

RESOLUTION NO. 361

By Intergovernmental Relations and Personnel Committees

Seconded by Mr. Brown

**RESOLUTION AUTHORIZING ALL COUNTY MUNICIPALITIES TO
RETAIN THE INTEREST EARNED ON REAL PROPERTY TAX
COLLECTION MONIES**

WHEREAS, county municipalities collect tax monies on behalf of Broome County, and

WHEREAS, at present, the tax monies are deposited into town accounts and then paid to the County Finance Department pursuant to New York State Town law, and

WHEREAS, the interest earned on the tax monies belongs to Broome County unless Broome County, by resolution, authorizes the county municipality to retain said interest monies, and

WHEREAS, it is desired by your sponsoring committee to authorize the county municipality to retain all interest earned on all tax monies collected by the county municipality on behalf of the county, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the various county municipalities to retain all interest earned on any tax monies collected by the various county municipalities only for the period from the date collected until the date the monies are paid to Broome County pursuant to New York State Town Law, Section 37(1), and be it

FURTHER RESOLVED, that those municipalities that so desire to retain said interest earned shall utilize a separate bank account and submit to the Broome County Commissioner of Finance, upon settlement of the tax warrant in April, copies of monthly bank statements subject to audit by the Broome County Comptroller, or else yield all interest earned thereon to the Broome County Commissioner of Finance, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

At the request of Mrs. Coffey, Resolution No. 361 was **held over** under the rule.

Mrs. Coffey moved, seconded by Mr. Malley to adjourn to the call of the Clerk. Carried.

**REGULAR SESSION
THURSDAY, OCTOBER 3, 1991
AT 4:00 P.M.**

The Legislature convened at 4:00 p.m. Called to order by the Chairman, Arthur J. Shafer.

The Clerk, Richard R. Blythe, read the fire exit announcement and then called the attendance roll: Present-17, Absent-2 (Augustini, Warner).

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

Invocation was delivered by Rev. Russell Lockwood, Pastor of the Bunn Hill Baptist Church in Vestal.

Mrs. Greenmun moved, seconded by Mr. Pasquale that the minutes of the September 12, 1991 Regular Session be approved as presented by the Clerk. Carried.

Written or oral presentations of the County Executive:

Letter from the County Executive, Timothy M. Grippen, designating Joseph J. Slocum, County Attorney, as Acting County Executive, September 22-24, 1991.

The Chairman announced that Assemblyman James Tallon was unable to join us as he had to attend a funeral out of town. He will reschedule his presentation in the near future.

The following communications were presented to the County Legislature:

Minutes from: Willow Point Nursing Facility; Fire Advisory Board.

Department of Audit & Control: Six Month Comparison Statement of Operations.

Letter from State Department of Economic Development enclosing proposed regulations governing Tourism Matching Funds Program.

Letter of Transmittal from Department of Public Works (Jennings Creek Culvert Reconstruction).

Application of Town of Chenango: Proposed Water District No. 26.

Letter from Binghamton Coca-Cola Bottling Company regarding tour of recycling facility and meeting of Southern Tier Association in Recycling, September 19, 1991.

Additional Solid Waste Management Plan Comments.

Consolidated Services Plan (January 1, 1991 through December 31, 1991) from Department of Social Services.

Resource Recovery Agency: Copies of "Co-Applicants" Main and Reply Briefs on Adjudicatory issues (365 pages); list of significant correspondence from September 5 through 18, 1991.

The following reports were presented to the County Legislature:

Monthly Report from Department of Social Services, July 1991.

Broome Community College: Above Minimum Hires, August 1991.

Reports of Audit Findings: Broome County Arts Council; Youth Bureau; District Attorney's Office; Broome County Library.

Mr. Moppert moved, seconded by Mr. Pasquale that the reports be received and filed and any pertinent portions thereof be placed in the Journal of Proceedings. Carried.

Written or oral presentations of the County Legislature:

Appointing Michael P. Pazzaglini designated representative for Louis P.

Augustini and Emil J. Bielecki designated representative for Robert J. Warner as voting members of Inter-Governmental Relations Committee, September 16, 1991.

Appointing Kathleen M. Greenmun designated representative for Robert J. Warner as voting member of Public Safety and Emergency Services Committee, September 25, 1991.

Appointing David L. Lindsey designated representative for Louis P. Augustini as voting member of County Administration, Economic Development and Planning Committee, September 26, 1991.

