

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)

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
APRIL 21, 1994**

The Legislature convened at 4 p.m. with a call to order by the Chairman, Arthur J. Shafer. Mr. Shafer left the meeting at approximately 5:20 P.M. and designated the Hon. Louis Augostini as 'Acting Chair.'

The Clerk, Richard R. Blythe, read the fire exit announcement and then called the Attendance roll: Present-19

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 March 17, 1994 Regular Session be approved as prepared and as presented by the Clerk. **Carried.**

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.Designating Joseph J. Slocum as Acting County Executive, March 25-27, 1994.
- 2.Designating Joseph J. Slocum as Acting County Executive, March 29, 1994.

PRESENTATION OF COMMUNICATIONS AND REPORTS:
COMMUNICATIONS:

1.Minutes from:

- a. Local Early Intervention Coordinating Council
- b.Landfill Siting Study Committee
- c.Association of Towns and Villages
- d.Mental Health Advisory Board
- e.Public Library
- f.Private Industry Council
- g.Environmental Management Council
- h.Water Resources and Land Use & Natural Resource Committees.
- i.EMC Ad Hoc Committee on Composting
- j.Willow Point Nursing Facility
- k.Mental Health Advisory Board

2.Resolutions from:

- a.Town of Owego (Opposing Broome County Proposal to Impose an Income Tax on Non-Residents of County).
- b.Towns of Colesville and Windsor (Requesting Broome County to take over Ouaquaga Bridge).
- c.Westchester County (Supporting Federal Mandate Relief Act

- of 1993).
 - d.Putnam and Ontario Counties (Supporting Changes in New York Penal and Criminal Procedure Laws).
 - e.Environmental Management Council (Requesting that County Expedite Remediation of Colesville Landfill; Expedite the Implementation of Sediment and Erosion Control Measures-Cutler Pond).
 - f.Oneida County (Endorsing Stricter Penalties for Violent Crimes against Children).
- 3.Letter from Supervisor John Gray, Town of Windsor, commending the County Highway Department (winter maintenance).
 - 4.Letter designating Patrick Brennan as Acting Commissioner of the Department of Public Works, March 17-24, 1994.
 - 5.Notice of Claim:Docolavich vs. Broome County Social Services.
 - 6.Application for Compensation: (Special District Attorney, Jon S. Blechman) People vs. Richard Bennett.
 - 7.Notice of Review of Agricultural District #5 (Towns of Barker, Chenango, Lisle, Maine, Nanticoke, Triangle).
 - 8.Letter from Robert R. Koegel stating that he and Hawk Engineering have been retained by Town of Windsor to review technical/legal aspects of Landfill Siting Study.

REPORTS:

1. 1993 Annual Reports:
 - a. Binghamton Regional Airport
 - b.Real Property Tax Service
 - c. General Services
 - d. Planning and Economic Development
 - e.Public Transportation
 - f.Sheriff's Department
 - g.Office of Emergency Services

- h. PROBE
- i. ACCORD
- J. Cornell Cooperative Extension
- k. Historical Society, Inc.
- l. Nineveh Public Library of Colesville
- 2. Department of Audit and Control (Audit Summary):
 - a. Probation Department Restitution Account
 - b. Sheriff's Department (Departmental Bank Account)
 - c. Office of Employment and Training
 - d. Aviation; Solid Waste Management (Payroll Audits)
- 3. Monthly Report: Broome Community College (Above Minimum Hires, February 1994).
- 4. Phase 3 Report (Evaluation and Ranking of Potential Landfill Sites).
- 5. First Quarter Expense Report (Convention and Visitors Bureau).
- 6. Unaudited Comprehensive Annual Financial Report (December 31, 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.**

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chairman, Arthur J. Shafer:

- 1. Consideration of change of meeting date, September 15, 1994.
- 2. Appointing James Malley as voting representative for George Harbachuk, County Administration, Economic Development and Planning Committee, March 17, 1994.
- 3. Appointing Audrey Taylor as voting representative for Mark Whalen, County Administration, Economic Development and Planning Committee, March 17, 1994.

REGULAR SESSION OF APRIL 21, 1994

PRESENTATION: Letter of Commendation to Keith Miller

Introduction of Elsie Logan, Broome County Affirmative
Action Officer

Remarks from Billie Anderson, Chair of the Emerging Business
Assistance Advisory Board

SHUMAKER CONSULTING ENGINEERS-Preliminary Draft EIS
George Harvey Justice Building

Mr. Pasquale moved, seconded by Mr. Augostini to **Change the
September 15, 1994 Regular Session to Wednesday September 14,
1994 at 4 P.M. Carried.**

The following resolution was brought off the table:

RESOLUTION NO. 61 by Health & Human Services and Finance
Committees (Tabled at the February 17th. Regular Session)

**EXPRESSING THE COUNTY'S INTENT TO STUDY THE SALE
OF THE WILLOW POINT NURSING HOME AND DIRECTING
THE DIRECTOR OF REAL PROPERTY TAX SERVICES TO
REQUEST PROPOSALS FOR APPRAISAL SERVICES IN
CONJUNCTION THEREWITH.**

Mr. Lindsey moved, seconded by Mr. Pasquale to **table** the resolution.
Tabled. Ayes-17, Nays-2 (Malley, Taylor)

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

RESOLUTION NO. 110 by Finance Committee heldover by Mrs.

