

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, MAY 21, 1998**

The Legislature convened at 4:03pm with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement. The roll had been called at the previous Special Session, Present-18, Absent-1 (Lindsey).

As the Pledge of Allegiance to the Flag followed by a moment of silent meditation was also observed at the special session immediately preceding this session, the Chair moved on to the remainder of the agenda.

Mr. Wike moved, seconded by Mr. Pasquale, that the minutes of the April 16, 1998 Regular Session and April 30, 1998 Special Session be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the weeks of April 10 through May 14, 1998 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. Wike and seconded by Mr. Pasquale. **Carried.**

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

County Executive Jeffrey P. Kraham took the podium in order to recognize those County Employees who were instrumental in "Operation Stamp-Out", an investigation into a fraudulent food stamp operation. Broome County Security worked in conjunction with the Binghamton Police Department and the New York State Police CNET-Southern Tier to apprehend twelve people for a variety of crimes ranging from Criminal Possession/Sales of Drugs to the Misuse of Food Stamps. Recovered was cash totalling \$28,300 and a large supply of alcohol and cigarettes which were being illegally sold for foods stamps. A Certificate of Merit was presented to James D. Dadamio, Jason P. Stica, John R. Yardman, Martha Howe and Barbara J. Griffin.

- A. Letters from the County Executive, Jeffrey P. Kraham
 - 1. Nominating J. Refermat to membership on Youth Bureau Advisory Board.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 - 1. Minutes from:
 - a. Public Library
 - b. EMC's Natural Resource Committee
 - c. EMC Solid Waste Committee
 - d. EMC Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
 - e. Association of Towns and Villages
 - 2. Resolutions from:
 - a. Schuyler County (Requesting State Legislation for Relief from Unnecessary Legal Costs resulting from Misplaced Lawsuits
 - b. Town of Colesville (Local Law Imposing Temporary Two Month Moratorium on Placement of Cellular, Digital and Telecommunications Antennas)
 - c. Town of Vestal (Withdrawing from Broome County Workers' Compensation Self-Insurance Plan effective January 1, 1999)
 - 3. Broome Community College (1998-1999 Proposed Budget)
 - 4. Final State Equalization Rates for 1997 Assessment Rolls

C. Notices: None

D. Reports:

1. 1997 Annual Report
 - a. Office of the Sheriff
 - b. Office for Aging
 - c. PROBE (including Financial Statements)
2. Economic Development Alliance (Financial Statements, December 31, 1997)

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

A Proclamation of the Broome County Legislature proclaiming May 26, 1998 through May 31, 1998 as ***Odyssey of the Mind Recognition Days*** and recognizing the participation of a team of Binghamton East Middle School students in the World Finals was awarded by Legislator Margaret Coffey. The participants were presented with a copy of said proclamation and a Broome County Pin. Students: ***Liquian Ma, Nyrobi Jones, Rayenese McKan, Danielle Rusnak, Ashley Kirker, Robert Vanderbles*** and ***Katie Chappell***; two high school senior coaches: ***Sara DelVillano*** and ***Lucas Rusnak*** and assisted by ***Mrs. Jean Rusnak***.

A. Letters from the Chair, Daniel A. Schofield:

1. Appointing the following Legislators as acting representatives for Brian K. Mather:
 - a. George M. Kolba, Jr., voting representative on Personnel and Public Safety & Emergency Services Committees, May 11 and 12, 1998
 - b. William H. Miller, voting representative on Finance Committee, May 14, 1998
 - c. Arthur J. Shafer, Acting Chair of Personnel Committee, May 11, 1998
2. Appointing Thomas A. Hull as voting representative for Wayne L. Howard, Public Works Committee, May 13, 1998
3. Appointing Chris W. Burger as voting representative for Wayne L. Howard, County Administration, Economic Development and Planning Committee, May 13, 1998

Mr. Brunza moved, seconded by Ms. Hudak, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1998 Journal Of Proceedings and to publish pertinent portions of said reports as may be directed by the Chair.

Mr. Brunza and Mr. Mather were designated as participants in the 'Short Roll Call.'

RESOLUTIONS HELD OVER FROM A PREVIOUS SESSION

RESOLUTION NO. 185 (Held over by Mr. Whalen)

By Finance Committee

Seconded by Ms. Hudak

RESOLUTION WAIVING THE PER DIEM PARKING FEES AT GREENWOOD, DORCHESTER AND NATHANIEL COLE PARKS DURING THE PERIOD FROM MEMORIAL DAY 1998 THROUGH LABOR DAY 1998. Mr. Hull moved to call the question, seconded by Mr. Shafer. **Motion to call the question failed**, Ayes-9 (Howard, Hudak, Hull, Kolba, Miller, O'Day, Shafer, Sweet, Wike), Nays-9 (Brunza, Burger, Coffey, Harbachuk, Kavulich, Mather, Pasquale, Schofield, Whalen), Absent-1 (Lindsey). Mr. Whalen moved, seconded by Ms. Coffey, to waive the fees for children at Ross Park Zoo. Mr. Hull moved to call the question, seconded by Ms. Hudak. **Motion to call the question carried**, Ayes-11, Nays-4 (Brunza, Burger, Kavulich, Whalen), Absent-1 (Lindsey). **Amendment failed** Ayes-5 (Brunza, Coffey, Kavulich, Pasquale, Whalen), Nays-13 (Burger, Harbachuk, Howard, Hudak, Hull, Kolba, Mather, Miller, O'Day, Schofield, Shafer, Sweet, Wike), Absent-1 (Lindsey). Mr. Howard moved to call the question, seconded by Mr. Wike. **Motion to call the question carried**, Ayes-15, Nays-3 (Brunza, Burger, Kavulich) , Absent-1 (Lindsey). **Resolution as amended carried**, Ayes-18, Nays-0, Absent-1 (Lindsey).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 167

By Public Works and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH ARCADIS, GERAGHTY AND MILLER FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE COLESVILLE LANDFILL REMEDIATION

WHEREAS, this County Legislature, by Resolution 308 of 1995, and 131 and 295 of 1996 and 162 of 1997, authorized an agreement with Geraghty and Miller for professional engineering services associated with the Colesville Landfill Remediation, at a cost of \$461,171, and

WHEREAS, GAF Corporation will pay 50% of the cost of this contract, and

WHEREAS, it is necessary at this time to authorize the amendment of said agreement to change the name of the vendor from Geraghty and Miller to Arcadis, Geraghty and Miller, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the agreement for an additional twelve (12) months to perform additional engineering services and to reflect an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Arcadis, Geraghty and Miller, 88 Duryea Road, Melville, New York 11747, for additional professional engineering services associated with the Colesville Landfill Remediation, and be it

FURTHER RESOLVED, that in consideration of said services, the County and GAF shall pay the Contractor an additional amount of \$196,000, (County share \$98,000), for a total contract amount of \$657,181, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501128 (Contracted Services), and be it

FURTHER RESOLVED, that Resolutions 308 of 1995, 131 and 295 of 1996 and 162 of 1997, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 168

By Public Works, Transportation and Finance Committee Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AGREEMENT WITH DELTA ENGINEERS, P.C. FOR CONSTRUCTION MANAGEMENT SERVICES IN RELATION TO THE AIRPORT TERMINAL RENOVATION PROJECT FOR APRIL 16, 1998 THROUGH DECEMBER 31, 2000

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Delta Engineers, P.C. for construction management services in relation to the airport terminal renovation project for the period April 16, 1998 through December 31, 2000, at a cost not to exceed \$521,000, and

WHEREAS, said services are necessary to secure the services of a construction manager in order for the project to move forward successfully, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Delta Engineers, P.C., 164 Court Street, Binghamton, New York 13901 for construction management services in relation to the airport terminal renovation project for the period April 16, 1998 through December 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$521,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211029.4746.501340 (Architectural, Engineering Services), and be it

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

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

RESOLUTION NO. 169

By Education, Culture & Recreation, Personnel and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF THE NATURAL HERITAGE TRUST GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1998

WHEREAS, this County Legislature, by Resolution 156 of 1997, authorized and approved renewal of the Natural Heritage Trust Grant and adopted a program budget in the amount of \$9,344 for the period January 1, 1997 through December 31, 1997, and

WHEREAS, said grant program provides for the Naturalist position in the Nature Interpretation Program at Finch Hollow Nature Center, and

WHEREAS, it is desired to renew said grant program for the Natural Heritage Trust Grant in the amount of \$9,344 for the period January 1, 1998 through December 31, 1998, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$9,344 from the New York State Office of Parks, Recreation and Historic Preservation, Jamesville, New York 13078 for the Natural Heritage Trust Grant for the period January 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$9,344 for the period January 1, 1998 through December 31, 1998, and be it

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

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

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

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

RESOLUTION NO. 170

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AMENDING RESOLUTION NUMBER 201 OF 1986 WHICH ESTABLISHED CERTAIN FEES CHARGED FOR REQUESTING COUNTY RECORDS

WHEREAS, this County Legislature, by Resolution Number 201 of 1986, established certain fees to be charged to any person who requests County Records pursuant to the New York State Public Officer's Law Article 6 a/k/a "Freedom of Information Law", and

WHEREAS, the Clerk of the Broome County Legislature, as the Records Access Officer for the County of Broome, has requested that Section 225-4 of the Broome County Resolutions, Rules and Regulations be amended to authorize the records access officer to waive certain nominal fees for photocopying, and

WHEREAS, such amendment would allow the Records Access Officer to waive any photocopying fees whenever the cumulative fee required by Section 225-4 of the Broome County Resolutions, Rules and Regulations is equal to or less than one dollar (\$1.00), and

WHEREAS, the costs of collecting such nominal photocopying fees can exceed the actual fee collected, now, therefore, be it

RESOLVED that Section 225-4 of the Broome County Resolutions, Rules and Regulations shall be amended as follows:

Section 225-4. Fees.