Appointing the following voting representatives for Wanda Hudak: Kelly J. Wagstaff, Public Safety and Emergency Services Committee, September 25, 1991; Mrs. Wagstaff, Acting Chairperson of the Community and Social Services Committee, September 24, 1991; Peter W. Yeager, Health Services Committee, September 23, 1991.

Appointing David L. Lindsey as Acting Chairman for Robert J. Warner at Public Safety and Emergency Services Committee, September 25, 1991.

Appointing Emil J. Bielecki designated representative for Daniel A. Schofield as voting member of the Personnel Committee, September 25, 1991.

Appointing Ad Hoc Committee to review the Broome County Charter and Administrative Code.

Appointing Wanda Hudak voting representative for: Robert J. Warner, County Administration, Economic Development and Planning Committee and Robert J. Moppert, Finance Committee, September 26, 1991.

Appointing Wanda Hudak voting representative for Louis P.

Augustini during his absence at all future Environment Committee meetings.

RESOLUTION NO. 235

Mr. Moppert moved, seconded by Mr. Lindsey to recall Resolution No. 91-235 authorizing agreement with Vietnam Veterans of America, Chapter 480, Inc. for services for veterans, which was tabled at the June 6, 1991 Regular Session. Carried.

RESOLUTION AUTHORIZING AGREEMENT WITH VIETNAM VETERANS OF AMERICA, CHAPTER 480, INC., TO PROVIDE OUTREACH SERVICES TO VETERANS SUFFERING FROM POST TRAUMATIC STRESS DISORDER FOR 1991

WHEREAS, the Broome County Executive requests authorization for an agreement with the Vietnam Veterans of America, Chapter 480, Inc., to provide outreach, counseling, vocational, information and referral services, substance abuse and family programs to all veterans and their families suffering from Post Traumatic Stress disorder (PTSD) for the period April 1, 1991 through December 31, 1991, and

WHEREAS, said services are necessary to help local veterans and their families

recover from Post Traumatic Stress Disorder (PTSD), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Vietnam Veterans of America, Chapter 480, Inc., 3 Commercial Alley, Binghamton, New York for outreach, counseling, vocational, information and referral services to all veterans and their families suffering from Post Traumatic Stress Disorder (PTSD) for the period April 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Vietnam Veterans of America, Chapter 480, Inc., an amount not to exceed \$33,600, and be it

FURTHER RESOLVED, that in order to provide the funds for this agreement, as requested by BT #2778, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM: <u>400002</u>	<u>4619</u>	101000	<u>Bdg. Svcs.</u>	<u>\$ 9,600</u>
	<u>330001</u>	101000	<u>Oth. Fees for Services</u>	<u>8,000</u>
	<u>900068</u>	101000	<u>Court Enforced Rfds.</u>	<u>16,000</u>
TO: <u>910133</u>	<u>5010</u>	<u>101000</u>	<u>Vietnam Veterans</u>	<u>33,600</u>

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 910133.5010.101000 (Vietnam Veterans) and be it

FURTHER RESOLVED, that said contract shall be in a form similar to those used for other contract agencies and to be subject to any necessary approvals required by the State of Federal Governments for any other valid reasons which may require the approval of said State of Federal Governments and to be conditioned upon the submission and filing with the Clerk of this Legislature and County Executive written quarterly reports detailing the agency's use of funds received during the previous calendar year as well as future goals and related expenses, and be it

FURTHER RESOLVED, that if the contract provides for payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released and if the contract provides for two or more periodic payments during the contract term, said report referred to above shall be filed prior to the release of the second payment provided for by said contract and such payments are further subject to the provisions of Resolutions 262 of 1978 as amended by Resolution 243 of 1979, 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.

Mr. Moppert moved, seconded by Mr. Lindsey to amend the resolution. These amendments are reflected in the resolution with underlining. Amendment carried. Resolution as amended carried by the following roll call: Ayes-16; Nays-1 (Mr. Schofield); Absent-2 (Augostini, Warner).

RESOLUTION NO. 351 by Public Safety and Emergency Services and Finance Committees renewing agreement with Unified Court System of State of New York for security services in Broome County Courts, which was held over at the September 12, 1991 Regular Session at the request of Mr. Bielecki was again presented for consideration. Mr. Bielecki moved, seconded by Mr. Malley to table Resolution 351 until November 7, 1991. Carried by the following roll call: Ayes-15; Nays-2 (Coffey, Pasquale); Absent-2 (Augostini, Warner).