Coffey

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

Mrs. Taylor moved, seconded by Mrs. Hudak to remove the word "IMPOSE" in the title and replace it with the words "AFFIRM OR OPPOSE," so that the title would read as follows:

**AUTHORIZING THE BROOME COUNTY
LEGISLATURE TO AFFIRM OR OPPOSE
MANDATED PROGRAMS IN BROOME
COUNTY**

The amendment **Carried**. Ayes-18, Nays-1 (Coffey)

Mr. Pasquale moved, seconded by Mrs. Coffey to **table** the resolution. The tabling **lost** as follows:

Ayes-6Burger, Coffey, Malley, Pasquale, Wagstaff & Whalen
Nays-13Augostini, Brown, Harbachuk, Harris, Howard, Hudak,
Kavulich, Lindsey, Mather, Pazzaglini, Schofield, Taylor &
Shafer

Mr. Pasquale moved, seconded by Mr. Augostini to remove the 6th. WHEREAS of the resolution.

Mr. Pasquale moved, seconded by Mr. Augostini to **call the question** on the amendment removing the 6th. WHEREAS paragraph.

The call of the question **carried**.

Ayes-14, Nays-5 (Harris, Hudak, Kavulich, Malley & Taylor)

The amendment **Carried**. Ayes-18, Nays-1 (Harris)

Mr. Pasquale moved, seconded by Mr. Augostini to amend the 2nd. to

the last FURTHER RESOLVED as follows:

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~~ the County Legislature so it can decide whether or not the County Legislature, as the policy making body of the County, will accept, endorse and implement said mandate, and be it (strikeout is material to be deleted)(underlining is material to be added)

The amendment **carried**.

Ms. Harris moved, seconded by Mr. Malley to restore the 6th. WHEREAS without using the word "undeniably," to read as follows:

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

Mr. Augostini moved, seconded by Mr. Pasquale to **call the question** on the amendment restoring the 6th. WHEREAS as modified. The question was **called** as follows: Ayes-18, Nays-1 (Hudak)

The amendment **carried**. Ayes-17, Nays-2 (Brown & Coffey)

Mr. Augostini moved, seconded by Mr. Pasquale to **call the question** on the resolution as amended. The question was **called**. Ayes-19.

The resolution as amended **carried**. Ayes-19

RESOLUTION NO. 139 by Finance Committee heldover by Mrs. Hudak

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.

Mrs. Hudak moved, seconded by Mr. Pasquale to table.

The resolution was **Tabled**, as follows:

Ayes-10Coffey, Harris, Hudak, Kavulich, Malley, Mather, Pasquale,
Taylor, Wagstaff, Whalen

Nays-8Brown, Burger, Harbachuk, Howard, Lindsey, Pazzaglini,
Schofield, Shafer

Absent-1Augostini

RESOLUTION NO. 141 by Education, Culture & Recreation, County Administration, Economic Development and Planning, and Finance Committees heldover by

Mr. Pazzaglini

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

Mr. Burger moved, seconded by Mrs. Wagstaff to remove all references to the Contingent Fund in the 1st. Resolved of the resolution.

Mrs. Coffey moved, seconded by Mr. Brown to **call the question** on Mr. Burger's amendment.

The question was **called** as follows:

Ayes-12 Brown, Coffey, Harbachuk, Harris, Howard, Hudak, Kavulich,
Lindsey, Malley, Mather, Taylor & Whalen

Nays-7 Augustini, Burger, Pasquale, Pazzaglini, Schofield, Wagstaff &
Shafer

The amendment, removing references to the Contingent Fund **lost** as follows:

Ayes-6 Augustini, Burger, Hudak, Pazzaglini, Schofield & Wagstaff

Nays-13 Brown, Coffey, Harbachuk, Harris, Howard, Kavulich, Lindsey,
Malley, Mather, Pasquale, Taylor, Whalen & Shafer

Mr. Howard moved, seconded by Mr. Pasquale to **call the question** on the resolution. The question was **called** as follows: Ayes-19

The resolution **carried** as follows:

Ayes-12 Brown, Coffey, Harbachuk, Harris, Howard, Kavulich, Lindsey,
Malley, Pasquale, Taylor, Whalen & Shafer

Nays-7 Augustini, Burger, Hudak, Mather, Pazzaglini, Schofield &
Wagstaff

RESOLUTION NO. 143 by Public Works and Environment
Committees heldover by
Mr. Schofield

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

Carried.

RESOLUTION NO. 150B by Finance Committee heldover by Mr. Burger

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

Mr. Burger moved, seconded by Mr. Malley to **table** to the May 19th., 1994 Session. The resolution was **tabled** as follows:

Ayes-10Augustini, Burger, Harris, Howard, Lindsey, Malley, Pazzaglini,
Taylor, Wagstaff, Shafer

Nays-9Brown, Coffey, Harbachuk, Howard, Kavulich, Mather, Pasquale,
Schofield, Whalen

RESOLUTION NO. 155 by County Administration, Economic Development and Planning Committee heldover by Mr. Pazzaglini

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

Mr. Pazzaglini moved, seconded by Mrs. Wagstaff, several amendments to the resolution. Due to the complexity of the base resolution and the location of the amendments, the resolution is reproduced showing the base document; the portions proposed for deletion (by strikeouts); and the portions proposed for addition (by underlining.)

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

REGULAR SESSION OF APRIL 21, 1994

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

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~~ one commercial lending 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~~
Emerging Business Assistance Advisory Committee
 - 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)~~
- (add) e. representative from the Telecommunications industry

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)~~ One (1) 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, no less than three times annually, 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.

