

speaking concerning the transfer of land for the Broome County Public Safety Facility. Permission to speak was granted by the following: Ayes-18, Nays-0, Absent-1 (Coffey). Mrs. Percik asked the legislature to consider studying this matter further. Mr. Schofield moved to call the question on the resolution, seconded by Mrs. Wagstaff. **Carried.** Ayes-17, Nays-1 (Malley), Absent-1 (Coffey).

The resolution **carried.** Ayes-14, Nays-3, (Brown, Hudak, Kavulich), Absent-1 (Coffey), Abstained-1 (Burger).

**Resolution No. 34** authorizing an amendment of an agreement with the Binghamton Area Girls Softball Association, Incorporated, for the lease and development of a softball complex. This resolution had been heldover under the rule at the prior session by Mr. Kavulich. The Chairman, Mr. Shafer scheduled a Special Session for 1/27/93 and included this resolution as a special item of business. Resolution **carried.** Ayes-17, Nays-1 (Kavulich), Absent-1 (Coffey).

Mr. Schofield moved, seconded by Mr. Lindsey to adjourn at 4:42 p.m. **Carried.**

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
February 18, 1993**

The Legislature convened at 4 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-18, Absent-1 (Hudak).

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.

Mr. Kavulich moved, seconded by Mr. Harbachuk that the minutes of the Regular Session of January 21, 1993 and Special

Session of January 27, 1993 be approved as prepared and as presented by the Clerk. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

Letters from the County Executive, Timothy M. Grippen:

1. Nominating 15 persons to membership on the Environmental Management Council.
2. Nominating J. Tait to membership on Planning and Economic Development Advisory Board. (Correction)
3. State of the County Message:
4. Veto Message from the County Executive dated Feb. 3, 1992.

The County Executive, Timothy Grippen presented the 1993 State of the County Message at this time and it is reproduced as follows:

LET ME BEGIN TODAY BY CONGRATULATING BOTH THE RETURNING MEMBERS AND THE NEW LEGISLATORS ON THE NEW SPIRIT OF COOPERATION YOU HAVE BROUGHT TO COUNTY GOVERNMENT.

LAST FALL, ALL OF US WERE CAMPAIGNING FOR OFFICE -- PUTTING OUR IDEAS AND OUR RECORDS IN FRONT OF THE ELECTORATE. ONE OF THE THINGS THAT STRUCK ME THE MOST WAS THE GENERAL FEELING AMONG OUR PEOPLE THAT GOVERNMENT -- AT ALL LEVELS -- HAD SOMEHOW FAILED US.

QUITE FRANKLY, THOSE OF US WHO HAVE BEEN HERE FOR THE PAST FEW YEARS ARE PROUD OF THE RECORD WE HAVE ACHIEVED -- NEW SERVICES SUCH AS THE EMERGENCY 911 SYSTEM AND THE NEW RECYCLING FACILITY WERE TOUTED BY ALL OF US LAST FALL.

WE ARE PROUD OF OUR EFFORTS TO ESTABLISH THE BROOME COUNTY COUNCIL OF GOVERNMENTS -- THE

FIRST AGENCY IN BROOME COUNTY'S HISTORY WHOSE SOLE PURPOSE IS TO FIND WAYS TO STREAMLINE AND REDUCE THE COST OF GOVERNMENT. WE SPEARHEADED THE MOVE FOR A COUNTYWIDE REASSESSMENT. WE CONSOLIDATED BRANCH LIBRARIES, WHILE INCREASING THE HOURS OF OPERATION AND REDUCING COSTS.

IN FACT, BROOME COUNTY HAS A TREMENDOUS RECORD OF ACCOMPLISHMENT. JUST LOOK AT OUR SUCCESSFUL PROGRAMS FOR THE ELDERLY AND FOR THE DISABLED AND YOUTH AT RISK. OUR STOP DWI AND OUR DRUG EDUCATION AND ENFORCEMENT EFFORTS ARE MODELS FOR THE STATE.

WE HAVE SET UP NEW MANAGED CARE PROGRAMS FOR MEDICAID PATIENTS, ESTABLISHED A NEW ENTREPRENEURIAL TRAINING PROGRAM FOR THE UNEMPLOYED, AND A NEW EMERGING BUSINESS PROGRAM FOR SMALL AND MINORITY BUSINESSES.

WE HAVE INSTALLED NEW ADVANCED COMPUTER SYSTEMS IN THE CLERK'S OFFICE, SHERIFF'S DEPARTMENT, WILLOW POINT NURSING HOME AND THE LIBRARY. MOST COUNTY DEPARTMENTS HAVE ALSO BEEN UPGRADED TO INCLUDE VOICE MAIL AND OFFICE VISION.

THE HEALTH DEPARTMENT'S HANDICAPPED CHILDREN'S PROGRAM, CASA AND MENTAL HEALTH DEPARTMENT ARE ALL LEADERS IN THE STATE OF NEW YORK. WE HAVE THE FIRST NATURAL GAS FUELED BUSES IN THE STATE AND PEOPLE RAVE ABOUT OUR PARKS AND SENIOR CENTERS.

PEOPLE ALWAYS SAY "WHY CAN'T YOU RUN GOVERNMENT LIKE A BUSINESS." MY ANSWER IS YOU CAN -- JUST TAKE A LOOK AT OUR ENTERPRISE FUNDS. A RECENT REPORT BY THE NEW YORK STATE HEALTH DEPARTMENT SHOWS THE COUNTY'S NURSING HOME TO BE AMONG THE MOST PRODUCTIVE IN THE STATE. WE

HAVEN'T RAISED TRANSIT FEES IN FOUR YEARS, OUR TIPPING FEE AT THE LANDFILL IS THE LOWEST IN THE REGION, AND OUR AIRPORT IS VIRTUALLY SELF SUFFICIENT.

OUR EMPLOYEES ARE AMONG THE MOST DEDICATED AND PRODUCTIVE BAR NONE. YOU RECENTLY HONORED ONE EMPLOYEE WHO SAVED THE COUNTY OVER \$300,000 IN ENERGY SAVINGS. ANOTHER EMPLOYEE IN TRANSIT RECOMMENDED WE RE-BID A PROJECT. WE DID AND IT SAVED US \$110,000. AN ENGINEER IN THE SOLID WASTE DIVISION RECOMMENDED WE COMBINE THE BIDS FOR THE CLOSURE OF THE OLD SECTION OF THE LANDFILL WITH THE CONSTRUCTION OF THE NEW SECTION AND WE SAVED OVER 5 MILLION DOLLARS. EMPLOYEES IN PUBLIC WORKS AND PURCHASING COLLABORATED ON NEW BIDS FOR ROAD MATERIALS WHICH SAVED US, AND THE TOWNS AND VILLAGES, HUNDREDS OF THOUSANDS OF DOLLARS.

WE HAVE DONE ALL THIS WITHOUT INCREASING THE SIZE OF GOVERNMENT. IN FACT, WE HAVE DECREASED IT. JUST TAKE A LOOK AT THE DEPARTMENT OF SOCIAL SERVICES, WHERE THE RATIO OF STAFF TO CLIENTS TODAY IS ONE TO EIGHTY -- IN 1988 IT WAS ONE TO FIFTY. IN BROOME COUNTY, WE DO MORE WITH LESS.

THERE IS A NEW SPIRIT OF COOPERATION HERE -- SYMBOLIZED BY THE CHAIRMAN'S NEW DESK ORNAMENT - - REPUBLICANS AND DEMOCRATS ALL PULLING IN THE SAME DIRECTION. I HAVE WORKED IN COUNTY GOVERNMENT FOR NINE YEARS -- UNDER ED CRAWFORD -- DON MCMANUS AND MY OWN FIRST TERM -- AND THIS YEAR APPEARS TO BE THE ONE THAT HOLDS THE MOST PROMISE FOR PROGRESS AND I CONGRATULATE EACH AND EVERYONE OF YOU FOR THAT.

WE ALL KNOW WE FACE A NUMBER OF CHALLENGES.

WE KNOW WHAT THE NATIONAL RECESSION AND

GLOBAL COMPETITION HAVE DONE TO OUR AREA'S ECONOMIC BASE -- WE HAVE LOST THOUSANDS OF JOBS -- HIGH PAYING, MANUFACTURING JOBS. OUR CHALLENGE IS TO FIND BETTER WAYS TO BRING IN NEW JOBS TO REPLACE THE ONES WE HAVE LOST.

WE NOW HAVE A NEW ECONOMIC DEVELOPMENT STRATEGY FOR BROOME COUNTY. THAT STRATEGY CALLS FOR US TO DO MORE FOR SMALL BUSINESSES AND INDUSTRY AND I PLAN TO MAKE THAT MY NUMBER ONE PRIORITY FOR THE COMING YEAR.

YOU HAVE ALL BEEN BRIEFED ON THE NEW ECONOMIC DEVELOPMENT ALLIANCE AND I THINK WE HAVE REACHED A CONSENSUS THAT WE NEED TO SUPPORT THAT INITIATIVE.

WE ALSO NEED TO RENEW OUR EFFORTS TO DEVELOP THE GARDEN PLOTS AND AIRPORT PROPERTIES.

WE NEED TO CONTINUE OUR GENEROUS SUPPORT FOR PARTNERSHIP 2000'S EFFORTS TO MAKE BROOME COUNTY A PREMIER LIVING AREA BY THE YEAR 2000.

THIS YEAR, WE NEED TO LOOK AT EVERYTHING WE DO -- AT ALL COUNTY OPERATIONS -- IN TERMS OF HOW WE CAN USE COUNTY GOVERNMENT TO PROMOTE THE ECONOMIC DEVELOPMENT OF OUR COUNTY AND THE WELL BEING OF OUR PEOPLE.

WE KNOW THE CHALLENGES. WE MUST REINVENT GOVERNMENT. WE ALL KNOW THE NUMBERS: BROOME COUNTY HAS 322 TAXING JURISDICTIONS, 25 MUNICIPALITIES AND 12 SCHOOL DISTRICTS. OUR CHALLENGE IS TO FIND BETTER, MORE EFFICIENT WAYS OF MANAGING OUR LIMITED PUBLIC RESOURCES.

