FURTHER RESOLVED, that in consideration of said abandonment, Steven L. Lake and Margaret L. Lake, 1827 Colesville Road, Harpursville, New York 13787 shall pay the County the amount of \$1,000, and be it

FURTHER RESOLVED, that the payment hereinabove made shall be credited to budget line 030106.0212.301000 (Sales of Real Property), and be it

FURTHER RESOLVED, that the County Executive or his duly

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 371

by Public Works, County Administration, Economic Development & Planning and Finance Committees Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH THE STATE OF NEW YORK AND THE CITY OF BINGHAMTON FOR CONSTRUCTION OF THE PLAZA DECK OF THE BINGHAMTON GOVERNMENTAL COMPLEX.

WHEREAS, this County Legislature by Resolutions 148 of 1987 and 470 of 1989 authorized agreements with the State of New York through its Commissioner of General Services and the City of Binghamton for the review and design phase of reconstruction of the plaza deck of the Binghamton Governmental Complex, and

WHEREAS, the County of Broome desires to enter into an agreement with the State of New York through its Commissioner of General Services and the City of Binghamton for the construction phase of the reconstruction of the plaza deck of the Binghamton Governmental Complex, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New York State through its Commissioner of General Services, 41st Floor, Corning Tower Building, Governor Nelson A. Rockefeller Empire State Plaza, Albany, NY 12242 and the City of Binghamton, City Hall, Binghamton, NY 13902 for demolition, repair, and reconstruction work on the ground and upper and lower level plaza decks of the Binghamton Governmental Complex for the period September 1, 1994 through August 31, 1997, and be it

FURTHER RESOLVED, that in consideration of authorizing said

agreement the State of New York shall pay 36.1620 percent of the actual costs for the construction work: the County of Broome shall pay 33.9865 percent of the actual cost of the construction work, estimated cost not to exceed \$2,974,000, and the City of Binghamton shall pay 29.8515 percent of the actual cost of the construction, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035113.2011.501218 (Improvements/Alterations), 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.

Heldover by Mr. Harbachuk.

RESOLUTION NO. 372

by Transportation and Finance Committees Seconded by Mr. Malley

RESOLUTION AUTHORIZING AMENDMENT OF THE DEPARTMENT OF AVIATION FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT FOR PHASE I OF THE EXTENSION OF RUNWAY 16 INCLUDING ACQUISITION OF LAND; COMPLETION OF ENGINEERING DESIGN AND RELOCATION OF KNAPP ROAD

WHEREAS, this County Legislature, by Resolution 421 of 1987, authorized the participation by the Department of Aviation in the Federal Aviation Administration Grant Agreement for the Binghamton Regional Airport for Phase I of the Extension of Runway 16, including acquisition of land; completion of engineering design and relocation of Knapp Road in the amount of \$2,105,658.00, and

WHEREAS, said it is necessary at this time to authorize the amendment of said grant program to reflect an increase in grant

appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the amendment of the Department of Aviation Federal Aviation Administration Grant for Phase I of the Extension of Runway 16, including acquisition of land; completion of engineering design and relocation of Knapp Road in the amount of \$2,255,307.92, and be it

FURTHER RESOLVED, that Resolution No. 421 of 1987 to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 373

by Environment Committee

Seconded by Ms. Harris

RENDERING "NEGATIVE DECLARATION" WITH RESPECT TO THE ENVIRONMENTAL REVIEW OF AGRICULTURAL DISTRICT NO. 5 UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, pursuant to the Agricultural and Markets Law, this County Legislature heretofore established Agricultural District No. 5, and

WHEREAS, the State Environmental Quality Review Act (SEQRA) requires an Agricultural District be reviewed every eight (8) years for a determination of environmental impact, and

WHEREAS, Broome County Agricultural District No. 5 is scheduled for an eight (8) year review, and

WHEREAS, this County Legislature, by Resolution Permanent No. 94-220, designated itself lead agency with respect to the Environmental Review of Broome County Agricultural District No. 5, and designated the Broome County Environmental Management Council as coordinator for said review, now, therefore, be it

RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares the continuation and modification of Agricultural District No. 5 will not have significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "A."

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 374

by Environment Committee

Seconded by Ms. Harris

RESOLUTION ADOPTING A PLAN OR PROPOSAL FOR THE CONTINUATION AND MODIFICATION OF BROOME COUNTY AGRICULTURAL DISTRICT NO. 5, LOCATED WITHIN THE TOWNS OF BARKER, CHENANGO, LISLE, MAINE, NANTICOKE AND TRIANGLE FOR AN ADDITIONAL EIGHT (8) YEAR PERIOD PURSUANT TO SECTION 303 OF THE AGRICULTURE AND MARKETS LAW

WHEREAS, this County Legislature, by Resolution 175 of 1978, created Broome County Agricultural District No. 5 within the Towns of Barker, Chenango, Lisle, Maine, Nanticoke and Triangle,

WHEREAS, pursuant to the provisions of the New York State Agriculture and Markets Law, this County Legislature conducted an eight-year review of Agricultural District No. 5, and by Resolution 239 of 1986, this County Legislature adopted a plan to continue and to modify Broome County Agricultural District No. 5 located in the

Towns of Barker, Chenango, Lisle, Maine, Nanticoke and Triangle; for an additional eight years, and

WHEREAS, pursuant to the provisions of the New York State Agriculture and Markets Law, this County Legislature has conducted an eight year review of Agricultural District No. 5, and

WHEREAS, it is desired to modify said district No. 5 to add parcels from the Towns of Barker, Lisle, Maine, Nanticoke & Triangle, and

WHEREAS, during the statutory 30-day period for public review commencing May 2, 1994, following the publication on April 21, 1994 of the Notice of said period for public review, as provided for and permitted by Section 303, paragraph 2 of Article 25AA of the New York State Agriculture and Markets Law, no modifications to Broome County Agricultural District No. 5 were filed, and

WHEREAS, the Broome County Planning Department and the Broome County Agricultural and Farm Land Protection Board by reports duly filed, have recommended that said Broome County Agricultural District No. 5 be continued for an additional eight-year period, EXCEPT that both the Planning Department and the Broome County Agricultural and Farm Land Protection Board have recommended modifications to Agricultural District No. 5 as follows:

**BROOME COUNTY AGRICULTURAL DISTRICT NUMBER 5
PARCELS TO BE ADDED:**

TOWN OF BARKER

TAX MAP

<u>PARCEL NO.</u>	<u>LAND USE</u>	<u>ACREAGE</u>
1-56	1 FAMILY RES	2.01
1-56-S2	RES. VAC LAND	8.80
1-58	ABANDONED AG	9.22
2-10	RURAL VAC	12.00
2-13	RURAL VAC	113.36
2-14	RURAL VAC	39.75

2-46-S1	FIELD CROPS	218.52
2-51-S3	RURAL RES	70.91
2-53	MULTIPLE RES	117.93
All 2-1	RES VAC LAND	.75
3-2-S7	VAC W.IMPRV	12.07
3-2-S10	RES VAC LAND	57.71
3-2-S13	RES VAC LAND	5.43
3-9	RURAL RES	83.00
3-10	RURAL RES	68.50
3-15-S1	SHEEP FARM	147.00
3-19	FIELD CROPS	185.00
4-24	RURAL RES	58.52
4-26	RURAL RES	78.30
4-27-S2	RES VAC LAND	141.22
4-33-S1	RURAL RES	126.73
5-2X	CATTLE FARM	94.32
5-24X	RURAL RES	84.84
5-24-S10X	RURAL RES	56.23
5-28-S1	CATTLE FARM	106.00
5-29	RURAL RES	92.00
5-39-S4	FIELD CROPS	53.50
5-54-S3	RURAL RES	55.19
5-55-S3	VACANT INDUS	59.12
5-56-S9	RURAL RES	110.74
TOWN OF BARKER - 30 PARCELS		2,268.67 ACRES

TOWN OF CHENANGO - NO CHANGES RECOMMENDED

TOWN OF LISLE

1-12-S1X	DAIRY FARM	444.08
----------	------------	--------

1-12X	DAIRY FARM	279.07
DP 1-9-6-S5X	VAC FARMLAND	12.58
DP 1-9-6-S6	RES VAC LAND	5.87
DP 1-9-6-S7	RES VAC LAND	5.78
DP 1-9-9-S1	DAIRY FARM	17.73
DP 1-9-9-S2X	RES VAC LAND	11.65
DP 1-9-9-S5X	RES VAC LAND	30.45
DP 1-9-9-S6X	VAC FARMLAND	74.28
DP 1-9-10-S3X	RES VAC LAND	23.42
DP 1-9-A16	RES VAC LAND	3.75
DP 1-9-A17X	RES VAC LAND	9.84
DP 1-9-A18X	RES VAC LAND	11.84
DP 1-9-A19X	RES VAC LAND	10.84
DP 1-9-A20	RES VAC LAND	9.86
2-6-S8	RURAL VAC	9.80
2-6-S3X	FIELD CROPS	40.21
2-7X	FIELD CROPS	90.38
2-17	RURAL VAC	27.01
3-13	PRIV FOREST	24.09
3-28X	HORSE FARM	64.13
3-38-S2	DAIRY FARM	14.00
3-42X	DAIRY FARM	162.00
3-43X	VAC FARMLAND	146.79
3-45X	DAIRY FARM	258.36
3-50	FIELD CROPS	206.40
3-50-S1	DAIRY FARM	14.21
3-50-S2	1 FAMILY RES	5.60
3-56	RURAL VAC	22.58
3-56-S2	RURAL VAC	51.15
3-56-S11	RURAL VAC	23.50