NOTE: ~~delete~~ add

Mr. Burger and Ms. Harris requested separate consideration of several individual components of the amendment.

Separate consideration was requested on the deletion of the following

item:

"ARTICLE I: 5)

~~prepare long term strategies for the economic development of the County;"~~

The deletion **carried** as follows:

Ayes-12 Augostini, Brown, Harbachuk, Howard, Hudak, Lindsey,
Malley, Mather, Pazzaglini, Schofield, Wagstaff & Shafer
Nays-7 Burger, Coffey, Harris, Kavulich, Pasquale, Taylor & Whalen

Separate consideration was requested on the change of the following item:

ARTICLE II: MEMBERSHIP, Section 1 Composition

3. Financial institution representation to be comprised of: ~~two leading financial~~ one commercial lending institutions (represented by local investment dollars).

The amendment **lost** and the original language relating to two institutions remains. The vote on this item is as follows:

Ayes-6 Augostini, Brown, Harbachuk, Mather, Pazzaglini & Wagstaff
Nays-13 Burger, Coffey, Harris, Howard, Hudak, Kavulich, Lindsey,
Malley, Pasquale, Schofield, Taylor, Whalen & Shafer

Separate consideration was requested on the name change in the following item:

ARTICLE II: MEMBERSHIP, Section 1 Composition

4.b. representative from ~~Minority Businesses and Contractors Association~~

Emerging Business Assistance Advisory Committee

The change in the name **carried** as follows:

Ayes-11 Augostini, Brown, Harbachuk, Howard, Hudak, Lindsey,
Mather, Pasquale, Pazzaglini, Schofield & Wagstaff
Nays-7 Burger, Coffey, Harris, Kavulich, Malley, Taylor & Whalen
Absent-1 Shafer

Separate consideration was requested on the deletion of the following agency:

ARTICLE II: MEMBERSHIP, Section 1 Composition

7.—e.—~~NYS Department of Transportation (ex officio/non-voting)~~

The deletion **lost** and the agency remains as eligible for representation on the Advisory Council. The votes were as follows:

Ayes-9Augostini, Brown, Harbachuk, Howard, Lindsey, Mather,
Pazzaglini, Schofield & Wagstaff

Nays-9Burger, Coffey, Harris, Hudak, Kavulich, Malley, Pasquale,
Taylor & Whalen

Absent-1Shafer

Separate consideration was requested on the change of the number of members at large from three (3) to one (1):

ARTICLE II: MEMBERSHIP, Section 1 Composition

10.—~~Three (3)~~ One (1) members-at-large

The change in number of members **lost** and the original number of three remains. The votes were as follows:

Ayes-8Augostini, Brown, Howard, Hudak, Mather, Pazzaglini,
Schofield & Wagstaff

Nays-10Burger, Coffey, Harbachuk, Harris, Kavulich, Lindsey, Malley,
Pasquale, Taylor & Whalen

Absent-1Shafer

Mr. Pasquale moved, seconded by Mr. Schofield to add the "County Executive or designee" to the following section:

ARTICLE II: MEMBERSHIP

SECTION 1 COMPOSITION

A.1. c. the County Executive or designated representative

Mr. Schofield moved, seconded by Mrs. Wagstaff to **call the question**

on Mr. Pasquale's amendment.

The call of the question **carried**. Ayes-18, Absent-1 (Shafer)

The amendment **carried**. Ayes-18, Absent-1

Mr. Schofield moved, seconded by Mr. Malley to **table** the resolution to the session of May 19th., 1994. The tabling **lost** by the following vote:

Ayes-9 Augostini, Brown, Harbachuk, Kavulich, Lindsey, Malley,
Mather, Pazzaglini & Schofield

Nays-9 Burger, Coffey, Harris, Howard, Hudak, Pasquale, Taylor,
Wagstaff & Whalen

Absent-1 Shafer

Mr. Lindsey moved, seconded by Mr. Burger to **call the question** on the balance of the amendments. The **call of the question carried** as follows:

Ayes-16, Nays-2 (Pazzaglini & Wagstaff), Absent-1 (Shafer)

The balance of the amendments **carried**. Ayes-18, Absent-1 (Shafer)

Mrs. Wagstaff moved, seconded by Mr. Mather to **call the question** on the resolution as amended. The call of the question **carried**. Ayes-18, Absent-1 (Shafer)

The resolution as amended **carried**. Ayes-18, Absent-1 (Shafer)

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 Mrs. Coffey.

RESOLUTION NO. 157

by Hon. Merry Harris

Seconded by Mr. Malley

**RESOLUTION CLARIFYING MILEAGE REIMBURSEMENT
FOR THE FOSTER GRANDPARENT ADVISORY BOARD**

WHEREAS, Permanent Resolution 500 of 1993 established a mileage reimbursement rate for certain Broome County employees, elected officials, and other authorized individuals at \$0.21 per mile, and

WHEREAS, there has been some confusion as to whether or not this is applicable to the Foster Grandparent Advisory Board, and

WHEREAS, the Foster Grandparent Advisory Board has always set its own rate for reimbursement which, at times, has been less than rates otherwise set by this Legislature for County employees, and

WHEREAS, there has been some confusion as to whether the current rate of \$0.22 per mile as set by the Foster Grandparent Advisory Board should apply over the \$0.21 per mile set by this Legislature for County employees, now, therefore, be it

RESOLVED, that the Foster Grandparent program may continue to reimburse Foster Grandparents at the rates determined by the Advisory Board and that Resolution 500 of 1993 does not apply to Foster Grandparents.