WE LED THE WAY TOWARDS GOVERNMENT EFFICIENCY WITH OUR TASK FORCE ON SHARED SERVICES. WE HAVE ESTABLISHED THE BROOME COUNTY COUNCIL OF GOVERNMENTS AND THE LEGISLATURE'S INTER-

GOVERNMENTAL RELATIONS COMMITTEE.

NEXT MONTH, THE COUNCIL OF GOVERNMENTS WILL BE MEETING JOINTLY WITH THE INTERGOVERNMENTAL COMMITTEE TO PRIORITIZE THE RECOMMENDATIONS CONTAINED IN THE TASK FORCE ON SHARED SERVICES REPORT AND TO SET FORTH A PLAN OF ACTION.

WE ALSO NEED TO LOOK AT OUR INTERNAL ORGANIZATIONS AND I AM PROUD TO ANNOUNCE THAT WE HAVE HAD AN ONGOING INTERNAL STRATEGIC PLANNING INITIATIVE IN PLACE FOR SEVERAL YEARS. WE HAVE DEVELOPED A MISSION STATEMENT AND TEN BROADLY DEFINED GOALS AND OBJECTIVES UPON WHICH WE CAN MEASURE THE PRODUCTIVITY AND SUCCESS OF COUNTY GOVERNMENT.

THIS IS THE YEAR THAT WE WILL BEGIN THE PROCESS OF REINVENTING GOVERNMENT. THE INFRASTRUCTURE IS NOW IN PLACE.

WE KNOW THE CHALLENGES. WE MUST HAVE MANDATE RELIEF. AGAIN, WE ALL KNOW THE NUMBERS: COUNTY PROPERTY TAXES WENT UP 34.1 PERCENT OVER THE LAST FOUR YEARS. HOWEVER, WHEN YOU TAKE A LOOK UNDER THE HOOD, SO TO SPEAK, YOU WILL FIND THAT 97 PERCENT OF THAT INCREASE WAS NEEDED TO FUND THE INCREASED COSTS OF JUST SEVEN STATE AND FEDERAL MANDATES. OUR CHALLENGE IS TO REFORM THE CURRENT SYSTEM WHEREBY FEDERAL AND STATE GOVERNMENTS MANDATE PROGRAMS AND SERVICES WITHOUT PROVIDING FINANCIAL SUPPORT.

AT YOUR NEXT SESSION YOU WILL RECEIVE A RESOLUTION WHICH IS BEING SPONSORED IN EVERY COUNTY LEGISLATURE ACROSS THIS STATE. THE RESOLUTION CALLS UPON THE STATE LEGISLATURE TO ADOPT A STATE TAKEOVER PLAN THAT WILL RELIEVE COUNTY GOVERNMENTS OF THE FISCAL RESPONSIBILITY

FOR THE MEDICAID PROGRAM.

IN BROOME, MEDICAID SPENDING ALONE HAS GROWN AT AN AVERAGE RATE OF 12 PERCENT PER YEAR. WE PROJECT THAT BY THE YEAR 2000, MEDICAID WILL COST BROOME COUNTY TAXPAYERS \$38.5 MILLION DOLLARS. THAT IS WHY THE STATE TAKEOVER OF MEDICAID IS SO CRUCIAL TO COUNTY GOVERNMENTS. I DO HOPE YOU WILL SUPPORT THIS RESOLUTION AND HELP US LOBBY FOR THE MEDICAID TAKEOVER IN ALBANY.

WE HAVE ALSO APPLIED TO BE ONE OF THE THREE COUNTIES TO BE SELECTED FOR THE GOVERNOR'S RECENT INITIATIVE ON MANDATE REFORM. THIS INITIATIVE WILL MEASURE THE FISCAL IMPACT OF REDUCING MANDATES ON COUNTY GOVERNMENTS AND SHOULD LEAD TO REAL MANDATE REFORM.

THIS YEAR WE NEED THE STATE TAKEOVER OF MEDICAID AND A COMMITMENT FROM OUR STATE LEGISLATORS TO OVERALL MANDATE REFORM IN FUTURE YEARS.

BY REBUILDING OUR LOCAL ECONOMY, REORGANIZING OUR GOVERNMENTS AND REFORMING MANDATES WE WILL BE ABLE TO RESTORE THE PEOPLE'S CONFIDENCE IN COUNTY GOVERNMENT -- THIS IS OUR CHALLENGE.

THERE ARE OTHERS.

\*THIS YEAR WE WILL BEGIN CONSTRUCTION OF A NEW PUBLIC SAFETY FACILITY. NOW IS THE TIME TO CONSIDER HIRING A COMMISSIONER OF CORRECTIONS TO MANAGE IT.

\*LAST YEAR BINGHAMTON UNIVERSITY GRADUATE STUDENTS EVALUATED THE USE OF CORONERS VERSUS MEDICAL EXAMINERS. NOW IS THE TIME TO CONSIDER A REGIONAL MEDICAL EXAMINER SYSTEM.

\*THIS YEAR WE WILL UNDERTAKE AN EXHAUSTIVE

STUDY ON COMPOSTING ALTERNATIVES. NOW IS THE TIME TO LAUNCH A MAJOR EFFORT TO REDUCE THE AMOUNT OF TRASH WE PRODUCE.

\*LAST YEAR WE STARTED THE NEW 911 EMERGENCY SYSTEM. NOW IS THE TIME TO CONSIDER CENTRALIZING THE FIVE PUBLIC SAFETY ANSWERING POINTS INTO A CENTRALIZED DISPATCH CENTER AT THE NEW PUBLIC SAFETY FACILITY.

\*THIS BODY HAS NOT CHANGED THE SALES TAX DISTRIBUTION FORMULA SINCE 1974. NOW IS THE TIME FOR US TO CONSIDER REVISITING THE SALES TAX FORMULA.

\*LAST YEAR WE SET UP A COUNTYWIDE WASTE WATER PLANNING COMMITTEE. NOW IS THE TIME TO ADDRESS THIS COMMUNITY'S SEWAGE CAPACITY PROBLEMS.

\*THIS YEAR WE WILL BEGIN PLANNING FOR THE NEW COURT FACILITIES. NOW IS THE TIME TO DECIDE IF WE ARE GOING TO ESTABLISH A DISTRICT COURT SYSTEM.

\*LAST YEAR, THE SHERIFF RAISED SOME LEGITIMATE CONCERNS ABOUT THE LEVEL OF POLICE SERVICES PROVIDED BY HIS DEPARTMENT. NOW IS THE TIME TO DECIDE IF WE WANT A COUNTYWIDE POLICE DEPARTMENT OR A FEE-FOR-SERVICE ARRANGEMENT WITH PARTICIPATING TOWNS.

THESE ARE ALL TOUGH ISSUES AND LET'S FACE IT -- WE ARE NOT ALWAYS GOING TO AGREE. BUT LET US AGREE THAT THERE ARE HONEST DIFFERENCES OF OPINION AND LET US RESPECT EACH OTHER FOR THAT. AND LET US REMEMBER THAT WHAT DIVIDES US ON ONE ISSUE MAY UNITE US ON ANOTHER. LET US BE TRUE TO OURSELVES AND THE PEOPLE THAT PUT US HERE. LET US MAKE THIS LEGISLATIVE TERM THE MOST PRODUCTIVE IN COUNTY HISTORY.



THANK YOU. I LOOK FORWARD TO WORKING WITH ALL OF YOU.

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

COMMUNICATIONS:

- 1.Resolutions: Town of Colesville (Changing name of Town road); Sullivan County (Right of self-government with regard to tax levy participation in State mandated programs).
- 2.Minutes from: Emerging Business Assistance; Cornell Cooperative Extension; Ad Hoc Committee on Composting; Soil and Water Conservation District; Willow Point Nursing Facility; Ambulance Advisory Board.
- 3.Federal Department of Health and Human Services: Comments concerning Price Waterhouse audit of Broome County for 1991.
- 4.Small Claims Summons submitted by John Kunzman.
- 5.Broome Co. Historical Society - 1992 Annual Report
- 6.Discovery Center of the Southern Tier - 1991/1992 Report

C. NOTICES:

- 1.Quaker State Corporation's "Notice of Intention" to extend gas pipeline from Apalachin to a point north of Endicott.
- 2.Town of Dickinson v. County of Broome and Legislature (Public Safety Facility).
- 3.Roger F. and Agnes R. Kane vs. County of Broome and Department of Public Transportation.
- 4.CSEA-Notice of Conference-Improper Practice Charge.

REPORTS:

- 1.Monthly Reports: Department of Social Services (August and

September 1992).

2. 1992 Annual Reports: Cornell Cooperative Extension; County Historian; Soil and Water Conservation District; Ross Park Zoo.
3. Department of Audit and Control: Payroll audit of the Department of Parks and Recreation; Fixed Asset Inventory Audit of Department of Real Property; Revenue Audit of Board of Elections; Bank Transfer Testing.
4. Revised fourth 1992 quarterly report for sales tax collections from the Commissioner of Finance.
5. List of pending projects from the Commissioner of Public Works.

Mr. Lindsey moved, seconded by Mr. Pasquale to receive and file the above noted reports and to publish any pertinent portions thereof in the 1992 Journal of Proceedings. **Carried.**

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chairman, Arthur J. Shafer:

1. Appointing an Ad Hoc Committee for Public Safety Consolidation.
2. Appointing Merry Harris as Legislative At-Large Constituent Member and Steering Committee Member on the Broome County Council of Governments.
3. Appointing Wanda Hudak as voting representative for Wayne L. Howard, Public Works Committee, February 9, 1993.
4. Appointing Louis P. Augostini as voting representative for Kelly J. Wagstaff, Education, Culture and Recreation Committee, February 10, 1993.
5. Appointing the following as voting representatives:
  - a. Chris W. Burger for Wayne L. Howard and Louis P. Augostini as Acting Chairperson, Environment

Committee, February 9, 1993.

b. Roger V. Brown as Acting Chairperson for Daniel A. Schofield, February 10, 1993.

c. Roger V. Brown for Wayne L. Howard, Finance Committee, February 11, 1993.