RESOLUTION NO. 358 by County Administration,, Economic Development and Planning Committee directing professional services contracts be awarded to companies with offices in Broome County whenever possible, which was held over at the September 12, 1991 Regular Session at the request of Mr. Moppert was again presented for consideration. Mr. Moppert moved, seconded by Mr. Pasquale to table Resolution 358 indefinitely. Carried.

RESOLUTION NO. 359 by County Administration, Economic Development and Planning and Finance Committees adopting Local Law Intro. No. 13, 1991 regarding partial exemptions for real property taxation, which was held over at the September 12, 1991 Regular Session at the request of Mr. Shafer was again presented for consideration. Carried.

RESOLUTION NO. 360 by Health Services and Finance Committees accepting Walk for Life Program for Health Department, which was held over at the September 12, 1991 Regular Session at the request of Mr. Pasquale was again presented for consideration. Mrs. Greenmun moved, seconded by Mr. Yeager to amend the resolution by changing the dollar amount and not to exceed amount to \$1,500. Carried by the following roll call: Ayes-11 (Bielecki, Brown, Greenmun, Howard, Kavulich, Malley, Pasquale, Schofield, Seeley, Yeager, Shafer); Nays-6 (Coffey, Hudak, Lindsey, Moppert, Pazzaglini, Wagstaff); Absent-2 (Augostini, Warner). Resolution as amended carried by the following: Ayes-10 (Bielecki, Brown, Coffey,

Howard, Kavulich, Malley, Pasquale, Schofield, Yeager, Shafer); Nays-7 (Greenmun, Hudak, Lindsey, Moppert, Pazzaglini, Seeley, Wagstaff); Absent-2 (Augostini, Warner).

RESOLUTION NO. 361 by Intergovernmental Relations and Finance Committees regarding municipalities to retain the interest earned on real property tax collection monies, which was held over at the September 12, 1991 Regular Session at the request of Mrs. Coffey was again presented for consideration. Mr. Howard moved, seconded by Mr. Pasquale to call the question. Carried. Resolution as presented carried by the following: Ayes-15; Nays-2 (Coffey, Pasquale); Absent-2 (Augostini, Warner).

The preferred agenda was introduced at this time (Resolutions No. 362 through 376). Seconded by Mrs. Wagstaff. Following the introduction of the Preferred Agenda Resolution Nos. 366 and 374 were removed for separate consideration.

RESOLUTION NO. 366

By Finance Committee
Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE LAW DEPARTMENT

RESOLVED, that in accordance with a request from the Law Department in order to provide funds for a temporary position due to personnel vacancies, as requested by BT#2775, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
From:	390005	1000	101000	Salaries, Full-time	\$3,200
To:	390005	1600	101000	Salaries, Temporary	\$3,200

At the request of Mrs. Wagstaff, Resolution No. 366 was held over under the rule.

RESOLUTION NO. 374

By Personnel Committee
Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF MENTAL HEALTH

RESOLVED, that in accordance with a request from the Department of Mental Health, as contained in PCR #91-376, this County Legislature hereby authorizes the

elimination of one full-time staff Psychologist, at budget line 470013.1000, minimum salary \$30,705, Grade 23, and the creation of one full-time Clinical Social Worker position at budget line 470013.1000, minimum salary \$27,588, Grade 21, effective October 7, 1991.

Mrs. Wagstaff moved, seconded by Mrs. Greenmun to amend the resolution to provide for a temporary Social Worker position from budget line 470013.1600 for the period October 7, 1991 through December 31, 1991. After some discussion, Mrs. Wagstaff requested that the amendment and Resolution No. 374 be held over under the rule.

RESOLUTION NO. 362

By County Administration, Economic Development and Planning and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AGREEMENT WITH ARC - ATLANTIC RESEARCH CORP, FOR CONTRACT OPERATOR SERVICES FOR THE DEPARTMENT OF COMPUTER SERVICES FOR 1991

WHEREAS, the Department of Computer Services requests authorization for an agreement with ARC - Atlantic Research Corp for contract operator services for the period October 1, 1991 through December 31, 1991, and

WHEREAS, said services are necessary to augment current staff in processing and allow more jobs to be run in a given time frame, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with ARC Atlantic Research Corp. 1110 Taylor Road, Owego, New York, 13827, for contract operator services for the period October 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4726.101000, (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.