Carried.

Ayes-14 Augustini, Coffey, Harbachuk, Harris, Howard, Kavulich,
Lindsey, Malley, Mather, Pasquale, Pazzaglini, Schofield,
Taylor & Whalen

Nays-4 Brown, Burger, Hudak & Wagstaff

Absent-1 Shafer

RESOLUTION NO. 158

by Education, Culture & Recreation and Finance Committees
Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH MARK ROGERS FOR LEASE OF RESIDENCE LOCATED AT HAWKINS POND PARK

WHEREAS, by Resolution No. 31 of 1978, as amended by Resolution No. 337 of 1984, established terms for occupancy of the County-owned residence at Hawkins Pond Park, and

WHEREAS, said resolution provided that an employee of the Parks Department or Public Works Department would be permitted to occupy said residence at a nominal rental and in exchange for performing certain maintenance services within the Park confines, and

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with Mark Rogers, Naturalist at Finch Hollow Nature Center, for occupancy of said residence, at a monthly rate of \$350.00, of which \$300.00 shall be in the form of services to be provided by the tenant as set forth in Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mark Rogers, for occupancy of the residence located at Hawkins Pond Park, and be it

FURTHER RESOLVED, that in consideration of said services, the tenant shall pay the County of Broome \$350.00 per month for the term of this agreement, of which \$300.00 shall be in the form of services to be provided by the tenant as set forth in Exhibit "A", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be to revenue line 541003.0148.101000 (Park Employee Subsistence), and be it

FURTHER RESOLVED, that Resolution 31 of 1978, as amended by Resolution 337 of 1984, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

Carried.

RESOLUTION NO. 159

by Public Works and Education, Culture & Recreation Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR OTSININGO PARK FOR 1987 THROUGH 1997

WHEREAS, this County Legislature, by Resolution 99 of 1987, authorized a lease agreement with the New York State Department of Transportation for the use and maintenance of a riverfront park on the east bank of the Chenango River, Otsiningo Park, for the period June 7, 1987 through June 7, 1997, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include the Exit #5 New York State Department of Transportation rest stop and a parcel of property along the Chenango River to be utilized as a river walkway, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the lease agreement with New York State Department of Transportation to include the takeover of the Exit #5 New York State Department of Transportation rest stop and a parcel of property along the Chenango River to be utilized as a river walkway at no further cost to the County, for the period September 1, 1995 through July 7, 1997, and be it

FURTHER RESOLVED, that Resolution 99 of 1987, to the extent consistent herewith, shall remain in full force and effect, and be it

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

purpose of this Resolution.
Heldover by Mr. Augostini.

RESOLUTION NO. 160

by Education, Culture & Recreation and Finance Committees
Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING AN APPLICATION FOR A
"SPORTS FACILITY ASSISTANCE PROGRAM" GRANT
FROM THE NEW YORK STATE URBAN DEVELOPMENT
CORPORATION BY THE DEPARTMENT OF PARKS AND
RECREATION**

WHEREAS, the Commissioner of Parks and Recreation requests authorization for permission to apply for a Sports Facility Assistance Program Grant from the New York State Urban Development Corporation in the amount of \$488,150, and

WHEREAS, said grant program provides partial funding for renovations totaling \$976,300 required at the Broome County Veterans Memorial Arena, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Commissioner of Parks and Recreation to submit an application for a "Sports Facility Assistance Program" Grant from the New York State Urban Development Corporation in the amount of \$488,150 for renovations at the Broome County Veterans Memorial Arena, and be it

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

Carried.

RESOLUTION NO. 161

by Transportation and Health & Human Services and Finance

Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION TO PROVIDE FREE TRANSPORTATION FOR PARENTS OF CHILDREN TO AND FROM IMMUNIZATION SITES DURING IMMUNIZATION WEEK, APRIL 25-29, 1994

WHEREAS, the Health Department requests authorization for free transportation to and from the immunization sites during Immunization Week, April 25 through April 29, 1994, for parents and their children, and

WHEREAS, along with other efforts, said transportation is essential in order to effectively promote National Childhood Immunization Week, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Department of Public Transportation to provide free transportation to and from the immunization sites during Immunization Week, April 25 through April 29, 1994, for parents and their children on existing fixed routes, and be it

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

Carried.

RESOLUTION NO. 162

by Health & Human Services and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CHARLENE RIPLEY FOR THE HEALTH DEPARTMENT'S CHILDREN WITH SPECIAL NEEDS

PROGRAM FOR 1993 THROUGH 1994

WHEREAS, this County Legislature, by Resolution 530 of 1993, authorized agreements with various vendors for services under the Health Department's Children with Special Needs Program for 1993 through 1994, and

WHEREAS, it is necessary to authorize the amendment of a certain agreement with Charlene Ripley in order to include mileage expenses as a child resides in Deposit with no providers located in close proximity, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Charlene Ripley, 9 Division Street, Norwich, New York, 13815 to include mileage at the rate of \$0.285 per mile for 1993 and \$0.21 per mile for 1994, and be it

FURTHER RESOLVED, that Resolution 530 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 163

by Health & Human Services and Finance Committees
Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH ALLISON M. HILLIKER FOR SERVICES UNDER THE HEALTH DEPARTMENT'S CHILDREN WITH SPECIAL NEEDS PROGRAM FOR 1994

WHEREAS, this County Legislature, by Resolution 594 of 1993, authorized agreements with various providers for services under the Health Department's Children with Special Needs Program for 1994, and

WHEREAS, it is necessary to authorize an agreement with an additional provider, Allison M. Hilliker, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Allison M. Hilliker, 236 Strong Road, Owego, New York for speech therapy 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 \$27.00 per half-hour, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480285.4706.101000 (Rehabilitation & Therapy), and be it

FURTHER RESOLVED, that Resolution 594 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 164

by Health & Human Services and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LOURDES HOSPITAL FOR LABORATORY SERVICES FOR THE HEALTH DEPARTMENT FOR 1994.

