

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
MARCH 17, 1994**

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

The Clerk, Richard R. Blythe, read the fire exit announcement and then called the Attendance roll: Present-16, Absent-3 (Brown, Harbachuk & Wagstaff).

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. Augostini moved, seconded by Mr. Pasquale that the minutes of the February 17, 1994 Regular Session be approved as prepared and as presented by the Clerk. **Carried.** Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

Written or oral presentations of the County Executive, Timothy M. Grippen:

Letters from the County Executive, Timothy M. Grippen:

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

WRITTEN OR ORAL PRESENTATION OF THE COUNTY EXECUTIVE

Letters from the County Executive, Timothy M. Grippen:

- 1.Nominating 4 persons to membership on Arena Board of Directors.
- 2.Nominating 17 persons to membership on STOP-DWI Advisory Board.
- 3.Copy of 1994 State of the County Message.
- 4.State of Emergency (snowstorm March 3, 1994).

- 5.Reappointment of Robert M. O'Leary, Broome County Public Defender, commencing March 1, 1994.

PRESENTATION OF COMMUNICATIONS AND REPORTS:

COMMUNICATIONS:

- 1.Minutes from:
 - a.Water Resources Committee
 - b.Ambulance Advisory Board
 - c.EMC Solid Waste Committee and Nanticoke Landfill Task Force
 - d.Cornell Cooperative Extension
 - e.Environmental Management Council
 - f.Binghamton Regional Airport
 - g.EMC Land Use and Natural Resources Committee
 - h.EMC Water Resources Committee
 - i.EMC Ad Hoc Committee on Composting
 - j.Willow Point Nursing Facility
- 2.1994 Broome County Adopted Budget.
- 3.George Harvey Justice Building: Positive Declaration from NYS Department of Conservation.
- 4.Village of Windsor: State of Emergency Declaration (flooding/ice jams).
- 5.City of Binghamton (State of the City Address 1994).
- 6.1994 Town of Vestal Budget.
- 7.Letter from Janice E. Kudcey (Town of Barker) expressing desire to sell property to County rather than waiting for condemnation.
- 8.Proposed Sewer District #2: Application from Town of Chenango.
- 9.Copy of IDA's Executive Director's response to Supervisor Theodore Woodward regarding Airport Hangar Project.
- 10.Wilkie Farr & Gallagher (Opinion as to validity of \$3,600,000

Bond Anticipation Notes, December 15, 1993).

11. Resolutions from:

a. Town of Chenango (Requesting Continuation of Sheriff's Road Patrol Services).

b. Albany County (Urging NYSAC to Remove Opposition to State Legislation Regarding Veterans Exemptions).

12. Proposed legislation relating to violent crimes against children from Assemblyman Robert J. Warner.

REPORTS:

1. 1993 Annual Reports

a. Veteran's Services Agency

b. Broome County Historian

c. Mary Wilcox Memorial Library

d. Fenton Free Library

e. Deposit Free Library

f. Your Home Public Library

g. The Discovery Center of the Southern Tier

h. Office for Aging

i. Department of Parks and Recreation

j. Office of the County Clerk

k. Willow Point Nursing Facility

l. Board of Elections

m. Division of Solid Waste Management

n. Department of Public Works

o. Department of Social Services

2. 1994 Operating Budget from Broome County Industrial Development Agency.

3. Broome Community College: Financial Statements, August 31, 1993 (Piaker & Lyons, P.C.); Quarterly Income Statements and Balance Sheets.

4. Department of Audit and Control: Bank Transfer Testing (November through December 1993).

Mr. Lindsey moved, seconded by Mr. Pasquale to receive and file the above noted reports and to publish any pertinent portions thereof in the Journal of Proceedings. **Carried.** Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chairman, Arthur J. Shafer:

- 1.Appointing Michael P. Pazzaglini and Elaine M. Miller to membership on the Southern Tier East Regional Planning and Development Board.
- 2.Appointing Andrew Kavulich as voting representative for James Malley, Public Works Committee, March 8, 1994.
- 3.Appointing Louis P. Augostini as voting representative for Roger V. Brown, Transportation Committee, March 9, 1994.
- 4.Appointing Louis P. Augostini as Chairperson for Daniel A. Schofield, Environment Committee, March 9, 1994.
- 5.Appointing Louis P. Augostini as voting representative for Wanda Hudak, Public Safety and Emergency Services, March 9, 1994.
- 6.Appointing Brian K. Mather as voting representative for Daniel A. Schofield, Environment Committee, March 9, 1994.
- 7.Appointing Wanda Hudak as Chairperson and David L. Lindsey as voting representative for Michael P. Pazzaglini, County Administration, Economic Development and Planning Committee, March 10, 1994.

MRB Group ---Update on George Harvey Justice Building Renovation

The following resolution was brought off the table,:

RESOLUTION NO. 37 by Public Works, Education, Culture and Recreation and Finance Committees. (Tabled at the February 17th Regular Session)

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH GENT ENGINEERING FOR DESIGN AND ARCHITECTURAL SERVICES FOR THE ARENA ICE RINK EXPANSION FOR THE DEPARTMENT OF PARKS AND RECREATION FOR 1993 AND 1994.

Mrs. Taylor moved, seconded by Mrs. Coffey to table the resolution. The move to table **lost**.

Ayes-8 (Burger, Coffey, Harris, Kavulich, Malley, Pasquale, Taylor & Whalen)

Nays-8(Augostini, Howard, Hudak, Lindsey, Mather, Pazzaglini, Schofield & Shafer)

Absent-3(Brown, Harbachuk & Wagstaff)

Mr. Schofield moved, seconded by Mr. Pazzaglini to **call the question** on the resolution. The question was **called** as follows:

Ayes-12(Augostini, Burger, Harris, Howard, Hudak, Lindsey, Mather, Pasquale, Pazzaglini, Schofield, Whalen & Shafer)

Nays-4 (Coffey, Kavulich, Malley & Taylor)

Absent-3(Brown, Harbachuk & Wagstaff)

The resolution **carried** as follows:

Ayes-13(Augostini, Burger, Howard, Hudak, Kavulich, Lindsey, Malley, Mather, Pasquale, Pazzaglini, Schofield, Whalen & Shafer)

Nays-3 (Coffey, Harris & Taylor)

Absent-3(Brown, Harbachuk & Wagstaff)

The following resolutions (72 and 86) that were heldover from the previous regular session were again presented for consideration.

RESOLUTION NO. 72 by Finance Committee, heldover by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH PRICE

WATERHOUSE AND PIAKER & LYONS FOR AUDITING SERVICES OF FINANCIAL ACCOUNTS FOR FISCAL YEARS ENDING 1993 THROUGH 1997

Mr. Pasquale moved, seconded by Mr. Augostini to **table** the resolution. The resolution was **tabled**. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 86 by Public Safety and Emergency Services and Finance Committees heldover by Mr. Lindsey.

RESOLUTION AUTHORIZING FORMULATION OF PLAN FOR IMPLEMENTATION OF SHERIFF'S DEPARTMENT ROAD PATROL SERVICES TO MUNICIPALITIES ON A CONTRACT BASIS

Mr. Lindsey moved, seconded by Mr. Malley to **table** the resolution. The resolution was **tabled**, as follows:

Ayes-11(Augostini, Burger, Harris, Howard, Hudak, Kavulich, Lindsey, Malley, Taylor, Whalen & Shafer)

Nays-5 (Coffey, Mather, Pasquale, Pazzaglini & Schofield)

Absent-3(Brown, Harbachuk & Wagstaff)

Several resolutions were taken out of order, however for the sake of clarity, all resolutions are presented in numerical order. The preferred agenda was presented and seconded by Mr. Pasquale

RESOLUTION NO. 96

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GENERAL CODE PUBLISHERS FOR UPDATE OF COUNTY CHARTER AND CODE BOOK FOR 1994.

WHEREAS, this County Legislature, by Resolution 438 of 1992,

authorized an agreement with General Code Publishers Corporation for codification and publication of the Broome County Administrative Code, Broome County Charter, Broome County Local Laws and Rules of Order at a cost not to exceed \$4,000, and

WHEREAS, said agreement expired by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 on substantially similar terms and conditions, and,

WHEREAS, said agreement would include the updating of the Charter and Code book as necessary to accurately indicate all modifications, additions and deletions of certain Broome County Government Laws and Resolutions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with General Code Publishers Corporation, 72 Hinchey Road, Rochester, New York, 14624 for update of Broome County Administrative Code, Broome County Charter, Broome County Local Laws and Rules of Order for the period January 1, 1994 through December 31, 1994, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 240028.4747.101000 (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-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 97

by County Administration, Economic Development & Planning Committee

Seconded by Mr. Pasquale

**RESOLUTION OF THE BROOME COUNTY LEGISLATURE
REQUESTING CONTINUATION OF THE LOCAL
GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT
FUND**

WHEREAS, the appropriate management of local government records through their creation, use, maintenance and disposition is essential to efficient and effective government, and

WHEREAS, local government records document the responsibilities and prerogatives of local governments and protect the property and rights of citizens, and

WHEREAS, the Local Government Records Management Improvement Fund was established in Chapter 78, Laws of 1989, to benefit the local governments of New York state through grants for records management and through establishment of a program of regionally-based technical assistance administered by the New York State Archives and Records Administration of the New York State Education Department, and

WHEREAS, the Local Government Records Management Improvement Fund has enormously benefitted Broome County through three grants totalling \$147,922.00, frequent and readily accessible consultation by the Improvement Fund-supported State Archives and Records Administration Regional Advisory Officer and through Improvement Fund-sustained training available through regularly scheduled workshops on records and information management-related subjects attended by Broome County employees, and

WHEREAS, the grants have supported successful projects to: inventory records, dispose of obsolete records, microfilm records, adopt and employ modern information technologies, plan for the systematic management of inactive records and the administration and protection of archival records, and

WHEREAS, Broome Community College received grants of approximately \$100,000.00 to be one of only five community colleges in

New York State that will offer a Records Management degree program, and

WHEREAS, the grants, consultation, workshops and other services to Broome County supported by the Fund have contributed significantly to the improved management of its records, to the availability and accessibility of those records to its officials and citizens, and to economical and responsive administration saving taxpayers' dollars, and

WHEREAS, grants and technical advice are essential in assisting all the local governments of New York State in developing records management programs adequate to the demands of governments and citizens, and demand for those grants and services remains critical, and

WHEREAS, these needs are served and programs sustained without the use of state tax revenues, through modest surcharges on fees for records filed and recorded by county clerks and the Register of the City of New York which sustain the Improvement Fund, and

WHEREAS, the Local Government Records Management Improvement Fund was created with a sunset date of December 31, 1995, now, therefore, be it

RESOLVED, that Broome County fully supports the perpetuation of the Local Government Records Management Improvement Fund through the elimination of its sunset provision and supports its continued administration by the New York State Archives and Records Administration of the NYS Education Department with oversight by the Local Government Records Advisory Council, and be it

FURTHER RESOLVED, that Broome County forward copies of this resolution to its state legislators, the leadership of the state legislature and to the Governor of New York State.