6. Appointing Chris W. Burger as Chairman's representative on the Planning and Economic Development Advisory Board.

7. Appointing Wanda Hudak as Chairman's representative on the Nursing Home Board of Directors.

8. Appointing David L. Lindsey as voting representative for Daniel A. Schofield, Personnel Committee, February 11, 1993.

The following resolutions heldover from the previous regular session were again presented for consideration:

**RESOLUTION NO. 20A** by the County Administration, Economic Development & Planning and Finance Committees, seconded by Mr. Malley authorizing execution of agreement with the Broome County Chamber of Commerce - Convention and Visitor's Bureau for 1993 **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 22** by the County Administration, Economic Development & Planning Committee, seconded by Mrs. Hudak, the resolution of intent to exercise the right of self-government in the matter of effecting state legislated programs requiring local tax levy participation under the spirit of the law of home rule. **Carried.** Ayes-16, Nays-2 (Coffey, Harris), Absent-1 (Hudak).

**RESOLUTION NO. 33** by the Environment and Finance Committees, seconded by Mr. Warner, authorizing agreement with Binghamton/Johnson City joint sewage treatment board for acceptance of composted sewage sludge at the Nanticoke Sanitary Landfill for 1992 through 1996. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 35** by the Finance Committee, seconded by Mr. Warner, authorizing the sale of the former Chenango Bridge Nursing Home to William R. Maines and David J. Maines. Mr. Augostini moved, seconded by Mr. Pasquale to amend the resolution to add a new further resolved paragraph as follows:

FURTHER RESOLVED, that said sale is contingent upon the following:

1. That a part of the purchase price, William R. Maines and David J. Maines agree to personally defend and indemnify Broome County on all environmental legal claims that may be made subsequent to the date of sale against the County of Broome arising out of the ownership, use or occupation of said property by the County of Broome during its entire history of said ownership, occupation and use.

2. That said sale shall be further contingent upon the acceptance by William R. Maines and David J. Maines of a quit claim deed to said property with no warranties or guarantees. Amendment **carried**. Resolution as amended **carried** by the following. Ayes-16, Nays-2 (Pasquale, Whalen), Absent-1 (Hudak).

**RESOLUTION NO. 37A** by the Education, Culture & Recreation and Finance Committees, Mr. Augostini moved, seconded by Mr. Pasquale to amend the resolution to reflect participation by the City of Binghamton. The resolution at the request of the Commissioner of Finance was reviewed by the County's Bond Counsel and the following substitute resolution is presented in its entirety:

BOND RESOLUTION DATED FEBRUARY 18, 1993.

A RESOLUTION AUTHORIZING THE PREPARATION OF PRELIMINARY PLANS IN CONNECTION WITH A PROPOSED NEW CENTRAL LIBRARY SITE FOR THE COUNTY OF BROOME, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$330,000, AND AUTHORIZING THE ISSUANCE OF \$280,000

SERIAL BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF.

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

SECTION 1. The specific object or purpose to be financed pursuant to this resolution is the preparation of preliminary plans, including architectural/engineering support, in connection with a proposed new central library site for the County of Broome, New York, identified as 1993 Capital Project Code L-31, which is hereby authorized at a maximum estimated cost of \$330,000.

SECTION 2. The plan for the financing of such maximum estimated cost is as follows:

a) By the issuance of \$280,000 serial bonds of said County, hereby authorized to be issued therefor pursuant to the Local Finance Law; and

b) By the application of \$50,000 available funds of the Library Board of Trustees;

provided, however, that the amount of serial bonds ultimately to be issued shall be reduced by any funds received from the City of Binghamton, which is currently estimated at \$76,800.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 62(a) of paragraph a of Section 11.00 of the Local Finance Law.

SECTION 4. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation

notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

SECTION 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

SECTION 7. 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 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.103-18(f). Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or

purpose described herein.

SECTION 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in 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. Amendment **carried**. Resolution as amended **carried** by the following: Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 40** by the Environment and Finance Committees, seconded by Mr. Warner, authorizing agreement with Binghamton/Johnson City Joint Sewage Treatment Board for acceptance and treatment of leachate originating from Broome County landfill for 1992. **Carried**. Ayes-18, Nays-0, Absent-1 (Hudak).

The preferred agenda was presented at this time, seconded by Mr. Warner, but for the sake of clarity, all resolutions are presented in numerical order.

**RESOLUTION NO. 41**

by Environment Committee

Seconded by Mr. Warner

**RESOLUTION IN SUPPORT OF "SLASH YOUR TRASH" CAMPAIGN.**

WHEREAS, the New York State 1988 Solid Waste Management Act mandates that source reduction be the number one solid waste management practice, and

WHEREAS, source reduction including prevention, conservation and reuse is the most economical and most environmentally sound solid waste management approach, and

WHEREAS, Broome County's Solid Waste Management Plan (SWMP) clearly specifies comprehensive waste reduction is to include recycling, composting and source reduction, and

WHEREAS, Earth Day Southern Tier's Model Community Project

promotes county-wide source reduction with its Slash Your Trash campaign for private residents, businesses, and institutions, and

WHEREAS, source reduction requires extensive promotion, long-term education, the creation of models to convince the public to make changes in existing lifestyles, now, therefore, be it

RESOLVED, that this County Legislature and Broome County Executive Timothy Grippen endorse the Slash Your Trash campaign and support the activities promoted by the Model Community Project and the co-sponsoring groups to achieve the Slash Your Trash campaign goals, and be it

FURTHER RESOLVED, that this County Legislature and the Broome County Executive agree to take an active leadership role in the multi-organization task force including the provision of staff support as needed, support the public source reduction education program, and to make the County offices a source reduction model for the community, and the general empowerment clause. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 42**

by Health and Human Services Committee

Seconded by Mr. Warner

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE HEALTH ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article 7, Section 703 of the Broome County Charter and Article 7 of the Broome County Administrative Code, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Health Advisory Board for a term of four (4) years:

Term Expires

Margaret Manley, R.N.

December 31, 1996



87 Oak Street  
Binghamton, NY 13905

Allen Alt, M.D.  
69 Seminary Avenue  
Binghamton, NY 13905

December 31, 1996

Carol Weissmann  
Welton Street  
Harpursville, NY 13787

December 31, 1996

F. Keith Kennedy, M.D.  
51 Kenilworth Road  
Binghamton, NY 13903

December 31, 1996

and

WHEREAS, it is desired at this point in time in accordance with the provisions of Article 7, Section 703 of the Broome County Charter and Article 7 of the Broome County Administrative Code, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article 7, Section 703 of the Broome County Charter and Article 7 of the Broome County Administrative Code, does hereby confirm the appointments of the above named individuals to membership on the Health Advisory Board in accordance with their appointment by the County Executive. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 43**

by Environment Committee  
Seconded by Mr. Warner

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FOREST PRACTICE ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive,

pursuant to the powers vested in him by Section 9-0705 of the Environmental Conservation Law, has duly designated and appointed, pending confirmation by this Legislature, the following named individual to membership on the Broome County Forest Practice Advisory Board for a term of three (3) years:

Term Expires

Gary R. Coles  
P.O. Box 274, Rt. 26  
Whitney Point, NY 13862

December 31, 1995

and

WHEREAS, it is desired at this point in time in accordance with the provisions of Section 9-0705 of the Environmental Conservation Law, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Section 9-0705 of the Environmental Conservation Law, does hereby confirm the appointment of the above named individual to membership on the Broome County Forest Practice Advisory Board in accordance with his appointment by the County Executive. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 44**

by County Administration, Economic Development and Planning Committee

Seconded by Mrs. Coffey

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE PLANNING AND ECONOMIC DEVELOPMENT ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article XV of the Broome County Charter, February 25, 1969, and Local Law Intro. No. 5, 1986, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Planning and Economic Development Advisory Board for a term of

four (4) years:

Term Expires

Jeffrey Tait 3641 Leonard Drive Endwell, NY 13760	December 31, 1996	Reappointment Voting member
John Kowalchuk Reappointment Director Div. Solid Waste	December 31, 1996	Non-Voting Ex Officio Member
Dave Donoghue Reappointment Comm. Dept. Public Works	December 31, 1996	Non-Voting Ex Officio Member
Jerry Knebel Commissioner of Finance	December 31, 1996	Reappointment Non-Voting Ex Officio Member

and

WHEREAS, it is desired at this point in time in accordance with the provisions of Article XV of the Broome County Charter, February 25, 1969 and Local Law, Intro. No. 5, 1986, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XV of the Broome County Charter, February 25, 1969 and Local Law, Intro. No. 5, 1986, does hereby confirm the appointments of the above named individuals to membership on the Planning and Economic Development Advisory Board in accordance with their appointment by the County Executive. **Heldover** by Mrs. Coffey.

**RESOLUTION NO. 45**  
 by Transportation Committee

Seconded by Mr. Warner

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE AIRPORT ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Broome County Resolution No. 195, dated April 21, 1987, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Airport Advisory Board for a term of three (3) years:

Term Expires

James Brooker  
33 Ritchie Road  
Binghamton, NY 13901  
December 31, 1995

Carl Wenzinger, Jr.  
Bunn Hill Road  
Vestal, NY 13850  
December 31, 1995

John Richardson  
1130 Arnold Drive  
Endicott, NY 13760  
December 31, 1995

Ronald Budacz  
2625 Pine Bluff Dr.  
Vestal, NY 13850  
December 31, 1995

and

WHEREAS, it is desired at this point in time in accordance with the provisions of Broome County Resolution No. 195, dated April 21, 1987, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Broome County Resolution No. 195, dated April 21, 1987, does hereby confirm the appointments of the above named individuals to membership on the Airport Advisory Board in accordance with their appointment by the County Executive. **Carried.** Ayes-18, Nays-0,

Absent-1 (Hudak).