WHEREAS, this County Legislature, by Resolution 449 of 1992, authorized an agreement with Lourdes Hospital for laboratory technologist services and laboratory test services in connection with the Health Department Sexually Transmitted Diseases Clinic and Employee Health Services for calendar year 1993, 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, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York, 13905 for laboratory services, including a technician at the Health Department during the Sexually Transmitted Diseases Clinic and the Employee Health Services, and various tests in the laboratory 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 Lourdes the following rates:

Laboratory Technologist Consulting Services	\$ 12.00 per hour
Gonorrhea Culture (GC)	2.75 per test
Rubella Titer	16.50 per test
RPR	8.50 per test
Chlamydia	19.00 per test
Blood Lead	16.60 per test
Hepatitis B Screen	53.00 per test
Pap Smear	7.75 per test
Pregnancy (Urine)	10.95 per test
Pregnancy (Serum Quant)	20.75 per test
Pregnancy (Serum Qual)	17.75 per test
Urinalysis	4.50 per test
Urine C & S	29.00 per test
CBC	9.00 per test
WBC and DIFF	8.00 per test
Stool Culture	29.00 per test
Stool O & P	12.00 per test
Rubella	16.50 per test
Chlamydia by DNA probe	19.00 per test
GC by DNA probe	3.50 per test
Chlamydia and GC by DNA probe	21.60 per test

REGULAR SESSION OF APRIL 21, 1994

Herpes Culture	33.31 per test
Herpes blood test by ELISA	35.24 per test
T Rank Smear	7.75 per test
FTA	7.50 per test,

for a total cost not to exceed \$15,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4703.101000 (Lab Services), and be it

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

RESOLUTION NO. 165

by Personnel Committee Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR DEPARTMENT OF EMPLOYMENT AND TRAINING, WILLOW POINT NURSING FACILITY AND HEALTH DEPARTMENT AND CHANGING THE BARGAINING UNIT COVERAGE FOR CERTAIN POSITION TITLES PREVIOUSLY COVERED BY THE CIVIL SERVICE EMPLOYEES ASSOCIATION AND THE BROOME PROFESSIONAL & ADMINISTRATIVE ASSOCIATION.

RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, as contained in PCR# 94-167, this County Legislature hereby authorizes the change of one (1) Licensed Practical Nurse position at budget line WC160085.1000, minimum salary \$17,363, Grade 10, Union Code 04 (CSEA) to two (2) Licensed Practical Nurse positions at budget line WC160085.1500, minimum salary \$17,363, Grade 10, Union Code 08 (CSEA) effective May 1, 1994, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, as contained in PCR# 94- 139, this County Legislature hereby authorizes the creation of a Senior Account Clerk-Typist position at budget line A480293.1000, minimum salary \$15,382, Grade 09, Union Code 04 (CSEA) and to abolish one (1) Handicapped Children Services Assistant position at budget line A4800293.1000, minimum salary \$16,228, Grade 10, Union Code 04 (CSEA) effective February 4, 1994, and be it

FURTHER RESOLVED, that in accordance with the terms of the Civil Service Employees Association (CSEA) contract previously approved by Resolution 94-64, this County Legislature hereby authorizes the change of coverage from the Civil Service Employees Association to the Broome Professional & Administrative Association (BAPA) as set out for the following position titles in PCR#94-151, PCR#94-152, PCR# 94-153, PCR# 94-154 and PCR# 94-155:

Assistant Recreation Facility Manager	15 BAPA
In-service Education Nurse	15 BAPA
Maintenance Supervisor	15 BAPA
Payroll Supervisor	17 BAPA

Treasury Manager 19 BAPA, and be it:

FURTHER RESOLVED, that in accordance with the terms of the Broome Administrative & Professional Association (BAPA) contract previously approved by Resolution 94-91, this County Legislature hereby authorizes the change of coverage from the Broome Professional & Administrative Association to the category of Elected and Miscellaneous Officials this County Legislature hereby authorizes the following Medical Professional Titles changed to the Elected and Miscellaneous Officials as set out for the following position titles in PCR# 94-163, PCR# 94-164, PCR# 94-165, PCR# 94-168, PCR# 94-169, PCR# 94-170, and PCR# 94-171 :

Public Health Medical Director	Ungraded
Medical Director - TB	Ungraded

Clinic Physician STD	Ungraded
Child Psychiatrist	Ungraded
Staff Psychiatrist (Temporary)	Ungraded
Staff Psychiatrist (Full-time)	Ungraded
Staff Psychiatrist (Part-time)	Ungraded

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Employment and Training, as contained in PCR# 94-127, this County Legislature hereby authorizes the creation of one (1) Accountant position at budget line CD720722.1000, minimum salary \$22,374, Grade 16, Union Code 04 (CSEA) and to abolish one (1) Keyboard Specialist position at budget line CD720722.1000, minimum salary \$14,580, Grade 08, Union Code 04 (CSEA) effective February 17, 1994, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, as contained in PCR# 94-177, this County Legislature hereby authorizes the creation of one (1) Medical Social Worker position at budget line A480293.1000, minimum salary \$22,374, Grade 16, Union Code 04 (CSEA) and the abolishment of one (1) Public Health Nurse position at budget line A480293.1000, minimum salary \$23,607, Grade 17, Union Code 04 (CSEA) effective April 25, 1994.