RESOLUTION NO. 363

By County Administration, Economic Development and Planning and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AMENDMENT OF REAL PROPERTY LEASE AGREEMENT WITH COURT AND HENRY STREET DEVELOPMENT CORP. FOR THE OFFICE OF THE PUBLIC DEFENDERS FOR 1991 THROUGH 1996

WHEREAS, this County Legislature, by Resolution 22 of 1991, authorized an agreement with Court and Henry Street Development, Inc. for lease of premises at 227-229 State Street, Binghamton, New York, at a cost of \$ 8.50 per square feet, \$6,426.00 per month, for a five year period, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for renovation of 4,000 square feet of storage space for use by the Office of the County Clerk, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Court and Henry Street Development, Inc. to provide for the renovation of 4,000 square feet of storage space, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$24,203 for said renovations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300046.4422.102590, (Building and Land Rental) and be it

FURTHER RESOLVED, that Resolution 22 of 1991, 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.

RESOLUTION NO. 364

By Finance Committee

Seconded by Mrs. Wagstaff

RESOLUTION FIXING THE DATE, TIME AND PLACE OF PUBLIC HEARING BY THE BROOME COUNTY LEGISLATURE ON THE 1992 TENTATIVE BUDGET.

WHEREAS, the County Executive will present a tentative 1992 Budget to the members of the County Legislature, including a proposed budget, a capital program, and the budget message, now therefore, be it

RESOLVED, that a Public Hearing on the tentative Broome County Budget for 1992 will be held on October 30, 1991 at 7:30 p.m. in the Legislative Chambers, Sixth Floor, County Office Building, Government Plaza, Hawley Street, Binghamton, New York, and the Clerk of this County Legislature is hereby authorized to publish notice of said Public Hearing in the official newspaper of the County pursuant to the provisions of the Broome County Charter.

Carried.

RESOLUTION NO. 365

By Finance Committee

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF HEALTH, OFFICE FOR AGING, AND SHERIFF

RESOLVED, that in accordance with a request from the Health Department, in order to provide funds for expenses for Commissioner/Director candidates, salary for acting Commissioner and contractual expenses for education for Handicapped Childrens Program, as requested by BT# 2876, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480012	1000	101000	Salary, Full Time	\$22,000
TO:	480012	4465	101000	Non-Employee Hotel, Meals, Travel	12,000
	480228	1000	101000	Salary, Full Time	10,000
	480145	4745	101000	Ed. Handicapped Children	10,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Office of the Aging, in order to maximize state grant reimbursement, and transfer unused appropriations in the fringe lines to chargebacks, as requested by BT# 2251, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	760538	8010	102506	Retirement	\$925.56
	760538	8035	102506	Mandatory Medical	140.75
	760538	8040	102506	Workers Comp.	74.10
	760538	8050	102506	Life Insurance	.01
	760538	8060	102506	Health Insurance	50.72
TO:	760538	4614	102506	Other Chargebacks	1,891.14

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriffs Department, in order to provide funds for temporary, and overtime salaries, as requested by BT# 1824 and 1828, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	450023	1000	101000	Salary, Full Time	\$67,942
	450023	1000	101000	Salary, Full Time	21,240
TO:	450023	1600	101000	Salary, Temp.	19,871
	450023	1700	101000	Overtime	48,071
	450023	1700	101000	Overtime	21,240
	Carried.				

RESOLUTION NO. 367

By Finance Committee
 Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE HEALTH DEPARTMENT

RESOLVED, that in accordance with a request from the Health Department, in order to provide funds for Temporary Social Worker Position, as requested by BT#2891, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480061	1000	101000	Salary, FT	\$4,650
TO:	480061	1600	101000	Salary, Temp	\$4,650
	Carried.				

RESOLUTION NO. 368

By Finance and Personnel Committees
 Seconded by Mrs. Wagstaff

RESOLUTION REESTABLISHING THE POSITION OF TITLE SEARCHER IN THE REAL PROPERTY TAX SERVICE OFFICE

WHEREAS, during the 1991 budget deliberations, the position of Title Searcher in the Department of Real Property Tax Service was eliminated as of July 1, 1991 due to the expected computerization of the office, and

WHEREAS, said computerization has been completed, and

WHEREAS, the 1989 In Rem Foreclosure must be filed and searched, and

WHEREAS, there is not an adequate number of staff in the Department to complete this project in a timely fashion, and

WHEREAS, appropriations to fund this position are available from the budget of the Finance Department, and

RESOLVED, that the position of Title Searcher be reestablished in the Office of Real Property Tax Service from October 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in accordance with a request from the Real Property Tax Service Department this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	340000	1000	101000	Salaries Full-Time	\$5,200
TO:	630004	1600	101000	Salaries Temporary	5,200

and be it

FURTHER RESOLVED, that the County Executive and the Personnel Department are hereby authorized to execute any 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.