DP 5-G-16	1 FAMILY RES	0.49
DP 5-G-17	VAC FARMLAND	17.00
DP 5-G-18S3	PRIV FOREST	24.09
6-5	MFG HOUSINGS	15.20
6-17	VAC FARMLAND	6.80
6-37	FIELD CROPS	67.11

TOWN OF LISLE - 37 PARCELS 2,241.94 ACRES

TOWN OF MAINE

1-31	RURAL RES	77.70
1-38	RURAL VACANT	42.00
1-39	CATTLE FARM	108.85
1-40	VAC FARMLAND	51.31
1-41	LIVESTOCK	120.00
1-42	REC VAC LAND	102.75
1-48	RURAL RES	134.99
1-49	RURAL RES	139.11
1-50	RURAL VAC	50.30
1-52	LIVESTOCK	52.00
1-53	RURAL RES	96.40
1-53-S1	RURAL VACANT	51.60
1-55	MFG HOUSING	18.83
1-57	RURAL RES	134.73
1-58X	RURAL RES	98.25
1-60	RURAL RES	125.91
1-61-S1	RURAL VACANT	124.77
1-63-SIX	RURAL RES	130.90
1-64	LIVESTOCK	89.56
1-66	RURAL VACANT	73.50
2-3	1 FAMILY RES	99.23

2-9	RURAL VACANT	35.00
2-11	RURAL VACANT	114.96
2-11-S10	FIELD CROPS	34.50
2-12X	1 FAMILY RES	85.34
2-13-S1	RURAL VACANT	1.96
2-17	LIVESTOCK	92.40
2-18-S2	RURAL VAC	153.46
2-41	FIELD CROPS	17.85
DP 2-2-48-S2	RURAL VACANT	.26
DP 2-2-S5	RES VAC LAND	9.44
DP 2-2-55-S3	1 FAMILY RES	10.55
3-1	RURAL VACANT	48.00
3-2	RURAL VACANT	158.37
3-3	RURAL VACANT	194.00
3-7	LIVESTOCK	53.00
3-8	MFG HOUSING	70.30
3-9	RURAL RES	91.33
3-11	RURAL RES	46.65
3-12	VAC FARMLAND	142.00
3-13	RURAL RES	42.33
3-13-S1	RES VAC LAND	3.67
3-17-S4X	RURAL VAC	35.95
3-19-S4	RURAL VACANT	124.39
3-20	RURAL VACANT	93.10
3-20-S4	RURAL VACANT	21.23
3-21	APARTMENT	126.52
3-21-S2	RURAL VACANT	108.56
3-22-S4	RURAL VACANT	51.70
3-22-S6	RURAL VACANT	24.30
3-23	RURAL VACANT	77.00
3-23-S1	RURAL RES	118.00
3-25-S5	1 FAMILY RES	101.70

4-2	CATTLE FARM	45.00
4-3	VAC FARMLAND	52.55
TOWN OF MAINE - 55 PARCELS		4,308.06 ACRES

TOWN OF NANTICOKE

1-6	MFG HOUSING	147.80
3-10	VAC FARMLAND	104.50
3-50-S3	VAC FARMLAND	15.52
3-50-S4	RES VAC LAND	20.24
4-4-S7	VAC FARMLAND	113.74
4-56	ABANDONED AG	221.00
4-57	RURAL VAC	37.02
4-62	1 FAMILY RESIDENT	50.00
4-64	FIELD CROPS	40.00

TOWN OF NANTICOKE - 9 PARCELS 749.82 ACRES

TOWN OF TRIANGLE

1-20-S1	MFG HOUSING	5.06
1-20-S2	MFG HOUSING	24.79
1-20-S5	MFG HOUSING	24.79
1-21-S2	RURAL RES	108.46
1-23	CATTLE FARM	158.00
1-25	CATTLE FARM	133.00
1-28-S1	CATTLE FARM	67.34
2-1	CATTLE FARM	32.83
2-1-S1	FIELD CROPS	47.17
2-5-S1	SEASONAL RES	40.00
2-15	MFG HOUSINGS	53.00
2-16	RURAL HOUSING	26.02

2-17-S2	MFG HOUSING	56.17
2-33	DAIRY FARM	158.00
2-38	CATTLE FARM	35.22
2-39	RURAL RES	85.00
2-40	RURAL RES	40.00
2-53-S2	MFG HOUSINGS	42.06
3-22-S6	RES VAC LAND	20.01
3-27	FIELD CROPS	169.89
3-41	FIELD CROPS	19.30
3-42	OTHER STOCK	59.35
3-43-S2	HORSE FARM	54.31
3-45-S3	RURAL RES	92.78
4-1	1 FAMILY RES	15.80
4-1-S6	FIELD CROPS	12.00
4-1-S7	OTHER STOCK	6.50
5-12	RURAL VAC	234.80
5-14	CATTLE FARM	225.38
5-17X	PRIV FOREST	394.20
5-18	PRIV FOREST	166.40
5-24X	FIELD CROPS	33.50
5-28-S1	FIELD CROPS	25.00
5-29	RURAL RES	21.41
5-29-S2	1 FAMILY RES	78.00
5-32	RURAL RES	177.44
5-33	FIELD CROPS	46.00
5-33-S1	MFG HOUSING	70.00
5-34-S1	1 FAMILY RES	9.50
5-34-S3	1 FAMILY RES	8.95
5-36-S1	FIELD CROPS	61.15
5-41	FIELD CROPS	79.07

6-12-S3	RES VAC LAND	10.03
6-12-S4	RES VAC LAND	12.20
6-13-S1	RURAL RES	37.00
6-25	MFG HOUSING	50.00
6-27X	RURAL RES	115.98
6-28-S2	FIELD CROPS	78.91
6-40	FIELD CROPS	75.54
6-41	PRIV FOREST	18.00
6-48	RURAL RES	48.43
6-51-S2-X	RURAL RES	139.43

TOWN OF TRIANGLE - 52 PARCELS 3,803.17 ACRES
TOTAL ALL TOWNS: 183 PARCELS 13,371.66 ACRES

and

WHEREAS, it is the intention of this County Legislature that said modifications be accepted and approved by this County Legislature, in that Broome County Agricultural District No. 5, except as so modified, shall otherwise be approved and adopted as originally created, and

WHEREAS, the Public Hearing has been duly advertised in accordance with the provisions of the Agriculture and Markets Law on the question of the continuation and modification by the Broome County Legislature of Broome County Agricultural District No. 5 located within the Towns of Barker, Chenango, Lisle, Maine, Nanticoke and Triangle, County of Broome, New York for an additional eight-year period, and

WHEREAS, in order to further the continuation of said plan for Broome County Agricultural District No. 5, as modified, in the Towns of Barker, Chenango, Lisle, Maine, Nanticoke and Triangle, County of Broome, it is necessary that this County Legislature, pursuant to Section 303 of the New York State Agriculture and Markets Law adopt such plan or proposal and submit the same for approval and certification to the Commissioner of Agriculture and Markets of the State of New York for that department's review and recommendation,

now, therefore, be it

RESOLVED, that this County Legislature hereby adopts a plan or proposal for the continuation of Broome County Agricultural District No. 5 located within the Towns of Barker, Chenango, Lisle, Maine, Nanticoke and Triangle, within the County of Broome, New York except that this County Legislature approves, adopts and accepts the modifications to said districts in accordance with the recommended modification(s) of the Broome County Planning Department and the Broome County Agricultural and Farm Land Protection Board as aforesaid which shall result in the modifications as follows:

Addition of 183 parcels as follows:

**PARCELS TO BE ADDED:
BROOME COUNTY AGRICULTURAL DISTRICT NUMBER 5**

**TOWN OF BARKER
TAX MAP**

<u>PARCEL NO.</u>	<u>LAND USE</u>	<u>ACREAGE</u>
1-56	1 FAMILY RES	2.01
1-56-S2	RES. VAC LAND	8.80
1-58	ABANDONED AG	9.22
2-10	RURAL VAC	12.00
2-13	RURAL VAC	113.36
2-14	RURAL VAC	39.75
2-46-S1	FIELD CROPS	218.52
2-51-S3	RURAL RES	70.91
2-53	MULTIPLE RES	117.93
All 2-1	RES VAC LAND	.75
3-2-S7	VAC W.IMPRV	12.07
3-2-S10	RES VAC LAND	57.71