- A. The fee for photocopies of records provided by the officer and not in excess of nine by fourteen (9 x 14) inches shall be twenty-five cents (\$0.25) per page. The fee for photocopies of any other records shall be the actual per page reproduction cost as determined by the appropriate department head. The records access officer shall have the authority to waive any photocopying fees whenever the cumulative fee required by the foregoing sentences is less than or equal to one dollar (\$1.00).

- B. The fee for photocopies of records provided by the Deputy County Attorney of the Department of Social Services shall be as follows
 - (1) For an applicant requesting documents pertaining to his or her case and which relate to a fair hearing, as determined by the Deputy County Attorney, copies shall be free.
 - (2) For an applicant requesting documents pertaining to his or her case other than those relating to a fair hearing, copies shall be ten cents (\$0.10) per page. The records access officer shall have the authority to waive any photocopying fees whenever the cumulative fee required by the foregoing sentences is less than or equal to one dollar (\$1.00).
 - (3) For an applicant requesting documents pertaining to any record other than the above, the fee for copies shall be as stated in Subsection A above.

- C. The fee for photocopies of records provided by the Board of Elections shall be the same as above, except where a different charge is specified by the Election Law.

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

RESOLUTION NO. 171

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FROM THE STEWART W. AND WILMA C. HOYT FOUNDATION, INC. FOR THE BROOME COUNTY LAW ENFORCEMENT ACADEMY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR MAY 1, 1998 THROUGH AND INCLUDING SEPTEMBER 30, 1999

WHEREAS, the Broome County Sheriff requests authorization to accept a grant from the Stewart W. and Wilma C. Hoyt Foundation, Inc. in the amount of \$1,800 for the period May 1, 1998 through and including September 30, 1999, and

WHEREAS, said grant will provide funds for a two day seminar on Critical Incident Stress Management for the Broome County Law Enforcement Academy, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,800 from the Stewart W. and Wilma C. Hoyt Foundation, Inc., 80 Exchange Street, Binghamton, New York 13901 for the period May 1, 1998 through and including September 30, 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$1,800 for the period May 1, 1998 through and including September 30, 1999, and be it

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

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

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

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

RESOLUTION NO. 172

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

RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR FINGERPRINT MACHINE FOR THE BROOME COUNTY SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR MARCH 31, 1998 THROUGH AND INCLUDING FEBRUARY 28, 1999

WHEREAS, the Broome County Sheriff requests authorization to accept a grant from the New York State Division of Criminal Justice Services for a fingerprint machine in the amount of \$75,000 for the period March 1, 1998 through and including February 28, 1999, and

WHEREAS, said grant will provide instant information and matches with the Division of Criminal Justice Services in Albany and thus assist in determining the suspect's criminal record, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$75,000 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 for the period March 1, 1998 through and including February 28, 1999, 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 \$100,000 for the period March 1, 1998 through and including February 28, 1999, and be it

FURTHER RESOLVED, that the local share of \$25,000 will be provided by transfer of funds from the County's Contingency Account (900084.4752.101000) and be it

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

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

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

Mr. Wike moved, seconded by Mr. Pasquale, to amend the second FURTHER RESOLVED paragraph to read "that the local share of \$25,000 will be provided by transfer of funds from the County's State Retirement-Special Objects of Expense (900175.8010.101000) and be it".
Amendment carried, Ayes-18, Nays-0, Absent-1 (Lindsey).

Resolution as amended carried, Ayes-18, Nays-0, Absent-1 (Lindsey).

RESOLUTION NO. 173

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE COUNTY OF MONROE, FOR JAIL SECURITY SERVICES PURSUANT TO CORRECTIONS LAW SECTION 508 FOR THE BROOME COUNTY SHERIFF FOR 1997 THROUGH AND INCLUDING 1999

WHEREAS, this County Legislature, by Resolution 541 of 1994, authorized an agreement with the County of Monroe for jail security services pursuant to Corrections Law Section 508 for calendar years 1995 and 1996, at a cost of \$110.00 per inmate, per day, and

WHEREAS, said services are necessary to comply with Corrections Law Section 508, and

WHEREAS, said agreement expired by its terms on December 31, 1996 and it is desired at this time to renew said agreement for the period January 1, 1997 through and including December 31, 1999 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Office of the Sheriff of the County of Monroe, 130 South Plymouth Avenue, Rochester, New York 14614 for jail security services pursuant to Corrections Law Section 508, for the period January 1, 1997 through and including December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$110.00 per inmate, per day, total not to exceed \$10,000 per year for the term of this agreement, and be it

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

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

RESOLUTION NO. 174

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE ONEIDA COUNTY SHERIFF'S DEPARTMENT FOR SECURITY SERVICES FOR INMATES HOUSED AT THE CENTRAL NEW YORK PSYCHIATRIC CENTER FOR 1998.

WHEREAS, this County Legislature, by Resolution 360 of 1996, authorized renewal of an agreement with the Oneida County Sheriff's Department for security services for inmates housed at the Central New York Psychiatric Center, and

WHEREAS, said agreement provides for the payment to the Contractor at the rate of \$110 per day whenever one inmate is housed, and

WHEREAS, said agreement expired by its terms on December 31, 1996 and it is desired at this time to renew said agreement for the period January 1, 1998 through and including December 31, 1998 at a cost of \$110 per inmate, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Oneida County Sheriff's Department, Judd Road, Law Enforcement Building, Oriskany, New York, 13424-2771, for security services for inmates housed at the Central New York Psychiatric Center for the period January 1, 1998 through and including December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$110.00 per day per inmate, total amount not to exceed budgeted appropriations for the term of this agreement, and be it

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

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

RESOLUTION NO. 175

Finance and Public Works Committees

Seconded by Mr. Wike

RESOLUTION AMENDING THE 1993 AND 1998 CAPITAL IMPROVEMENT PROGRAMS

RESOLVED, that the 1993 and 1998 Capital Improvement Programs be hereby amended as follows:

1998

FROM:

			Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
	Highway Recon/Rehab	\$1,750,000	\$0	\$0	\$1,750,000
			How Financed:		
			<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
<u>Year Start</u>					
1998			20	\$0	\$1,750,000

TO:

			Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
	Highway Recon/Rehab	\$1,674,000	\$0	\$0	\$1,674,000
			How Financed:		
			<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
<u>Year Start</u>					
1998			20	\$0	\$1,674,000

1993

FROM:

			Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
D-331	Colesville Road Extension	\$740,600	\$0	\$0	\$740,600
			How Financed		
			<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
<u>Year Start</u>					
1993			20	\$740,600	\$0

TO:

		<i>Estimated Construction Costs:</i>				County:	
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>	<u>Sources</u>	<u>Transfer</u>
D-331	Colesville Rd Extension Bridge	\$816,600	\$0	\$0	\$816,600	\$740,600	\$76,000

How Financed:

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1993	20	\$740,600	\$76,000

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

RESOLUTION NO. 176

By Public Works and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF A FEDERAL-AID AND STATE AID TRANSPORTATION PROJECT FOR COUNTY ROUTE 177 OVER CONRAIL AND NEW YORK STATE ROUTE 11 IN THE TOWN OF KIRKWOOD

WHEREAS, a Project for County Road 177 over Conrail and New York State Route 11, Town of Kirkwood, Broome County, P.I.N. 9750.88 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the non-Federal share is estimated to be \$5,000 or less, and

WHEREAS, the State Budget provides the authority and funds for the State to pay the full non-Federal share when the non-Federal share is \$5,000 or less, and