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 98

by Finance Committee Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT
WITH CORPORATE CARE MANAGEMENT FOR CASE**

MANAGEMENT MONITORING OF BROOME COUNTY WORKERS' COMPENSATION PROGRAM FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 52 of 1993, authorized an agreement with Corporate Care Management for case management of the County's Workers' Compensation claims at a cost of \$.84 per month per plan participant for a total payment not to exceed \$50,693.00 for the term March 1, 1993 through February 28, 1994, and

WHEREAS, said agreement expired by its terms on February 28, 1994, and it is desired at this time to renew said agreement for the period March 1, 1994 through February 28, 1995 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 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, 1994 through February 28, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$4,300 per month, total cost not to exceed \$51,600 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-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 99 by Environment and Finance Committees
Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF THE BROOME COUNTY SMALL QUANTITY TECHNICAL ASSISTANCE PILOT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE DEPARTMENT OF SOLID WASTE MANAGEMENT

WHEREAS, this County Legislature, by Resolution 440 of 1993, authorized the acceptance of a grant award by the United States Environmental Protection Agency and the New York State Department of Environmental Conservation for the Broome County Small Quantity Technical Assistance Pilot Program for the Division of Solid Waste Management for the period October 1, 1993 through March 31, 1995 and adopted a program budget in connection therewith in the total amount of \$61,874 plus in-kind services valued at \$12,857, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in grant appropriations and to extend the term to June 30, 1994, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Broome County Small Quantity Technical Assistance Pilot Program for the period October 1, 1993 through June 30, 1995 in the total amount of \$74,071, 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 \$74,071 for the period October 1, 1993 through June 30, 1995, and be it

FURTHER RESOLVED, that Resolution 440 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

purpose of this Resolution, and be it

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 100

by Public Safety & Emergency Services Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH NEW YORK STATE POLICE FOR BROOME COUNTY OFFICE OF EMERGENCY SERVICES TO SERVE AS A NYSPIN INFORMATION EXCHANGE CENTER

WHEREAS, the Director of Emergency Services requests authorization for an agreement with the New York State Police for the Office of Emergency Services to serve as a NYSPIN Information Exchange Center, and

WHEREAS, said services are necessary to allow for use and dissemination of information through the New York Statewide Police Information Network (NYSPIN), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Police, Director of NYSPIN EDP, Building 22, State Campus, Albany, New York, 12226-0001, for the Office of Emergency Services to serve as a NYSPIN Information Exchange Center, and be it

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 101

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE TOWN OF DEPOSIT AND THE COUNTY OF BROOME FOR PROVISION OF 911 EMERGENCY SERVICE TO TOWN OF DEPOSIT RESIDENTS FOR 1994 THROUGH 2000

WHEREAS, the Director of Emergency Services requests authorization for an agreement with the Town of Deposit, Delaware County, for provision by Broome County of 911 Emergency Service to the residents of the Town of Deposit for the period March 1, 1994 through December 31, 2000, and

WHEREAS, the Town of Deposit shall authorize Deposit Telephone Company to remit the 911 surcharge for Town of Deposit residents to Broome County for operating expenses associated with providing said services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Deposit, 3 Elm Street, Deposit, New York, 13754, for provision of 911 Emergency Service to Town of Deposit residents, for the period March 1, 1994 through December 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall receive the approved 911 surcharge for Town of Deposit telephone customers of \$0.35 per access line per month or the highest state rate permissible for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized

shall be credited to budget line 900001.0557.101000 (911 Surcharge), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 102

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH ADIRONDACK-APPALACHIAN REGIONAL EMS COUNCIL FOR OFFICE AND EQUIPMENT RENTAL LOCATED AT THE DEPARTMENT OF EMERGENCY SERVICES FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 103 of 1993, authorized an agreement with Adirondack-Appalachian Regional EMS Council (AAREMS) for office space, furniture, copier access, telephone and fax service in the Department of Emergency Services Building located on the Broome Community College campus for the period April 1, 1993 through March 31, 1994 with revenue to Broome County in the amount of \$1,080, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Adirondack-Appalachian Regional EMS Council, c/o Mark Zeek, Box 212, Main Street, Speculator, New York, 12164, for office space, furniture, copier access, telephone and fax use

for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the Adirondack-Appalachian Regional EMS Council shall pay the Broome County Office of Emergency Services the sum of \$1,080, plus telephone and fax charges, for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made to revenue line 460006.0068.101000 (Other Public Safety Departmental Income), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 103

by Health & Human Services and Finance Committees

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING REVISION OF YOUTH EDUCATION SERVICES COMMUNITY ACTION PROJECT (YESCAP) GRANT FOR THE DRUG AWARENESS CENTER AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolutions 132 and 525 of 1993, authorized the continued participation by the Drug Awareness Center in the Youth Education Services Community Action Project (YESCAP) for the period April 1, 1993 through March 31, 1994 adopted a program budget in connection therewith in the total amount of \$139,049, 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 Youth Education Services Community Action Project

(YESCAP) for the period April 1, 1993 through March 31, 1994 in the total amount of \$139,149, 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 \$139,149 for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that Resolutions 132 and 525 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-15, Nays-1 (Coffey), Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 104

by Environment and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR WATERSHED AND STREAM PROTECTION/MAINTENANCE FOR 1994.

WHEREAS, this County Legislature, by Resolution 29 of 1993,

authorized an agreement with Broome County Soil and Water Conservation District for watershed and stream protection/ maintenance services for the period January 1, 1993 through December 31, 1993 at a cost not to exceed \$71,009, and

WHEREAS, said agreement expired by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 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 Broome County Soil and Water Conservation District, 840 Front Street, Binghamton, New York, 13905 for watershed and stream protection/maintenance services for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$73,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 541003.4452.101000 (Watershed & Stream Protection), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 105

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE RESEARCH FOUNDATION, STATE UNIVERSITY OF NEW YORK FOR THE DEPARTMENT OF MENTAL

HEALTH FOR 1994

WHEREAS, this County Legislature, by Resolution 658 of 1992, authorized an agreement with The Research Foundation, State University of New York for continuation of a graduate training program at a cost not to exceed \$14,000, and

WHEREAS, said agreement is sponsored by Broome County to provide graduate psychology students with clinical training in the Broome County community, and

WHEREAS, said agreement expired by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 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 Research Foundation, State University of New York, Office of Research and Sponsored Programs, Box 6000, Binghamton, New York, 13902 for the Department of Mental Health for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (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-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 106

by Public Works, Transportation and Environment Committees

Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO MAIN TERMINAL RAMP REHABILITATION PROJECT AND GLYCOL RECOVERY SYSTEM AT THE BINGHAMTON REGIONAL AIRPORT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake a Main Terminal Ramp Rehabilitation Project and Glycol Recovery System at the Binghamton Regional Airport, and

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

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Binghamton Regional Airport Main Terminal Ramp Rehabilitation Project and Glycol Recovery System, and

WHEREAS, the initiation of the Main Terminal Ramp Rehabilitation Project and Glycol Recovery System at the Binghamton Regional Airport may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of a proposed Main Terminal Ramp Rehabilitation Project and Glycol Recovery System at the Binghamton Regional Airport, 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 Main Terminal Ramp Rehabilitation Project and Glycol Recovery System at the Binghamton Regional Airport will not have significant effect on the environment, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 107

by Public Safety & Emergency Services and Finance Committees

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JOHN RYER, D.V.M. FOR EUTHANASIA SERVICES FOR THE BROOME COUNTY DOG SHELTER FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 508 of 1992, authorized an agreement with John Ryer, D.V.M. for euthanasia services for the Broome County Dog Shelter at a cost of \$16.00 per animal, total cost not to exceed \$8,000 for calendar year 1993, and

WHEREAS, a subsequent letter amendment approved by the Broome County Board of Acquisition and Contract extended said agreement for the period January 1, 1994 through March 31, 1994 at a cost of \$15.00 per animal, total cost not to exceed \$2,500, and

WHEREAS, said agreement expires by its terms on March 31, 1993, and it is desired at this time to renew said agreement for the period April 1, 1994 through March 31, 1995, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with John Ryer, D.V.M., Southside Pet Hospital, 25 Webster Street, Binghamton, New York, 13903, for euthanasia services for the Broome County Dog Shelter for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$16.00 per animal for euthanasia by

phenobarbital intravenous injection, total cost not to exceed \$8,000, for the term of this agreement, which fee includes professional time, drugs and the supplies needed to euthanize the animals in a humane manner, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 031476.4742.101000 (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-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 108

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Pazzaglini

RESOLUTION AUTHORIZING RENEWAL OF YOUTH EDUCATION SERVICES COMMUNITY ACTION PROJECT (YESCAP) GRANT FOR THE DRUG AWARENESS CENTER AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolutions 525 and 132 of 1993, authorized and approved the continued participation in the Youth Education Services Community Action Project (YESCAP) Grant for the Drug Awareness Center in Broome and Tioga Counties and adopted a program budget in the amount of \$139,049 for the period April 1, 1993 through March 31, 1994, and

WHEREAS, said program budget is being amended by companion resolution, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1994 through March 31, 1995 in the amount of \$139,049, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$139,049 from the New York State Division of Alcoholism for the Youth Education Services Community Action Project (YESCAP) Drug Prevention Program for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$139,049 for the period April 1, 1994 through March 31, 1995, and be it

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

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

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

Carried. Ayes-15, Nays-1 (Coffey), Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 109

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

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR WILLOW POINT NURSING FACILITY, GENERAL SERVICES,

COUNTY CLERK, LAW AND PUBLIC DEFENDER.

RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, in order to provide 1993 funds to balance out fringe benefit lines for year end, as requested by BT# 6984 and BT# 6985, 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:	160085	8050	204000	Life Insurance	\$ 2,100
	160085	8060	204000	Health Insurance	30,251
TO :	160077	8030	204000	Social Security	\$ 2,571
	160077	8060	204000	Health Insurance	3,027
	160119	8030	204000	Social Security	14,858
	160119	8060	204000	Health Insurance	2,432
	160127	8060	204000	Health Insurance	1,619
	160150	8060	204000	Health Insurance	1,900
	160176	8030	204000	Social Security	95
	160184	8060	204000	Health Insurance	1,318
	160226	8060	204000	Health Insurance	4,525
	160226	8063	204000	Disability Insurance	6

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, in order to provide 1993 funds to balance out salary lines for year end, as requested by BT# 6368, BT# 6369, BT# 6370, and BT# 6371, 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:	160010	1500	204000	Salaries, Part Time	\$ 170
	160010	1700	204000	Overtime	436
	160028	1500	204000	Salaries, Part Time	14
	160077	1500	204000	Salaries, Part Time	113

	160085	1000	204000	Salaries, Full Time	2,789
	160085	1000	204000	Salaries, Full Time	53,086
	160226	1000	204000	Salaries, Full Time	79
	160119	1000	204000	Salaries, Full Time	18,598
	160127	1000	204000	Salaries, Full Time	7,500
	160185	1000	204000	Salaries, Full Time	5,276
	160127	1000	204000	Salaries, Full Time	5,738
	160143	1000	204000	Salaries, Full Time	8,588
	160150	1000	204000	Salaries, Full Time	678
	160184	1000	204000	Salaries, Full Time	1,355
	160184	1000	204000	Salaries, Full Time	2,251
	160234	1500	204000	Salaries, Part Time	273
TO :	160010	1000	204000	Salaries, Full Time	\$ 606
	160028	1700	204000	Overtime	14
	160077	1000	204000	Salaries, Full Time	2,160
	160077	1700	204000	Overtime	742
	160085	1500	204000	Salaries, Part Time	43,228
	160085	1700	204000	Overtime	9,858
	160101	1000	204000	Salaries, Full Time	79
	160119	1500	204000	Salaries, Part Time	27,602
	160119	1700	204000	Overtime	3,772
	160127	1700	204000	Overtime	5,738
	160143	1500	204000	Salaries, Part Time	147
	160143	1600	204000	Salaries, Temporary	3,831
	160143	1700	204000	Overtime	4,610
	160150	1700	204000	Overtime	678
	160176	1000	204000	Salaries, Full Time	1,355
	160184	1500	204000	Salaries, Part Time	2,251
	160234	1000	204000	Salaries, Full Time	273

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of General Services, in order to provide 1993 funds for

Health Insurance, office supplies, and postage as requested by BT# 6963, and BT# 6969 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:	350025	8010	101000	Retirement	\$ 1,930.91
	350025	8030	101000	Social Security	387.04
	350025	8040	101000	Workers Compensation	243.68
	350025	8050	101000	Life Insurance	25.44
	350025	8063	101000	Disability	2.28
	350025	4463	101000	Education and Training	73.21
	350017	8010	101000	Retirement	2,309.66
	350017	8030	101000	Social Security	92.56
	350017	8040	101000	Workers Compensation	212.60
	350017	8050	101000	Life Insurance	47.85
FROM:	350017	8063	101000	Disability	248.44
	350017	4319	101000	Office Supplies	328.24
	350041	8040	101000	Workers Compensation	739.94
TO :	350017	8060	101000	Health Insurance	3,550.40
	350025	8060	101000	Health Insurance	3,018.24
	350025	4319	101000	Office Supplies	43.46
	350025	4411	101000	Postage	29.75

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of the County Clerk, in order to provide 1994 funds for temporary help while regular employee works a reduced schedule, as requested by BT# 5439, 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>
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FROM: 300012 1000 101000 Salaries - Full Time \$ 5,600
TO : 300012 1600 101000 Salaries -Temporary 5,600

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Law, in order to provide 1994 funds for temporary help while full-time employee is on medical leave, as requested by BT# 6855, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	390005	1000	101000	Salaries - Full Time	\$ 1,175
TO :	390005	1600	101000	Salaries -Temporary	1,175

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of the Public Defender, in order to maximize 93/94 grant funds, unused salary appropriations are being used for supplies and computer workstation, as requested by BT# 2733 , 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:	530030	1000	102728	Salaries - Full Time	\$ 706.05
TO :	530030	2120	102728	Office Furniture	206.00
	530030	4319	102728	Office Supplies	500.05

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 110

by Finance Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING THE BROOME COUNTY LEGISLATURE TO IMPOSE MANDATED PROGRAMS IN BROOME COUNTY.

WHEREAS, a mandate is hereby defined as "any responsibility, action or procedure that is imposed by one sphere of government on another through constitutional, legislative, administrative, executive, or judicial action as a direct order or that is required as a condition for reimbursement of expenditures", and

WHEREAS, mandated costs to Broome County have increased by sixty-six percent in the last five years, and

WHEREAS, it has been the policy of the federal and state governments to pass on the costs of services to local governments, and consequentially cause county property taxes to rise drastically in order to meet greater local funding needs, and

WHEREAS, the governor and the legislature of the state of New York and federal officials have repeatedly offered statements of support for mandate relief, and

WHEREAS, it would be appropriate for the governor and the New York State Legislature to transform their words into deeds, and

WHEREAS, the Broome County Legislature should undeniably have the right to affirm or deny the imposition of mandates invoked by the state and federal governments, now, therefore, be it

RESOLVED, that all units of Broome County government toward which federal and state generated mandates are directed, shall, beginning with January, 1994, be required to notify the Broome County Legislature

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of any new mandates whose value to the unit's annual budget exceeds \$1,000 and provide the legislature with all information associated with such directives, and, be it

FURTHER RESOLVED, that proposed mandates submitted for review to the Broome County Legislature shall be accompanied by a comprehensive statement of costs, including provision of information which lists separately the share of federal, state and county funding for each proposed mandate, and, be it

FURTHER RESOLVED, that the Clerk of the Legislature, upon receipt of notice of any new mandates from Broome County Departments, shall promptly prepare a resolution for this body which shall specifically state whether or not the County Legislature, as the policy making body of the County, will accept, endorse and implement said mandate, and be it

FURTHER RESOLVED, that any mandate rejected by this Legislature by said specific resolution, shall be promptly forwarded by the Clerk of this Legislature to the appropriate State or Federal entity imposing said mandate.

Heldover under the rules by Mrs. Coffey.

RESOLUTION NO. 111

by Health & Human Services, Personnel, and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES FAMILY SERVICES WORKER PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 129 of 1993, authorized and approved the Family Services Worker Program Grant for the Department of Social Services and adopted a program budget in the amount of \$43,460 for the period April 1, 1993 through March 31, 1994, and

WHEREAS, said grant program provides preventative services and case management for at-risk children attending Cedarhurst Elementary School and their families, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1994 through March 31, 1995 in the amount of \$39,034, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$39,034 from the New York State Department of Social Services and Susquehanna Valley Central School District for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$39,034 for the period April 1, 1994 through March 31, 1995, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 112

by Public Safety & Emergency Services, Personnel, and Finance

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Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE AID TO PROSECUTION PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 150 of 1993, as amended by Resolution 14 of 1994, authorized and approved the New York State Division of Criminal Justice Services for the Aid to Prosecution Program Grant and adopted a program budget in the amount of \$135,829 for the period April 1, 1993 through March 31, 1994, and

WHEREAS, said grant program provides for the enhancement of criminal prosecution of the most serious criminal offenses and offenders by assuring that the most experienced prosecutors and investigators handle the most serious cases which receive more intensive preparation and high quality forensic services in order to better serve the citizens of Broome County, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1994 through March 31, 1995 in the amount of \$135,829, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$135,829 from the New York State Division of Criminal Justice Services for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$135,829 for the period April 1, 1994 through March 31, 1995, and be it

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

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 113

by Public Safety & Emergency Services, Personnel, and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF INTENSIVE SUPERVISION PROGRAM GRANT FOR PROBATION DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolutions 85 and 264 of 1993, authorized and approved the continued participation by the Probation Department in the Intensive Supervision Grant Program for the period April 1, 1993 through March 31, 1994 and adopted a program budget in the amount of \$144,257, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1994 through March 31, 1995 in the amount of \$151,964, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$110,329 from the New York State Department of Probation and Correctional Alternatives for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$151,964 for the period April 1, 1994 through March 31, 1995, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 114

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF CHILD ABUSE PREVENTION AND EDUCATION ONGOING GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH.

WHEREAS, this County Legislature, by Resolutions 105 of 1989, as amended by Resolutions 240 and 504 of 1990, 202 of 1991, 39 and 308 of 1992, and 172 and 483 of 1993, authorized the continued participation in the Child Abuse Prevention and Education Ongoing Program and adopted a program budget in connection therewith in the total amount of \$66,006.89, and

WHEREAS, it is necessary at this time to revise said program to

reflect an increase in grant revenues, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Child Abuse Prevention and Education Ongoing Program in the total amount of \$71,024.27, 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 \$71,024.27, and be it

FURTHER RESOLVED, that Resolutions 105 of 1989, as amended by Resolutions 240 and 504 of 1990, 202 of 1991, 39 and 308 of 1992, and 172 and 483 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 115

by Public Works and Finance Committees Seconded by Mr. Mather

RESOLUTION AMENDING THE 1993 CAPITAL IMPROVEMENT PROGRAM AND AUTHORIZING A BUDGET TRANSFER IN CONNECTION THEREWITH

RESOLVED, that the 1993 Capital Improvement Program is hereby

amended as follows:

FROM: Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
C-233	Refurbish Runway Sweeper	\$20,000	\$1,000	\$18,000	\$1,000

How Financed:

<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1993	5	\$0	\$1,000

TO: Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
C-233	Refurbish Runway Sweeper	\$22,899	\$1,145	\$20,609	\$1,145

How Financed:

<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1993	5	\$0	\$1,145

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Aviation, in order to provide funds for the increased County share in connection with the above-referenced project, as requested by BT# 6786, 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: 210070	4429	207000	Bldg. & Grounds Exp.	\$ 145
TO : 219006	9004	207000	Trans. to Capital	\$ 145

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 116

by Public Works, Transportation and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING ADOPTING SCOPE OF WORK AND FEES FOR SPDES PERMIT APPLICATION AT THE BINGHAMTON REGIONAL AIRPORT

WHEREAS, the New York State Department of Environmental Conservation has mandated that Broome County enter into an agreement for engineering services for the SPDES Permit Application, and

WHEREAS, the Commissioner of Public Works has completed negotiations with C & S Engineers, Inc. to provide engineering services for the SPDES Permit Application at the Binghamton Regional Airport as required by the New York State Department of Environmental Conservation, and

WHEREAS, C & S Engineers, Inc. has prepared a proposed scope of work for the SPDES Permit Application at the Binghamton Regional Airport, attached hereto as Exhibit A, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves an agreement with C & S Engineers, Inc., Metrocenter, Suite 217C, 49 Court St., Binghamton, NY, 13901, for engineering services for SPDES Permit Application at the Binghamton Regional Airport, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$35,600.80, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211011.4746.502215 (Engineering & Architectural Services), and be it

FURTHER RESOLVED, that this County Legislature hereby accepts and adopts the scope of work as attached hereto as Exhibit A, and be it

FURTHER RESOLVED, that this County Legislature recommends that Broome County proceed with activities called for therein, and be it

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 117

by Environment and Public Works Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING A PERMANENT EASEMENT AGREEMENT WITH NEW YORK STATE ELECTRIC & GAS FOR AN EASEMENT LOCATED ON DUNHAM HILL ROAD IN THE TOWN OF BARKER.