3-2-S13	RES VAC LAND	5.43
3-9	RURAL RES	83.00
3-10	RURAL RES	68.50
3-15-S1	SHEEP FARM	147.00
3-19	FIELD CROPS	185.00
4-24	RURAL RES	58.52
4-26	RURAL RES	78.30
4-27-S2	RES VAC LAND	141.22
4-33-S1	RURAL RES	126.73
5-2X	CATTLE FARM	94.32
5-24X	RURAL RES	84.84
5-24-S10X	RURAL RES	56.23
5-28-S1	CATTLE FARM	106.00
5-29	RURAL RES	92.00
5-39-S4	FIELD CROPS	53.50
5-54-S3	RURAL RES	55.19
5-55-S3	VACANT INDUS	59.12
5-56-S9	RURAL RES	110.74

TOWN OF BARKER - 30 PARCELS 2,268.67 ACRES

TOWN OF CHENANGO - NO CHANGES RECOMMENDED

TOWN OF LISLE

1-12-S1X	DAIRY FARM	444.08
1-12X	DAIRY FARM	279.07
DP 1-9-6-S5X	VAC FARMLAND	12.58
DP 1-9-6-S6	RES VAC LAND	5.87
DP 1-9-6-S7	RES VAC LAND	5.78
DP 1-9-9-S1	DAIRY FARM	17.73
DP 1-9-9-S2X	RES VAC LAND	11.65

DP 1-9-9-S5X	RES VAC LAND	30.45
DP 1-9-9-S6X	VAC FARMLAND	74.28
DP 1-9-10-S3X	RES VAC LAND	23.42
DP 1-9-A16	RES VAC LAND	3.75
DP 1-9-A17X	RES VAC LAND	9.84
DP 1-9-A18X	RES VAC LAND	11.84
DP 1-9-A19X	RES VAC LAND	10.84
DP 1-9-A20	RES VAC LAND	9.86
2-6-S8	RURAL VAC	9.80
2-6-S3X	FIELD CROPS	40.21
2-7X	FIELD CROPS	90.38
2-17	RURAL VAC	27.01
3-13	PRIV FOREST	24.09
3-28X	HORSE FARM	64.13
3-38-S2	DAIRY FARM	14.00
3-42X	DAIRY FARM	162.00
3-43X	VAC FARMLAND	146.79
3-45X	DAIRY FARM	258.36
3-50	FIELD CROPS	206.40
3-50-S1	DAIRY FARM	14.21
3-50-S2	1 FAMILY RES	5.60
3-56	RURAL VAC	22.58
3-56-S2	RURAL VAC	51.15
3-56-S11	RURAL VAC	23.50
DP 5-G-16	1 FAMILY RES	0.49
DP 5-G-17	VAC FARMLAND	17.00
DP 5-G-18S3	PRIV FOREST	24.09
6-5	MFG HOUSINGS	15.20

6-17	VAC FARMLAND	6.80
6-37	FIELD CROPS	67.11

TOWN OF LISLE - 37 PARCELS 2,241.94 ACRES

TOWN OF MAINE

1-31	RURAL RES	77.70
1-38	RURAL VACANT	42.00
1-39	CATTLE FARM	108.85
1-40	VAC FARMLAND	51.31
1-41	LIVESTOCK	120.00
1-42	REC VAC LAND	102.75
1-48	RURAL RES	134.99
1-49	RURAL RES	139.11
1-50	RURAL VAC	50.30
1-52	LIVESTOCK	52.00
1-53	RURAL RES	96.40
1-53-S1	RURAL VACANT	51.60
1-55	MFG HOUSING	18.83
1-57	RURAL RES	134.73
1-58X	RURAL RES	98.25
1-60	RURAL RES	125.91
1-61-S1	RURAL VACANT	124.77
1-63-SIX	RURAL RES	130.90
1-64	LIVESTOCK	89.56
1-66	RURAL VACANT	73.50
2-3	1 FAMILY RES	99.23
2-9	RURAL VACANT	35.00
2-11	RURAL VACANT	114.96
2-11-S10	FIELD CROPS	34.50
2-12X	1 FAMILY RES	85.34
2-13-S1	RURAL VACANT	1.96

2-17	LIVESTOCK	92.40
2-18-S2	RURAL VAC	153.46
2-41	FIELD CROPS	17.85
DP 2-2-48-S2	RURAL VACANT	.26
DP 2-2-S5	RES VAC LAND	9.44
DP 2-2-55-S3	1 FAMILY RES	10.55
3-1	RURAL VACANT	48.00
3-2	RURAL VACANT	158.37
3-3	RURAL VACANT	194.00
3-7	LIVESTOCK	53.00
3-8	MFG HOUSING	70.30
3-9	RURAL RES	91.33
3-11	RURAL RES	46.65
3-12	VAC FARMLAND	142.00
3-13	RURAL RES	42.33
3-13-S1	RES VAC LAND	3.67
3-17-S4X	RURAL VAC	35.95
3-19-S4	RURAL VACANT	124.39
3-20	RURAL VACANT	93.10
3-20-S4	RURAL VACANT	21.23
3-21	APARTMENT	126.52
3-21-S2	RURAL VACANT	108.56
3-22-S4	RURAL VACANT	51.70
3-22-S6	RURAL VACANT	24.30
3-23	RURAL VACANT	77.00
3-23-S1	RURAL RES	118.00
3-25-S5	1 FAMILY RES	101.70
4-2	CATTLE FARM	45.00
4-3	VAC FARMLAND	52.55

TOWN OF MAINE - 55 PARCELS 4,308.06 ACRES

TOWN OF NANTICOKE

1-6	MFG HOUSING	147.80
3-10	VAC FARMLAND	104.50
3-50-S3	VAC FARMLAND	15.52
3-50-S4	RES VAC LAND	20.24
4-4-S7	VAC FARMLAND	113.74
4-56	ABANDONED AG	221.00
4-57	RURAL VAC	37.02
4-62	1 FAMILY RESIDENT	50.00
4-64	FIELD CROPS	40.00

TOWN OF NANTICOKE - 9 PARCELS 749.82 ACRES

TOWN OF TRIANGLE

1-20-S1	MFG HOUSING	5.06
1-20-S2	MFG HOUSING	24.79
1-20-S5	MFG HOUSING	24.79
1-21-S2	RURAL RES	108.46
1-23	CATTLE FARM	158.00
1-25	CATTLE FARM	133.00
1-28-S1	CATTLE FARM	67.34
2-1	CATTLE FARM	32.83
2-1-S1	FIELD CROPS	47.17
2-5-S1	SEASONAL RES	40.00
2-15	MFG HOUSINGS	53.00
2-16	RURAL HOUSING	26.02
2-17-S2	MFG HOUSING	56.17
2-33	DAIRY FARM	158.00

2-38	CATTLE FARM	35.22
2-39	RURAL RES	85.00
2-40	RURAL RES	40.00
2-53-S2	MFG HOUSINGS	42.06
3-22-S6	RES VAC LAND	20.01
3-27	FIELD CROPS	169.89
3-41	FIELD CROPS	19.30
3-42	OTHER STOCK	59.35
3-43-S2	HORSE FARM	54.31
3-45-S3	RURAL RES	92.78
4-1	1 FAMILY RES	15.80
4-1-S6	FIELD CROPS	12.00
4-1-S7	OTHER STOCK	6.50
5-12	RURAL VAC	234.80
5-14	CATTLE FARM	225.38
5-17X	PRIV FOREST	394.20
5-18	PRIV FOREST	166.40
5-24X	FIELD CROPS	33.50
5-28-S1	FIELD CROPS	25.00
5-29	RURAL RES	21.41
5-29-S2	1 FAMILY RES	78.00
5-32	RURAL RES	177.44
5-33	FIELD CROPS	46.00
5-33-S1	MFG HOUSING	70.00
5-34-S1	1 FAMILY RES	9.50
5-34-S3	1 FAMILY RES	8.95
5-36-S1	FIELD CROPS	61.15
5-41	FIELD CROPS	79.07
6-12-S3	RES VAC LAND	10.03

6-12-S4	RES VAC LAND	12.20
6-13-S1	RURAL RES	37.00
6-25	MFG HOUSING	50.00
6-27X	RURAL RES	115.98
6-28-S2	FIELD CROPS	78.91
6-40	FIELD CROPS	75.54
6-41	PRIV FOREST	18.00
6-48	RURAL RES	48.43
6-51-S2-X	RURAL RES	139.43
TOWN OF TRIANGLE - 52 PARCELS		3,803.17 ACRES
TOTAL ALL TOWNS: 183 PARCELS		13,371.66 ACRES

and said Agricultural District located within the Towns of Barker, Chenango, Lisle, Maine, Nanticoke and Triangle, within the County of Broome, New York, as herein approved and modified is hereby continued to an additional eight (8) year period in accordance with the provisions of Section 303 of the New York State Agriculture and Markets Law, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature, pursuant to Section 303 of the Agriculture and Markets Law, is hereby directed on behalf of this County Legislature to submit to the Commissioner of Agriculture and Markets a certified copy of this Resolution and a copy of the plan or proposal for the continuation of Broome County Agricultural District No. 5 located within the Towns of Barker, Chenango, Lisle, Maine, Nanticoke and Triangle, within the County of Broome, New York, which proposal heretofore has been filed with the Clerk of this Legislature, the Broome County Clerk, the Broome County Planning Department, and the Broome County Agricultural and Farm Land Protection Board, it being noted herein that less than 180 days have passed from the date said proposal was submitted to this body to the date of adoption of this Resolution.