WHEREAS, the County of Broome desires to advance the Right-Of-Way Acquisition phase of the Project, with the Federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to the Agreement, and

WHEREAS, said project is included in the 1993 Capital Improvement Program as Project D-331-Colesville Road Bridge Extension, now, therefore, be it

RESOLVED, that the County Executive of Broome County be and is hereby authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or State-Aid on behalf of the County of Broome with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project, 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 a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION NO. 177

By Public Works and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC. FOR ASBESTOS SAMPLING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR MAY 16, 1998 THROUGH MAY, 15, 1999

WHEREAS, this County Legislature, by Resolution 309 of 1997, authorized an agreement with O'Brien & Gere Engineers, Inc. for asbestos sampling for the period May 16, 1997 through May 15, 1998, at a cost not to exceed \$14,999.00, and

WHEREAS, said services are necessary to provide asbestos sampling for various projects as the need arises, and

WHEREAS, said agreement expired by its terms on May 15, 1998, and it is desired at this time to renew said agreement for the period May 16, 1998 through May 15, 1999 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York 13850, for asbestos sampling services for various projects, the period May 16, 1998 through May 15, 1999, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line various.4746.various (Engineering and Architectural Services), and be it

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

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

RESOLUTION NO. 178

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE NEW YORK STATE TAX LAW

WHEREAS, the County Clerk and the Commissioner of Finance have presented their report concerning mortgage tax receipts for the period October 1997 through March 1998, pursuant to Section 261 of the New York State Tax Law, and the same has been apportioned to the various municipalities thereto, now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay the Treasurer of the City of Binghamton and to respective supervisors of the 23 towns and villages of Broome County, those accounts listed on Exhibit 'A' attached hereto.

EXHIBIT 'A'
SEMI ANNUAL MORTGAGE TAX DISTRIBUTION
OCTOBER 1997 THROUGH MARCH 1998

<u>Villages:</u>		
Dickinson	Village of Port Dickinson	\$ 2,170.86
	Outside	\$ 11,617.67
Lisle	Village of Lisle	\$ 176.12
	Outside	\$ 3,227.93
Sanford	Village of Deposit	\$ 969.59
	Outside	\$ 11,198.52

1998 JOURNAL OF PROCEEDINGS

Triangle	Village of Whitney Point	\$ 679.24
	Outside	\$ 3,201.37
Union	Village of Johnson City	\$ 25,715.02
	Village of Endicott	\$ 28,933.21
	Outside	\$164,950.90
Windsor	Village of Windsor	\$ 1,146.45
	Outside	\$ 18,015.73
<u>Towns:</u>		
	Barker	\$ 9,334.33
	Binghamton (T)	\$ 23,275.49
	Chenango	\$ 39,323.30
	Colesville	\$ 14,247.66
	Conklin	\$ 29,841.78
	Fenton	\$ 19,007.80
	Kirkwood	\$ 21,861.91
	Maine	\$ 20,946.34
	Nanticoke	\$ 4,344.87
	Vestal	\$120,073.45
<u>City:</u>		
	City of Binghamton	\$90,562.52
TOTALS		\$664,822.06

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

RESOLUTION NO. 179

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY TO DOMENICO AND PAMELA ROSSI

WHEREAS, this County Legislature, by Local Law No. 9, 1986, authorized the sale of county property by means other than as authorized by County Law, 215 (to the highest bidder after public advertisement), with the approval of the County Legislature, and

WHEREAS, Broome County acquired by in rem foreclosure proceeding a landlocked parcel of real property known as Tax Map No. 178.11-5-44 located in the Town of Conklin which is not required for public use, and

WHEREAS, the Department of Real Property Tax Services requests this County Legislature authorize the sale of this parcel to the abutting property owners Domenico and Pamela Rossi with revenue to Broome County of \$1.00, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes the sale of a parcel of real property located in the Town of Conklin, known as Tax Map No. 178.11-5-44, to Domenico and Pamela Rossi, 4 Wilbur Way, Conklin, New York 13748 for \$1.00, and be it

FURTHER RESOLVED, the revenue received pursuant to this sale shall be credited to budget line 630004.0212.101000 (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-18, Nays-0, Absent-1 (Lindsey).

RESOLUTION NO. 180

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY TO WILLIAM E. POTTER

WHEREAS, this County Legislature, by Local Law No. 9, 1986, authorized the sale of county property by means other than as authorized by County Law Section 215 (to the highest bidder after public advertisement), with the approval of the County Legislature, and

WHEREAS, Broome County acquired by in rem foreclosure proceeding a landlocked parcel of real property known as Tax Map No. 192.01-2-12 located in the Town of Binghamton which is not required for public use, and

WHEREAS, the Department of Real Property Tax Services requests this County Legislature authorize the sale of this parcel to the abutting property owner William E. Potter with revenue to Broome County of \$1.00, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes the sale of a landlocked parcel of real property located in the Town of Binghamton, known as Tax Map No. 192.01-2-12, to William E. Potter, 458 Park Avenue, Binghamton, New York 13903 for \$1.00, and be it

FURTHER RESOLVED, the revenue received pursuant to this sale shall be credited to budget line 630004.0212.101000 (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-18, Nays-0, Absent-1 (Lindsey).

RESOLUTION NO. 181

By Public Works and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING A CONTRACT FOR PROFESSIONAL SERVICES WITH GZA GEOENVIRONMENTAL OF NEW YORK TO CONDUCT A SITE INVESTIGATION OF 312 MAPLE STREET, ENDICOTT, NY

WHEREAS, the Broome County Legislature, by Resolution No. 155 of 1998, has authorized the Broome County Executive to enter into a Voluntary Cleanup Program (VCP) agreement with the New York State Department of Environmental Conservation to investigate and remediate the real property known as 312 Maple Street, Endicott, New York, and

WHEREAS, as part of the VCP a site investigation must be completed in order to determine what, if any, remediation is necessary, and

WHEREAS, a Request for Proposals (RFP) was issued seeking proposals from engineering firms interested in performing the site investigations and responses from four (4) qualified consulting engineering firm were received, and

WHEREAS, the Public Works Committee has screened the proposals and interviewed two of the firms and has recommended that a contract be awarded to GZA GeoEnvironmental of New York, 364 Nagel Drive, Buffalo, New York 14225 to conduct a site investigation of 312 Maple Street, Endicott, NY, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with GZA GeoEnvironmental of New York, 364 Nagel Drive, Buffalo, New York 14225 to perform the site investigation at 312 Maple Street, Endicott, NY pursuant to the VCP, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 900043.4756.101000 (Tax Acquired Property Expense), and be it

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

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

RESOLUTION NO. 182

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWN OF DICKINSON

WHEREAS, it is necessary to clear the tax records of the following parcels of real property by virtue of the reasons set forth below, now, therefore, be it

RESOLVED, that taxes will be cancelled on the following parcels of real property:

1. Town of Dickinson, parcel 128.17-1-35, owner Association of Catholic Charities, amount to be cancelled \$1,075.68 due to property being wholly exempt.
2. Town of Dickinson, parcel 128.17-1-34, owner Association of Catholic Charities, amount to be cancelled \$850.22 due to property being wholly exempt.

and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to remove the above stated properties from the County tax rolls.

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

RESOLUTION NO. 183

By Finance and Health Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH KPMG PEAT MARWICK, LLP FOR CONSULTING SERVICES TO MAINTAIN CONTINUITY IN THE ABSENCE OF AN ASSISTANT ADMINISTRATOR FOR FISCAL SERVICES FOR WILLOW POINT NURSING FACILITY FOR 1998

WHEREAS, this County Legislature, by Resolution 29 of 1998, authorized an agreement with KPMG Peat Marwick, LLP for consulting services to maintain continuity in the absence of an Assistant Administrator for Fiscal Services and complete required County, State and Federal tasks for the period February 1, 1998 through and including April 30, 1998, at a cost not to exceed \$30,000, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term to September 30, 1998, and to include training services for the new employee as part of the scope of services when he/she is hired, and note a change of address, and

WHEREAS, the County Comptroller has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes amendments to the agreement with KPMG Peat Marwick, LLP, 515 Broadway, Albany, New York 12207 for consulting services to maintain continuity in the absence of an Assistant Administrator for Fiscal Services and complete required County, State and Federal Tasks for the Willow Point Nursing Facility for the additional period May 1, 1998 through and including September 30, 1998, including training the new employee when he/she is hired as part of the scope of services, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$30,000 (total contract cost \$60,000) for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010.4725.204000 (Other Financial), and be it

FURTHER RESOLVED, that Resolution 29 of 1998, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 184

By Finance and Health Services Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF LEASE AGREEMENT WITH KRADJIAN ENTERPRISES FOR THE MENTAL HEALTH DEPARTMENT FOR MAY 1, 1998 THROUGH AND INCLUDING APRIL 30, 2003