**RESOLUTION NO. 46**

by County Administration, Economic Development and Planning Committee

Seconded by Mr. Warner

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE EMERGING BUSINESS ASSISTANCE ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Broome County Resolution No. 454, adopted December 6, 1983, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Emerging Business Assistance Advisory Board for a term of three (3) years:

Term Expires

George R. Stephens Old Newark Valley Road Endicott, NY 13760 (to fill an unexpired term)	December 31, 1994
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John Chestnut 75 Wisconsin Drive Binghamton, NY 13901	December 31, 1995
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and

WHEREAS, it is desired at this point in time in accordance with the provisions of Broome County Resolution No. 454, adopted December 6, 1983, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Broome County Resolution No. 454, adopted December 6, 1983, does hereby confirm the appointments of the above named individuals to membership on the Emerging Business Assistance Advisory Board in accordance with their appointment by the County Executive. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 47**

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING REVISION OF THE OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT ADMINISTRATION TITLE IIA 78% PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature by Resolution 257 of 1992, authorized and approved through the Office of Employment and Training the Administrative 78% Program, the 8% Education Grant Program, the 6% Program, and 3% Program for the period July 1, 1992 through June 30, 1993, and

WHEREAS, it is necessary at this time to increase appropriations in the JTPA Title IIA 78% Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Job Training Partnership Act Title IIA 78% Program for the period July 1, 1992 through June 30, 1993, in the total amount of \$1,261,461.00, 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 \$1,261,461.00, for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that Resolution 257 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Executive or his duly

authorized representative is hereby authorized to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto, provided that said budget transfers do not affect a personnel line. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 48**

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

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING REVISION OF OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT TITLE III PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 259 of 1992, authorized the continued participation by the Office of Employment and Training in the Job Training Partnership Act Title III Program for July 1, 1992 through June 30, 1993, adopted a program budget in connection therewith in the total amount of \$351,705.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Job Training Partnership Act Title III Program for the period July 1, 1992 through June 30, 1993, in the total amount of \$462,100.00, 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 \$462,100.00 for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that Resolution 259 of 1992, to the



extent consistent herewith, and shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto, provided that said budget transfers do not affect a personnel line. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 49**

by Education, Culture and Recreation and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING CANCELLATION OF UNCOLLECTIBLE BROOME COUNTY VETERAN'S MEMORIAL ARENA BAD CHECK ACCOUNTS FROM 1988 THROUGH 1990.**

WHEREAS, the Commissioner of Parks and Recreation has advised that for the calendar years 1988, 1989 and 1990, certain amounts owed to the Arena currently remain unpaid and uncollected, and

WHEREAS, repeated efforts have been made to collect these accounts by Broome County Security but have been unsuccessful, either because the individuals cannot be located or the cost involved to bring suit would exceed the potential recovery, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation and charge off of the uncollectible Arena bad check accounts as follows:

<u>Year</u>	<u>Amount</u>
1988	\$260.00
1989	81.00
1990	<u>266.50</u>
Total	\$607.50

and be it

FURTHER RESOLVED, that the Commissioner of Finance and the Comptroller are hereby authorized to make the necessary accounting entries to implement the intent and purpose of this Resolution. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 50**

by Environment and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING THE SIGNING OF THE STATE ASSISTANCE CONTRACT FOR THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW (ECL), ARTICLE 54, TITLE 5, NON-HAZARDOUS LANDFILL CLOSURE PROGRAM UNDER THE APPROPRIATE LAWS OF THE STATE OF NEW YORK.**

WHEREAS, the State of New York provides funding for non-hazardous landfill closure projects, and

WHEREAS, the County of Broome (municipality) has examined and duly considered the applicable laws of the State of New York and has determined that it is in the best interests of the municipality that a contract by and between the people of the State of New York and the municipality be executed for State assistance, now, therefore, be it

RESOLVED, that Timothy M. Grippen, Broome County Executive, is hereby directed and authorized to be the official representative of the municipality to sign a State assistance contract for the Title 5 Non-Hazardous Landfill Closure Program, and be it

FURTHER RESOLVED, that the municipality agrees to carry out its obligations and to fund its portion of the cost of the Non-Hazardous Landfill Closure Program, and be it

FURTHER RESOLVED, that five certified copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York, 12233-4010, together with five originally signed contracts, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately, 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 (Hudak).

**RESOLUTION NO. 51**

by Personnel and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THRIFT DRUG COMPANY, D/B/A EXPRESS PHARMACY SERVICES FOR MAIL ORDER PRESCRIPTION SERVICES FOR MAINTENANCE MEDICATIONS FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 545 of 1991, authorized an agreement with Thrift Drug Company d/b/a Express Pharmacy services for mail order prescription services at no cost to the County, and

WHEREAS, said services are necessary to continue to provide services pursuant to labor agreements with County employees, and

WHEREAS, said agreement expires by its terms on January 31, 1993, and it is desired at this time to renew said agreement for the period February 1, 1993 through January 31, 1994, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Express Pharmacy Services, a Thrift Drug Company, for mail order prescription services for the period February 1, 1993 through January 31, 1994, and be it

FURTHER RESOLVED, that said services shall be at no cost to the County, 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 (Hudak).

**RESOLUTION NO. 52**

by Finance Committee

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CORPORATE CARE MANAGEMENT FOR CASE MANAGEMENT MONITORING OF BROOME COUNTY WORKERS' COMPENSATION PROGRAM FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution No. 88 of 1992, authorized an agreement with Corporate Care Management for case management of the County's Workers' Compensation claims at a cost of \$.76 per month per plan participant for a total payment not to exceed \$54,583.20 for the term March 1, 1992 through February 28, 1993, and

WHEREAS, said agreement expires by its terms on February 28, 1993, and it is desired at this time to renew said agreement for 1993 through 1994, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Corporate Care Management, 70 Corporate Drive, Binghamton, New York 13904, for case management,

monitoring of the Workers' Compensation Program, including identification of cases amenable to case management, monitoring costs of services and rehabilitation, therapists and vocational counselors, and submission of written progress reports filed on a monthly basis with the recommendations to achieve rehabilitation goals, for the period March 1, 1993 through February 28, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$.84 per month per plan participant, total cost not to exceed \$50,793.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050013.4747.602000 (Other Fees For Services), and be it

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

**RESOLUTION NO. 53**

by Health and Human Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF YOUTH DEVELOPMENT/ DELINQUENCY PREVENTION GRANT FOR THE YOUTH BUREAU FOR 1993.**

WHEREAS, this County Legislature, by Resolution 1 of 1992, authorized and approved the Youth Development/Delinquency Prevention Grant for the Youth Bureau and adopted a program budget in the amount of \$2,508.00 for 1992, and

WHEREAS, said grant program provides funds for Youth Bureau Administration and Youth Service Programs, and

WHEREAS, it is desired to renew said grant program for 1993 in the amount of \$2,604.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,604.00 from the New York State Division For Youth for the period January 1, 1993 through December 31, 1993, 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 \$2,604.00 for the period January 1, 1993 through December 31, 1993, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 54**

by Health and Human Services and Finance Committees  
Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES MARYWOOD MASTERS OF SOCIAL WORK GRANT PROJECT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992-1993.**

WHEREAS, this County Legislature, by Resolution 383 of 1991, authorized and approved the grant agreement with the New York State Department of Social Services for the Masters of Social Work Project

whereby promising caseworkers were selected for enrollment in Marywood College of Social Work, Masters of Social Work Program, and adopted a program budget in the amount of \$72,450.00 in connection therewith for the period July 1, 1991 through June 30, 1992, and

WHEREAS, the program offers specialized training in children and youth services focusing on adoption, foster care and permanency planning, and

WHEREAS, it is desired at this time to renew said program for the period July 1, 1992 through June 30, 1993, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continued operation of the Broome County Department of Social Services Marywood College Masters of Social Work Project for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes receipt of grant funds attached herein as Exhibit "A" and approves and adopts program budget in the amount of \$83,021.00, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 55**

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

**RESOLUTION AUTHORIZING REVISION OF THE  
MEDICAID MANAGED CARE (MAX) PROJECT FOR THE  
DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A  
REVISED PROGRAM BUDGET IN CONNECTION  
THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 115 of 1992, authorized the continued participation by the Department of Social Services in the Medicaid Managed Care (MAX) Project for the period April 1, 1992 through March 31, 1993, and adopted a program budget in connection therewith in the total amount of \$149,697.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Medicaid Managed Care (MAX) Grant Program for the period April 1, 1992 through November 30, 1993, 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 \$171,802.00 for the period April 1, 1992 through November 30, 1993, and be it

FURTHER RESOLVED, that Resolution 115 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly



authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 56**

by Health and Human Services, Education, Culture & Recreation & Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION FOR L.I.F.E. PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1993.**

WHEREAS, this County Legislature, by Resolution 3 of 1992, authorized an agreement with Cornell Cooperative Extension for a program which provides parent education and training to high needs families and focuses on teaching and building skills and includes child care and transportation for calendar year 1993 at a cost not to exceed \$16,600.00, and

WHEREAS, said agreement expired by its terms on December 31, 1992, and it is desired at this time to renew said agreement for calendar year 1993 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Cornell Cooperative Extension, 840 Front Street, Binghamton, New York, 13905, for the L.I.F.E. Program for the Department of Social Services for the period January 1, 1993 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 \$18,637.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4747.103000 (Other Fees For Services), and be it

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

**RESOLUTION NO. 57**

by Health and Human Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC SOCIAL SERVICES OF BROOME COUNTY, INC. FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES ADOLESCENT PREVENTIVE SERVICES FOR 1993.**

WHEREAS, this County Legislature, by Resolution 4 of 1992, authorized an agreement with Catholic Social Services of Broome County, Inc. for intensive counseling in connection with the Department of Social Services Adolescent Preventive Services at a cost not to exceed \$219,751.00 for calendar year 1992, and

WHEREAS, said agreement expired by its terms on December 31, 1992, and it is desired at this time to renew said agreement for calendar year 1993 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Catholic Social Services of Broome County, Inc., 232 Main Street, Binghamton, New York, 13905, for counseling services in connection with the Department of Social Services Adolescent Preventive Services for the period January 1, 1993 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 \$247,362.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

**RESOLUTION NO. 58**

by Health and Human Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CHILDREN'S HOME OF WYOMING CONFERENCE FOR NON-SECURE DETENTION FOR 1993.**

WHEREAS, this County Legislature, by Resolution 2 of 1992, authorized an agreement with the Children's Home of Wyoming Conference for non-secure detention at Haskins for court ordered persons in need of supervision and juvenile delinquents at a cost not to exceed \$327,768.00 for calendar year 1992, and

WHEREAS, said agreement expires by its terms on December 31, 1992, and it is desired at this time to renew said agreement for calendar year 1993 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York, 13901 for non-secure detention at Haskins for court ordered persons in need of supervision and juvenile delinquents for the period January 1, 1993 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 \$327,768.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670117.4581.103000 (Foster Care NS DET [Haskins]), 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 (Hudak).