WHEREAS, New York State Electric & Gas (NYSEG) has requested an easement through land owned by Broome County located at Dunham Hill Road in the Town of Barker, and

WHEREAS, the Division of Solid Waste Management has determined that granting this easement would not interfere with the existing land use, now, therefore, be it

RESOLVED, that this County Legislature hereby grants New York State Electric & Gas, P.O. Box 1060, Binghamton, NY, 13902-1060 a permanent easement running through land owned by Broome County at Dunham Hill Road in the Town of Barker, as more fully described in a map and property description referred to as Exhibit "A," and be it

FURTHER RESOLVED, that in consideration of the aforesaid easement, New York State Electric & Gas will pay Broome County the sum of \$1.00, 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.

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 118

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JEANNE STRACUZZI FOR CONSULTING SERVICES FOR THE OFFICE FOR AGING FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 118 of 1993, authorized an agreement with Jeanne Stracuzzi for consulting services for the Office for Aging for the period April 1, 1993 through March 31, 1994 at a cost of \$15.00 per hour, total not to exceed \$14,039, and

WHEREAS, said services are necessary for the Office for Aging's Nutrition Program and are 100% State reimbursed, and

WHEREAS, said agreement expires by its terms on March 31, 1994, and it is desired at this time to renew said agreement for the period April 1, 1994 through March 31, 1995 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 Jeanne Stracuzzi, RD 1, Box 1225, Windsor, New York, 13865 for consulting services in connection with the Office for Aging's Nutrition Program, including review of menus, in-home counseling, and monitoring and assessment of the meal program for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$18.00 per hour, total cost not to exceed \$16,848 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760413.4741.102000 (Dietary 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.

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Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 119

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VOLUNTEERS OF AMERICA FOR DELIVERY OF MEALS TO FRAIL, HOMEBOUND ELDERLY FOR THE OFFICE FOR AGING FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 119 of 1993, authorized an agreement with Volunteers of America for delivery of meals to frail, homebound elderly for the Office for Aging for the period April 1, 1993 through March 31, 1994 at a cost not to exceed 14,760, and

WHEREAS, said services are necessary to meet the nutritional needs of clients for the Office for Aging's Elderly Program, and

WHEREAS, said agreement expires by its terms on March 31, 1994, and it is desired at this time to renew said agreement for the period April 1, 1994 through March 31, 1995 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 Volunteers of America, 18 Exchange Street, Binghamton, New York, 13901, for the delivery of meals to the frail, homebound elderly for the Office for Aging for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,260 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760413.4457.102000 (Subcontracted Program Expense), and be it

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 120

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC., FOR THE OFFICE FOR AGING'S SOCIAL DAY CARE SERVICES FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 115 of 1993, authorized an agreement to provide adult social day care services for Ideal Senior Living Center, Inc. Long Term Home Health Care clients at the rate of \$30.00 per client for a full day of social day care, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ideal Senior Living Center, Inc., 508 High Avenue, Endicott, New York, 13760, for social day care services to its Long Term Health Care Program clients for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$30.00 per client for a full day of social day care for the term of this agreement, and be it

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FURTHER RESOLVED, that the revenues hereinabove authorized shall be made to budget line 760538.0538.102000 (Long Term Home Health Care Fees), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 121

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC., FOR COUNSELING SERVICES IN CONNECTION WITH THE OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY GRANT FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 113 of 1993, authorized an agreement with Family and Children's society of Broome County, Inc., for counseling services for the elderly at a cost not to exceed \$12,035 for the period April 1, 1993 through March 31, 1994, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Children's Society of Broome

County, Inc., 257 Main Street, Binghamton, New York, 13902, for counseling services for the elderly in connection with Office for Aging's Community Services for the Elderly Grant for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,035 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760694.4457.102000 (Subcontracted Program Expense), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 122

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE BINGHAMTON HOUSING AUTHORITY FOR HOMEMAKER SERVICES FOR THE ENRICHED LIVING PROGRAM THROUGH THE COMMUNITY SERVICES FOR THE ELDERLY GRANT FOR THE OFFICE FOR AGING FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 116 of 1993, authorized an agreement with the Binghamton Housing Authority for homemaker services for the Enriched Living Program through the Community Services for the Elderly Grant for the Office for Aging for the period April 1, 1993 through March 31, 1994, and

WHEREAS, said agreement expires by its terms on March 31,

1994, and it is desired at this time to renew said agreement for the period April 1, 1994 through March 31, 1995 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Binghamton Housing Authority for homemaker services for the Enriched Living Program through the Community Services for the Elderly Grant for the Office for Aging for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the Binghamton Housing Authority shall pay to the County an amount not to exceed \$9,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made to revenue line 760546.0166.102000 (Miscellaneous Contributions), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 123

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

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT
WITH CATHOLIC CHARITIES OF BROOME COUNTY, INC.,
FOR SHOPPER SERVICES IN CONNECTION WITH THE
OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE
ELDERLY GRANT FOR 1994 THROUGH 1995**

WHEREAS, this County Legislature, by Resolution 117 of 1993, authorized an agreement with Catholic Charities of Broome County, Inc., for shopper services for the Office for Aging's Community Services for the Elderly Grant at a cost not to exceed \$13,500 for the period April

1, 1993 through March 31, 1994, and

WHEREAS, said services are necessary to aid the elderly residents in their shopping needs, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Catholic Charities of Broome County, Inc., for shopper services for the Office for Aging's Community Services for the Elderly Grant for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$13,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760587.4457.102000 (Subcontracted Program Expense), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 124

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994

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WHEREAS, this County Legislature, by Resolution 125 of 1993, authorized and approved the Supplemental Nutrition Assistance Program (SNAP) for the Office for Aging and adopted a program budget in the amount of \$184,969 for the period April 1, 1993 through March 31, 1994, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Supplemental Nutrition Assistance Program for the Office for Aging for the period April 1, 1993 through March 31, 1994 in the total amount of \$182,601, 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 \$182,601 for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that Resolution 125 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 125

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF BROOME COUNTY OFFICE FOR AGING IIIB HEALTH MAINTENANCE PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994

WHEREAS, this County Legislature, by Resolution 568 of 1993, authorized the continued participation by the Office for Aging in the IIIB Health Maintenance Program for the calendar year 1994 and adopted a program budget in connection therewith in the total amount of \$52,333, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging IIIB Health Maintenance Program for calendar year 1994 in the total amount of \$40,531, 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 \$40,531 for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that Resolution 568 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 126

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF THE OFFICE FOR AGING HEALTH INSURANCE INFORMATION AND COUNSELING ASSISTANCE PROGRAM, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH ACTION FOR OLDER PERSONS, INC. FOR IMPLEMENTATION OF SAME FOR 1993 THROUGH 1994

WHEREAS, this County Legislature, by Resolution 12 of 1993, authorized and approved the Office for Aging Health Insurance Information and Counseling Assistance Program and adopted a program budget in the amount of \$3,000 for the period January 1, 1993 through September 15, 1993, and

WHEREAS, this County Legislature, by Resolution 166 of 1993, authorized an agreement with Action for Older Persons, Inc. for implementation of the Office for Aging Health Insurance Information and Counseling Assistance Program for the period January 1, 1993 through September 15, 1993 at a cost not to exceed \$3,000, and

WHEREAS, said grant program provides for the recruitment and training of volunteers to provide health insurance counseling for older persons, and

WHEREAS, it is desired to renew said grant program, adopt a program budget in connection therewith and renew an agreement with Action for Older Persons, Inc. for implementation of same for the period

October 1, 1993 through September 30, 1994, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$3,000 from the New York State Office for the Aging for the period October 1, 1993 through September 30, 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 \$3,000 for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York, 13901 for recruitment and training of volunteers to counsel and assist older persons with health insurance for the period October 1, 1993 through September 30, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760009.4457.102000 (Subcontracted Program Expense), and be it

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

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

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

hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 127

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 124 of 1993, authorized and approved the Expanded In-Home Services for the Elderly Program (EISEP) for the Office for Aging and adopted a program budget in the amount of \$443,747 for the period April 1, 1993 through March 31, 1994, and

WHEREAS, said program budget is being amended by companion resolution, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1994 through March 31, 1995 in the amount of \$457,799, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Office for Aging's participation in the Expanded In-Home Services for the Elderly Program (EISEP) for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$457,799 for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that the County Executive or his duly

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 128

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) FOR OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 124 of 1993, authorized the continued participation by the Office for Aging in the Expanded In-Home Services for the Elderly Program for the period April 1, 1993 through March 31, 1994 and adopted a program budget in connection therewith in the total amount of \$443,747, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Expanded In-Home Services for the Elderly Program (EISEP) the Office for Aging for the period April 1, 1993 through March

31, 1994 in the total amount of \$483,516, 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 \$483,516 for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that Resolution 124 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 129

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS PROVIDERS FOR PERSONAL CARE/HOMEMAKER SERVICES IN CONNECTION WITH THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR THE OFFICE FOR AGING FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 120 of 1993, authorized an agreements with various contractors for the provision of personal care/homemaker services in connection with the Expanded In-Home Services for the Elderly Program (EISEP) for the Office for Aging for the period April 1, 1993 through March 31, 1994 at varying costs listed in Exhibit A, and

WHEREAS, said agreements expire by their terms on March 31, 1994, and it is desired at this time to renew said agreements for the period April 1, 1994 through March 31, 1995 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Homemakers of Broome County, Inc., d/b/a Caregivers, 33 West State Street, Binghamton, New York, 13901; Interim Healthcare, 59 Front Street, Binghamton, New York, 13905; UHH Home Services Corp., d/b/a Kimberly Quality Care, Inc., 30 West State Street, Binghamton, New York, 13901; Stafkings Healthcare Systems, P.O. Box 1015, Binghamton, New York, 13902; and Family and Children's Society, 257 Main Street, Binghamton, New York, 13905, for the period April 1, 1994 through March 31, 1995 as set out in Exhibit A attached hereto at the rates specified, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contract agencies an amount not to exceed the current budgeted amount in the subcontract expense line for the EISEP Program plus any client contributions, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760678.4457.102000 (Subcontract Program Expense), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 130

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 125 of 1993 authorized and approved the Supplemental Nutrition Assistance Program (SNAP) for the Office for Aging and adopted a program budget in the amount of \$184,969 for the period April 1, 1993 through March 31, 1994, and