WHEREAS, this County Legislature, by Resolution 358 of 1993, authorized renewal and amendment of an agreement with Court & Henry Street Development, Inc. for lease of premises located at 26 Court Street to the Mental Health Department for the period May 1, 1993 through April 30, 1998, and

WHEREAS, said agreement expired by its terms on April 30, 1998, and it is desired at this time to renew said agreement for the period May 1, 1998 through and including April 30, 2003 on substantially similar terms and conditions, and also to recognize the name change to Kradjian Enterprises, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Kradjian Enterprises, 84 Court Street, Suite 600, Binghamton, New York 13901 for the lease of approximately 16,800 square feet on the second and third floor of the premises located at 26 Court Street, Binghamton, New York for the period May 1, 1998 through and including April 30, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$9.50 per square foot, total annual rent not to exceed \$159,600 for the term of this lease, and be it

FURTHER RESOLVED, that the Commissioner of Mental Health is hereby authorized to exercise a lease option for 3,000 additional square feet, total square footage to equal 19,800 more or less, and be it

FURTHER RESOLVED, that in the event of the Commissioner of Mental Health exercising the option the County shall pay the Contractor \$9.00 per square foot, total annual rent not to exceed \$178,200, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4422.101000 (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-18, Nays-0, Absent-1 (Lindsey).

RESOLUTION NO. 185 (See Special Session of May 21, 1998)

RESOLUTION NO. 186

By Transportation, Public Works and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH MCFARLAND-JOHNSON, INC. FOR PROFESSIONAL CONSTRUCTION OBSERVATION AND INSPECTION SERVICES FOR THE BINGHAMTON REGIONAL AIRPORT RUNWAY 10/28 REHABILITATION PROJECT

WHEREAS, Commissioner of Aviation requests authorization for an agreement with McFarland-Johnson, Inc. for professional construction observation and inspection services for the Binghamton Regional Airport Runway 10/28 Rehabilitation Project for the period May 21, 1998 through April 30, 1999, at a cost not to exceed \$242,676, and

WHEREAS, said services are necessary to comply with Federal Aviation Administration guidelines, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., 171 Front Street, Binghamton, New York 13901 for professional construction observation and inspection services for the Binghamton Regional Airport Runway 10/28 Rehabilitation Project for the period May 21, 1998 through April 30, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$242,676 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211029.2015.502294 (Runways), and be it

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

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

RESOLUTION NO. 187

By Transportation and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN INCREASE OF PETTY CASH FUND FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION FOR USE AT BC JUNCTION.

WHEREAS, the Department of Public Transportation currently has a petty cash fund of \$300 which is inadequate for its current needs at BC Junction, and

WHEREAS, the department head has requested an increase of \$200 of said petty cash fund in order to have funds sufficient to meet its daily needs, and

WHEREAS, the Commissioner of Finance has determined that the petty cash fund should be increased by \$200, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and increases the petty cash fund for the Department of Public Transportation by \$200 for use at BC Junction to the total amount of \$500, and further authorizes the Commissioner of Finance to transfer \$200 to the petty cash fund previously established, and be it

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

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

RESOLUTION NO. 188

By Transportation Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION TO PROVIDE FREE TRANSPORTATION FOR SUMMER FUN PROGRAMS FOR 1998

WHEREAS, this County Legislature, by Resolution 232 of 1997, authorized the Department of Public Transportation to provide free transportation for Summer Fun Program for 1997, hosted by various municipalities within Broome County, and

WHEREAS, the Summer Fun programs provide summer outdoor recreational activities, including field trips, for its participants, and

WHEREAS, it is desired at this time to provide free transportation for such programs in all municipalities hosting said programs during off peak hours on existing fixed routes with no additional costs other than the normal costs of operating such routes for 1998, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Department of Public Transportation to provide free transportation for Summer Fun programs hosted by various municipalities within Broome County during off peak hours, on existing fixed routes for 1998.

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

RESOLUTION NO. 189

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIB GRANT SUMMER YOUTH EMPLOYMENT

PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR OCTOBER 1, 1997 THROUGH AND INCLUDING JUNE 30, 2000

WHEREAS, this County Legislature, by Resolution 203 of 1997, authorized and approved the acceptance of the Job Training Partnership Act (JTPA) Title IIB Grant from New York State Department of Labor for the Office of Employment and Training for the period October 1, 1996 through June 30, 1999, and adopted a program budget in connection therewith in the amount of \$769,663, and

WHEREAS, said grant program provides job training and services to income eligible youth for the Counties of Broome, Tioga, and Tompkins, and

WHEREAS, it is desired to renew said grant program for the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIB Summer Youth Employment Program for the period October 1, 1997 through and including June 30, 2000, in the amount of \$801,080, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$801,080 from New York State Department of Labor for the Broome County Office of Employment and Training Title IIB Summer Youth Employment Program for the period October 1, 1997 through and including June 30, 2000, 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 \$801,080 for the period October 1, 1997 through and including June 30, 2000, and be it

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

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

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

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

RESOLUTION NO. 190

By Community & Social Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF NEW YORK STATE OFFICE FOR AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR JULY 1, 1997 THROUGH JUNE 30, 1998

WHEREAS, this County Legislature, by Resolution 262 of 1997, authorized the continued participation by the Office for Aging in the New York State Senior Community Service Employment Program for the period July 1, 1997 through June 30, 1998 and adopted a program budget in connection therewith in the total amount of \$55,818, and

WHEREAS, it is necessary at this time to revise said program budget to reflect a decrease in the grant appropriations in the amount of \$5,049, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the New York State Office for Aging Senior Community Service Employment Program for the period July 1, 1997 through June 30, 1998 in the total amount of \$50,769, 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 \$50,769 for the period July 1, 1997 through June 30, 1998, and be it

FURTHER RESOLVED, that Resolution 262 of 1997, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 191

By Community & Social Services and Finance Committees Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING NATIONAL COUNCIL ON AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR JULY 1, 1997 THROUGH JUNE 30, 1998

WHEREAS, this County Legislature, by Resolution 263 of 1997, authorized the continued participation by the Office for Aging in the National Council on Aging Senior Community Service Employment Program for the period July 1, 1997 through June 30, 1998 and adopted a program budget in connection therewith in the total amount of \$234,7000, and

WHEREAS, it is necessary at this time to revise said program to reflect a return of unspent funds to the National Council on Aging in the amount of \$32,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging National Council on Aging Senior Community Service Employment Program for the period July 1, 1997 through June 30, 1998 in the total amount of \$202,700, 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 \$202,700 for the period July 1, 1997 through June 30, 1998, and be it

FURTHER RESOLVED, that Resolution 263 of 1997, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,210 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480319.4457.101021 (Subcontracted Program Expense), and be it

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

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

RESOLUTION NO. 194

By Health Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT HIV/AIDS TRAINING SERVICES PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR JULY 1, 1998 THROUGH AND INCLUDING JUNE 30, 1999

WHEREAS, this County Legislature, by Resolution 246 of 1997, as amended by Resolution 461 of 1997, authorized and approved the Health Department HIV/AIDS Training Services Program Grant and adopted a program budget in the amount of \$109,774 for the period July 1, 1997 through June 30, 1998, and

WHEREAS, said program grant provides training for health and human services providers involved in the delivery of care to Health Department HIV/AIDS clientele, and

WHEREAS, said agreement expires by its terms on June 30, 1998 and it is desired to renew said program grant for the amount of \$100,399, for the period July 1, 1998 through and including June 30, 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$80,800 from the State of New York Department of Health, AIDS Institute ESP, Corning Tower Building, Room 270, Second Floor, Albany, New York 12237 for the Health Department HIV/AIDS Training Services Program Grant period July 1, 1998 through and including June 30, 1999, 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 \$100,399 for the period July 1, 1998 through and including June 30, 1999, and be it

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

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

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

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

RESOLUTION NO. 195

By Health Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF SOUTHERN TIER AIDS PROJECT HIV/AIDS EDUCATION AND TESTING GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR JULY 1, 1998 THROUGH AND INCLUDING JUNE 30, 1999

WHEREAS, this County Legislature, by Resolution 245 of 1997, authorized and approved the Southern Tier Aids Project (STAP) Grant for the Health Department HIV/AIDS Education and Testing in Broome and Otsego County and adopted a program budget in the amount of \$19,500 for the period July 1, 1997 through June 30, 1998, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1998 through and including June 30, 1999, in the amount of \$19,500, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,500 from the Southern Tier Aids Program (STAP), 122 Baldwin Street, Johnson City, New York 13790 for HIV/AIDS education and testing for the period July 1, 1998 through and including June 30, 1999, 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 \$19,500 for the period July 1, 1998 through and including June 30, 1999, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 196