**RESOLUTION NO. 59**

by Health and Human Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CHILDREN'S HOME OF WYOMING CONFERENCE FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES THERAPEUTIC AFTER-SCHOOL PROGRAM FOR 1993.**

WHEREAS, this County Legislature, by Resolution 6 of 1992, authorized an agreement with the Children's Home of Wyoming Conference for counseling services in connection with the Department of Social Services Therapeutic After-School Program at a cost not to exceed \$236,924.00 for calendar year 1992, and

WHEREAS, said agreement expires by its terms on December 31, 1992, and it is desired at this time to renew said agreement for calendar year 1993 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York, 13901, for intensive counseling services in connection with the Department of Social Services Therapeutic After-School Program for persons in need of supervision for the period January 1, 1993 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 \$329,169.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 60**

by Health and Human Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES SEXUAL ABUSE PROJECT FOR 1993.**

WHEREAS, this County Legislature, by Resolution 7 of 1992, authorized an agreement with The Family and Children's Society of Broome County, Inc. for services in connection with the Department of Social Services Sexual Abuse Project at a cost not to exceed \$227,638.00 for calendar year 1992, and

WHEREAS, said agreement expired by its terms on December 31, 1992, and it is desired at this time to renew said agreement for calendar year 1993 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with The Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York, 13905, for assessment and treatment, counseling services to families and children in connection with the Department of Social Services Sexual Abuse Project for the period January 1, 1993 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 \$302,268.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

**RESOLUTION NO. 61**

by Health and Human Services and Finance Committees  
Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES CHILD ABUSE AND NEGLECT PROJECT FOR 1993.**

WHEREAS, this County Legislature, by Resolution 9 of 1992, authorized an agreement with The Family and Children's Society of Broome County, Inc., for prevention and treatment services in connection with the Department of Social Services Child Abuse and Neglect Project at a cost not to exceed \$236,668.00 for calendar year 1992, and

WHEREAS, said agreement expires by its terms on December 31, 1992, and it is desired at this time to renew said agreement for calendar year 1993 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with The Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York, 13905, for intensive counseling and parent aid services to high risk cases in connection with the Department of Social Services Child Abuse and Neglect Project for the period January 1, 1993 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 \$275,336.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4564.103000 (Child Abuse/Neglect Prevention), 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 (Hudak).

**RESOLUTION NO. 62**

by Health and Human Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR HOMEMAKER AND PARENT AIDE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1993.**

WHEREAS, this County Legislature, by Resolution 8 of 1992, as amended by Resolution 437 of 1992, authorized an agreement with The Family and Children's Society of Broome, Inc. for homemaker and parent aide services for the Department of Social Services at a cost not to exceed \$303,875.00 for the period January 1, 1992 through December 31, 1992, and

WHEREAS, said agreement expired by its terms on December 31, 1992, and it is desired at this time to renew said agreement for calendar year 1993 on substantially similar terms and conditions, with a decrease in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with The Family and Children's Society of Broome County, Inc., for homemaker and parent aide services for the Department of Social Services for the period January 1, 1993 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 \$289,895.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

**RESOLUTION NO. 63**

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

Seconded by Mrs. Coffey

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 3, 1993, ENTITLED: "A LOCAL LAW AMENDING LOCAL LAW NO. 15, 1991, LOCAL LAW NO. 5, 1983, LOCAL LAW NO. 1, 1984, LOCAL LAW NO. 4, 1987, LOCAL LAW NO. 1, 1989, LOCAL LAW NO. 10, 1989, LOCAL LAW NO. 14, 1989, AND LOCAL LAW INTRO NO. 20, 1990, BROOME COUNTY SANITARY CODE."**

RESOLVED, that Local Law Intro. No. 3, 1993, entitled: "A Local Law Amending Local Law No. 15, 1991, Local Law No. 5, 1983, Local Law No. 1, 1984, Local Law No. 4, 1987, Local Law No. 1, 1989, Local Law No. 10, 1989, Local Law No. 14, 1989, and Local Law Intro No. 20, 1990, Broome County Sanitary Code," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the New York State Municipal Home Rule Law, and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 3, 1993**

A LOCAL LAW AMENDING LOCAL LAW NO. 15, 1991, LOCAL LAW NO. 5, 1983, LOCAL LAW NO. 1, 1984, LOCAL LAW NO. 4, 1987, LOCAL LAW NO. 1, 1989, LOCAL LAW NO. 10, 1989, LOCAL LAW NO. 14, 1989, AND LOCAL LAW INTRO NO. 20, 1990, BROOME COUNTY SANITARY CODE.

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

SECTION 1. Local Law No. 2, 1969, Local Law No. 5, 1983, Local Law No. 1, 1984, Local Law No. 4, 1987, Local Law No. 1, 1989, Local Law No. 10, 1989, Local Law No. 14, 1989, and Local Law No. 4, 1991, is hereby amended to read as follows:

4. For a Mobile Home Park

[For a mobile home park the annual fee shall be a \$200.00 base fee up to 20 lots. For parks greater than 20 lots, the fee shall be \$200.00 plus \$14.00 per lot.]

The annual operating permit fee shall be an annual base charge plus an annual charge for parks and private water supplies or private sewage systems. Facilities who are issued two-year permits pay 1/2 of the annual fee per year.

<u>FACILITY SIZE</u>	<u>BASE CHARGE</u>	<u>PRIVATE</u>	<u>WATER</u>
<u>PRIVATE SEWAGE</u>			
<u>1 - 20 Sites</u>	<u>\$180</u>	<u>0</u>	<u>0</u>
<u>21 - 40 Sites</u>	<u>\$240</u>	<u>0</u>	<u>0</u>
<u>41 - 75 Sites</u>	<u>\$700</u>	<u>\$ 50</u>	<u>\$ 50</u>
<u>76 + Sites</u>	<u>\$900</u>	<u>\$100</u>	<u>\$100</u>

SECTION 2. Except as hereinabove amended, Local Law Intro.

No. 15, 1991, Local Law No. 5, 1983, Local Law No. 1, 1984, Local Law No. 4, 1987, Local Law No. 1, 1989, Local Law No. 10, 1989, Local Law No. 14, 1989, and Local Law Intro No. 20, 1990, shall remain in full force and effect.

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

Note: Material in brackets [] is deleted.

Material in underlining is added.

Mr. Pazzaglini moved, seconded by Mr. Pasquale to add the following paragraph to item #4. Two year permits will be issued to facilities which have had no violations of 19 NYCRR Part 5 (Drinking Water Supplies or private sewage systems. Facilities who are issued two-year permits pay 1/2 of the annual fee per year.

**Amendment carried.** Resolution as amended **carried** by the following: Ayes-18,  
Nays-0, Absent-1 (Hudak).

#### **RESOLUTION NO. 64**

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

Seconded by Mr. Warner

#### **RESOLUTION CONFIRMING THE APPOINTMENT OF THE HON. MERRY HARRIS AS LEGISLATIVE AT-LARGE CONSTITUENT MEMBER AND STEERING COMMITTEE MEMBER ON THE BROOME COUNTY COUNCIL OF GOVERNMENTS**

WHEREAS, Arthur J. Shafer, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Resolution No. 28, adopted February 6, 1992, has duly designated and appointed, pending confirmation by this Legislature, The Hon. Merry Harris as Legislative At-Large Constituent Member and Steering Committee Member on the Broome County Council of Governments, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 28 adopted on February 6, 1992, to confirm The Hon. Merry Harris, 12 Cornell Avenue, Binghamton, New York 13903, as Legislative At-Large Constituent Member and Steering Committee Member on the Broome County Council of Governments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 28, adopted February 6, 1992, does hereby confirm The Hon. Merry Harris as Legislative At-Large Constituent Member and Steering Committee Member on the Broome County Council of Governments in accordance with her appointment by the Chairman of the Broome County Legislature. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 65**

by Health and Human Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BINGHAMTON CITY SCHOOL DISTRICT FOR DAY CARE SERVICES THROUGH THE HEALTH DEPARTMENT ADOLESCENT COMMUNITY SERVICES PROJECT AT "THE CENTER" FOR 1993.**

WHEREAS, this County Legislature, by Resolution 92 of 1992, authorized an agreement with the Binghamton City School District for day care services to be provided by the Health Department Adolescent Community Services Project at "The Center" for the period April 1, 1992 through June 30, 1992, and

WHEREAS, the agreement provides for the Health Department, through "The Center", to render day care services for four Binghamton City School District teen parents who are enrolled in education programs for the 1992-1993 school year, and

WHEREAS, said agreement expires by its terms on June 30, 1992, and it is desired at this time to renew said agreement for the period November 16, 1992 through June 30, 1993 on substantially similar

terms and conditions, with a decrease in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Binghamton City School District for day care services for Binghamton City School District teen parents who are enrolled in educational programs for the 1992-1993 school year, for the period November 16, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the Binghamton City School District shall pay Broome County, an amount not to exceed \$4,453.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 480251.0464.102666 (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.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 66**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL FORFEITURE PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.**