WHEREAS, said program budget is being amended by companion resolution, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1994 through March 31, 1995 in the amount of \$189,950, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continuation of the Office for Aging's Supplemental Nutrition Assistance Program (SNAP) for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$189,950 for the period April 1, 1994 through March 31, 1995, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 131

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING CAREGIVER RESOURCE CENTER GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 122 of 1993, authorized the Office for Aging Caregiver Resource Center Grant and adopted a program budget in connection therewith in the total amount of \$20,000 for the period April 1, 1993 through March 31, 1994, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Caregiver Resource Center Grant for the period April 1, 1993 through March 31, 1994 in the total amount of \$20,727, 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 \$20,727 for the period April 1, 1993

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through March 31, 1994, and be it

FURTHER RESOLVED, that Resolution 122 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 132

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING CAREGIVER RESOURCE CENTER GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 122 of 1993 authorized and approved the Office for Aging Caregiver Resource Center Grant and adopted a program budget in the amount of \$20,000 for the period April 1, 1993 through March 31, 1994, and

WHEREAS, said program budget is being amended by companion resolution, and

WHEREAS, said grant program provides educational programs to family caregivers of impaired elderly in Broome County, including programs on personal care, community services, medical problems of aging and maintaining the mental health of the caregiver, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1994 through March 31, 1995 in the amount of \$20,000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from New York State Office for Aging for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$20,000 for the period April 1, 1994 through March 31, 1995, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 133

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING COMMUNITY SERVICES FOR THE ELDERLY GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 127 of 1993 authorized and approved the Office for Aging Community Services for the Elderly Grant and adopted a program budget in the amount of \$293,402 for the period April 1, 1993 through March 31, 1994, and

WHEREAS, said program budget is being amended by companion resolution,

WHEREAS, it is desired to renew said grant program for the period April 1, 1994 through March 31, 1995 in the amount of \$320,843, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continuation of the Office for Aging Community Services for the Elderly Grant for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$320,843 for the period April 1, 1994 through March 31, 1995, and be it

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

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

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

transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 134

by Health & Human Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING COMMUNITY SERVICES FOR THE ELDERLY GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 127 of 1993, authorized and approved the Office for Aging Community Services for the Elderly Grant for the period April 1, 1993 through March 31, 1994 and adopted a program budget in connection therewith in the total amount of \$293,402, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Community Services for the Elderly Grant for the period April 1, 1993 through March 31, 1994 in the total amount of \$290,605, 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 \$290,605 for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that Resolution 127 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

purpose of this Resolution, and be it

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 135

by Education, Culture & Recreation Committee

Seconded by Mr. Pasquale

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE ARENA BOARD OF DIRECTORS.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article XXIV, Section 2408 of the Broome County Charter and Resolution No. 129, adopted May 16, 1972 and as amended by Resolution 446, adopted December 30, 1974, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Arena Board of Directors for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
James Wahl Ridge Road, Mt. Prospect Binghamton, NY 13905	Reappointment Term expires 12/31/96
E. Timothy O'Hare 1260 Chase Court Hillcrest, NY 13901	New appointment Term expires 12/31/96

membership on the Broome County Stop DWI Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
George Gitlitz, MD 5 Riverside Drive Binghamton, NY 13905	Reappointment Term expires 12/31/95
Gerald Mollen 3 Sears Road Binghamton, NY 13902	Reappointment Term expires 12/31/95
Douglas Stento 8 Theresa Blvd. Binghamton, NY 13901	Reappointment Term expires 12/31/95
Andy Kavulich 261 N. Baldwin Street Johnson City, NY 13790 Ex Officio	Reappointment Term expires 12/31/94
Dorothy Condon 128 Helen Street Binghamton, NY 13905 Ex Officio	Reappointment Term expires 12/31/95
Susan Miller 38 Patricia Street Binghamton, NY 13905	Reappointment Term expires 12/31/95
Louise Callahan 7 Utica Avenue Binghamton, NY 13901	Reappointment Term expires 12/31/95

Rodney Jewitt 227 Hudson Street Johnson City, NY 13790	Reappointment Term expires 12/31/95
Ken Stica Box 139F, Underwood Road Vestal, NY 13850	Reappointment Term expires 12/31/95
Paula Nickerson 917 Prescott Avenue Endicott, NY 13760	Reappointment Term expires 12/31/95
Fred Poliziano 68 Liberty Highway Windsor, NY 13865	New appointment Term expires 12/31/95
Virginia Holleran 29 Davis Street Binghamton, NY 13905	New appointment Term expires 12/31/95
Dave Whalen 26 Oakridge Drive Binghamton, NY 13903	New appointment Term expires 12/31/95
Diane Herz 15 Crary Avenue Binghamton, NY 13905	New appointment Term expires 12/31/95
Edward Swart 3 Ivan Lane Binghamton, NY 13901 Ex Officio	New appointment Term expires 12/31/95

for the period October 1, 1993 through September 30, 1994 and adopted a program budget in connection therewith in the total amount of \$75,000, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Food State Employment and Training Grant Program for the period October 1, 1993 through September 30, 1994 in the total amount of \$64,115, 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 \$64,115 for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that Resolution 383 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 138

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT TO FEE SCHEDULE FOR SALE OF MAPS AND AERIAL PHOTOGRAPHS BY DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

WHEREAS, the Broome County Department of Planning and Economic Development regularly sells various maps and aerial photo prints to the general public, and

WHEREAS, this County Legislature, by Resolution 118 of 1989, as amended by Resolution 163 of 1993, established a schedule of fees for such sales, and

WHEREAS, it is appropriate at this time to revise said schedule of fees to provide an increase for the cost of maps and aerial photos, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and adopts the rate structure attached hereto as Exhibit A for the sale of various maps and aerial photo prints by the Broome County Department of Planning and Economic Development, and be it

FURTHER RESOLVED, that the fees hereinabove shall become effective April 1, 1994, and be it

FURTHER RESOLVED, that all proceeds received from said sales will be forwarded to the Commissioner of Finance through revenue line 440016.0208.101000 (Minor Sales), and be it

FURTHER RESOLVED, that the Commissioner of Finance and the Comptroller of Broome County are hereby authorized to make such bookkeeping and accounting entries and adjustments as may be necessary to effectuate the intent and purpose of this Resolution.

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 139

by Finance Committee

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING THE SEARCH FOR A PRIVATE VENDOR TO DRAFT A REQUEST FOR PROPOSAL (RFP) FOR THE PRIVATE MANAGEMENT OF WILLOW POINT NURSING FACILITY AND TO FURTHER PROVIDE CONSULTING SERVICES IN THE EVALUATION OF ANY RESPONSES TO SAID REQUEST FOR PROPOSAL

WHEREAS, it is desired to commence a search for an individual and/or firm to prepare and draft a Request for Proposal (RFP) and to provide evaluations on any bids received in connection therewith for a proposed private management of Willow Point Nursing Facility (WPNF), and,

WHEREAS, said services would provide input in drafting an RFP to manage county employees at WPNF, county contracts at WPNF, and to further make recommendations to the Legislature on how WPNF should operate on an annual basis, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amount not to exceed \$5,000 to be used from the 1994 contingency account to pay an individual and/or firm to develop, oversee and evaluate a Request for Proposal (RFP) and provide consulting services in connection therewith for the private management of Willow Point Nursing Facility, and be it

FURTHER RESOLVED, that this Legislature requests that the Chairman of the Legislature set up a special committee whose function it will be to search for said individual and/or firm in conformity with Broome County Purchasing practices and to review said Request for Proposal once it is prepared and to make any and all recommendations back to this Legislature in connection therewith, and be it

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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 under the rules by Mrs. Hudak.

RESOLUTION NO. 140

by Personnel Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR HEALTH, LIBRARY and LAW.

RESOLVED, that in accordance with a request from the Department of Health, as contained in PCR# 94-137, this County Legislature hereby authorizes the **change** of one (1) Director of Environmental Health Services position at budget line A480137.1000, minimum salary \$46,430, Grade 29, Union Code 07 (BAPA) to budget line A480137.1000, minimum salary \$38,380, Grade H, Union Code 02 (Admin II), effective January 1, 1993, and be it

FURTHER RESOLVED, that in accordance with a request from the Library, as contained in PCR# 94-145, this County Legislature hereby authorizes the request to **upgrade** one (1) Librarian II position at budget line L841007.1000, minimum salary \$26,474, Grade 18, Union Code 30 (CSEA), to one (1) Librarian III position at budget line L841007.1000, minimum salary \$29,464, Grade 20, Union Code 30 (CSEA), effective March 28, 1994, and be it

FURTHER RESOLVED, that in accordance with a request from the Law Department, as contained in PDR# 94-201, this County Legislature authorizes the **increase** in the incumbent's salary of the Chief Assistant County Attorney position (Grade K) from \$46,419 to \$53,919, effective March 1, 1994.

The Chair directed separate roll call votes on each item as follows:

PCR# 94-137 carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk

& Wagstaff)

PCR# 94-145 carried.

Ayes-13(Augostini, Burger, Coffey, Harris, Howard, Kavulich, Lindsey, Malley, Pasquale, Pazzaglini, Schofield, Taylor and Whalen)
Nays-3 (Hudak, Mather and Shafer) Absent-3(Brown, Harbachuk & Wagstaff)

PDR# 94-201 carried.

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

RESOLUTION NO. 141

by County Administration, Economic Development and Planning, Finance, and Education, Culture & Recreation Committees
Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING A FULL APPROPRIATION OF \$181,000.00 TO THE BROOME COUNTY ARTS COUNCIL FOR FISCAL YEAR 1994

WHEREAS, the Broome County Legislature in the 1994 budget approved an appropriation in the total amount of \$181,000.00 to the Broome County Arts Council, and

WHEREAS, this Legislature determined that a portion of that appropriation (\$16,000.00) was to come from proceeds from parking and admission fees associated with the proposed 1994 Speidie Fest Balloon Rally, and

WHEREAS, the Broome County Legislature by subsequent Resolution No.94-42, adopted on January 20, 1994, did eliminate fees and charges by Broome County for the proposed 1994 Speidie Fest Balloon Rally, thereby eliminating the \$16,000.00 funding stream for the Arts Council, and

WHEREAS, it is necessary at this time to authorize the Budget Director for Broome County to transfer any necessary money from the Contingency Fund in order that the full \$181,000 previously appropriated can be distributed to the Broome County Arts Counsel, now, therefore, be it

RESOLVED, that this Legislature does declare that the full appropriation of \$181,000.00 should be made payable to the Arts Council for fiscal 1994 as a contract agency and that the Budget Director of the County of Broome is hereby authorized to make any transfers, including, if necessary, a transfer from the contingency fund in order to make up the \$16,000.00 in revenue that was eliminated by Resolution No. 94-42, adopted January 20, 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.