By Health Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH KATHERINE VLADESCU FOR THE HEALTH DEPARTMENT'S EARLY INTERVENTION PROGRAM FOR 1998

WHEREAS, this County Legislature, by Resolution 346 of 1996, authorized an agreement with Katherine Vladescu for educational evaluations and special education itinerant services for the Health Department's Education for Handicapped Children's Program for calendar year 1997, and

WHEREAS, said services are necessary to provide educational evaluations and special education itinerant services to children up to two years old for the Health Department's Early Intervention Program, and

WHEREAS, said agreement expired by its terms on December 31, 1997, and it is desired at this time to renew said agreement for the period June 1, 1998 through and including December 31, 1998 at the New York State rates set forth in Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Katherine Vladescu, 5 Elisabeth Lane, Binghamton, New York 13903, for educational evaluations and special education itinerant services for children up to two years of age for the Health Department's Early Intervention Program for the period June 1, 1998 through and including December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed New York State set rates as set forth in Exhibit "A" for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480202.4716.101000 (Screenings, Evaluations, Center and Home Based Services), and be it

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

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

RESOLUTION NO. 197

By Health Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT INFANT MORTALITY REVIEW PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1998 THROUGH 1999

WHEREAS, this County Legislature, by Resolution 196 of 1997, authorized and approved renewal of the Health Department Infant Mortality Review Program Grant and adopted a program budget in the amount of \$17,000 for the period July 1, 1997 through June 30, 1998, and

WHEREAS, said grant program provides an Infant Mortality Review Program in Broome County in an effort to reduce local infant mortality rates, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1998 through and including June 30, 1999, in the amount of \$17,000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$17,000 from New York State Department of Health, Division of Family and Local Health, Room 878, Corning Tower, Albany, New York 12237 for the Health Department Infant Mortality Review Program for the period July 1, 1998 through and including June 30, 1999, 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 \$17,000 for the period July 1, 1998 through and including June 30, 1999, and be it

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

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

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

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

RESOLUTION NO. 198

By Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE BROOME COUNTY ARENA FOR THE STOP-DWI HOLIDAY CLASSIC BASKETBALL TOURNAMENT FOR 1998, 1999 AND 2000

WHEREAS, this County Legislature, by Resolution 407 of 1996, authorized renewal of an agreement with the Broome County Arena for use and host of the majority of the games scheduled

in connection with the Stop-DWI Holiday Classic Basketball Tournament for 1996 and 1997 at a cost of \$5,750 for each year, and

WHEREAS, it is desired at this time to renew said agreement for the period December 27-29, 1998, December 27-29, 1999 and December 27-29, 2000, with the proposed rental not to exceed \$10,500 for 1998, \$11,000 for 1999 and \$11,500 for 2000, and

WHEREAS, the STOP-DWI Coordinator requests an option to rent the Arena for a fourth day in the years 1999 and 2000 should the tournament expand, at an additional cost of \$4,500 per year, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Broome County Arena for use of its facility for the annual Broome County Stop-DWI Program Holiday Classic Basketball Tournament for the periods December 27-29, 1998, December 27-29, 1999 and December 27-29, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay an amount not to exceed \$10,500 for 1998, \$11,000 for 1999 and \$11,500 for 2000, and be it

FURTHER RESOLVED, that STOP-DWI retains an option to rent the Arena for a fourth day for the years 1999 and 2000 at an additional amount not to exceed \$4,500 per year, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 525525.036X.XXXXXXX (Holiday Classic Trust Account), and be it

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

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

RESOLUTION NO. 199

Finance and Education, Culture & Recreation Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH BINGHAMTON GIANT MARKET, INC. FOR LEASE OF SPACE IN THE BINGHAMTON GIANT MARKET ON CONKLIN AVENUE FOR THE BENJAMIN FRANKLIN BRANCH LIBRARY FOR THE PERIOD JUNE 1, 1998 THROUGH MAY 31, 2003

WHEREAS, Acting Director of the Broome County Public Library requests authorization for an agreement with Binghamton Giant Market, Inc. for lease of space in the Binghamton Giant Market on Conklin Avenue for the Benjamin Franklin Branch Library for the period June 1, 1998 through May 31, 2003, at a cost not to exceed \$49,959 plus an amount not to exceed \$4,500 for common area charges, taxes and fire insurance, and

WHEREAS, said lease is necessary to provide library services to patrons, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Binghamton Giant Market, Inc., 100 Oakdale Road, Johnson City, New York 13790, for lease of space in the Binghamton Giant Market on Conklin Avenue for the Benjamin Franklin Branch Library for the period June 1, 1998 through May 31, 2003, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a base rent amount not to exceed \$49,959 plus an amount not to exceed \$4,500 for common area maintenance charges, taxes and fire insurance for the entire term of this agreement. The base rent for 1998-1999 shall be \$9,600, for 1999-2000 shall be \$9,792, for 2000-2001 shall be \$9,988, for 2001-2002 shall be \$10,188 and for 2002-2003 shall be \$10,391. The common area maintenance charge, taxes and fire insurance for each year shall be an amount not to exceed \$900.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 842005.4422.304218 (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-18, Nays-0, Absent-1 (Lindsey).

RESOLUTION NO. 200

Public Safety & Emergency Services and Finance Committees Seconded by Mr. Pasquale
RESOLUTION AUTHORIZING AGREEMENT WITH IKON OF UPSTATE NEW YORK FOR RENTAL OF A COPIER FOR THE DISTRICT ATTORNEY'S OFFICE FOR A PERIOD OF 60 MONTHS

WHEREAS, District Attorney requests authorization for an agreement with IKON of Upstate New York for rental of a Canon copier for a period of 60 months from the date of delivery, at a cost of \$283 per month, total not to exceed \$16,980, and

WHEREAS, said services are necessary to replace the present copier which cannot handle the present volume of work, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with IKON of Upstate New York, 21 South Washington Street, Binghamton, New York 13903 for rental of a Canon copier for the District Attorney's Office for period a period of 60 months from date of delivery, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount of \$283 per month, total amount not to exceed \$16,980 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 330001.4518.101000 (Copying Machine Rentals), and be it

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

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

RESOLUTION NO. 201

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

RESOLUTION AUTHORIZING REVISION OF PROBATION DEPARTMENT INTENSIVE SUPERVISION PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998

WHEREAS, this County Legislature, by Resolution 457 of 1997, authorized the continued participation by the Probation Department in the Intensive Supervision Program for the period January 1, 1998 through December 31, 1998 and adopted a program budget in connection therewith in the total amount of \$170,675, and

WHEREAS, it is necessary at this time to revise said program to reflect the correct grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$133,300 from the New York State Department of Probation and Correctional Alternatives for the period January 1, 1998 through December 31, 1998, 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 \$170,675 for the period January 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that Resolution 457 of 1997, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 202

By County Administration, Economic Development & Planning Committee

Seconded by Mr. Pasquale

RESOLUTION ADDING A NEW SECTION 240 TO THE BROOME COUNTY RESOLUTIONS, RULES AND REGULATIONS

WHEREAS, the Director of Information Technology has recommended that a new section be added to the Broome County Resolutions, Rules and Regulations which defines acceptable use of the Broome County Local Area Network and online services access, and

WHEREAS, such addition to the Broome County Resolutions, Rules and Regulations would apprise all County employees of acceptable use of the Broome County Network and available online services, now, therefore, be it

RESOLVED that, effective immediately, Chapter 240 of the Broome County Resolutions, Rules and Regulations is hereby enacted and shall read as follows:

Information Technology

Chapter 240

ACCEPTABLE USE OF THE COUNTY NETWORK AND ONLINE SERVICES

240-1 Statement of Purpose

- (a) The purpose of this Chapter is to delineate acceptable practices when using the county computer network and online services to assist in job duties. Broome County provided network and Online services access is governed by all applicable laws, rules, regulations, existing county policies and this Chapter,
- (b) Generally, activities in compliance with existing county policy and other applicable regulations will be appropriate. Acceptable use always is ethical, reflects honesty, and shows restraint in the consumption of shared resources. This Chapter elaborates on certain activities that are directly related to county network and online services. Violations of this Chapter will result in appropriate disciplinary action.

240-2 Network Access:

Access to the county network and online services is not a condition of employment, and the county has the right to discontinue any employee's county network and/or online services access at any time. All network and online services are to be used exclusively for work-related purposes. Any online services access, other than access provided by the county through the county network, is prohibited.