WHEREAS, the District Attorney for the County of Broome requests authorization to accept a Federal Forfeiture Program Grant in the amount of \$24,459.19 for the period January 1, 1993 through December 31, 1993, and

WHEREAS, said grant program provides for money seized in connection with forfeiture proceedings to be utilized for law enforcement purposes, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$24,459.19 from the United States Treasury Federal Forfeiture Program for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$24,459.19 for the period January 1, 1993 through December 31, 1993, 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 accept any additional funds that may become available during this program year for the Federal Forfeiture Program Grant, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative will immediately submit an amended budget to the chairperson of the Legislature, the chairperson of the Finance Committee, the Clerk of the Legislature, the Budget Director, the Commissioner of Finance, and the Comptroller, reflecting the additional Federal Forfeiture Program Funds received by Broome County, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 67**

by Environment Committee

Seconded by Mr. Warner

**RESOLUTION CONFIRMING THE APPOINTMENT OF WILLIAM HATTALA TO MEMBERSHIP ON THE BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT**

WHEREAS, Arthur J. Shafer, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Resolution 27 adopted February 1, 1972, has duly designated and appointed, pending confirmation by this Legislature, the following named individual to membership on the Broome County Soil and Water Conservation District for the term indicated:

<b>NAME</b>	<b>TERM</b>
William Hattala Box 437, 3703 Saddlemire Road Binghamton, NY 13903	(Reappointment) January 1, 1993 through December 31, 1995

and

WHEREAS, it is desired at this time, in accordance with the provisions of Resolution 27 adopted February 1, 1972 to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 27 adopted February 1, 1972 , does hereby confirm the appointment of William Hattala to membership on the Soil and Water Conservation District in accordance with their appointment by the Legislative Chairman. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 68**

by Environment and Public Works Committees

Seconded by Mr. Warner

**RESOLUTION DESIGNATING THE BROOME COUNTY**

**LEGISLATURE AS LEAD AGENCY WITH RESPECT TO COLESVILLE ROAD EXTENSION BRIDGE PROJECT AND RENDERING "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

WHEREAS, it is necessary to undertake the Colesville Road Extension Bridge Project to repair deficient components of the bridge pending construction of a new bridge, and

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

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned bridge project, and

WHEREAS, the initiation of the Colesville Road Extension Bridge Project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of the Colesville Road Extension Bridge Project, and be it

FURTHER RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the Colesville Road Extension Bridge Project will not have a significant effect on the environment, and be it

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

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



**RESOLUTION NO. 69**

by Transportation, Personnel and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF BINGHAMTON METROPOLITAN TRANSPORTATION STUDY GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 79 of 1992, authorized and approved the Binghamton Metropolitan Transportation Study Grant and adopted a program budget in the amount of \$225,239 for the period April 1, 1992 through March 31, 1993, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1993 through March 31, 1994 in the amount of \$230,521, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the Binghamton Metropolitan Transportation Study Grant for the period April 1, 1993 through March 31, 1994, 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 \$230,521 for the period April 1, 1993 through March 31, 1994, and be it

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

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

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

personnel line. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 70**

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING ACCEPTANCE OF JOB TRAINING PARTNERSHIP ACT TITLE III WORKER ADJUSTMENT DISCRETIONARY (WA-DISC) GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.**

WHEREAS, the Director of the Office of Employment and Training requests authorization to accept a JTPA Title III Worker Adjustment Discretionary (WA-DISC) Program Grant in the amount of \$320,600.00 for the period January 1, 1993 through June 30, 1993, and

WHEREAS, said grant program provides services to dislocated workers from plant closings and substantial layoffs and for continued services for layoffs previously approved, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$320,600.00 from the New York State Department of Labor for the period January 1, 1993 through June 30, 1993, 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 \$320,600.00 for the period January 1, 1993 through June 30, 1993, and be it

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

FURTHER RESOLVED, that the County Executive or his duly

authorized representative is hereby empowered to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto, provided that said budget transfers do not affect a personnel line. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 71**

by Education, Culture and Recreation and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AGREEMENT WITH CAROW ARCHITECTS PLANNERS FOR DESIGN ANALYSIS AND REVIEW OF A NEW CENTRAL LIBRARY BUILDING FOR 1993 THROUGH 1994.**

WHEREAS, the Library Director requests authorization for an agreement with Carow Architects Planners for programming, development, design and review of a new central library building for the period March 1, 1993 through February 28, 1994, at a cost not to exceed \$172,900.00, and

WHEREAS, said services are necessary to develop documentation needed to procure a new central library building for Broome County and review and analysis of proposals, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Carow Architects Planners, 114 West Illinois, Chicago, Illinois, 60610, for the period March 1, 1993 through February 28, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$172,900.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 840009.4746.502213 (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 (Hudak).

**RESOLUTION NO. 72**

by Transportation and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING ASSIGNMENT OF MILLER AVIATION, INCORPORATED, LEASE AT THE BROOME COUNTY AIRPORT AS COLLATERAL TO THE BINGHAMTON SAVINGS BANK**

WHEREAS, this County Legislature, by Resolutions 224 of 1981, 84 of 1983, 454 of 1986, and 188 of 1988 and 95 of 1991, authorized a contract and lease agreement for hangar space at the Binghamton Regional Airport for varying terms commencing on July 1, 1981 through December 31, 2007 with additional options to Miller for five (5) year extensions, and

WHEREAS, Miller Aviation, Incorporated, is securing a loan to be used for capital improvements to Hangar #2 from Binghamton Savings Bank, and requests Broome County to grant an assignment of the existing lease to Binghamton Savings Bank as additional collateral for the afore-mentioned loan, and

WHEREAS, your sponsoring committees recommend that this County Legislature authorize this assignment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the assignment of the Miller Aviation, Incorporated, lease involving certain airport premises known as Hangar #2 at the Binghamton Regional Airport for the purposes of allowing Binghamton Savings Bank to assume the afore-mentioned lease should Miller Aviation, Incorporated, default on said loan, and be it

FURTHER RESOLVED, that while this County Legislature

hereby approves the assignment, said assignment will not relieve Miller Aviation, Incorporated, of all responsibilities and obligations of the existing lease, 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 (Hudak).

**RESOLUTION NO. 73**

by County Administration, Economic Development and Planning, Environment, Education, Culture and Recreation, Public Works, and Finance Committees

Seconded by Mr. Brown

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH SEVERAL CONTRACT AGENCIES SUPPORTED BY BROOME COUNTY FOR 1993.**

WHEREAS, the County has contributed financial support to numerous agencies and organizations involved in various fields of endeavor which benefit, aid or assist with the many needs of the broad spectrum of the Broome County community, and

WHEREAS, these contract agencies which have received or will receive such financial assistance from Broome County include:

- ACCORD A Center for Dispute Resolution
- Broome County Agricultural Society
- Broome County Historical Society
- Broome County Industrial Development Agency
- Broome County Soil and Water Conservation District
- Cornell Cooperative Extension Association of Broome County
- County Library Aid

The Discovery Center of the Southern Tier  
Emerging Business Assistance Program  
Four County Library System  
PROBE (Alternative Sentencing, Community Service & Pre-Post  
Trial Diversion Programs)  
Southern Tier East Regional Planning Development Board  
Southern Tier Zoological Society, Inc. (Ross Park Zoo)

WHEREAS, it is the desire of this Legislature to give approval for the execution of the contracts with such agencies, said contracts to be in the general form heretofore used, subject to and conditioned upon the financial allocations made and accounting procedure prescribed by the County Law Department to each respective contract agency in the 1993 Broome County Budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or his duly authorized representative to execute such agreements, approved as to form by the Department of Law, with the aforesaid contract agencies and any other contract agencies for which financial provisions and contributions have been authorized by this County Legislature in the 1993 County Budget, and be it

FURTHER RESOLVED, that said contracts shall be in a form similar to those used in prior years for each specific agency and subject to, conditioned upon and limited to the monetary amount and financial formula and funding distribution criteria set forth and approved in the 1993 County Budget, and to be subject to any necessary approvals required by the State or Federal Governments or for any other valid reason which may require the approval of said State or Federal governments, and to be conditioned upon the submission and filing with the Clerk of this Legislature and County Executive a written annual report, detailing the agency's use of these funds received from the County during the previous calendar year, and be it

FURTHER RESOLVED, that any contract which provides for payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released and any contract which

provides for two or more periodic payments during the contract term, said annual report 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 and 243 of 1979.

Moved by Mr. Lindsey, seconded by Mrs. Wagstaff to amend resolution, as follows: In the first RESOLVED paragraph, following 1993 County budget insert: "except that in the case of the Southern Tier Zoological Society, Inc. Said contract shall only provide for one-half (1/2) of the amount authorized in the 1993 County Budget, with the remainder (1/2) to be delivered upon a written agreement between the City of Binghamton, the County and the Zoological Society." Mr. Lindsey called the question, seconded by Mrs. Wagstaff. **Carried** by the following: Ayes-15, Nays-3 (Coffey, Malley, Pasquale), Absent-1 (Hudak). **Amendment carried** by the following: Ayes-10 (Augostini, Brown, Burger, Howard, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner, Shafer), Nays-8 (Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale, Taylor, Whalen), Absent-1 (Hudak). Mrs. Taylor moved, seconded by Mr. Kavulich to amend the resolution to reinsert Pops on the River after the Four County Library System. Mr. Howard moved, seconded by Mr. Pasquale to call the question. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak). **Amendment carried.** Ayes-12 (Brown, Coffey, Harbachuk, Harris, Howard, Kavulich, Lindsey, Malley, Pasquale, Taylor, Warner, Whalen), Nays-6 (Augostini, Burger, Pazzaglini, Schofield, Wagstaff, Shafer), Absent-1 (Hudak). Mr. Augostini moved, seconded by Mr. Pasquale to call the question. **Carried.** Ayes-17, Nays-1 (Malley), Absent-1 (Hudak). Resolution as amended **carried.** Ayes-15, Nays-3 (Augostini, Schofield, Wagstaff), Absent-1 (Hudak).