Mr. Burger moved, seconded by Mr. Pasquale, to **amend** the

resolution by adding the following five (5) parcels in the Town of Barker:

(per comments made at the public hearing).

3-1, 3-2-S11, 3-2-S12, 3-2-S14, 3-20-S10

The amendment **Carried**. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

The resolution as amended **carried**.

Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 375

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT FOR COURT SECURITY SERVICES FOR THE PERIOD APRIL 1, 1994 THROUGH MARCH 31, 1995

WHEREAS, this County Legislature, by Resolution 93-374 of 1993, authorized an agreement with The Unified Court System of the State of New York, Sixth Judicial District for court security services at a cost of \$314,800.00, and

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

WHEREAS, said agreement expires by its terms on March 31, 1994, and it is desired at this time to renew said agreement for the period April 1, 1994 through March 31, 1995, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Unified Court System of the State of

New York, Sixth Judicial for court security services for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services the Unified Court System of the State of New York shall pay to the County of Broome the sum of \$383,000.00 for reimbursement of allowable costs incurred by the County of Broome in providing the services required under the terms of the agreement, and be it

FURTHER RESOLVED, that the revenues realized pursuant to such agreement shall be deposited to the credit of the County of Broome under budget line 450007.0240.101000 (Temporary Court Officers), and be it

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 376

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTH DEPARTMENT DENTAL SEALANT GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 366 of 1993, authorized and approved the Broome County Health Department Dental Sealant Project Grant for the period October 1, 1993 through September 30, 1994 and adopted a program budget in the amount of \$45,863.00, and

WHEREAS, the Broome County Health Department recommends renewal of said program for the period October 1, 1994 through

September 30, 1995 in the amount of \$45,863.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the grant agreement with the New York State Health Department for the Broome County Health Department Dental Health Sealant Project Grant for the period October 1, 1994 through September 30, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts program budget annexed hereto as Exhibit A in the amount of \$45,863.00, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized 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 his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 377

by Health & Human Services and Finance Committees

Seconded by Mrs. Taylor

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT
WITH FREDERICK JOHNSON, DDS FOR DENTAL
SUPERVISION AND SCREENING SERVICES IN**

CONNECTION WITH THE BROOME COUNTY HEALTH DEPARTMENT DENTAL SEALANT GRANT PROJECT FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 367 of 1993, authorized an agreement with Frederick Johnson, DDS for dental supervision, direction of dental hygienist and screening services for the Broome County Health Department Dental Sealant Project Grant for the period October 1, 1993 through June 30, 1994 at a cost of \$2,700.00, and

WHEREAS, it is desired to renew said agreement for the period October 1, 1994 through September 30, 1995 in order to provide dental supervision, direction of dental hygienist and screening services for the Broome County Health Department Dental Sealant Grant operated through the school year for children of low socio-economic status, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Frederick Johnson, DDS, Broome Community College Dental Hygiene Clinic, PO Box 1077, Binghamton, New York 13902 for dental supervision, direction of dental hygienist and screening services in connection with the Broome County Health Department Dental Sealant Project grant for the period October 1, 1994 through September 30, 1995,, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Dr. Johnson \$270.00 per month for 10 months of the school year, total cost not to exceed \$2,700.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480210.4715.102000 (other health and medical 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-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 378

by Health & Human Services Committee

Seconded by Mr. Harbachuk

RESOLUTION AUTHORIZING RENEWAL OF A COMPREHENSIVE TRAFFIC SAFETY PROGRAM GRANT FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR THE HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolutions 311 of 1993 and 343 of 1994 authorized and approved the acceptance of the New York State Governor's Traffic Safety Committee Comprehensive Traffic Safety Program grant in the amount of \$51,550.00 and adopted a program budget in connection therewith for 1993 through 1994, and

WHEREAS, it is desired to renew said program for the period October 1, 1994 through September 30, 1995 in the amount of \$51,550.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the renewal of the New York State Governor's Traffic Safety Committee Traffic Safety Program Grant for the period October 1, 1994 through September 30, 1995 in the amount of \$51,550.00 administered by the Health Department Community Traffic Safety Program, 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 \$51,550.00 for the period October 1, 1994 through September 30, 1995, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any such

agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized 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 his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried.

Ayes-13Burger, Coffey, Harbachuk, Harris, Howard, Hudak, Kavulich,
Lindsey, Malley, Pasquale, Taylor, Whalen & Shafer

Nays-3Augustini, Mather & Wike

Absent-3Brown, Schofield & Wagstaff

RESOLUTION NO. 379

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTH DEPARTMENT HEALTHY NEIGHBORHOODS PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolutions 395 and 598 of 1993, authorized the participation by the Health Department in the Healthy Neighborhoods Grant Program for the period October 1, 1993 through September 30, 1994 and adopted a program budget in connection therewith in the total amount of \$43,596.00, and

WHEREAS, it is desired at this time to renew said program for 1994 through 1995, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the Broome County Health Department Healthy Neighborhood Grant Program for the period October 1, 1994 through September 30, 1995 in the total amount of \$44,037.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the program budget annexed hereto as Exhibit A in the total amount of \$44,037.00, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized 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 his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 380

by Health & Human Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION ESTABLISHING TUITION RATES FOR EMERGENCY MEDICAL SERVICES EDUCATION COURSES OFFERED AT THE BROOME COUNTY HEALTH DEPARTMENT.

WHEREAS, the Broome County Health and Emergency Medical Services Departments request this Legislature establish tuition rates for Emergency Medical Services education courses administered by the

Broome County Health and Emergency Medical Departments, now, therefore, be it

RESOLVED, that this County Legislature hereby establishes the tuition rates as indicated on the attached Exhibit A for Emergency Medical Services educational courses administered by the Broome County Departments of Health and Emergency Medical Services, and

WHEREAS, all tuition received as a result of these educational courses shall be credited to budget line 480483.0057.101000 (Student Tuition, Part-Time Day), and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 381

by Health & Human Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING REVISION OF THE HIV/STD/TB PREVENTION GRANT FOR THE BROOME COUNTY HEALTH DEPARTMENT CLINIC AND DISEASE CONTROL AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994.

WHEREAS, this County Legislature, by Resolution 665 of 1993, authorized and approved the Health Department HIV/STD/TB Prevention Program and adopted a program budget in the amount of \$47,600.00 for calendar year 1994, and

WHEREAS, it is necessary at this time to revise said grant program and adopt a revised program budget in connection therewith in order to chargeback personal services and eliminate one HIV representative position, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the revision of the Health Department HIV/STD/TB Prevention Grant for Health Department Clinics and Disease Control

for calendar year 1994, and be it

FURTHER RESOLVED, that this County Legislature approves and adopts the revised program budget annexed hereto as Exhibit A in the amount of \$47,600.00 for calendar year 1994, and be it

FURTHER RESOLVED, that Resolution 665 of 1993, to the extent consistent that herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized 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 his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 382

by County Administration, Economic Development & Planning and Health and Human Services Committees

Seconded by Mrs. Taylor

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 14, 1994 ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO CHANGE THE NAME OF THE METAL HEALTH ADVISORY BOARD TO COMMUNITY SERVICES BOARD, TO PROVIDE

FOR SUBCOMMITTEES THEREOF AND OTHERWISE CONFORM TO THE REQUIREMENTS OF ARTICLE 41 OF THE MENTAL HYGIENE LAW, TO CHANGE THE DEADLINE FOR THE COMMISSIONER'S ANNUAL REPORT, AND TO ELIMINATE SEXIST LANGUAGE."

RESOLVED, that Local Law Intro. No. 14, 1994, entitled: "A Local Law Amending the Broome County Charter and Administrative Code to Change the Name of the Mental Health Advisory Board To Community Services Board, to Provide for Subcommittees Thereof and Otherwise Conform to the Requirements of Article 41 of the Mental Hygiene Law, to Change the Deadline for the Commissioner's Annual Report, and to Eliminate Sexist Language," be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 14, 1994

A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO CHANGE THE NAME OF THE MENTAL HEALTH ADVISORY BOARD TO COMMUNITY SERVICES BOARD, TO PROVIDE FOR SUBCOMMITTEES THEREOF AND OTHERWISE CONFORM TO THE REQUIREMENTS OF ARTICLE 41 OF THE MENTAL HYGIENE LAW, TO CHANGE THE DEADLINE FOR THE COMMISSIONER'S ANNUAL REPORT, AND TO ELIMINATE SEXIST LANGUAGE.