Heldover by Mr. Schofield

RESOLUTION NO. 166

by Public Safety & Emergency Services and Finance Committees
Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING REVISION OF FEDERAL FORFEITURE PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994.

WHEREAS, this County Legislature, by Resolution 66 of 1993, authorized the participation by the Office of the District Attorney in the Federal Forfeiture Program Grant Program for the calendar year 1993

and adopted a program budget in connection therewith in the total amount of \$24,459.19, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Federal Forfeiture Program Grant for the period ending December 31, 1994 in the total amount of \$29,770.75, 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 \$29,770.75 for the period ending December 31, 1994, and be it

FURTHER RESOLVED, that Resolution 66 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.

RESOLUTION NO. 167 by Public Safety & Emergency Services and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT

WITH PRISONER HEALTH SERVICES, INC., FOR PROFESSIONAL MEDICAL SERVICES TO THE JAIL FACILITIES OF THE SHERIFF'S DEPARTMENT FOR 1993 THROUGH 1994

WHEREAS, this County Legislature, by Resolution 486 of 1993, authorized an agreement with Prisoner Health Services, Inc. for professional medical services to the jail facilities of the Sheriff's Department at a cost of \$159,560 for the period July 1, 1993 through September 30, 1993, and

WHEREAS, said agreement expired by its terms on September 30, 1993, and it is desired at this time to renew said agreement for the period October 1, 1993 through March 31, 1994 at a cost not to exceed \$319,300, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Prisoner Health Services, Inc., 101 Lukens Drive, Suite A, New Castle, Delaware, 19720 for professional medical services to the jail facilities of the Sheriff's Department for the period October 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$319,300 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4715.101000 (Other Health & 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-18, Nays-1 (Whalen)

RESOLUTION NO. 168

by Transportation Committee

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC TRANSPORTATION TO APPLY FOR FEDERAL SECTION 18 OPERATING ASSISTANCE AWARD FOR BC COUNTRY FOR 1994

WHEREAS, the Department of Public Transportation has submitted a request for a grant of funds to the New York State Department of Transportation and the United States Department of Transportation, pursuant to Section 18 of the Urban Mass Transportation Act of 1964, as amended, for a project to provide public mass transportation service on a continuing basis for the operations of BC Country, a curb-to-curb, dial a ride transportation service provided for residents of the non-urbanized portion of Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the submission of the grant application for funds from the United States Department of Transportation pursuant to Section 18 of the Urban Mass Transportation Act of 1964, and be it

FURTHER RESOLVED, that the County Executive be authorized to sign the continuing agreement between Broome County and the State of New York providing for the undertaking of the above project, and be it

FURTHER RESOLVED, that the County Executive is authorized to act on behalf of Broome County to progress and complete the above-named project, and be it

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

Carried.

RESOLUTION NO. 169

REGULAR SESSION OF APRIL 21, 1994

by Health & Human Services and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WATER STREET ASSOCIATES FOR THE DRUG AWARENESS CENTER (YESCAP) FOR OFFICE SPACE LEASE FOR 1994

WHEREAS, this County Legislature, by Resolution 217 of 1993, authorized an agreement with Water Street Associates for the rental of space for the offices of the Drug Awareness Center Youth Education Services Community Action Project (YESCAP) for the period April 1, 1993 through March 31, 1994 at a cost of \$350.00 per month, utilities included, and

WHEREAS, said agreement is necessary to house the offices of the YESCAP Program which is a Drug and alcohol Prevention Program operating in Broome and Tioga Counties, and

WHEREAS, said agreement expired 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 December 31, 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 Water Street Associates, 168 Water Street, 4th Floor, Binghamton, NY, 13901 for rental of office space for the YESCAP Program consisting of 500 square feet for the period April 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$375.00 per month, utilities included, for a total cost not to exceed \$3,375 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470062.4422.102000 (Building and Land Rental), and be it

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

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

Carried.

Ayes-17, Nays-1 (Coffey), Absent-1 (Shafer)

RESOLUTION NO. 170

by Health & Human Services and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING ACCEPTANCE OF THE ORGANIZED CRIME TASK FORCE PROGRAM GRANT FOR THE DRUG AWARENESS CENTER AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994

WHEREAS, the Director of the Drug Awareness Center requests authorization to accept an Organized Crime Task Force Program Grant in the amount of \$1,702 for the period April 1, 1994 through December 31, 1994, and

WHEREAS, said grant program provides for funds seized by law enforcement officials from accused drug dealers to be used to offset nonrecurring expenditures within funded out-patient and residential drug-free treatment programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,702 from the New York State Office of Alcoholism and Substance Abuse Services for the period April 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$1,702 for the period April 1, 1994 through

REGULAR SESSION OF APRIL 21, 1994

December 31, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 171

by Finance Committee

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENT OF AUDIT AND CONTROL.