RESOLUTION NO. 369

By Health Services and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AGREEMENT WITH CONSTANCE G. ALEXANDER FOR SPEECH THERAPY SERVICES FOR THE WILLOW POINT NURSING HOME FOR 1991.

WHEREAS, Willow Point Nursing Home requests authorization for an agreement with Constance G. Alexander for speech therapy services for the period October 4, 1991 through December 31, 1991, and

WHEREAS, said agreement is necessary in that Medicare regulations require speech therapy be provided to Willow Point Nursing Home residents that require same, now therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Constance G. Alexander, 505 Magnolia Drive, Vestal, New York 13850 for speech therapy services for the period October 4, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$44 per hour, total cost not to exceed \$2,196 for the term of this agreement, and be it

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

RESOLUTION NO. 370

By Health Services and Finance Committees

Seconded by Mrs. Wagstaff

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH
FREDERICK JOHNSON, D.D.S., FOR DENTAL SUPERVISION AND
SCREENING SERVICES IN CONNECTION WITH THE BROOME
COUNTY HEALTH DEPARTMENT'S DENTAL SEALANT PROJECT FOR
1990 THROUGH 1992**

WHEREAS, this County Legislature, by Resolution 499 of 1990, authorized an agreement with Frederick Johnson, D.D.S., for dental supervision and screening services for the Dental Sealant Project for the period October 1, 1989 through September 30, 1990 at a cost not to exceed \$2,450, and

WHEREAS, said agreement expired by its terms on September 30, 1991 and it is desired at this time to renew said agreement on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of agreement with Frederick Johnson, D.D.S., Broome Community College Dental Hygiene Clinic, P.O. Box 1077, Binghamton, New York 13902, for dental supervision, direction and screening services in connection with the Broome County Department of Health's Dental Health Sealant Project for the period October 1, 1991 through September 30, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$245.00/month for dental supervision and screening services for ten (10) months, total cost not to exceed \$ 2,450.00, for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480210.4715.101000 (Other Health and Medical Services), and be it

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

Carried.

RESOLUTION NO. 371

By Health Services and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AGREEMENT WITH BINGHAMTON CITY SCHOOL DISTRICT FOR DAY CARE SERVICES THROUGH THE HEALTH DEPARTMENT FOR 1991 THROUGH 1992

WHEREAS, the Health Department requests authorization to enter into an agreement with the Binghamton City School District for day care services for the period October 3, 1991 through March 31, 1991, and

WHEREAS, the agreement will provide for the Health Department through "The Center" to render day care services for four Binghamton City School District teen parents who are enrolled in educational programs for the 1991 - 1992 school year, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Binghamton City School District for day care services for four Binghamton Central School District teen parents who are enrolled in educational programs for the 1991 - 1992 school year for the period October 3, 1991 through March 31, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the School District shall pay Broome County an amount not to exceed \$8,825 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 480251.0464.102572 (Other Local Governments), 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.

RESOLUTION NO. 372

By Health Services, Personnel and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING RENEWAL OF DENTAL SEALANT GRANT FOR THE HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992

WHEREAS, this County Legislature, by Resolution 373 of 1990, as amended, authorized and approved the participation by the Department of Health in the Dental Health Sealant Project for the period October 1, 1990 through September 30, 1991 and adopted a program budget in connection therewith in the total amount of \$ 39,004, and

WHEREAS, the Broome County Health Department and your sponsoring Committees recommend renewal of said program for the period of October 1, 1991 through September 30, 1992 with a program budget of \$39,004, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the grant agreement with the New York State Health Department for the operation of the Health Department Dental Health Sealant Project for the period October 1, 1991 through September 30, 1992, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$ 39,004 for the period October 1, 1991 through September 30, 1992, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said

budget transfers do not affect a personnel line.

Carried.

RESOLUTION NO. 373

By Health Services, Personnel and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY HEALTH DEPARTMENT'S INFANT HEALTH ASSESSMENT PROGRAM (IHAP) AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992.