SECTION 1. Section C803 of the Broome County Charter is hereby amended to read as follows:

§ C803. [Mental Health Advisory]Community Services Board.

There shall be in the Department a [Mental Health Advisory]

Community Services Board. The [Chairman] Chair of the County Legislature shall be a member of this Board. The members of the [Mental Health Advisory] Community Services Board shall be appointed in the manner as provided by the Administrative Code.

SECTION 2. Section A803 of the Broome County Administrative Code is hereby amended to read as follows:

§ A803. Reports.

On or before [March 1] June 10 in each year, the Commissioner of Mental Health shall make an annual report for the immediately preceding calendar year, covering generally the work of [his] the department. The Commissioner shall make such other reports at such times as may be required by the County Legislature, County Executive, Mental Hygiene Law or other applicable law and the New York State Department of Mental Hygiene. All reports shall be filed with the Clerk of the County legislature and the County Executive.

SECTION 3. Section A804 of the Broome County Administrative Code is hereby amended to read as follows:

§ A804. [Mental Health Advisory] Community Services Board. There shall be a [Mental Health Advisory] Community Services Board, consisting of the [Chairman] Chair of the County Legislature and fourteen (14) other members [all of whom shall be residents of Broome County]. The Community Services Board shall have subcommittees in accordance with Article 41 of the Mental Hygiene Law. All members of the Community Services Board and subcommittees shall be residents of Broome County.

Except for the [Chairman] Chair of the County Legislature,

members of the [Mental Health Advisory] Board and subcommittees shall be appointed by the County Executive, subject to the approval of the County Legislature, for a period of four (4) years, except that [of those first appointed, five (5) shall be appointed for two-year terms, five (5) for three-year terms and four (4) for four-year terms] such appointments by the County Executive may be for lesser terms in order to assure that terms of Board and subcommittee members are staggered, to the extent practicable. If the County Executive fails to fill a vacancy on the [Mental Health Advisory] Community Services Board within sixty (60) days after a vacancy occurs by expiration of term, a member may continue his or her office for a period not to exceed sixty (60) days or until an appointment is made thereto. All vacancies filled for unexpired terms shall be only for the period of the unexpired term.

The [Mental Health Advisory] Community Services Board shall elect each year, on or before the 15th day of January, a [Chairman, Vice Chairman] Chair, Vice Chair and Secretary. Meetings of such Board shall be held at the call of the [Chairman] Chair of the [Mental Health Advisory] Community Services Board, the Commissioner or the County Executive on at least three (3) days written notice, mailed to the last known address of such Board members. The [Mental Health Advisory] Community Services Board shall adopt rules of procedure for the conduct of its meetings and shall establish the regular meeting dates.

The [Mental Health Advisory] Community Services Board shall have and exercise the powers and duties conferred or imposed upon such Board by the Charter and Code and by Article 41 of the Mental Hygiene Law. The [Mental Health Advisory] Community Services Board shall, at the request of

the Commissioner of Mental Health, and may, on its own initiative, make recommendations and suggestions, in writing, to the Commissioner of Mental Health, County Executive or the County Legislature relative to the qualifications and duties of the deputies, officers or employees of the Department. The [Mental Health Advisory] Community Services Board may also make recommendations and suggestions to the County Legislature relative to the operation of services and facilities in the community mental health programs. The members of such Board and subcommittees shall receive no salary or compensation for their services, but shall within the appropriations provided therefor, be entitled to actual and necessary disbursements and expenses in performing the duties of their office.

SECTION 4. This Local Law shall take effect immediately upon its filing with the Secretary of State.

Note: Material in brackets [] is deleted.

Material in underlining is added.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 383

by Health and Human Services, Personnel and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING RENEWAL OF WEATHERIZATION REFERRAL AND PACKAGING (WRAP) PROGRAM GRANT FOR 1994 THROUGH 1995 AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 403 of 1993, authorized and approved the Weatherization Referral and Packaging (WRAP) Program Grant and adopted a program budget in the amount of \$17,172.00 for October 1, 1993 through June 30, 1994, and

WHEREAS, said grant program provides for screening and

assessment of elderly, low-income housing to determine energy related needs and to determine if client's needs can be met by the weatherization program, now, therefore, be it

WHEREAS, it is desired to renew said grant program for the period July 1, 1994 through December 31, 1995 in the amount of \$24,596.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$24,596.00 from the New York State Office for the Aging for the period July 1, 1994 through December 31, 1995, 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 \$24,596.00 for the period July 1, 1994 through December 31, 1995, and be it

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

FURTHER RESOLVED, that the County Executive or his 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 his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 384

by Health & Human Services and Finance Committees

Seconded by Mr. Shafer

**RESOLUTION AUTHORIZING AGREEMENT WITH
MATTHEW BURT FOR OFFICE FOR AGING SENIOR
CENTER FOR 1994 THROUGH 1997.**

WHEREAS, The Director of the Office for Aging requests authorization for a lease agreement with Matthew Burt for a Senior Center to be located on the second floor of the Burts Building Annex, for the period September 1, 1994 through December 31, 1997, at a cost not to exceed \$33,031 per year, and

WHEREAS, said lease agreement is necessary to relocate and consolidate the Western Broome and North Endicott Senior Centers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with Matthew Burt, 42 Washington Avenue, Endicott, New York 13760, for the second floor of the Burts Building Annex located at 19 Madison Avenue, Endicott for a Senior Center for the Broome County Office for Aging, for the period September 1, 1994 through December 31, 1997; and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$35,100 for the renovations to said building, and shall pay the contractor an amount not to exceed \$33,031 per year (\$3.25/square foot) for the rental of said premises, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760462.4422.102785 (Building & Land Rental) and 7600017.4422.101000 (Building & Land Rental), and be it

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

purpose of this Resolution.

Carried.

Ayes-13 Augostini, Burger, Harbachuk, Howard, Hudak, Kavulich,
Lindsey, Malley, Mather, Pasquale, Whalen, Wike &
Shafer

Nays-3 Coffey, Harris & Taylor

Absent-3 Brown, Schofield & Wagstaff

RESOLUTION NO. 385

by Health & Human Services, County Administration, Economic
Development & Planning and Finance Committees

Seconded by Mr. Malley

**RESOLUTION AUTHORIZING REVISION OF CHILD CARE
AND DEVELOPMENT BLOCK GRANT (CCDBG) AND
ADOPTING A REVISED PROGRAM BUDGET IN
CONNECTION THEREWITH FOR 1993-1994.**

WHEREAS, this County Legislature, by Resolution 631 of 1993,
authorized the continued participation in the Child Care and
Development Block Grant (CCDBG) for the period October 1, 1993
through September 30, 1994 and adopted a program budget in
connection therewith in the total amount of \$245,933, and

WHEREAS, it is necessary at this time to revise said program to
reflect an increase in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a
revision of the Child Care and Development Block Grant for the
period October 1, 1993 through September 30, 1994 in the total
amount of \$345,933, and be it

FURTHER RESOLVED, that this County Legislature hereby
adopts and approves the revised program budget annexed hereto as
Exhibit "A" in the total amount of \$345,933 for the period October 1,
1993 through September 30, 1994, and be it

FURTHER RESOLVED, that Resolution 631 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized 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 his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 386

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING ACCEPTANCE OF BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES SCHOOLS PREVENTIVE PARTNERSHIP PROGRAM GRANT FOR 1994-1995.

WHEREAS, this County Legislature, by Resolutions 370 of 1993 and 111 of 1994, authorized and approved participation by the Department of Social Services in the Youth at Risk and Family Services Worker programs respectively; and

WHEREAS, it is requested by the Commissioner of the

Department of Social Services that this County Legislature authorize acceptance of a Preventive Partnership Program grant in the amount of \$275,885 for the period September 1, 1994 through August 31, 1995, and

WHEREAS, said grant program provides for preventive services and case management for at-risk children attending the Susquehanna Valley and Binghamton School Districts

WHEREAS, it is necessary at this time to discontinue the existing Family Services Worker program grant to transfer unexpended funds from that program into the newly developed Preventive Partnership Program; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$ 275,885 from the New York State Department of Social Services, Binghamton School District and Susquehanna Valley School District for the period September 1, 1994 through August 31, 1995; and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the revision of the Family Services Worker program and transferring unexpended funds to the new Preventive Partnership Program; and it is

FURTHER RESOLVED, that Resolutions 370 of 1993 and 111 of 1994 shall continue in full force and effect until August 31, 1994 and thereafter both programs will merge into the Preventive Partnership Program, 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 \$275,885 for the period September 1, 1994 through August 31, 1995, and be it

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

FURTHER RESOLVED, that the County Executive or his 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 his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 387

by Health & Human Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH NYPENN NUTRITIONAL SERVICES, FOR CONSULTING DIETICIAN SERVICES AT WILLOW POINT NURSING FACILITY FOR THE PERIOD AUGUST 22, 1994 THROUGH OCTOBER 28, 1994.