240-3 Password accountability:

- (a) Each employee is responsible for all transactions made using his/her password and for safeguarding his/her password. Commit passwords to memory. Do not automate network logons – users should type his/her password in each time a session is started. When network tasks are complete the employee must sign off of the computer system.
- (b) Passwords should be changed regularly and should not be kept longer than 90 days. A good password is one that is easy to remember but difficult to guess. Ideally, a password will consist of two unrelated words, or a nonsense word. Passwords must be different than the user ID, and should not be an easily guessed word or name.

240-4 Privacy:

- (a) All county correspondence including Electronic mail (E-mail) is subject to the "Freedom of Information Law." Thus, the same care used in composing any official county correspondence should be applied to E-mail. Never send or keep anything that is inappropriate for disclosure to the general public.
- (b) Federal law does not recognize a privacy right in electronic communications sent via an employer provided network. Any correspondence sent outside of the county network (over online services) will go through numerous unprotected computer systems. Do not send confidential correspondence via online services without taking additional steps to preserve its private nature, such as data encryption. Any electronic correspondence and any other network or online services access can be reviewed on the behalf of the County, if appropriate reasons exist. Reports of web browsing activity will be periodically generated and made available to appropriate requesting parties.

240-5 Content:

All electronic correspondence shall contain the sender's name and adhere to County guidelines for business correspondence. Misrepresenting or attempting to hide your identity is prohibited, as is content or language inappropriate to the workplace. Inappropriate content includes, but is not limited to, derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference, as well as discriminatory, harassing or obscene communications.

240-6 Harmful activities:

Any activity that intentionally or negligently interferes with the proper operation of computer networks or systems is prohibited. Employees will not access or attempt to access data or information belonging to other individuals or entities without proper authorization, even if the data or information is not securely protected. Report any discovery of improperly protected data to the Information Technology help desk.

240-7 Unlawful activities:

The county network and online services may not be used for any purpose that is illegal, against county policy, or contrary to the county's best interest. Network and online services users shall not download, copy, transmit or possess proprietary software or copyrighted materials (including computer images and other forms of intellectual property) without proper authorization.

240-8 File downloads:

Downloading and/or installation of any unauthorized software is prohibited. Software may not be installed on a county computer without first receiving express authorization from the Department of Information Technology.

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

RESOLUTION NO. 203

By County Administration, Economic Development & Planning and Finance Committees
Seconded by Mr. Hull

RESOLUTION ADOPTING LOCAL LAW INTRO NO. 6, ENTITLED: "A LOCAL LAW AMENDING PART IV OF THE BROOME COUNTY CHARTER (REGULATORY LOCAL LAWS) BY ADDING A NEW ARTICLE XI TO CHAPTER 185 GRANTING PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION TO CERTAIN PERSONS WITH DISABILITIES WITH LIMITED INCOME."

RESOLVED, that Local Law Intro No. 6, entitled "A Local Law Amending Part IV of the Broome County Charter (regulatory local laws) by Adding a New Article XI to Chapter 185 Granting Partial Exemption from Real Property Taxation to Certain Persons with Disabilities with Limited Income," be and the same is hereby 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. 6, 1998

A Local Law Amending Part IV of the Broome County Charter (Regulatory Local Laws) by Adding a New Article XI to Chapter 185 Granting Partial Exemption from Real Property Taxation to Certain Persons with Disabilities with Limited Income

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

- SECTION 1. (A) Real property owned by one or more persons with disabilities, or real property owned by a husband, wife, or both, or by siblings, at least one of whom has a disability, and whose income, as hereafter defined, is limited by reason of such disability, shall be exempt from real property taxation by the County of Broome to the extent of fifty per centum of the assessed valuation thereof as hereinafter provided.
- (B) To the extent the income of the owner or combined income of the owners of the property for the income tax year immediately preceding the date of making application exceeds the amount set forth in SECTION [5] 4A (hereinafter referred to as "M") but is less than the amount set forth on the following schedule, such real property shall be exempt from real property taxation by the County of Broome to the extent of the percentage of the assessed valuation of said real property set forth on the following schedule.

PERCENTAGE ASSESSED EXEMPT FROM TAXATION

ANNUAL INCOME	VALUATION
MORE THAN (M) BUT LESS THAN (M+ \$1,000)	45 PER CENTUM
(M+ \$1,000 OR MORE) BUT LESS THAN (M+ \$2,000)	40 PER CENTUM
(M+ \$2,000 OR MORE) BUT LESS THAN (M+ \$3,000)	35 PER CENTUM
(M+ \$3,000 OR MORE) BUT LESS THAN (M+ \$3,900)	30 PER CENTUM
(M+ \$3,900 OR MORE) BUT LESS THAN (M+ \$4,800)	25 PER CENTUM
(M+ \$4,800 OR MORE) BUT LESS THAN (M+ \$5,700)	20 PER CENTUM
(M+ \$5,700 OR MORE) BUT LESS THAN (M+ \$6,600)	15 PER CENTUM
(M+ \$6,600 OR MORE) BUT LESS THAN (M+ \$7,500)	10 PER CENTUM
(M+ \$7,500 OR MORE) BUT LESS THAN (M+ \$8,400)	5 PER CENTUM

- SECTION 2.
- (A) "Sibling" shall mean a brother or a sister, whether related through half blood, whole blood or adoption.
 - (B) A person with a disability is one who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person's ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, and who (i) is certified to receive Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits under the Federal Social Security Act, or (ii) is certified to receive railroad retirement disability benefits under the Federal Railroad Retirement Act, or (iii) has received a certificate from the state commission for the blind and visually handicapped stating that such person is legally blind.
 - (C) An award letter from the Social Security Administration or the Railroad Retirement Board or a certificate from the state Commission for the Blind and Visually Handicapped shall be submitted as proof of disability.

SECTION 3. Any exemption provided by SECTION 1 shall be computed after all other partial exemptions allowed by law have been subtracted from the total amount assessed; provided, however, that no parcel may receive an exemption from Broome County Real Property taxation pursuant to both this section and section four hundred sixty-seven of the Real Property Tax Law of the State of New York and Article IV of Chapter 185 of the Broome County Charter (Regulatory Local Laws).

- SECTION 4. No exemption shall be granted:
- (A) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of eighteen thousand five hundred dollars. Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances or monies earned through employment in the federal foster grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.
 - (B) Unless the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other

purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section.

- (C) Unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in section twenty-eight hundred one of the Public Health Law, provided that any income accruing to that person shall be considered income for purposes of this section only to the extent that it exceeds the amount paid by such person or spouse or sibling of such person for care in the facility.

SECTION 5. (A) Title to that portion of real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides, and which is represented by his share or shares of stock in such corporation as determined by its or their proportional relationship to the total outstanding stock of the corporation, including that owned by the corporation, shall be deemed to be vested in such tenant-stockholder.

- (B) That proportion of the assessment of such real property owned by a cooperative apartment corporation determined by the relationship of such real property vested in such tenant-stockholder to such entire parcel and the buildings thereon owned by such cooperative apartment corporation in which such tenant-stockholder resides shall be subject to exemption from taxation pursuant to this section and any exemption so granted shall be credited by the appropriate taxing authority against the assessed valuation of such real property; the reduction in real property taxes realized thereby shall be credited by the cooperative apartment corporation against the amount of such taxes otherwise payable by or chargeable to such tenant-stockholder.

SECTION 6. Application for such exemption must be made annually by the owner, or all of the owners of the property, on forms prescribed by the state board, and shall be filed in the assessor's office on or before the taxable status date; provided, however, proof of a permanent disability need be submitted only in the year exemption pursuant to this section is first sought or the disability is first determined to be permanent.

SECTION 7. At least sixty days prior to the taxable status date, the assessor shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to continue to be granted. Failure to mail such application form or the failure of such person to receive the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

SECTION 8. Notwithstanding any other provision of law to the contrary, the provisions of this section shall apply to real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption, pursuant to SECTION 1 of this local law, were such person or persons the owner or owners of such real property.

SECTION 9. This local law shall take effect after a public hearing and upon filing with the Secretary of State.

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

RESOLUTION NO. 204

By Community & Social Services Committee

Seconded by Mr. Pasquale

RESOLUTION CONFIRMING APPOINTMENT OF JOHN T. REFERMAT TO MEMBERSHIP ON THE BROOME COUNTY YOUTH BUREAU ADVISORY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 133 of 1976, has duly designated and appointed, pending confirmation by this Legislature, John T. Refermat to membership on the Broome County Youth Bureau Advisory Board, for a term expiring December 31, 1998, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 133 of 1976 to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 133 of 1976, does hereby confirm the appointment of John T. Refermat, 4 Annette Avenue, Binghamton, NY 13905 to membership on the Broome County Youth Bureau Advisory Board in accordance with his appointment by the County Executive.