WHEREAS, this County Legislature, by Resolution 421 of 1990, as amended by Resolution 263 of 1991, authorized and approved the operation of the Broome County Health Department's Infant Health Assessment Program (IHAP) for the period October 1, 1990 through September 30, 1991 and adopted a program budget in connection therewith in the total amount of \$25,230, and

WHEREAS, said program expired by its terms on September 30, 1991 and it is desired at this time to renew said program, with an increase in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continued operation of the Broome County Health Department's Infant Health Assessment Program (IHAP) and authorizes the acceptance of a grant from the State of New York in the amount of \$25,861 for the period October 1, 1991 through September 30, 1992, and be it

FURTHER RESOLVED, that the County Legislature hereby authorizes and approves the program budget attached hereto as Exhibit "A" in the total amount of \$25,861 for the period October 1, 1991 through September 30, 1992, and be it

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

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

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

Carried.

RESOLUTION NO. 375

By Public Safety and Emergency Services and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FEDERAL BUREAU OF INVESTIGATION FOR LEASE OF TOWER SPACE FOR EMERGENCY SERVICES COMMUNICATION SYSTEM FOR 1991 THROUGH 1992.

WHEREAS, this County Legislature, by Resolution 145 of 1991, authorized an agreement with the Federal Bureau of Investigation of the United States Department of Justice for the lease of the Tower facility at Hawkins Hill for the purpose of using it for the improvements to its communications system equipment and operations, for the period October 1, 1990 through September 30, 1991, providing revenue to the County of \$1,020.00 (\$85.00 per month for a 12 month term), and

WHEREAS, the agreement expired by its term on September 30, 1991 and it is desired to renew said lease agreement on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a renewal of the agreement with the Federal Bureau of Investigation of the United States Department of Justice, 445 Broadway, Albany, New York 12201 for the lease of the Hawkins Hill site number 66 Tower for the purpose of using it for the improvements to its communication system equipment and operation, and be it

FURTHER RESOLVED, that the term of this agreement shall be October 1, 1991 through September 30, 1992, and be it

FURTHER RESOLVED, that in consideration of said lease the United State Department of Justice shall pay the County \$85.00 per month for the term of this agreement, total revenue \$1,020.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 460089.0464.101000 (Other Local Governments), 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

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.

RESOLUTION NO. 376

By Public Works and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR STATE AID LOCAL BRIDGE PROGRAM FOR LOCAL BRIDGE PROJECTS FOR THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, this County Legislature by Resolutions No. 141 of 1990 and No. 94 of 1991, authorized an agreement with the New York State Department of Transportation for the Department of Public Works on behalf of the Town of Colesville, Windsor, Vestal and Broome County for the State Aid Local Bridge Program for improvements to bridges located at Dutchtown Road/Susquehanna; Main Street/Big Choconut Creek; Tuscarora Creek and Osborn Creek a/k/a Ballyhack Creek and further authorized Broome County to act as a conduit for the local municipalities share of state aid for improvement to local bridges, and

WHEREAS, it is necessary at this time to amend said agreement to indicate an increase of state funding of the costs involved for these projects, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the New York State Department of Transportation, 81 State Street, Binghamton, New York 13901 for the State Aid Local Bridge Program for improvements to bridges located at Dutchtown Road/Susquehanna; Main Street/Big Choconut Creek, Tuscarora Creek and Osborn Creek a/k/a Ballyhack Creek, and be it

FURTHER RESOLVED, that the agreement with the State of New York Department of Transportation shall contain the following provisions:

<u>Project</u>	Total Anticipated <u>share</u>	State <u>share</u>	Local <u>Letting</u>	
Dutchtown Rd Susquehanna	\$343,406.23	\$274,724.98	\$68,681.25	Dec. 1989
 Main Street Big Choconut Creek	 \$262,500 Dec. 1989	 \$210,000	 \$52,500	
 Tuscarora Creek	 \$311,250 Dec. 1990	 \$249,000	 \$62,250	
 Osborn Creek Project a/k/a Ballyhack Creek	 \$120,000 \$ 96,000 \$44,000			 Dec. 1990

FURTHER RESOLVED, that Resolutions No. 141 of 1990 and No. 44 of 1991, 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.

Carried.

The Regular Agenda was introduced at this time.