WHEREAS, the Director of Central Food requests authorization for an agreement with NYPENN Nutritional Services for consulting dietician services at Willow Point Nursing Facility for the period August 22, 1994, through October 28, 1994, at a cost not to exceed \$5,000.00, and

WHEREAS, said services are necessary to provide the services of a registered dietician at Willow Point Nursing Facility, as required by the laws of the State of New York and the rules and regulations of the New York State Department of Health, during recruitment of a full-time, permanent staff dietician, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with NYPENN Nutritional Services, for consulting dietician services at Willow Point Nursing Facility, for the period August 22, 1994 through October 28, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230045.4741.251000 (dietary service), and be it

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 388

by Finance, Public Works and Transportation Committees

Seconded by Mr. Harbachuk

RESOLUTION AMENDING THE 1994 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, by Resolution 460 of 1993, the Broome County Legislature approved Capital Projects C-244 Aviation Parking Lot Equipment Replacement and C-151 Restaurant Equipment, and

WHEREAS, the Commissioner of Aviation has requested an amendment to Capital Project C-244 Aviation Parking Lot Equipment Replacement to include an additional entrance/exit gate and card readers to accommodate employees associated with the new hangar for US Air Express, and

WHEREAS, the additional funding will be provided by deleting Capital Project C-151 Restaurant Equipment, now, therefore, be it

RESOLVED, that the 1994 Capital Improvement Program is hereby amended as follows:

FROM: Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>
-------------	---------------------	--------------	--------------	----------------

County
 C-244 Parking Lot Equipment
 Replacement* \$28,000 \$0 \$0
 \$28,000

How Financed:

	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>
<u>Current Revenue</u>	1994	5	\$0
\$28,000			

TO:

Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	
	<u>Federal</u> <u>County</u>			
C-244	Parking Lot Equipment Replacement*	\$40,000	\$0	\$0
	\$40,000			

How Financed:

	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>
<u>Current Revenue</u>	1994	5	\$0
\$40,000			

* No change in description

DELETE:

Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	
	<u>Federal</u> <u>County</u>			
C-151	Restaurant Equipment	\$20,000	\$0	\$0
	\$20,000			

How Financed:

	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>

Current Revenue

1994 5 \$0
 \$20,000

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 389

by Finance, Public Works and Environment Committees

Seconded by Mr. Whalen

RESOLUTION AMENDING THE 1993 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, by Resolution 524 of 1992, the Broome County Legislature approved the 1993 Capital Project M-32 Leachate Treatment Facility, and

WHEREAS, Stearns and Wheler has presented a Leachate Feasibility Study, accepted by Resolution 346 of 1994, which evaluates treatment and disposal alternatives, and

WHEREAS, the Division of Solid Waste Management recommends full treatment for direct discharge, now, therefore be it,

RESOLVED, that the 1993 Capital Improvement Program is hereby amended as follows:

FROM:

		Estimated Construction Cost:			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	
	<u>County</u>				
M-32	Leachate Treatment				
Facility		\$640,000	\$0	\$0	\$640,000

		How Financed:			
<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>	
	1993	25	\$608,000		

\$32,000

Description: Construction of a leachate treatment facility to enhance

current and long-term operations. An on-site treatment facility (capacity 35-40,000 gallons per day) will eliminate disposal costs (360 - 432,000 per year) presently incurred and provide post-closure treatment of leachate for 30 years. Will require four quarters to complete with construction starting in 1994.

TO:

		Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>
<u>County</u>				
M-32	Leachate Treatment Facility	\$5,000,000	\$0	\$0
		\$5,000,000		

		How Financed:		
<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1993	25	\$4,968,000	\$32,000

Description: Construction of a leachate treatment facility to enhance current and long-term operations. An on-site treatment facility (capacity 35-40,000 gallons per day) will reduce disposal costs presently incurred and provide post-closure treatment of leachate for 30 years. Design and construction will start in 1994 and completion expected in first quarter 1996.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 390

by Transportation and Finance Committee

Seconded by Mr. Malley

RESOLUTION AUTHORIZING EXTENSION OF RENTAL CAR AGENCY LEASE AGREEMENTS AT THE BINGHAMTON REGIONAL AIRPORT.

WHEREAS, the Department of Aviation requests authorization

for extension of the rental car agency lease agreements with Hertz Corporation, Avis, and National Car Rental System, Inc. at the Binghamton Regional Airport, and

WHEREAS, the extensions are desired in order to continue to provide revenue to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the extension of the rental car agency lease agreements with Hertz Corporation, 225 Brae Boulevard, Park Ridge, New Jersey 07656-0713; Avis, World Headquarters, 900 Old County Road, Garden City, New York 11530; and National Car Rental System, Inc., 7700 France Avenue S, Minneapolis, MN 55435; each agreement for a two year term, plus one year option for renewal at the sole discretion of Broome County, and be it

FURTHER RESOLVED, that all revenue shall be credited to line 210070.0099.207000 (Rental Car Concession Fees), and be it

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

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 391

by Finance, Public Works and Environment Committees

Seconded by Mr. Harbachuk

RESOLUTION AMENDING THE 1992 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, by Resolution 448 of 1991, the Broome County Legislature approved the 1993 Capital Project M-122 Colesville Closure, and

WHEREAS, the Division of Solid Waste requests an amendment to Capital Project M-122 Colesville Closure to reflect increased costs for the Groundwater Treatment Facility due to the required removal of

total suspended solids (TSS) and iron, now, therefore be it

RESOLVED, that the 1992 Capital Improvement Program is hereby amended as follows:

FROM:		Estimated Construction Cost:			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
M-122	Colesville Closure	\$3,794,783	\$0	\$0	
	\$3,794,783				

	How Financed:			
<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1992	10	\$3,794,783	\$0

Description: Under order from the DEC, Broome County and GAF Corporation must complete the remediation of the Colesville Landfill. This consists of Part 360 Cap, pumping wells, groundwater treatment system, seep collection, and a new water supply for affected private wells.

It is anticipated that the project will be completed during 1993 with \$1,870,000 needed in 1992 and the balance, \$1,925,000 in 1993. No stated impact upon the operating budget.

TO:		Estimated Construction Cost:			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
M-122	Colesville Closure	\$5,481,520	\$0	\$0	
	\$5,481,520				

	How Financed:			
<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1992	10	\$5,481,520	\$0

Description: Under order from the DEC, Broome County and GAF Corporation must complete the remediation of the Colesville Landfill. This consists of Part 360 Cap, pumping wells, groundwater treatment system, seep collection, and a new water supply for affected private wells.

It is anticipated the project will be completed by the end of 1995. Broome County will be eligible for reimbursement from New York State of seventy-five percent (75%) of the costs upon completion of the project from New York State. No stated impact on the operating budget.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 392

by Finance, Public Works and Education, Culture and Recreation Committees

Seconded by Mr. Harbachuk

RESOLUTION AMENDING THE 1992 AND 1994 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, by Resolution 35 of 1994, the Broome County Legislature approve Capital Project A-322 Arena Ice Rink Renovation as amended, and

WHEREAS, by Resolution 160 of 1994, the Broome County Legislature authorized an application for a Sports Facility Assistance Program from the New York State Urban Development Corporation to provide partial funding for renovations including A-322 Arena Ice Rink Renovations, and

WHEREAS, the Department of Parks has requested an amendment to said project to cover higher than anticipated bid prices, and

WHEREAS, the additional funding will be provided by amending Capital Project A-11B Arena Riser System Replacement previously approved by Resolution 460 of 1993, now, therefore, be it

RESOLVED, that the 1992 Capital Improvement Program is hereby amended as follows:

FROM: Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>
	<u>County</u>			
A-322	Arena Ice Rink \$315,000 Renovation	\$385,000	\$70,000	\$0

How Financed:

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1992	5	\$195,000	\$190,000

Description: Increase length of ice rink from 185 to 200 feet (NHL/AHL league suggested standards) during 1992/1993 with slight reduction in seating and renovate existing rink.

TO: Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
A-322	Arena Ice Rink Renovation	\$415,000	\$70,000	\$0	\$345,000

How Financed:

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1992	5	\$195,000	\$150,000

Description: Increase length of ice rink from 185 to 200 feet (NHL/AHL league suggested standards) during 1993/1994 with slight reduction in seating and renovate existing rink;
and be it

FURTHER RESOLVED, that the 1994 Capital Improvement Program is hereby amended as follows:

FROM: Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
-------------	---------------------	--------------	--------------	----------------	---------------

A-11B Arena Riser System \$140,000 \$0 \$0
 \$140,000
 Replacement PH II

	How Financed:			
	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	
<u>Current Revenue</u>	1994	5	\$0	\$140,000

Description: Continuation of systematic replacement of riser system (north side) to address safety concerns.