Heldover under the rules by Mr. Pazzaglini

RESOLUTION NO. 142

by Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AID TO LOCALITIES-AID TO DEFENSE PROGRAM GRANT FOR THE OFFICE OF THE PUBLIC DEFENDER AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 137 of 1993, as amended by Resolution 357 of 1993, authorized and approved the Public Defender Aid to Localities - Aid to Defense Program Grant for the period April 1, 1993 through March 31, 1994 and adopted a program budget in the amount of \$39,820, and

WHEREAS, the County, through the Public Defender's Office, is legally obligated to provide representation to the program's indigent targets and this grant benefits the local economy by relieving the County of an expense that it would otherwise have to assume, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1994 through March 31, 1995 in the amount of \$36,683, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$36,683 from the New York State Department of Criminal Justice Services for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$36,683 for the period April 1, 1994 through March 31, 1995, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 143

by Public Works and Environment Committees Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO CENTRAL FOODS EXPANSION PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake a Central Foods Expansion Project to address the short term facility space and equipment needs of this program, and

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

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Central Foods Expansion Project, and

WHEREAS, the initiation of the Central Foods Expansion 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 a proposed Central Foods Expansion 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 Central Foods Expansion Project will not have significant effect on the environment, and be it FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "A."

Heldover under the rules by Mr. Schofield.

RESOLUTION NO. 144

by Health & Human Services Personnel and Finance Committees
Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING ACCEPTANCE OF DIRECTLY OBSERVED THERAPY (DOT) TB GRANT FOR THE HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, the Public Health Director requests authorization to accept a Directly Observed Therapy (DOT) TB Grant in the amount of \$26,000 for the period April 1, 1994 through March 31, 1995, and

WHEREAS, said grant program provides for interviewing of Vietnamese refugees for purposes of prevention of tuberculosis in compliance with preventive therapies, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$ 26,000 from the New York Department of Health, Bureau of TB Control, for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$ 26,000 for the period April 1, 1994 through March 31, 1995, and be it

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

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

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

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Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 145

by Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH FISCAL ADVISORS, INCORPORATED, FOR CONSULTING SERVICES FOR THE DEPARTMENT OF FINANCE FOR 1994 THROUGH 1996

WHEREAS, this County Legislature, by Resolution 695 of 1992, authorized an agreement with Fiscal Advisors, Inc., for consulting services with regard to planning, preparing and marketing of County financial issues for the period January 1, 1993 through December 31, 1993, and

WHEREAS, said services are necessary to provide professional services to the County of Broome in connection with the various County Capital Projects Bond Sales, note issuances, and the sale of tax sale certificates, and

WHEREAS, said agreement expired by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar years 1994 through 1996, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Fiscal Advisors, Inc., 85 North Broadway, Hicksville, New York, 11801, for professional services in connection with the marketing of municipal bonds and capital notes, note issuances, and sales of tax sales certificates of the County of Broome, for the period January 1, 1994 through December 31, 1996, and be it

FURTHER RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay for said professional services including the

preparation, printing and distribution of an Official Statement and Notice of Sale/Bid Form at the time of issuing serial bonds, in an amount not to exceed one-quarter of one percent for the initial three million dollars par value of bonds sold, plus one-tenth of one percent for the balance of par value in excess of three million dollars, and be it

FURTHER RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay for said professional services including the preparation, printing and distribution of a Note Official Statement and Notice of Sale/Bid Form at the time of issuing notes, in an amount not to exceed \$4,500 or one-tenth of one percent for each one million dollars par value of notes sold up to and including the first ten million dollars par value plus one-twentieth of one percent for each one million dollars par value sold in excess of ten million dollars par value, whichever is greater, and be it

FURTHER RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay for the said professional services at the time such tax sale certificates are sold, a fee or sum of money not to exceed one-quarter of one percent for the first two million dollars par value of tax sale certificates sold, plus one-tenth of one percent for each million dollars or portion thereof par value of tax sale certificates sold in addition to the first two million dollars par value, and be it

FURTHER RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay for the professional services in the distribution of a Notice of Sale/Bid Form issued through negotiations or via the distribution of just a legal Notice of Sale/Bid Form, a fee of \$1,500 plus one-tenth of one percent or \$3,000, whichever is less, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 146

by County Administration, Economic Development and Planning Committee

Seconded by Mr. Pasquale

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON SOUTHERN TIER EAST REGIONAL PLANNING DEVELOPMENT BOARD.

WHEREAS, Arthur J. Shafer, Chair of the Broome County Legislature, pursuant to the powers vested in him by Resolution No. 230, adopted June 27, 1967, Resolution No. 416, adopted December 30, 1974, Resolution No. 48, adopted February 7, 1984, and Resolution No. 108, adopted March 31, 1987, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Southern Tier East Regional Planning Development Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Michael P. Pazzaglini 956 Sarah Lane Endicott, NY 13760 (Broome County Legislator) (Replacing Robert Warner)	Term Expires 12/31/94
Elaine M. Miller 13 Spring Street Binghamton, NY 13903 (City Elected Official or) (Citizen @ Large) (Replacing Norman Shaddock, Sr.)	Term Expires 12/31/94

and

WHEREAS, it is desired at this point in time, in accordance with

the provisions of Resolution No. 230, adopted June 27, 1967, Resolution No. 416, adopted December 30, 1974, Resolution No. 48, adopted February 7, 1984, and Resolution No. 108, adopted March 31, 1987, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 230, adopted June 27, 1967, Resolution No. 416, adopted December 30, 1974, Resolution No. 48, adopted February 7, 1984, and Resolution No. 108, adopted March 31, 1987, does hereby confirm the appointments of the above-named individuals to membership on the Southern Tier East Regional Planning Development Board in accordance with their appointment by the Legislative Chair Arthur J. Shafer.

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 147

by Public Safety & Emergency Services Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CHRISTIAN D. TVETENSTRAND, M.D. FOR MEDICAL DIRECTOR SERVICES FOR THE DEPARTMENT OF EMERGENCY SERVICES

WHEREAS, the Broome County Board of Acquisition and Contract, at a regularly scheduled meeting held May 22, 1991, authorized an agreement with Christian D. Tvetenstrand, M.D., for acting Medical Director services for the Department of Emergency Services, and

WHEREAS, said services include medical advice on policies and procedures to the Department of Emergency Services, at no cost to Broome County, and

WHEREAS, it is desired at this time to renew said agreement with Dr. Tvetenstrand for Medical Director Services for the Department of Emergency Services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes

renewal of an agreement with Christian D. Tvetenstrand, M.D., for professional services in connection with his Medical Director for the Department of Emergency Medical Services, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 148

by Public Safety & Emergency Services Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH JAMES E. RADIN, M.D., FOR ASSOCIATE MEDICAL DIRECTOR SERVICES FOR THE DEPARTMENT OF EMERGENCY SERVICES

WHEREAS, the Department of Emergency Services requests authorization to enter into an agreement with James E. Radin, M.D., for Associate Medical Director services for the Department of Emergency Services at no cost to Broome County, and

WHEREAS, Dr. Radin is a qualified Emergency Physician, and is currently a Clinical Assistant Professor, Critical Care and Emergency Medicine, SUNY Health Science Center at Syracuse, New York, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with James E. Radin, M.D., for Associate Medical Director services for the Department of Emergency Services, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 149

by Personnel and Public Safety & Emergency Services Committees

Seconded by Mr. Pasquale

RESOLUTION CONFIRMING REAPPOINTMENT OF ROBERT M. O'LEARY AS BROOME COUNTY PUBLIC DEFENDER

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article XXII, C2201 of the Broome County Charter, has duly designated and reappointed, pending confirmation by this Legislature, ROBERT M. O'LEARY, 4620 Duke Drive, Binghamton, New York, 13903, as Public Defender for Broome County for a term of five years, commencing March 1, 1994, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XXII, C2201 of the Broome County Charter to confirm said reappointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXII, C2201 of the Broome County Charter, does hereby confirm the reappointment of ROBERT M. O'LEARY as Public Defender for Broome County in accordance with his reappointment by the County Executive.

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 150

by Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH COOPERS AND LYBRAND CONSULTING SERVICES FOR HEALTH CARE AND WORKERS' COMPENSATION PLAN FOR THE PERIOD APRIL 1, 1994 TO MARCH 31, 1995

WHEREAS, the Risk Manager has sought proposals for consulting services to both Health Care and the Workers' Compensation Plan and

WHEREAS, this consulting with assist the County in updating its Health Plan and the language utilized in the plan for more clarity and efficiency of operation and

WHEREAS, the County needs consultation on behalf of all participants to the Workers' Compensation Plan to define a more equitable distribution of cost and the overall administration of the Plan and

WHEREAS, the Risk Manager has recommended that this Legislature select Coopers and Lybrand to fulfil these functions and to act as general consultant's to each Plan for the period April 1, 1994 through March 31, 1995 and

WHEREAS, in the opinion of the Risk Manager, the selection of Coopers and Lybrand would be in the best interest of the County based upon their professional work product and the audit of the County's third party administrator (Sieba) and Corporate Care Management, now, therefore, be it hereby

RESOLVED, that this Legislature does authorize an agreement with Coopers and Lybrand of One Lincoln Center, Syracuse, New York 13202 to act as the County's consultants on both the Health Plan and the Workers' Compensation Plan for the period April 1, 1994 through March 31, 1995 in an amount not to exceed \$22,000.00, and

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. Pasquale moved, seconded by Mr. Burger to separate the Health Plan and the Workers' Compensation contracts into separate resolutions to be identified as follows:

Resolution No. 150A - Health Plan Contract for \$18,500.

Resolution No. 150B - Workers' Compensation Contract for \$3,500.

The separation **carried**. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

Resolution No. 150A **carried**.

Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

Resolution No. 150B was **heldover** under the rules by Mr. Burger.