RESOLVED, that in accordance with a request from the Department of Audit and Control, in order to provide funds to pay for temporary help in accounts payable while employee is out on medical leave, as requested by BT#00172 , 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: 360008	1000	101000	Salaries - Full Time	\$11,700

TO : 360008 1600 101000 Salaries - Temporary \$11,700

Carried.

RESOLUTION NO. 172

by Health & Human Services and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING REVISION OF YOUTH DEVELOPMENT/ DELINQUENCY PREVENTION GRANT FOR THE YOUTH BUREAU FOR 1994

WHEREAS, this County Legislature, by Resolution 66 of 1994, authorized the Youth Development/Delinquency Prevention Grant for the Youth Bureau and adopted a program budget in connection therewith in the total amount of \$4,232 for the period January 1, 1994 through December 31, 1994, 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 Development/Delinquency Prevention Grant for the Youth Bureau for the period January 1, 1994 through December 31, 1994 in the total amount of \$6,057, 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 \$6,057 for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that Resolution 66 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

REGULAR SESSION OF APRIL 21, 1994

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

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

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

Carried.

RESOLUTION NO. 173

by Public Works and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH R. J. MARTIN CONSULTING ENGINEERS FOR ENGINEERING SERVICES FOR THE TOWN OF DICKINSON SEWER IMPROVEMENTS FOR 1994 THROUGH 1995

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with R. J. Martin Consulting Engineers for engineering services for the Town of Dickinson Sewer Improvement project for a one-year period, at a cost not to exceed \$87,978, and

WHEREAS, said services are necessary to implement the previous agreement reached between the Town of Dickinson and Broome County for the location and construction of the public safety facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with R. J. Martin Consulting Engineers, 45 Washington Street, POB 2084, Binghamton, New York, 13902-2084, for engineering services for the Town of Dickinson Sewer Improvement project, for the period May 1, 1994 through May 1, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the

County shall pay the Contractor an amount not to exceed \$87,978 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035121.4746.501234 (Engineering Services), and be it

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

Carried.

RESOLUTION NO. 174

by Finance Committee

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING THE ADVERTISING FOR SALE OF 1990 IN REM FORECLOSURE PROPERTIES OWNED BY BROOME COUNTY

WHEREAS, the County of Broome owns certain parcels of property acquired by in rem proceedings during 1990, and

WHEREAS, said properties have been reviewed by the appropriate County officials and the Finance Committee of this County Legislature and have been found to be of no retentive value to the County, and

WHEREAS, the Director of Real Property Tax Service and the Finance Committee of this County Legislature have reviewed said 1990 in rem properties and said Committee has established upset prices for the sale of said parcels in accordance with procedures established by this County Legislature, and

WHEREAS, the Director of Real Property Tax Service and your sponsoring Committee request authorization of this County Legislature to proceed with the advertisement and sale of the 1990 in rem properties, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the

Director of the Real Property Tax Service to advertise for the sale of and to sell the in rem properties acquired by this County for the year 1990, said advertising and sale to be subject to the pertinent laws and procedures concerning the sale of County-owned real property established by this County Legislature and in accordance with the terms of other appropriate laws concerning the sale of real property.

Carried.

RESOLUTION NO. 175

by Finance Committee Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN VARIOUS LOCALITIES.

WHEREAS, the Director of Real Property has deemed it necessary to clear the tax records of certain parcels of real property, now, therefore, be it

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

1. Town of Fenton, parcel 900040-0100, former owner Columbia Gas of New York, Inc., amount to be canceled \$997.84 due to such parcel now being assessed under NYSEG property;

2. Town of Colesville, parcel 032600, former owner Harpursville School District, amount to be canceled \$103.10 due to the fact that such parcel does not exist;

3. Town of Kirkwood, parcel 033400, former owner Susquehanna Valley School District, amount to be canceled \$96.15 due to the fact that such parcel does not exist;

4. Town of Windsor, parcel 8-2-B-174-X, owner Harold & Constance Lee, amount to be canceled \$1,057.89 due to owner has paraplegic exemption and is exempt from general taxes; and be it

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

Carried.

RESOLUTION NO. 176

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT GRANT AND AUTHORIZING AN AGREEMENT WITH THE BROOME COUNTY ECONOMIC DEVELOPMENT ALLIANCE TO PERFORM THE SERVICES REQUIRED UNDER SAID GRANT PROGRAM

WHEREAS, the Commissioner of Planning and Economic Development requests authorization to accept a New State Department of Economic Development Grant in the amount of \$100,000 for 1994, and

WHEREAS, said grant program provides for the creation of the Broome County Economic Development Alliance to encompass all economic development organizations existing in Broome County, and

WHEREAS, it will be necessary for an agreement with the Broome County Economic Development Alliance to provide the services required under the New York State Department of Economic Development Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$100,000 from the New York State Department of Economic Development for 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves an agreement with the Broome County Economic Development Alliance for provision of services under the New York State Department of Economic Development Grant for 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the

REGULAR SESSION OF APRIL 21, 1994

County shall transfer to the Broome County Economic Development Alliance the \$100,000 as provided by the New York State Department of Economic Development, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$100,000 for 1994, and be it

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

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

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

Heldover by Mrs. Coffey

RESOLUTION NO. 177

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

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING REVISION OF THE BROOME COUNTY HEALTH DEPARTMENT'S INFANT HEALTH

ASSESSMENT PROGRAM (IHAP) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 391 of 1993, authorized the continuation of the Broome County Health Department's Infant Health Assessment Program (IHAP) for the period October 1, 1993 through September 30, 1994 and adopted a program budget in connection therewith in the total amount of \$85,672, 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 Broome County Health Department's Infant Health Assessment Program (IHAP) for the period October 1, 1993 through September 30, 1994 in the total amount of \$89,769, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$89,769 for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that Resolution 391 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.