TO: Estimated Construction Cost:
Code Project Name Total State Federal County

A-11B Arena Riser System \$110,000 \$0 \$0
 \$110,000
 Replacement PH II

	How Financed:			
	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	
<u>Current Revenue</u>	1994	5	\$0	\$110,000

Description: Continuation of systematic replacement of riser system (north side) to address safety concerns.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 393

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Mather

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 15, 1994, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY WORKERS' COMPENSATION SELF

INSURANCE PLAN."

RESOLVED, that Local Law Intro. No. 15, 1994, entitled: "A Local Law Amending the Broome County Workers' Compensation Self Insurance Plan," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law, and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 15, 1994

A Local Law Amending Chapter 76 of the Broome County Charter and Code regarding the Broome County Workers' Compensation Self Insurance Plan

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

Section 1. Section 76-14 of Chapter 76 of the Broome County Charter and Code is hereby amended to read as follows:

Apportionment of costs shall be determined by taking the total amount to be assessed and applying the following formula:

35% of the total revenue for the plan shall be generated based upon assessed valuation. Each participant's share shall be calculated by determining the participant's percentage of total assessed valuation within the plan and multiplying that percentage of assessed valuation by the total amount of revenue to be generated by assessed valuation

65% of total revenue for the plan shall be generated based on experience. Each participants share shall be calculated by determining the participants percentage of the average claims paid for the proceeding five years which average claims paid shall be known as the experience factor and multiplying that percentage by the total amount of revenue to be generated by experience. The increase in the experience factor used to determine the participant's share pursuant to this paragraph shall be limited to the greater of \$5,000 or 20% of the amount used for the

experience factor for the prior year.

Section 2.Subdivision (b) of Section 76-4 of Chapter 76 of the Broome County Charter and Code is hereby amended to read as follows:

- B.1)Any municipality electing to become a participant shall file a certified copy of a resolution or ordinance of its governing body electing to become a participant on or before the 1st [15th] day of August [July] in any year, with membership to be effective on the first day of January following the election.
- 2)Any municipality choosing to become a participant shall provide the Plan Administrator with a certified list of its past five years claims history.
- 3)Any municipality choosing to become a participant must contribute to the Reserve Fund, established pursuant to Section 76-8, an amount sufficient to make that municipality's share of the Reserve Fund the same proportion as its percentage of total assessed valuation within the plan.
- 4)The Plan will not be responsible for any claims accruing before the date a municipality becomes a participant.

Section 3.Subdivision (c) of Section 76-4 of Chapter 76 of the Broome County Charter and Code is hereby amended to read as follows:

- c(1)Any participant may withdraw from said plan by filing a certified copy of a resolution or ordinance of its governing body electing to withdraw as a participant on or before the 1st day of July in any year with said withdrawal to be effective on the 1st day of January following the election [upon the condition that it agree to pay its proportionate share of the estimated liabilities of said plan at the time of said withdrawal].
- (2)As a condition for the municipality withdrawal from the plan the municipality shall pay all outstanding claims as they

mature together with 20% of claims paid which represents their share of administrative costs, and (b) the municipality shall agree to permit the County to withhold the municipality share of sales tax revenue in an amount sufficient to pay its outstanding liabilities in any succeed year in the event the municipality fails to pay its outstanding claims when due.

(3)In lieu of the requirements of subsection (2), the municipality withdrawing from the plan shall pay the present value of its total outstanding liabilities, together with an amount equal to its share of future administration costs thirty days prior to the date of its withdrawal from the plan.

[D. Payment of such liability may be made in a lump sum or in installments.]

Section 4. This Local Law shall take effect upon filing with the Secretary of State.

Note: material underlined is added material in [brackets] is deleted

Heldover by Mr. Burger.

RESOLUTION NO. 394

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Kavulich

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 16, 1994, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY WORKERS' COMPENSATION SELF INSURANCE PLAN."

RESOLVED, that Local Law Intro. No. 16, 1994, entitled: "A Local Law Amending the Broome County Workers' Compensation Self Insurance Plan," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law, and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 16, 1994

A Local Law Amending Chapter 76 of the Broome County Charter and Code regarding the Broome County Workers' Compensation Self Insurance Plan

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

Section 1. Section 76-14 of Chapter 76 of the Broome County Charter and Code is hereby amended to read as follows:

Apportionment of costs shall be determined by taking the total amount to be assessed and applying the following formula:

1/3 of the total revenue for the plan shall be generated based upon assessed valuation. Each participant's share shall be calculated by determining the participant's percentage of total assessed valuation within the plan and multiplying that percentage of assessed valuation by the total amount of revenue to be generated by assessed valuation

1/3 of total revenue for the plan shall be generated based on experience. Each participant's share shall be calculated by determining the participant's percentage of the average claims paid for the proceeding five years which average claims paid shall be known as the experience factor and multiplying that percentage by the total amount of revenue to be generated by experience. The increase in the experience factor used to determine the participant's share pursuant to this paragraph shall be limited to the greater of \$5,000 or 20% of the amount used for the experience factor for the prior year.

1/3 of the total revenue for the plan shall be generated based upon payroll. A participant's payroll shall be divided based on job

classifications established by the Plan Administrator. Said classifications will be filed with the Clerk of the Legislature and shall become effective 90 days later unless rescinded or modified by the County Legislature. The total payroll for each classification shall be multiplied by the premium factor for these categories as set forth in the New York Workers' Compensation and Employer's Liability Manual. In addition for those municipalities covering Volunteer Fireman and Volunteer Ambulance Companies an additional charge will be added to their contribution for volunteer fireman and voluntary ambulance companies which charge will be computed based on the premium factor for these categories as set forth in the New York Workers' Compensation and Employer's Liability Manual.

Section 2.Subdivision (b) of Section 76-4 of Chapter 76 of the Broome County Charter and Code is hereby amended to read as follows:

- B.1) Any municipality electing to become a participant shall file a certified copy of a resolution or ordinance of its governing body electing to become a participant on or before the 1st [15th] day of August [July] in any year, with membership to be effective on the first day of January following the election.
- 2) Any municipality choosing to become a participant shall provide the Plan Administrator with a certified list of its past five years claims history.
- 3) Any municipality choosing to become a participant must contribute to the Reserve Fund, established pursuant to Section 76-8, an amount sufficient to make that municipality's share of the Reserve Fund the same proportion as its percentage of total assessed valuation within the plan.

4)The Plan will not be responsible for any claims accruing before the date a municipality becomes a participant.

Section 3.Subdivision (c) of Section 76-4 of Chapter 76 of the Broome County Charter and Code is hereby amended to read as follows:

c(1)Any participant may withdraw from said plan by filing a certified copy of a resolution or ordinance of its governing body electing to withdraw as a participant on or before the 1st day of July in any year with said withdrawal to be effective on the 1st day of January following the election [upon the condition that it agree to pay its proportionate share of the estimated liabilities of said plan at the time of said withdrawal].

(2)As a condition for the municipality withdrawal from the plan the municipality shall pay all outstanding claims as they mature together with 20% of claims paid which represents their share of administrative costs, and (b) the municipality shall agree to permit the County to withhold the municipality share of sales tax revenue in an amount sufficient to pay its outstanding liabilities in any succeed year in the event the municipality fails to pay its outstanding claims when due.

(3)In lieu of the requirements of subsection (2), the municipality withdrawing from the plan shall pay the present value of its total outstanding liabilities, together with an amount equal to its share of future administration costs thirty days prior to the date of its withdrawal from the plan.

[D. Payment of such liability may be made in a lump sum or in installments.]

Section 4.This Local Law shall take effect upon filing with the

Secretary of State.

Note: material underlined is added
material in [brackets] is deleted

Heldover by Mr. Pasquale.

RESOLUTION NO. 395

by County Administration, Economic Development and Planning and
Finance Committees

Seconded by Mr. Whalen

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

BE IT RESOLVED, that Broome County requests the New York
State Legislature adopt an amendment to the Tax Law authorizing and
empowering the County of Broome to impose an additional one
percent sales and compensatory use tax, substantially as follows:

AN ACT to amend the Tax Law, in relation to the imposition of
sales and use taxes by the County of Broome.