RESOLUTION NO. 377

By Finance Committee

Seconded by Mr. Malley

RESOLUTION AMENDING THE 1991 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 1991 Capital Improvement Program is hereby amended as follows:

FROM:

		Estimated Construction Cost			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
D-3	Bridge Reconstruction/ Rehabilitation- State Aid	\$400,000	\$310,000	\$0	\$90,000

How Financed

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1991	20	\$380,000	\$20,000

TO:

		Estimated Construction Cost			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
D-3	Bridge Reconstruction/ Rehabilitation- State Aid	\$435,000	\$345,000	\$0	\$90,000

How Financed

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1991	20	\$380,000	\$20,000

Carried by the following roll call: Ayes-16; Nays-1 (Mrs. Greenmun); Absent-2 (Augustini, Warner).

RESOLUTION NO. 378

By Finance Committee
Seconded by Mr. Pazzaglini

BOND RESOLUTION DATED OCTOBER 3, 1991.

A RESOLUTION AMENDING BOND AND CAPITAL NOTE RESOLUTION NO. 90-581, DATED DECEMBER 27, 1990, AUTHORIZING, AMONGST OTHER THINGS, THE ISSUANCE OF \$33,250,00 SERIAL BONDS AND \$875,000 CAPITAL NOTES OF THE COUNTY OF BROOME, NEW YORK, TO PAY PART OF THE COST OF THE CONSTRUCTION OF A PUBLIC SAFETY BUILDING

WHEREAS, by Resolution No. 90-581, dated December 27, 1990, the County Legislature of the County of Broome, New York, authorized the issuance of \$33,250,000 serial bonds and \$875,000 capital notes of said County to pay part of

the cost of the construction of a Public Safety Building; and

WHEREAS, such capital notes were authorized to assist in complying with the requirement for a five percent downpayment pursuant to Section 107.00 of the Local Finance Law; and

WHEREAS, Chapter 413 of the Laws of 1991, enacted into law by signature of the Governor on July 19, 1991, effectively repeals the requirement for a downpayment; and

WHEREAS, it is in the financial interest of the County to eliminate the capital notes authorized pursuant to Resolution No. 90-581 and it is now desired to so amend Resolution No. 90-581; now, therefore, be it

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

Section 1. The title and Section 2 of Resolution No. 90-581 are hereby amended to read as follows:

"A RESOLUTION AUTHORIZING THE ISSUANCE OF [54,295,350] \$55,170,350 SERIAL BONDS [AND \$875,000 CAPITAL NOTES] OF THE COUNTY OF BROOME, NEW YORK TO PAY ALL OR A PART OF THE COST OF VARIOUS CAPITAL PROJECTS.

Section 2. The aggregate maximum estimated cost of the aforesaid classes of objects or purposes or specific objects or purposes is \$57,153,000 and the plan for the financing thereof is by the issuance of [\$54,295,350] \$55,170,350 [and \$875,000 capital notes of said County,] serial bonds of said County, hereby authorized to be issued, by the use of \$1,982,650 available funds of the County appropriated therefor, all allocated as set forth below:

Project <u>Code</u>	<u>Project Name</u>	<u>Bonds</u>	Current <u>Funds</u>	[Capital <u>Notes]</u>
E-91	Improvements to the water distribution system at Broome Community College, being a specific object or purpose; forty years; subdivision 1	\$ 577,600	\$ 30,400	
E-103	Installation of heat boilers (Phase III) at Broome Community College, being a class of objects or purposes; ten years; subdivision 1	418,000	22,000	
E-112	Reconstruction of Broome Community College buildings primarily for asbestos remediation, being a specific object or purpose; ten years; subdivision 2	237,500	12,500	
E-201	Construction of a temporary classroom/service facility for	2,470,000	130,000	

	Broome Community College, being a specific object or purpose; fifteen years; subdivision 11			
F-401	Reconstruction of court offices, being a class of objects or purposes; five years; subdivision 12	190,000	10,000	
Z-22	Purchase of computer software, being a class of objects or purpose; five years; subdivision 32	199,500	10,500	
<u>Project</u> <u>Code</u>	<u>Project Name</u>	<u>Bonds</u>	<u>Current</u> <u>Funds</u>	<u>[Capital</u> <u>Notes]</u>
F-402	Construction and installation of a public safety facility for use as temporary quarters; being a specific object or purpose; five years; subdivision 11	2,470,000	130,000	
F-403	Construction of an outdoor jail recrea- tion area, being a specific object or purpose; 5 years; subdivision 35	270,750	14,250	
F-404	Construction of a public safety facility being a specific object or purpose; thirty years, subdivision 11(a)(1)	[33,250,000] <u>34,125,000</u>	875,000	[875,000]
Z-97	Purchase of computer	475,000	25,000	