**RESOLUTION NO. 74**

by Personnel and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING REVISION OF HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND**

**SEASONAL EMPLOYEES EFFECTIVE FOR 1993**

WHEREAS, this County Legislature, by Resolutions 424, 580 and 605 of 1991, as amended by Resolution 362 of 1992, authorized hourly rates for various non-union, temporary and seasonal employees for 1992, and

WHEREAS, it is requested at this time to amend the hourly rate schedule as indicated on Exhibit "A" attached hereto, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary, seasonal and miscellaneous employees as set out in Exhibit "A" attached hereto, and be it

FURTHER RESOLVED, that the effective date of said amendments shall be January 1, 1993, unless otherwise indicated on Exhibit "A" attached hereto.

**EXHIBIT "A"**

**SALARY SCHEDULE CHANGES**

**NON-UNION HOURLY, TEMPORARY, SEASONAL & MISCELLANEOUS EMPLOYEES**

The provisions of the Fair Labor Standards Act will apply to the positions listed on the schedule. All rates are effective January 1, 1993.

<u>Department/Title</u>	<u>Current Hourly Rate</u>	<u>1993 Hourly Rate</u>
<b>Emergency Services</b>		
Sr. Fire Investigator	7.73	7.81
Fire Investigator	6.13	6.19
Deputy Coordinator	6.13	6.19



**Health**

Animal Health Technician	10.66	10.98
Veterinarian	47.98	49.42

**Sheriff**

Court Officer	5.30	5.60
Court Officer (Family Court)	6.30	6.60
Sr. Court Officer	7.30	7.60

**All Departments**

Engineer Aide	4.55	4.80
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**Carried.** Ayes-18, Nays-0, Absent (Hudak).

**RESOLUTION NO. 75**

by Finance Committee  
 Seconded by Mr. Warner

**BOND RESOLUTION DATED FEBRUARY 18, 1993.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$14,978,000 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY ALL OR PART OF THE COST OF VARIOUS CAPITAL PROJECTS.**

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

SECTION 1. The following are the objects or purposes to be financed by the County of Broome, New York, pursuant to this resolution, the maximum estimated costs thereof, and the subdivisions of Section 11.00(a) of the Local Finance Law and periods of probable usefulness applicable thereto:

<u>Project Code</u>	<u>Project Name/P.P.U/L.F.L §11.00(a)</u>	<u>Maximum Estimated Cost</u>
M-32	Construction of a Leachate Treatment	\$ 640,000

Facility; being a specific object or purpose; twenty-five years; subdivision 6

M-34                      Construction of a Household Hazardous Waste/Maintenance Facility; being a specific object or purpose; twenty-five years; subdivision 6      300,000

F-432A                  Construction of an addition to the George Harvey Justice Building; being a specific object or purpose; twenty years; subdivision 11(b)      12,400,000

F-434                      Construction of a replacement Fleet Garage, being a specific object or purpose; twenty years; subdivision 11      1,335,000

F-534A                  Replace/Remove Petroleum Storage Tanks; being a class of objects or purposes; ten years; subdivision 88      350,000

Section 2. (a) The aggregate maximum estimated cost of the aforesaid objects or purposes is \$15,025,000, and the plan for the financing thereof is as follows: (i) by the issuance of \$14,978,000 serial bonds of said County, hereby authorized to be issued therefor; and (ii) by the appropriation and expenditure of \$47,000 current available funds.

(b) The allocation of the serial bonds herein authorized as well as the allocation of the available funds referenced above is set forth below:

<u>Project Code</u>	<u>Project Name</u>	<u>Serial Bonds</u>	<u>Available Funds</u>
M-32	Construction of a	\$ 608,000	\$32,000

Leachate Treatment  
Facility

M-34	Construction of a House- hold Hazardous Waste/ Maintenance Facility	285,000	\$15,000
F-432A	Construction of an addition to the George Harvey Justice Bldg.	12,400,000	\$ -0-
F-434	Construction of a replacement Fleet Garage	1,335,000	\$ -0-
F-534A	Replace/Remove Petroleum Storage Tanks	350,000	\$ -0-

(c) While no State or Federal grants-in-aid are anticipated for any of the projects herein described, the amount of serial bonds herein authorized to be issued will be reduced to the extent any such State and/or Federal grants-in-aid are received.

Section 3. SEQR Determination: It is hereby declared to be the intent of this County Legislature that construction and/or undertaking of the aforesaid projects shall not commence until all steps have been taken under the New York State Environmental Quality Review Act ("SEQR") to ensure that said projects are in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys, and testing of the site thereof, which will, at least, assist in the SEQR compliance process. Notwithstanding the foregoing, it is hereby further determined that no further resolution of this County Legislature shall be required in order to permit the issuance of obligations pursuant

to this resolution once the proposed projects have been determined to be in compliance with the provisions of SEQR.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. 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 of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.103-18(f). Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in 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. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 76**

by Personnel and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR LIBRARY.**

RESOLVED, that in accordance with a request from the Library, as contained in PCR# 93-87, this County Legislature hereby authorizes the creation of one (1) part-time Library Clerk position at budget line L842005.1500, minimum salary \$7.1136 per hour, Grade 6, Union Code 30, effective January 1, 1993, and be it

FURTHER RESOLVED, that in accordance with a request from the Library, in order to provide funds for the afore-mentioned PCR in that additional staff is needed at branch for increase in hours of service, as requested by BT# 4383, 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:	842005	1600	304000	Salaries - Temp	\$ 7,491
TO :	842005	1500	304000	Salaries - PT	\$ 7,491

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

**RESOLUTION NO. 77**

by Environment, Education, Culture & Recreation and Finance Committees

Seconded by Mr. Kavulich

**RESOLUTION AUTHORIZING WAIVER OF GRIPPEN PARK EVENT FEE FOR EARTH FEST 1993.**

WHEREAS, this County Legislature, by Local Law No. 6 of 1983, established certain fees and charges for the use of Broome County parks and facilities, and

WHEREAS, said fee schedule included charges for shelter house rentals at Grippen Park, and

WHEREAS, it has been proposed by Earth Day Southern Tier that Earth Fest 1993 be held at Grippen Park on Saturday, April 24, 1993 and Sunday, April 25, 1993, and

WHEREAS, this County Legislature desires to waive the shelter rental fees, now, therefore, be it

RESOLVED, that this County Legislature hereby waives the shelter rental fees for Earth Fest 1993 to be held April 24 - 25, 1993 at Grippen Park, and be it

FURTHER RESOLVED, that the Commissioner of Finance and the Comptroller of Broome County are hereby authorized to make such budgetary adjustments as may be necessary to effectuate 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 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. Bonnie Hart was given the floor to speak about Earth Fest 1993. Mrs. Wagstaff moved to call the question, seconded by Mr. Brown. **Failed.** Ayes-7 (Augostini, Brown, Howard, Lindsey, Pazzaglini, Wagstaff, Warner), Nays-11 (Burger, Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale, Schofield, Taylor, Whalen, Shafer), Absent-1 (Hudak). Following some additional debate, Mr. Warner moved to call the question, seconded by Mr. Pazzaglini. **Failed.** Ayes-8 (Augostini, Brown, Howard, Lindsey, Pazzaglini, Wagstaff, Warner, Shafer), Nays-10 (Burger, Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale, Schofield, Taylor, Whalen), Absent-1 (Hudak). Mr. Malley moved, seconded by Mr. Pasquale that a new resolved paragraph be inserted into the resolution as follows:

RESOLVED, the Division of Solid Waste is hereby designated a co-sponsor of Earth Fest 1993 and a waiver of insurance by the County is hereby granted.

**Amendment carried.** Ayes-11 (Burger, Coffey, Harbachuk, Harris, Kavulich, Lindsey, Malley, Pasquale, Taylor, Whalen, Shafer), Nays-7 (Augostini, Brown, Howard, Pazzaglini, Schofield, Wagstaff, Warner), Absent-1 (Hudak). The resolution was **heldover** by Mrs. Wagstaff.

### **RESOLUTION NO. 78**

by County Administration, Economic Development & Planning Committee

Seconded by Mr. Pasquale

### **RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE ENVIRONMENTAL MANAGEMENT COUNCIL.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 277, adopted September 21, 1971 and the provisions of Resolution No. 64, 1973, Resolution No. 366, adopted December 21, 1976 and Resolution No. 341, adopted October 1, 1980, has duly designated and appointed,

pending confirmation by this Legislature, the following named individuals to membership on the Environmental Management Council for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Brendan R. Flynn, Ph.D. 40 Johnson Avenue Binghamton, NY 13905 Ex-officio	New Appointment  Term expires 12/31/94
Leon F. Simmonds, Jr. 827 Harvard Street Endicott, NY 13760 (Member at Large)	New Appointment  Term expires 12/31/94
Duke Holdsworth P. O. Box 77 Kirkwood, NY 13795 (Member at Large)	New Appointment  Term expires 12/31/94
Wayne Jennings P. O. Box 831 Binghamton, NY 13902 (Member at Large)	New Appointment  Term expires 12/31/94
Charles Wage 56 Jay Street Johnson City, NY 13790 (Member at Large)	New Appointment  Term expires 12/31/94



Christopher Norton 3637 Lorne Drive Endwell, NY 13760 (BCC Rep.)	New Appointment  Term expires 12/31/94
Renee C. DeVillers 412 Conklin Avenue Binghamton, NY 13903 (Member at Large)	New Appointment  Term expires 12/31/94
Jennifer Solini 22 North Street Binghamton, NY 13905 (Member at Large)	New Appointment  Term expires 12/31/94
Steven Contento 17 Rainbow Ridge Road Windsor, NY 13865 (Member at Large)	New Appointment  Term expires 12/31/94
Nicole Doerrzapf 84 Riverside Dr., Apt. 8 Binghamton, NY 13905 (B.U. Rep.)	New Appointment  Term expires 12/31/93
Molly Ingraham 45 Laurel Avenue Binghamton, NY 13905 (H.S. Student Rep.)	Re-appointment  Term expires 12/31/93
Lisbeth Fauci 15 Grand Boulevard	Re-appointment

Binghamton, NY 13905  
(Member at Large) Term expires 12/31/94

Amy Zaref Re-appointment  
4 1/2 Garfield Avenue  
Binghamton, NY 13905  
(Member at Large) Term expires 12/31/94

Lou Sebesta Re-appointment  
100 Grand Boulevard  
Binghamton, NY 13905  
(City of Binghamton CAC) Term expires 12/31/94

John Kowalchuk  
1915 Park Avenue  
Binghamton, NY 13903  
(Div. of Solid Waste - Ex Officio) No expiration

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 277, adopted September 21, 1971 and the provisions of Resolution No. 64, 1973, Resolution No. 366, adopted December 21, 1976 and Resolution No. 341, adopted October 1, 1980, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 277, adopted September 21, 1971 and the provisions of Resolution No. 64, 1973, Resolution No. 366, adopted December 21, 1976 and Resolution No. 341, adopted October 1, 1980, does hereby confirm the appointments of the above-named individuals to membership on the Environmental Management Council in accordance with their appointment by the County Executive.