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

RESOLUTION NO. 205

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RELEASE OF AN EXISTING EASEMENT AND ACCEPTANCE OF ANOTHER OVER LAND OF JOHN D. AND MARYLIN D. ROAT IN THE TOWN OF NANTICOKE FOR ACCESS TO THE NANTICOKE CREEK WATERSHED

WHEREAS, the County of Broome has an easement over certain property of John D. Roat and Marylin D. Roat on Phillips Road in the Town of Nanticoke for access to the Nanticoke Creek Watershed, and

WHEREAS, Mr. and Mrs. Roat have proposed that the County of Broome release said easement and accept in substitution therefor an easement over another portion of said land, and

WHEREAS, Mr. and Mrs. Roat have conveyed certain property to the Town of Lisle for highway purposes and the Town of Nanticoke has laid out a town highway on said conveyed property, and

WHEREAS, the Acting Commissioner of Parks and Recreation advises that the town highway so laid out by the Town of Nanticoke together with the easement proposed to be granted by Mr. and Mrs. Roat would provide access to the Nanticoke Creek Watershed equal to or better than that provided by the existing easement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the release of a certain easement granted by John D. and Marylin D. Roat over Parcel 2-PE shown on the plan attached hereto as Exhibit "A" in consideration of the granting of an easement by said John D. and Marylin D. Roat to the County of Broome over Parcel 4-PE shown on the said plan for access to the Nanticoke Creek Watershed, and be it

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

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

RESOLUTION NO. 206

By Finance, Public Safety & Emergency Services and County Administration, Economic Development, Personnel & Planning Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING BUDGET TRANSFER FOR PROBATION, LAW DEPARTMENT AND THE COUNTY EXECUTIVE'S OFFICE

RESOLVED, that in accordance with a request from the Director of Probation in order to revise the Juvenile Intensive Supervision Grant as requested by BT# 0000575 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM	280065	1500	104131	Salaries – Part Time	8,500
TO	280065	2850	104131	Computer Equipment	3,150
	280065	4319	104131	Office Supplies	1,200
	280065	4349	104131	Other Oper. Supplies	2,650
	280065	4359	104131	Computer Software Sup.	1,000
	280065	4463	104131	Ed & Training	500

and be it

FURTHER RESOLVED, that in accordance with a request from the County Attorney and County Executive in order to provide funds to cover the cost of secretarial services coverage during the period that the secretary is on maternity/parental leave as requested by BT# 0001401 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM	390005	1500	101000	Salaries – Part Time	7,500
TO	230037	4545	101000	Contracted Services	7,500

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

RESOLUTION NO. 207

By Finance, Personnel and Health Services Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING THE BUDGET TRANSFER AND PERSONNEL CHANGE REQUEST FOR THE HEALTH DEPARTMENT

RESOLVED, that in accordance with a request from the Director of Health in order to provide funds to cover the cost of moving an Early Intervention Service Coordinator position into the operating budget from a grant budget as requested by BT# 0001181 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM	900175	8010	101000	State Retirement-SOE	30,150
TO	480293	1000	101000	Salaries – Full Time	24,757
	480293	8010	101000	State Retirement	941
	480293	8030	101000	Social Security	1,894
	480293	8040	101000	Worker's Comp	416
	480293	8050	101000	Life Insurance	22
	480293	8060	101000	Health Insurance	2,000
	480293	8063	101000	Disability Insurance	120

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#98-294, this County Legislature hereby authorizes the transfer of (1) Early Intervention Service Coordinator position, Full Time, at budget line 480301.1000.104165, minimum salary \$24,329, grade 16, CSEA, to (1) Early Intervention Service Coordinator position, Full Time, at budget line 480293.1000.101000, minimum salary \$24,329, grade 16, CSEA, effective 1/1/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health in order to adjust appropriation in the ICHAP/EI Grant from a grant budget as requested by BT# 0001182 & 0001183 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM	480301	1000	104165	Salaries – Full Time	21,149
	480301	8010	104165	State Retirement	1,030
	480301	8030	104165	Social Security	1,669

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	480301	8040	104165	Worker's Comp	357
	480301	8050	104165	Life Insurance	20
	480301	8060	104165	Health Insurance	880
	480301	8063	104165	Disability Insurance	116
	480301	8070	104165	Unemployment Ins	174
TO	480301	4319	104165	Office Supplies	497
	480301	4359	104165	Computer Software	473
	480301	4610	104165	Personal Services	23,928
	480301	4617	104165	Duplicating/Printing	497

Mr. Wike moved, seconded by Mr. Burger, to amend the first RESOLVED paragraph to reflect that the funding be changed to budget line 900175.8010.101000 State Retirement-Special Objects of Expense, \$20,150. **Amendment carried, Ayes-18, Nays-0, Absent-1 (Lindsey). Resolution as amended carried, Ayes-18, Nays-0, Absent-1 (Lindsey).**

RESOLUTION NO. 208

By Personnel, Health Services, Public Works, Public Safety & Emergency Services, County Administration, Economic Development & Planning and Finance Committees
Seconded by Mr. Mather

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR WILLOW POINT NURSING HOME AND THE DEPARTMENTS OF HEALTH, SOLID WASTE, COUNTY ATTORNEY AND SHERIFF

RESOLVED, that in accordance with a request from the Administrator of WPNH, as contained in PCR#98-302 & 98-303, this County Legislature hereby authorizes the abolishment of (1) CNA/NAT position, Part Time, at budget line 160085.1500.204000, minimum salary \$15,240 FTE, grade 06, Union CSEA, and the abolishment of (1) Data Entry Machine Operator position, Part Time, at budget line 160077.1500.204000, minimum salary \$16,964 FTE, grade 08, Union CSEA, and create (1) Data Entry Machine Operator position, Full Time, at budget line 160077.1000.204000, minimum salary \$16,964, grade 08, Union CSEA, effective date 5/21/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#98-296, this County Legislature hereby authorizes the index code change of (1) Public Health Nurse position, Full Time, at budget line 480327.1000.101000, minimum salary \$25,669, grade 17, Union CSEA, to (1) Public Health Nurse position, Full Time, at budget line 480061.1000.101000, minimum salary \$25,669, grade 17, Union CSEA, effective date 1/1/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#98-298, this County Legislature hereby authorizes the index code change of (1) Senior Registered Professional Nurse position, Full Time, at budget line 480004.1000.101000, minimum salary \$24,329, grade 16, Union CSEA, to (1) Senior Registered Professional Nurse position, Full Time, at budget line 480061.1000.101000, minimum salary \$24,329, grade 16, Union CSEA, effective date 3/30/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#98-299, this County Legislature hereby authorizes the index code change of (1) Public Health Nurse position, Full Time, at budget line 480061.1000.101000, minimum salary \$25,669, grade 17, Union CSEA, to (1) Public Health Nurse position, Full Time, at budget line 480004.1000.101000, minimum salary \$25,669, grade 17, Union CSEA, effective date 3/30/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Solid Waste, as contained in PCR#98-304, this County Legislature hereby authorizes the abolishment

of (1) Hazardous Waste Facility Technician position, Full Time, at budget line 230078.1000.206000, minimum salary \$24,317, grade 16, Union Admin I, and create (1) Solid & Hazardous Waste Facility Technician position, Full Time, at budget line 230078.1000.206000, minimum salary \$30,026, grade 19, Union Admin I, effective date 4/24/98, and be it

FURTHER RESOLVED, that in accordance with a request from the County Attorney for Law at DSS, as contained in PCR#98-293, this County Legislature hereby authorizes the abolishment of (1) Keyboard Specialist position, Full Time, at budget line 390021.1000.101000, minimum salary \$17,364, grade 09, Union Admin I, and create (1) Secretary position, Full Time, at budget line 390021.1000.101000, minimum salary \$22,061, grade 14, Union Admin I, effective date 5/21/98, and be it

FURTHER RESOLVED, that in accordance with a request from the County Attorney, as contained in PCR#98-305, this County Legislature hereby authorizes abolishment of (1) Senior Assistant County Attorney position, Full Time, at budget line 390005.1000.101000, minimum salary \$46,699, grade 29, Admin I, and create (1) Assistant County Attorney position, Full Time, at budget line 390005.1000.101000, minimum salary \$34,434, grade 23, Admin I, effective date 5/4/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff, as contained in PCR#98-286, this County Legislature hereby authorizes the index code change of (1) Deputy Sheriff position, Full Time, at budget line 450023.1000.101000, minimum salary \$29,477, grade NA, Union AFSCME, to (1) Deputy Sheriff position, Full Time, at budget line 450072.1000.101000, minimum salary \$29,477, grade NA, Union AFSCME, effective date 6/1/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff, as contained in PCR#98-287, 98-288, this County Legislature hereby authorizes the index code change of (2) Deputy Sheriff position, Full Time, at budget line 450072.1000.101000, minimum salary \$29,477, grade NA, Union AFSCME, to (2) Deputy Sheriff position, Full Time, at budget line 450049.1000.101000, minimum salary \$29,477, grade NA, Union AFSCME, effective date 6/1/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff, as contained in PCR#98-289, this County Legislature hereby authorizes the index code change of (1) Deputy Sheriff position, Full Time, at budget line 450049.1000.101000, minimum salary \$29,477, grade NA, Union AFSCME, to (1) Deputy Sheriff position, Full Time, at budget line 450072.1000.101000, minimum salary \$29,477, grade NA, Union AFSCME, effective date 6/1/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff, as contained in PCR#98-290, this County Legislature hereby authorizes the index code change of (3) Deputy Sheriff position, Full Time, at budget line 450023.1000.101000, minimum salary \$29,477, grade NA, Union AFSCME, to (3) Deputy Sheriff position, Full Time, at budget line 450049.1000.101000, minimum salary \$29,477, grade NA, Union AFSCME, effective date 6/1/98.