	hardware and software for the Public Works- Facilities Department, being a class of objects or purposes; five years; subdivision 32		
F-172	Reconstruction of W. Broome office for Aging Building, being a specific object or pur- pose; five years, sub- division 12	180,500	9,500
F-405	Reconstruction of County Office Building, being a specific object or purpose; five years, sub- division 32	285,000	15,000
D-2	Reconstruction and re- habilitation of bridges; being a class of objects or purposes, twenty years; subdivision 10	717,250	37,750

<u>Project Code</u>	<u>Project Name</u>	<u>Bonds</u>	<u>Current Funds</u>	<u>[Capital Notes]</u>
D-3	Reconstruction and rehabilitation of bridges (state aid), being a class of objects or purposes; twenty years; subdivision 10	380,000	20,000	
G-24	Reconstruction of various County roads and highways, being a class of objects or purposes; fifteen years; subdivision 20	1,710,000	90,000	
G-30	Purchase of computer hardware and software for the Public Works-Highway Department, being a class of objects or purposes; five years; subdivision 32	190,000	10,000	
H-1	Purchase of various items of highway equipment, being a class of objects or purposes; fifteen years; subdivision 28	489,250	25,750	
H-2	Purchase of various items of construction equipment for use at the County landfill; being a class of objects or purposes; ten years; subdivision 28	1,520,000	80,000	
M-24	Improvements to Nanti-	6,935,000	365,000	

coke Landfill, being a
class of objects or
purposes; twenty-five
years; subdivision 6

M-101 Installation of above 1,330,000 70,000
ground leachate storage
cells, being of objects
or purposes; twenty-five
years; subdivision 6

Section 2. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money; or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with;

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 3. This resolution, which takes effect upon approval by the County Executive, shall be published in the Press & Sun Bulletin, the official newspaper of the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 4. In each and every other respect permanent Resolution No. 90-581 shall remain unchanged.

Deletions are denoted by [brackets]; additions are denoted by underscoring.

Carried by the following roll call: Ayes-16; Nays-1 (Greenmun); Absent-2 (Augustini, Warner).

RESOLUTION NO. 379

By Public Works, Environment and Finance Committees

Seconded by Mr. Lindsey

RESOLUTION AUTHORIZING AN AGREEMENT WITH HAWK ENGINEERING, P.C., FOR NANTICOKE LANDFILL CLOSURE CONSTRUCTION REVIEW SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1991 THROUGH 1993

WHEREAS, your sponsoring committee requests authorization for an agreement with Hawk Engineering, P.C. for Nanticoke Landfill Closure Construction Review Services for the period October 1, 1991 through December 31, 1993, and

WHEREAS, said agreement is necessary to provide engineering services for the closure of the Nanticoke Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Hawk Engineering, P.C. (mailing address) P.O. Box 427, Binghamton, New York 13902-0427 and with offices at RD#8, Box 284A Upper Front Street, Binghamton, New York 13901 for Nanticoke Landfill closure construction review services for the period October 1, 1991 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall

pay the contractor an amount not to exceed \$375,985 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4457.501200 (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.

Mr. Moppert moved, seconded by Mr. Pazzaglini to call the question. Carried.

The resolution as presented carried by the following roll call: Ayes-14 (Bielecki, Brown, Greenmun, Howard, Hudak, Lindsey, Malley, Moppert, Pazzaglini, Schofield, Seeley, Wagstaff, Yeager, Shafer); Nays-3 (Coffey, Kavulich, Pasquale); Absent-2 (Augustini, Warner).

RESOLUTION NO. 380

By Finance Committee

Seconded by Mr. Yeager

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DIVISION OF SOLID WASTE

WHEREAS, that in accordance with a request from the Division of Solid Waste, in order to provide funds to finance the principal portion of a Capital Note, as requested by BT#2574, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	
	<u>Amount</u>				
FROM:	230078	1000	206000	Salaries, FT	\$85,000
TO:	230110	6002	206000	Prin. on Capital Note	\$85,000

Carried by the following roll call: Ayes-16; Absent-3 (Augustini, Coffey, Warner).

Mr. Pasquale moved, seconded by Mr. Moppert to adjourn to the call of the Clerk at 5:08 p.m. Carried.