The modified resolutions follow:

RESOLUTION NO. 150A

by Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH COOPERS AND LYBRAND CONSULTING SERVICES FOR HEALTH CARE PLAN FOR THE PERIOD APRIL 1, 1994 TO MARCH 31, 1995

WHEREAS, the Risk Manager has sought proposals for consulting services for the Health Care Plan and

WHEREAS, this consulting with assist the County in updating its Health Plan and the language utilized in the plan for more clarity and efficiency of operation and

WHEREAS, the Risk Manager has recommended that this Legislature select Coopers and Lybrand to fulfil this function and to act as general consultant to the Health Care Plan for the period April 1, 1994 through March 31, 1995 and

WHEREAS, in the opinion of the Risk Manager, the selection of Coopers and Lybrand would be in the best interest of the County based upon their professional work product and the audit of the County's third party administrator (SIEBA) and Corporate Care Management, now, therefore, be it hereby

RESOLVED, that this Legislature does authorize an agreement with

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Coopers and Lybrand of One Lincoln Center, Syracuse, New York 13202 to act as the County's consultants on for the Health Care Plan for the period April 1, 1994 through March 31, 1995 in an amount not to exceed \$18,500.00, and

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 150B

by Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH COOPERS AND LYBRAND CONSULTING SERVICES FOR WORKERS' COMPENSATION PLAN FOR THE PERIOD APRIL 1, 1994 TO MARCH 31, 1995

WHEREAS, the Risk Manager has sought proposals for consulting services for the Workers' Compensation Plan and

WHEREAS, the County needs consultation on behalf of all participants to the Workers' Compensation Plan to define a more equitable distribution of cost and the overall administration of the Plan and

WHEREAS, the Risk Manager has recommended that this Legislature select Coopers and Lybrand to fulfil this function and to act as general consultant to the Workers' Compensation Plan for the period April 1, 1994 through March 31, 1995 and

RESOLVED, that this Legislature does authorize an agreement with Coopers and Lybrand of One Lincoln Center, Syracuse, New York 13202 to act as the County's consultants on for the Workers'

Compensation Plan for the period April 1, 1994 through March 31, 1995 in an amount not to exceed \$3,500.00, and

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 under the rules by Mr. Burger.

RESOLUTION NO. 151

by County Administration, Economic Development & Planning Committee

Seconded by Mrs. Hudak

RESOLUTION CLARIFYING COUNTY POLICY WITH RESPECT TO CONSOLIDATION IN BROOME COUNTY

WHEREAS, Partnership 2000, the Council of Governments and, most of the elected officials have been discussing the issue of consolidation for some period of time, and

WHEREAS, it is recognized that the County of Broome cannot legally force towns, villages and cities to consolidate services, and

WHEREAS, the County of Broome has previously consolidated such operations as the Department of Social Services, Library, Zoo, Election Services, Workers' Compensation Plans, purchasing practices, garbage disposal, tourism promotion, etc., and

WHEREAS, it is deemed to be in the best interest of Broome County to publicly declare the County's position with respect to consolidation of any further services between the County of Broome, City of Binghamton, Towns, Villages, School Districts, etc., within Broome County's borders, now, therefore, be it

RESOLVED, that it is the specific policy of the County of Broome to encourage and facilitate consolidation where it will lead to saving real taxpayer dollars and, at the same time, maintain a reasonable standard of quality tied to service delivery, and be it

FURTHER RESOLVED, that the County of Broome stands prepared to discuss and accept proposals from any municipality or school district within the County of Broome, wherein services are proposed to be transferred from the municipality or school district to the County of Broome upon a specific showing of savings to County taxpayers that can be verified, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is directed to send a copy of this Resolution to all school districts and municipalities within Broome County.

Mr. Burger moved, seconded by Mr. Pasquale that the first Further Resolved be modified to read as follows:

FURTHER RESOLVED,that the County of Broome stands prepared to discuss and accept proposals from any municipality or school district within the County of Broome, wherein services are proposed to be transferred from the municipality or school district to the County of Broome upon a specific showing of savings to County taxpayers, while maintaining a reasonable standard of quality, responsiveness, accessibility and accountability that can be verified, and be it

The amendment **carried.** Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

The resolution as amended **carried.**

Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 152

by County Administration, Economic Development and Planning Committee

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING HOME RULE REQUEST TO

AUTHORIZE THE COUNTY OF BROOME TO IMPOSE AN ADDITIONAL MORTGAGE TAX.

WHEREAS, by Resolution No. 461 of 1993, this Legislature Requested the New York State Legislature to enact state legislation authorizing the County of Broome to impose an additional mortgage tax, and

WHEREAS, assembly bill A9398 and senate bill S6666 have been introduced into the New York State Assembly and Senate respectively to amend the tax law in relation to authorizing the County of Broome to impose an additional mortgage tax, and

WHEREAS, pursuant to Article IX of the Constitution of the State of New York it is necessary for this legislature to enact a Home Rule Request for the passage of said legislation, now, therefore, be it

RESOLVED, that this County Legislature hereby urges and approves the adoption and passage of said assembly bill A9398 and senate bill S6666 entitled "An Act to amend the tax law, in relation to authorizing the county of Broome to impose a county recording tax on obligations secured by a mortgage on real property" and hereby declares that a necessity exists for the passage of such bill in that the local legislative body of the County of Broome does not have the power to enact such legislation by local law, and be it further

RESOLVED, that a Home Rule Request be submitted to the senate and assembly of the New York State Legislature indicating that the necessity exists for the enactment of said legislation.

The resolution **carried**.

Ayes-12(Augostini, Coffey, Harris, Howard, Lindsey, Malley, Pasquale, Pazzaglini, Schofield, Taylor, Whalen and Shafer)

Nays-4 (Burger, Hudak, Kavulich and Mather)

Absent-3(Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 153

by County Administration, Economic Development and Planning Committee

Seconded by Mr. Augustini

RESOLUTION AUTHORIZING HOME RULE REQUEST TO AUTHORIZE THE COUNTY OF BROOME TO IMPOSE A REAL ESTATE TRANSFER TAX.

WHEREAS, by Resolution No. 462 of 1993, this Legislature Requested the New York State Legislature to enact state legislation authorizing the County of Broome to impose a real estate transfer tax, and

WHEREAS, assembly bill A9397 and senate bill S6667 have been introduced into the New York State Assembly and Senate respectively to amend the tax law in relation to authorizing the County of Broome to impose a real estate transfer tax, and

WHEREAS, pursuant to Article IX of the Constitution of the State of New York it is necessary for this legislature to enact a Home Rule Request for the passage of said legislation, now, therefore, be it

RESOLVED, that this County Legislature hereby urges and approves the adoption and passage of said assembly bill A9397 and senate bill S6667 entitled "An Act to amend the tax law, in relation to authorizing the county of Broome to impose a real estate transfer tax" and hereby declares that a necessity exists for the passage of such bill in that the local legislative body of the County of Broome does not have the power to enact such legislation by local law, and be it further

RESOLVED, that a Home Rule Request be submitted to the senate and assembly of the New York State Legislature indicating that the necessity exists for the enactment of said legislation.

The resolution **carried**.

Ayes-12(Augostini, Coffey, Harris, Howard, Lindsey, Malley, Pasquale,
Pazzaglini, Schofield, Taylor, Whalen and Shafer)

Nays-4 (Burger, Hudak, Kavulich and Mather)

Absent-3(Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 154

by County Administration, Economic Development and Planning
Committee

Seconded by All Members

**RESOLUTION SUPPORTING THE STATE TAKEOVER OF
MEDICAID**

WHEREAS, New York is one of the few states in the country which mandates that counties and the City of New York (localities) pay a local Medicaid share, which now costs localities \$3.3 billion a year with a growth factor of 14% per annum, and

WHEREAS, this Medicaid mandate requires localities to dedicate an increasingly larger portion of the local property taxes for the State Medicaid program thereby imposing a back-breaking burden on homeowners, agriculture, and business, and

WHEREAS, it is imperative that localities obtain immediate relief from this unbridled growth in the Medicaid program by enactment of effective Medicaid cost containment, and

WHEREAS, each phase of a State takeover of the local Medicaid program should include a hold harmless clause to ensure that each locality benefits from the State takeover plan, and

WHEREAS, counties no longer have the fiscal resources to support the local Medicaid share by reliance on continual property tax increases and sales tax increases, and a State takeover of Medicaid would enable counties to administer other necessary local programs in an equitable and productive fashion, and

WHEREAS, the County of Broome has made Medicaid takeover its

NUMBER ONE MANDATE RELIEF PRIORITY FOR 1994, and is advocating that Medicaid takeover be enacted into law concurrent with the adoption of the 1994-95 State budget, and

WHEREAS, the County of Broome now wishes to express its support for State Medicaid takeover in accordance with the above recitals and such State takeover be enacted into law on or before March 31, 1994, now, therefore, be it

RESOLVED, that the County of Broome supports the phase-in of State takeover of the Medicaid program, and be it

FURTHER RESOLVED, that copies of this resolution be submitted to Governor Mario M. Cuomo and all members of the New York State Legislature, as well as all others deemed necessary and proper.

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

RESOLUTION NO. 155

by County Administration, Economic Development and Planning Committee

Seconded by Mr. Pasquale

RESOLUTION CREATING AN ECONOMIC DEVELOPMENT ADVISORY COUNCIL UNDER BROOME COUNTY'S DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND ADOPTION OF THE BYLAWS

WHEREAS, the Broome County Legislature is empowered to develop economic policy for the County, and

WHEREAS, the Broome County Department of Planning and Economic Development is charged with the responsibility for carrying out planning and coordinate comprehensive County-wide economic development, and

WHEREAS, the Broome County Legislature wishes to constitute the Economic Development Advisory Council under the Broome County Department of Planning and Economic Development in order to develop comprehensive economic development plans, to solicit input from a variety of interests, to facilitate effective communication and

coordination among all municipalities and agencies of the County, to work with the Broome County Economic Development Alliance in its planning process and be responsible for reviewing and advising local, state, and where the resources within the County are influenced, the federal government on the present and proposed methods and policies relating to economic development,

WHEREAS, the Broome County Economic Development Advisory Council should be governed by rules for the proper and efficient administration of its affairs, now, therefore be it;

RESOLVED, that the Broome County Legislature does hereby create and establish an Economic Development Advisory Council, and, be it further,

RESOLVED, that the following rules are hereby adopted as the By-Laws of the Broome County Economic Development Advisory Council and that any matter not addressed herein shall be handled according to Robert's Rules of Order, Revised.

ARTICLE I: NAME AND PURPOSE

The name of this organization is the Broome County Economic Development Advisory Council (hereinafter called the Council), as established by the Broome County Legislature (hereinafter called the Legislature).