Ms. Hudak requested a separate vote on the fourth FURTHER RESOLVED paragraph. **Carried**, Ayes-15, Nays-2 (Hudak, Whalen), Absent-2 (Lindsey, Pasquale). **Balance of the resolution carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Pasquale).

RESOLUTION NO. 209

By County Administration, Economic Development & Planning and Public Works Committees
Seconded by Mr. Miller

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5, 1998, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND CODE WITH REGARD TO THE DEPARTMENT OF PUBLIC WORKS."

RESOLVED, that Local Law Intro. No. 5, 1998, entitled: "A Local Law Amending the Broome County Charter and Code with regards to the Department of Public Works," 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. 5, 1998
A Local Law Amending the Broome County Charter and Code
with regards to the Department of Public Works.

Section 1. Section C901 of the Broome County Charter and Code shall be amended to read as follows:

C901 Department of Public Works: Commissioner: appointment: qualifications: There shall be a Department of Public Works, headed by a Commissioner who shall be appointed by the County Executive, subject to confirmation by the County Legislature, and shall serve at the pleasure of the County Executive.

[The Commissioner shall be a professional engineer duly licensed and registered by the State of New York.] He shall be appointed on the basis of his administrative experience and his qualifications for the duties of the office.

Section 2. Section C902 of the Broome County Charter and Code shall be amended to read as follows:

C902. Powers and duties

The Commissioner of Public Works shall:

- (A) Have all the powers and duties of a county engineer and a county superintendent of highways pursuant to the Highway Law or other applicable law.
- (B) Except as otherwise provided in Articles XI and XIV of this Charter, have charge and supervision of the design, specifications, construction, alterations, maintenance and repair of all county buildings and grounds, parking fields, drives and walks, together with all structures, roads, parking areas equipment and appurtenances, but not including custodial care and such grounds work as provided for in the Administrative Code.
- (C) Furnish engineering and other related services to the County Legislature, the County Executive, the Department of Planning and other county departments.
- (D) Have charge of and have the duty of performing such other functions concerning county property, public works and other matters as the County Legislature or the County Executive may from time to time direct.
- (E) Any professional engineering work required to be practiced by said Commissioner in the exercise of the powers and duties of his office shall be delegated to one or more licensed professional engineers unless said commissioner shall be a licensed professional engineer.

Section 3. That this Local Law shall take effect following a public hearing to be held before the County Executive in the manner prescribed by law.

Matters in [brackets] deleted

Matters underlined added

Mr. Wike moved, seconded by Mr. Burger, to add the following statement before the first paragraph beginning with Section 1 as follows: "BE IT ENACTED, by the County Legislature of the County of Broome, as follows:" **Heldover** 'under the rules' by Ms. Coffey.

RESOLUTION NO. 210

By Health Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION REVISING THE MILEAGE REIMBURSEMENT RATE FOR HEALTH DEPARTMENT DIVISION OF CHILD DEVELOPMENT.

WHEREAS, this County Legislature, by Resolution 62 of 1997, authorized a revision in the mileage reimbursement rate for the Health Department Division of Child Development Handicapped Children's Program to a flat rate of \$12.50 for each day a parent or legal guardian transports their child to/from service providers providing services in accordance with the Handicapped Children's Program, and

WHEREAS, it is desired at this time to revise the mileage reimbursement rate from a \$12.50 per diem to the current IRS authorized employer mileage reimbursement rate or alternatively actual documented transportation expenses as approved by the Director of Public Health as a reasonable and fair means of reimbursing parents/legal guardians of children enrolled in the Health Department Division of Child Development Early Intervention and Pre-K Programs who transport their own children to and/or from any program or therapy session authorized by the child's Individualized Family Service Plan and/or Individualized Education Program consistent with State Education Law and Public Health Law, now, therefore, be it

RESOLVED, that this County Legislature hereby revises the mileage reimbursement rate for parents/legal guardians of children enrolled in the Health Department Division of Child Development Early Intervention and Pre-K Programs who transport their own children to and/or from any program or therapy session authorized by the child's Individualized Family Service Plan and/or Individualized Education Program to the current IRS authorized employer mileage reimbursement rate or alternatively actual documented transportation expenses as approved by the Director of Public Health as, and be it

FURTHER RESOLVED, that in addition to the current IRS authorized employer mileage reimbursement rate or actual documented transportation expenses as approved by the Director of Public Health, any parents/legal guardians of children enrolled in the Health Department Division of Child Development Early Intervention and Pre-K Programs who transport their own children to and/or from any program or therapy session authorized by the child's Individualized Family Service Plan and/or Individualized Education Program shall be entitled to reimbursement of documented tolls or parking expenses, and be it

FURTHER RESOLVED, that the payments above authorized shall be made from budget lines 480202.4465.101000 (Non-employee travel, hotel and meals) and 480285.4465.101000 (Non-employee travel, hotel and meals), and be it

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

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

RESOLUTION NO. 211

By Finance Committee

Seconded by Mr. Miller

RESOLUTION AUTHORIZING AN AGREEMENT WITH MEL MANASSE AND SON AUCTIONEERS FOR AUCTION SERVICES WITH REGARDS TO REAL PROPERTY TAX AUCTION

WHEREAS, Broome County acquires title to various properties through tax foreclosure proceedings under Article 11 of the Real Property Tax Law, and

WHEREAS, said properties are then sold at public auction to the highest bidder, and

WHEREAS, the Director of Real Property Tax Services has requested authorization to enter into an agreement with an auctioneer to conduct the 1998 auction, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mel Manasse and Son Auctioneers, 2924 US Rt. 11, PO Box 738, Whitney Point, New York 13862 for auctioneer services at the County's 1998 Real Property Tax Auction, and be it

FURTHER RESOLVED, that in consideration of said services, the vendor shall receive a commission of 7% of the successful bid price which will be paid by the successful bidder and an amount not to exceed \$2,500 from the County for advertising the auction, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized to execute any agreements, documents, or papers, approved as to form by the Department of Law, as is necessary to carrying out the intent and purpose of this Resolution.

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Pasquale).

RESOLUTION NO. 212 (see May 21, 1998 Special Session)

RESOLUTION NO. 213 (see May 21, 1998 Special Session)

RESOLUTION NO. 214

County Administration, Economic Development & Planning and Finance Committees
Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH COMPUTERLAND FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY FOR THE PERIOD JUNE 1, 1998 THROUGH DECEMBER 31, 1998

WHEREAS, the Director of Information Technology requests authorization for an agreement with Computerland for professional services for the period June 1, 1998 through December 31, 1998, at a cost not to exceed \$36,000, and

WHEREAS, said services are necessary to provide PC setup and networking services for all County departments as part of the Capital PC replacement plan, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Computerland, 423 Commerce Road, Vestal, New York 13951 for professional services for the period June 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$36,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4726.501333 (Contracted Data Processing Services), and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Pasquale).

RESOLUTION NO. 215

By Personnel, Finance and County Administration, Economic Development & Planning Committees
Seconded by Mr. Wike

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR INFORMATION TECHNOLOGY

RESOLVED, that in accordance with a request from the Director of Information Technology, as contained in PCR#98-316, this County Legislature hereby authorizes the abolishment of (1) Computer Operations Supervisor, Full Time, at budget line 370007.1000.101000, minimum salary \$29,556, grade 19, Union BAPA, and the creation of (1) Systems Programmer II position, Full Time, at budget line 370007.1000.101000, minimum salary \$42,998, grade 26, Union BAPA, effective date 5/21/98.

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Pasquale).

Mr. O'Day moved, seconded by Mr. Wike, to adjourn at 4:50pm. The adjournment **carried** by voice vote.

This page intentionally left blank.