The People of the State of New York, represented in Senate and
Assembly, do enact as follows:

§1. The opening paragraph of Section twelve hundred ten of the
Tax Law is amended to read as follows:

Notwithstanding any other provisions of law to the contrary,
but subject to the limitations and exemptions in part II of this
article, any city in this state or county in this state, except a
county wholly within a city, acting through its local
legislative body, is hereby authorized and empowered to
adopt and amend local laws, ordinances or resolutions
imposing in any such city or county the following taxes, at the

rate of one-half, one, one and one-half, two, two and one-half or three percent, provided, however, that for the period beginning June first, nineteen hundred seventy-four and ending June thirtieth, nineteen hundred seventy-five, any such city having a population of one million or more is hereby authorized and empowered to adopt and amend local laws imposing such taxes in any such city, at the rate of four percent and, provided further, however, that the county of Nassau is hereby further authorized and empowered to adopt and amend local laws imposing such taxes: (i) at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, nineteen hundred eighty-three and ending December thirty-first, nineteen hundred eighty-five; and (ii) at a rate which is three quarters percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning January first, nineteen hundred eighty-six and ending December thirty-first, nineteen hundred ninety-three subject to the limitation set forth in section twelve hundred sixty-two-e of this chapter, and provided further, however, that the county of Nassau is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one-half percent additional to the three percent rate authorized above in this paragraph and which is additional to the three-quarters percent rate also authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-one and ending December thirty-first, nineteen hundred ninety-three, and provided further, however, that the county of Erie is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this

paragraph for such county for (i) the period beginning March first, nineteen hundred eighty-five and ending December thirty-first, nineteen hundred eighty-seven; and (ii) the period beginning January tenth, nineteen hundred eighty-eight and ending February twenty-eighth, nineteen hundred ninety-five and provided further, however, that the county of Cattaraugus is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, nineteen hundred eighty-six and ending February twenty-eighth, nineteen hundred ninety-four, and provided further, however, that the county of Wyoming is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-three, and provided further, however, that the county of Allegany is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred eighty-six and ending November thirtieth, nineteen hundred ninety-three, and provided further, however, that the county of Cayuga is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-five, and,

provided further, however, that the County of Broome is hereby further authorized to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning January 1, 1994 and ending November 30, 1998 [1995], and provided further, however, that the county of Albany is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-three, and provided further, however, that the county of Tompkins is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one-half or one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-three, and provided further, however, that the county of Cortland is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-three, and provided further, however, that the county of Oneida is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period

beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-four, and provided further, however, that the county of Suffolk is hereby further authorized and empowered to adopt and amend local laws, or resolutions imposing such taxes at a rate which is one-half percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-one and ending December thirty-first, nineteen hundred ninety-three, and provided further, however, that, for the period beginning September first, nineteen hundred ninety-two and ending December thirty-first, nineteen hundred ninety-three, the county of Suffolk is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one-half percent additional to such three percent rate authorized above in this paragraph and which is additional to the one-half percent rate also authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-one and ending December thirty-first, nineteen hundred ninety-three, and provided further, however, that the county of Monroe is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one-half of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-three, and provided further, however, that the county of Steuben is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period

beginning December first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-three, and provided further, however, that the city of Yonkers is hereby further authorized and empowered to adopt and amend local laws imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such city (The maximum rate referred to in section twelve hundred twenty-four shall be calculated without referenced to such one percent additional rate authorized for Yonkers and the counties of Erie, Cattaraugus Oneida, Steuben, Allegany and Cayuga, and Albany, and Tompkins.), and provided further, however, that the city of Mount Vernon is hereby further authorized and empowered to adopt and amend local laws imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such city (The maximum rate referred to in section twelve hundred twenty four shall be calculated without reference to such one percent additional rate authorized for Mount Vernon.), and provided further, however, that the city of Rome is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one-quarter percent additional to the three percent rate authorized above in this paragraph for such city for the period beginning September first, nineteen hundred ninety and ending August thirty-first, two thousand (The maximum rate referred to in section twelve hundred twenty-four shall be calculated without reference to such one-quarter of one percent additional rate authorized for Rome.), and provided further, however, that if the county of Dutchess, the county of Orange or the county of Rockland withdraws from the metropolitan commuter transportation district pursuant to section twelve hundred seventy-nine-b of the public

authorities law, such county is hereby authorized and empowered in the alternative, to adopt and amend local laws, ordinances or resolutions imposing such taxes at the rate of one-half, three-quarters, one, one and one-quarter, one and one-half, one and three-quarters, two, two and one-quarter, two and one-half, two and three-quarters, three or three and one-quarter percent if the revenues from a one-quarter percent rate of such tax are required by such local laws, ordinances or resolutions to be set aside for mass transportation purposes, such taxes to be administered, collected and distributed by the commissioner of taxation and finance as provided in subpart B of part III and in part IV of this article.

§2. Notwithstanding any other provision of state or local law to the contrary, any local law or resolution enacted or amended to impose the sales and compensating use taxes at the one percent additional rate of tax authorized by this act shall take effect in accordance with provisions of subdivision (d) of section twelve hundred ten of the Tax Law.

§3. This act shall take effect immediately.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward a certified copy of this resolution to the New York State Legislature.

Carried.

Ayes-10Augostini, Burger, Coffey, Harbachuk, Howard, Kavulich,
Lindsey, Malley, Pasquale & Whalen
Nays-6Harris, Hudak, Mather, Taylor, Wike & Shafer
Absent-3Brown, Schofield & Wagstaff

RESOLUTION NO. 396

by Health and Human Services and Finance Committees

Seconded by Mr. Malley

**RESOLUTION AUTHORIZING AGREEMENT WITH THE
LAW OFFICES OF BURR AND REID FOR COLLECTION
SERVICES IN CONNECTION WITH RECOVERING COSTS
OF PUBLIC ASSISTANCE FOR THE DEPARTMENT OF
SOCIAL SERVICES**

WHEREAS, New York State's Codes, Rules and Regulations authorizes a local social services district to contract for legal services pertaining to recovering costs of public assistance; and

WHEREAS, due to the complexity of administering public assistance programs local social services departments, including Broome County's Department of Social Services, are subjected to fraudulent practices in the public assistance application process as well as practices that result in public assistance overpayments; and

WHEREAS, the Commissioner of Social Services is required to recover overpayments through all reasonable steps necessary, and the Commissioner desires to contract with the Law Offices of Burr & Reid for professional services to enhance and amplify the Department's current recovery programs; and

WHEREAS, the Law Offices of Burr & Reid specializes in collection and litigation services and are ready, willing, and able to perform such services for the Broome County Department of Social Services as an enhancement to Social Services' current recovery programs; and

WHEREAS, this County Legislature previously authorized by Resolution No. 91-267 an agreement with the Law Offices of Burr & Reid, 400 Plaza Drive, PO Box 2038, Binghamton, New York 13902 for collection and litigation services in connection with non-recoupment recoveries of costs of public assistance for the Broome County Department of Social Services for a one year term with an

option to renew and necessary approval for such services has now been obtained from New York State's Department of Social Services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Law Offices of Burr & Reid, 400 Plaza Drive, PO Box 2038, Binghamton, New York 13902 for collection and litigation services in connection with non-recoupment recoveries of costs of public assistance for the Broome County Department of Social Services for a one year term from the date of any agreement executed by the parties with three options to renew; and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor on a sliding fee scale, not to exceed twenty-five percent of amounts recovered through collection efforts, not including recoupment amounts, to be paid from budget line 670018.4736.103000 (Legal Charges and Fees); and be it

FURTHER RESOLVED, that the County Executive, the Commissioner of Social Services or their duly authorized representatives, are hereby authorized to execute any such papers, documents, contracts approved as to form by the Department of Law, as may be necessary to execute the intent and purpose of this Resolution.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)

RESOLUTION NO. 397

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

**RESOLUTION AUTHORIZING AGREEMENT WITH
JEFFREY GREENBLOTT, FOR INTERIM ADMINISTRATOR
SERVICES FOR WILLOW POINT NURSING FACILITY FOR
1994.**

WHEREAS, in accordance with Section 415.26 (A)(3) of Codes, Rules and Regulations of New York State the Willow Point Nursing

Facility is required to have a licensed nursing home administrator on site for a minimum of 12 hours per week; and

WHEREAS, it is necessary to utilize an interim administrator to meet this requirement until such time as a full-time licensed nursing home administrator is hired; and

WHEREAS, it is requested that this County Legislature authorize and approve an agreement with Jeffrey Greenblott to serve as interim administrator for Willow Point Nursing Facility for a period not to exceed 90 days at a rate of \$100.00 per hour for 12 hours per week; and

WHEREAS, Jeffrey Greenblott is a duly licensed nursing home administrator and able to immediately assume the position of Willow Point Nursing Facility Administrator; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves an agreement with Jeffrey Greenblott to serve as interim administrator for the Willow Point Nursing Facility for a period not to exceed 90 days; and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$100.00 per hour for 12 hours per week for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160028.4747.204000 (Other Professional Services), and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Facility, in order to provide funds for an interim administrator, as requested by BT#7656, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160028	1000	204000	Salaries, Fulltime	\$14,400
TO:	160028	4747	204000	Other Professional Service	\$14,400

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-1 (Augustini), Absent-3 (Brown, Schofield & Wagstaff)

Mr. Lindsey moved, seconded by Mr. Augustini to adjourn at 6:44 P.M.

Carried. Ayes-16, Absent-3 (Brown, Schofield & Wagstaff)