**Heldover** by  
Mr. Malley.

**RESOLUTION NO. 79**

by Health & Human Services and Finance Committees  
Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH KRADRO REALTY CORPORATION FOR RENTAL OF SPACE AT 36-38 MAIN STREET FOR 1987 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 222 of 1986, authorized an agreement with Kradro Realty Corporation for rental of 54,260 square feet of office space for use by the Broome County Department of Social Services, said space located at 36-38 Main Street, Binghamton, at a annual cost of \$6.30 per square foot with a 5% yearly rent escalation for the period January 1, 1987 through December 31, 1992, with a five year renewal option, and

WHEREAS, it is necessary to authorize the amendment of said agreement to add 6,320 square feet of rental space and to increase the total rental fee commensurate therewith now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Kradro Realty Corporation, 19 Chenango Street, Suite 1211, Binghamton, New York, 13901 for rental of office space for use by the Broome County Department of Social Services located at 36-38 Main Street, Binghamton, for the period January 1, 1987 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$41,818.00 per month for 1993, \$43,485.00 per month for 1994, \$45,202.00 per month for 1995, and \$47,021.00 per month for 1996, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670018.4422.103000 (Buildings and Grounds Rental), and be it

FURTHER RESOLVED, that Resolution 222 of 1986, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly

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

**RESOLUTION NO. 80**

by Finance Committee

Seconded by Mr. Malley

**RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON TAX ROLLS FOR 1993.**

WHEREAS, applications for Correction of Errors on Tax Rolls for 1993 have been duly filed with the Director of Real Property Tax Service for the County of Broome, and

WHEREAS, the Director of Real Property Tax Service has filed a report pursuant to Section 554 of the Real Property Tax Law and certain claimed errors have been determined to exist which should be corrected, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the applications for correction and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in accordance with the list attached hereto as Exhibit "A" through Exhibit "L", pursuant to Section 554 of the Real Property Tax Law, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to transmit a copy of this resolution and a copy of the approved applications to each tax officer having jurisdiction of the respective tax rolls. Mr. Augostini moved, seconded by Mr. Malley to amend Exhibit #41-80 (Town of Sanford). **Amendment carried.** Ayes-18, Nays-0, Absent-1 (Hudak). Remainder of resolution **carried** as follows: Ayes-18, Nays-0, Absent-1 (Hudak).

Mr. Pasquale moved, seconded by Mr. Augostini for recess to Executive Session at 6:00 p.m. to discuss topics of litigation. Re-convened at 6:18 p.m. **Carried.** Ayes-18, Nays-0, Absent-1 (Hudak).

**RESOLUTION NO. 81**

by Honorable James Malley

Seconded by Mr. Pasquale

**RESOLUTION REQUESTING AMENDMENT TO NEW YORK STATE LAW SECTION 1202-b REGARDING HOTEL OR MOTEL OCCUPANCY TAXES IN BROOME COUNTY**

RESOLVED that pursuant to Article IX of the New York State Constitution, the County of Broome requests that the New York State Legislature adopt an amendment to section 1202-b of the New York State Tax Law and be it

FURTHER RESOLVED, that subdivision 1 of section 1202-b of the New York State Law as amended by Chapter 500 of the laws of 1977, Chapter 525 of the laws of 1988 and Chapter 716 of the Laws of 1990 is amended to read as contained in Exhibit A attached hereto and be it

FURTHER RESOLVED, that the Clerk of this Legislature be and hereby is directed to provide certified copies of the resolution to the New York State Senate, New York State Assembly and the Commissioner of Taxation and Finance or his designee.

**EXHIBIT A**

AN ACT to amend the tax law in relation to hotel or motel taxes in Broome County.

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

Section 1.Subdivision 1 of section 1202-b of the tax law as amended by Chapter 500 of the laws of 1977, Chapter 525 of the laws of 1988 and Chapter 716 of the laws of 1990, is amended to read as follows:

- (1)Notwithstanding any other provisions of law to the contrary, Broome County is hereby authorized and empowered to adopt and amend local laws imposing in such County a tax, in addition to any other tax authorized and imposed pursuant to this article as the legislature

has or would have the power and authority to impose upon persons occupying hotel or motel rooms in such county. The rates of such tax shall be three percent of the per diem rental rate for each room provided however, such tax shall not be applicable to a permanent resident of a hotel or motel. For the purposes of this section the term "permanent resident" shall mean a person occupying any room or rooms in a hotel or motel for at least 30 consecutive days. Also provided that such tax shall not be applicable to a hotel or motel operating on a seasonal basis of six months or less in a calendar year.

Section 2. This act shall take effect on the 30th day after it shall have become a law.

Explanation - Matter underlined is new.

Resolution **failed**. Ayes-8 (Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale, Taylor, Whalen), Nays-10 (Augostini, Brown, Burger, Howard, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner, Shafer), Absent-1 (Hudak).

## **RESOLUTION NO. 82**

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Warner

### **RESOLUTION AUTHORIZING AN AGREEMENT WITH CERTAIN LAW FIRMS TO REPRESENT BROOME COUNTY IN LAWSUITS COMMENCED BY THE TOWN OF DICKINSON**

WHEREAS, the Town of Dickinson has commenced an Article 78 Proceeding and a Declaratory Judgment Proceeding against the County of Broome arising out of the construction of a proposed new public safety facility, and

WHEREAS, upon the recommendation of the County Attorney, it is deemed to be in the best interest of the County of Broome to have

independent specialized legal counsel respond to this lawsuit, and

WHEREAS, the continued delay of the construction of the Broome County Jail is extremely costly and not in the best interest of the County of Broome, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Law Firms of Pearis, Resseguie, Kline, Barber & Lebous of Binghamton, New York, and Nixon, Hargrave, Devans & Doyle of Albany, New York, for purposes of defending Broome County in legal actions commenced against the County by the Town of Dickinson regarding the proposed public safety facility to be located off Front Street, in Binghamton, New York, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Law Firm of Pearis, Resseguie, Kline, Barber & Lebous of Binghamton, New York, and Nixon, Hargrave, Devans & Doyle of Albany, New York, a total amount not to exceed \$30,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035113.4736.501234 (Legal Charges), 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. Schofield moved, seconded by Mrs. Coffey to call the question. **Carried.** Ayes-17, Nays-1, (Kavulich), Absent-1 (Hudak). Resolution **carried.** Ayes-13 (Augostini, Harbachuk, Howard, Lindsey, Malley, Pasquale, Pazzaglini, Schofield, Taylor, Wagstaff, Warner, Whalen, Shafer), Nays-5 (Brown, Burger, Coffey, Harris, Kavulich), Absent-1 (Hudak).

**RESOLUTION NO. 83**

by Finance Committee

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RETENTION OF CHEMICAL BANK AS A FINANCIAL ADVISOR IN THE FINANCING OF THE BROOME COUNTY JAIL.**

WHEREAS, Broome County is pursuing financing of the proposed new public safety facility, and

WHEREAS, Broome County is in the process of financing said facility which may be financed through the Local Government Services Corporation, (LGSC), and

WHEREAS, it has come to the attention of the Commissioner of Finance, as well as the County Attorney, that Broome County's normal financial advisor, known as Fiscal Advisors, Inc., is the same financial advisor to the LGSC, and

WHEREAS, in the opinion of the Commissioner of Finance and the County Attorney, it is deemed advisable for the County of Broome to have a completely independent financial advisor for purposes of concluding financing for the proposed public safety facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Chemical Bank of North America to advise Broome County on all aspects of the financial nuances relating to the financing of the proposed new public safety facility, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total cost not to exceed \$35,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035113.4624.501234 (Other Financial Services), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-15, Nays-3 (Brown, Burger, Kavulich), Absent-1 (Hudak).



**RESOLUTION NO. 84**

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE LAW FIRM OF HICKEY, GATES & SHEEHAN TO REPRESENT BROOME COUNTY IN A FEDERAL CIVIL RIGHTS ACTION**

WHEREAS, the County of Broome has been sued by the Estate of a former employee, and

WHEREAS, upon the recommendation of the County Attorney, it is deemed to be in the best interest of the County of Broome to have this matter handled by independent counsel now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Law Firm of Hickey, Gates & Sheehan to represent the County of Broome in a Federal civil rights action commenced by the Estate of David Whitman, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Law Firm of Hickey, Gates & Sheehan \$95.00 per hour for legal services, total amount not to exceed \$6,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 390005.4736.101000 (Legal Charges), 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 (Hudak).

Mrs. Coffey moved, seconded by Mr. Warner to adjourn at 6:25 p.m. **Carried.**