The goals and purposes of the Council shall include:

- 1)assist the general economic development of Broome County;
- 2)provide a forum where a variety of interests can meet and share ideas while developing working relationships and providing input to economic planning;
- 3)provide advice to the County Executive, Legislature, municipal governmental bodies and economic development agencies;
- 4)serve as an advisory resource to economic research and planning activities;

- 5)prepare long-term strategies for the economic development of the County;
- 6)cooperate and assist other organizations in preparing economic development plans and reports while insuring consistency with County-wide goals;
- 7)serve as an advisory resource in the development of a comprehensive marketing plan for the County;
- 8)assist Broome County Planning Department in preparing an annual report on the status of the County's economy;

**ARTICLE II: MEMBERSHIP SECTION 1
COMPOSITION**

A. The composition of voting and ex officio/non-voting membership in the Council shall be as follows:

- 1.Government representation to be comprised of:
 - a. representative from the Council of Government (non-County)
 - b. representative of the Broome County Legislature
- 2.Economic Development Agency representation to be comprised of:
 - a.representative from Broome County Economic Development Alliance
 - b.Broome County Industrial Development Agency (ex officio/non-voting)
 - c.Binghamton Local Development Corporation (ex officio/non-voting)
- 3.Financial institution representation to be comprised of: two leading financial institutions (represented by local investment dollars).
4. Business community representation to be comprised of:
 - a.representative from Broome County Chamber of Commerce
 - b.representative from Minority Businesses and Contractors Association
 - c.NYS Small Business Development Center (ex officio/non-voting)
5. Labor representation to be comprised of:
 - a. representative from the Federation of Labor
 - b. representative from B.C. Building Trades Association
 - c. New York State Department of Labor (ex officio/non-voting)

6. Job training institution representation to be comprised of:
 - a. representative from Binghamton University
 - b. representative from Broome Community College
 - c. representative from Board of Cooperative Educational Services (BOCES).
 - d. B.C. Office of Education and Training (ex officio/non-voting)
 - e. B.C. Department of Social Services-Job Training (ex officio/non-voting)
 7. Infrastructure representation to be comprised of:
 - a. representative from New York State Electric and Gas
 - b. representative from Bing/JC Sewage Treatment Board
 - c. B.C. Department of Public Works (ex officio/non-voting)
 - d. B.C. Division of Solid Waste (ex officio/non-voting)
 - e. NYS Department of Transportation (ex officio/non-voting)
 - f. NYS Department of Public Works (ex officio/non-voting)
 8. Environment representation to be comprised of:
 - a. representative from Broome County Environmental Management Council
 - b. B.C. Department of Health (ex officio/non-voting)
 - c. NYS Department of Environmental Conservation (ex officio/non-voting)
 9. Regional planning units representation to be comprised of:
 - a. representative from Southern Tier East Regional Planning (STERP)
 - b. representative from UnIPEG
 - c. NYS Department of Economic Development (ex officio/non-voting)
 - d. Binghamton Metropolitan Transit Study (ex officio/non-voting)
 10. Three(3) members-at-large
- B. There shall be any number of non-voting Associate Members to be appointed by the Legislature.

SECTION 2 SELECTION

- A. The Chairperson of the Legislature may appoint the Legislative representative.
- B. The County Executive may appoint County Department representatives.
- C. The Chair of Council of Government may appoint the COG representative.
- D. All New York State department heads may designate their representatives.
- E. All other organizations are invited to appoint representative by their respective governing boards.
- F. Members-at-large are to be selected by the County Executive in consultation with the Council. These members shall represent community-based organizations with a history of representing consumer interests. The County Executive shall submit his/her appointees to the Legislature for confirmation.

SECTION 3 COMPENSATION

All members of Council shall receive no compensation for their services. They shall be reimbursed, to the extent that the budget permits, for expenses necessarily incurred in the performance of their Council duties (excluding Associate Members), subject to County expenditure approval procedures.

ARTICLE III: OFFICERS SECTION 1 COMPOSITION AND SELECTION

The Officers of the Council shall be a Chairperson and a Vice Chairperson. Officers shall be nominated by the Membership Committee at the November Council meeting. Council members may submit the names of additional nominees for office to the Staff Director prior to the December Council meeting.

SECTION 2 APPOINTMENT

Vice-Chairpersons and Council's nominee for the Chairpersonship shall be elected by a majority of Council members attending the December meeting. While the election of Vice-Chairperson is final, the selected nominee for Chairperson shall be submitted to the County Executive, who may appoint any Council member to the position of Chairperson.

SECTION 3 TERMS OF OFFICE

Officers shall serve one (1) year terms of office beginning on January 1 and ending on December 31 of any given year.

SECTION 4 DISMISSAL

The vice-Chairperson may be dismissed by a two-thirds vote of members attending a regular meeting, provided that prior to the vote, the officer has been advised in writing and has been given the opportunity to present their case to the Council. Notification shall be included in the agenda for that meeting. The Chairperson may be dismissed only by the County Executive.

SECTION 5 DUTIES

The officers of Council shall undertake the duties commonly associated with their positions. The Chairperson shall preside over Council meetings, and in the event of the absence of the Chairperson, the Vice-Chairperson shall preside. In the event of an extended absence of the Chairperson, the Vice-Chairperson shall serve as Acting Chairperson.

ARTICLE IV: ECONOMIC DEVELOPMENT ADVISORY COUNCIL STAFF

The Council shall communicate directly with the Director of Planning and Economic Development who shall assign staff to assist, as appropriate, the Council in its affairs, meetings, communications and the

like. The Council shall develop a work program for said staff.

ARTICLE V: COMMITTEES

SECTION 1 NUMBER OF COMMITTEES AND TASK FORCES

The Council shall create and dissolve any number of standing committees. Task Forces may also be set up for short term projects.

SECTION 2 AUTHORITY

Committees have no authority to act independently of Council or to make policy or other decisions on behalf of Council. Committee and task force decisions constitute recommendations to Council for its consideration and action.

SECTION 3 NOTICE

Staff shall send a written notice and agenda to each Committee member approximately one week prior to a meeting. Special Committee meetings shall be scheduled with at least 24 hours notice given to members.

SECTION 4 QUORUM

A quorum shall consist of 51% of current Committee members. A quorum is required for the transaction of official Committee business. If a quorum is not present, the Committee business conducted at that meeting will be subject to approval by a majority of members at the next Committee meeting.

SECTION 5 MINUTES

Minutes shall be recorded at each meeting and mailed to Committee

members no later than one week prior to the next meeting.

SECTION 6 SELECTION OF COMMITTEE CHAIRPERSONS

All committee chairpersons must be Council members (other than Associate Members) and shall be appointed by the Council Chairperson.

SECTION 7 COMMITTEE MEMBERSHIP AND SELECTION

Committee and Task Force membership is open to all Council members and interested non-members, subject to appointment by the Council Chairperson.

SECTION 8 VOTING PROCEDURE

Each Committee or Task Force member, including its Chairperson, is entitled to vote on committee matters. The Council Chairperson and Staff Director shall serve as non-voting, ex-officio members of all committees and task forces.

SECTION 9 ABSENCES

Unexcused absences from three consecutive task force committee meetings or from four meetings in any twelve (12) month period, shall constitute presumed resignation from a committee or task force.

SECTION 10 EXECUTIVE COMMITTEE

The Executive Committee shall be composed of the Chairperson, the Vice-Chairpersons, two additional Council members (elected by the Council and the Council Staff Director. One member of the Executive Committee shall serve as an ex officio member to the Economic Development Alliance. This committee shall be responsible for the routine administrative functions of Council, including preparation of the monthly meeting agenda. The Executive Committee may not prevent committee or task force Action Items or recommendations from being on the agenda.

SECTION 11 MEMBERSHIP COMMITTEE

The responsibility of the Membership Committee is to recruit Council members in order to ensure that all Council positions are filled. The Committee shall submit nominations to Council for approval.

SECTION 12 DISMISSAL

Chairpersons of committees or task forces as well as members of the Executive Committee (other than Chair) may be dismissed by a two-thirds vote of members attending a regular meeting, provided that prior to the vote, the officer has been advised in writing and has been given the opportunity to present their case to the Council. Notification shall be included in the agenda for that meeting. The Chairperson may be dismissed only by the County Executive.

ARTICLE VI: MEETINGS OF THE FULL COUNCIL

SECTION 1 REGULAR MEETINGS

The Council shall hold a regular meeting every month, to be determined by a schedule published by the Chair, unless extenuating circumstances (such as a legal holiday) cause the Executive Committee to reschedule. Regular Council meetings are open to the public, but may go into executive session when warranted.

SECTION 2 SPECIAL MEETINGS

Special meetings may be called by the Chairperson to conduct business that cannot be conducted at a regular meeting. Special Council meetings are open to the public.

SECTION 3 NOTICE

Staff shall send a written notice and agenda to each Council member approximately one week prior to a regular meeting. Special meetings of Council shall be scheduled with at least 24 hours notice given to members.

SECTION 4 QUORUM

A quorum shall consist of 51% of current voting members. A quorum is required for the transaction of official Council business. If a quorum is not present, the Council business conducted at that meeting will be subject to approval by a majority of members at the next Council meeting.

SECTION 5 MINUTES

Minutes shall be recorded at each meeting and mailed to Council members no later than one week prior to the next regular meeting.

SECTION 6 PRIVILEGE OF THE FLOOR FOR VISITORS

At the beginning of each Council meeting, there shall be a period of time designated as Privilege of the Floor. The Chairperson may give the floor, for up to five minutes, to each visitor who wishes to address the Council on any matter of economic development concern. Issues raised during this period may be placed on the agenda for the next regular meeting or Council may vote to take immediate action.

SECTION 7 VOTING PROCEDURE

All voting members of the Council are entitled to one vote on any question brought before Council at its meetings. Unless otherwise specified, a majority of members present is sufficient to decide an issue brought to a vote. Members absent from a Council meeting may not vote on business conducted during that meeting, either by proxy or by personally designated representative. When necessary, the Executive Committee may authorize the Chairperson to obtain votes from Council members by telephone or mail.

ARTICLE VII: BY-LAWS AMENDMENTS SECTION 1
NOTICE

The notice for a meeting at which final action on a by-law amendment is scheduled shall include the text of the proposed amendment and shall be mailed to members approximately one week prior to that meeting.

SECTION 2 RATIFICATION

Amendments to the by-laws shall require a two-thirds vote of all voting Council members and shall be subject to approval by the County Executive and Legislature.

Heldover under the rules by Mr. Pazzaglini

RESOLUTION NO. 156

by County Administration, Economic Development and Planning Committee

Seconded by Mr. Lindsey

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES GRANT FOR UPGRADING THE CURRENT DEPARTMENT OF MOTOR VEHICLES SERVICES IN THE OFFICE OF THE BROOME COUNTY CLERK FOR 1994 THROUGH 1995

WHEREAS, the New York State Department of Motor Vehicles has awarded the Office of the Broome County Clerk a grant in the amount of \$79,556 to be used to upgrade the current Broome County Department of Motor Vehicles services for the period April 1, 1994 through March 31, 1995, and

WHEREAS, said grant is designed to implement enforcement services and to help defray current reasonable costs pending the development of fee-for-service reimbursement system for the local Department of Motor Vehicles Office, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and

approves acceptance of a New York State Department of Motor Vehicles grant for upgrading the current Department of Motor Vehicles Services in the amount of \$79,556 for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$79,556 for the period April 1, 1994 through March 31, 1995, and be it

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

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

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

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)

Mr. Augostini moved, seconded by Mr. Pasquale to adjourn at approximately 5:35 P.M.

Carried. Ayes-16, Nays-0, Absent-3 (Brown, Harbachuk & Wagstaff)