REGULAR SESSION OF APRIL 21, 1994

Carried.

RESOLUTION NO. 178

by Health & Human Services and Finance Committees

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING AGREEMENT WITH THE
NEW YORK STATE DEPARTMENT OF HEALTH FOR THE
REIMBURSEMENT OF COSTS FOR THE BROOME COUNTY
RABIES PROGRAM FOR 1993 THROUGH 1994**

WHEREAS, the Public Health Director requests authorization for an agreement with the New York State Department of Health for reimbursement of costs for the Broome County Rabies Program for the period April 1, 1993 through March 31, 1994, with revenue to the County in the amount of \$13,500, and

WHEREAS, said services are necessary to ensure that the rabies protocol, as outlined by the New York State Department of Health, is implemented by the County of Broome, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Department of Health for reimbursement of costs for the Broome County Rabies Program for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the New York State Department of Health shall reimburse the County the amount of \$13,500, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget lines 480137.0274.101000 (Rabies) in the amount of \$6,994 and 480160.0274.101000 (Rabies) in the amount of \$6,506, and be it

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

Carried.

RESOLUTION NO. 179

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH PEARIS, RESSEGUIE, KLINE, BARBER & LEBOUS FOR LEGAL REPRESENTATION OF THE BROOME COUNTY LEGISLATURE REGARDING IMPROPER LABOR PRACTICE ALLEGATIONS FOR 1994

WHEREAS, the Broome County Board of Acquisition and Contract, on May 5, 1993, authorized an agreement with Pearis, Resseguie, Kline, Barber & Lebous for legal representation of the Broome County Legislature regarding improper labor practice charges, at a cost of \$2,500, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Pearis, Resseguie, Kline, Barber & Lebous, P. O. Box 1864, Binghamton, NY, 13902, for legal representation of the Broome County Legislature regarding improper labor practice charges, for the period February 15, 1993 through March 1, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$3,128.91 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 240010.4747.101000 (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

REGULAR SESSION OF APRIL 21, 1994

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

Mr. Schofield moved, seconded by Mr. Mather to **call the question**. The call of the question **carried**, by the following: Ayes-18, Absent-1 (Shafer)

The resolution **carried** by the following:

Ayes-12 Augustini, Brown, Burger, Howard, Lindsey, Malley, Mather, Pazzaglini, Schofield, Taylor, Wagstaff, Whalen
Nays-6 Coffey, Harbachuk, Harris, Hudak, Kavulich, Pasquale
Absent-1 Shafer

RESOLUTION NO. 180

by Environment and Finance Committees

Seconded by Mr. Kavulich

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CLARK PATTERSON MOSSEIN, (FORMERLY CLARK ENGINEERS & ASSOCIATES) FOR LANDFILL SITING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1991 THROUGH 1994

WHEREAS, this County Legislature, by Resolution 232 of 1991, authorized an agreement with Clark Engineers & Associates for landfill siting services for the Division of Solid Waste, at a cost not to exceed \$575,000, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the total cost thereof based on inclusion of professional engineering services for the preparation an environmental impact statement of landfill siting/construction of a new landfill site as required by 6 NYCRR Part 617 and the New York State Environmental Quality Review Act, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Clark Patterson Mossein (formerly

Clark Engineers & Associates), 186 North Water Street, Rochester, New York, 14604, for landfill siting services for the Division of Solid Waste Management, including professional engineering services, for the period June 6, 1991 through June 6, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,035,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4457.501200 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 232 of 1991, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

Ayes-14 Augustini, Burger, Coffey, Harbachuk, Howard, Kavulich,
Lindsey, Malley, Pasquale, Pazzaglini, Schofield, Taylor,
Wagstaff, Whalen

Nays-4 Brown, Harris, Hudak, Mather Absent-1 (Shafer)

RESOLUTION NO. 181

by Environment and Finance Committees
Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH BOYLAN, BROWN, CODE, FOWLER, RANDALL & WILSON, ATTORNEYS AT LAW, FOR TECHNICAL AND LEGAL REVIEW OF LANDFILL SITING STUDY PROCESS FOR 1992 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 444 of 1992, as amended by Resolution 78 of 1994, authorized an agreement with

Boylan, Brown, Code, Fowler, Randall & Wilson, Attorneys at Law, for technical and legal review services for landfill siting study process for the period 1992 through 1995, at a cost not to exceed \$37,500, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include professional and legal services related to the Environmental Review of the landfill siting/construction of a new landfill site as required by 6 NYCRR Part 617 and the New York State Environmental Quality Review Act, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Boylan, Brown, Code, Fowler, Randall & Wilson, Attorneys at Law, 900 Midtown Tower, Rochester, New York, 14604, for technical and legal review services for landfill siting study process for the period 1992 through 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$79,500, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4457.501200 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolutions 444 of 1992 and 78 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

Ayes-18, Nays-1 (Hudak)

RESOLUTION NO. 182

by Environment Committee

Seconded by Mr. Pasquale

RESOLUTION ADOPTING AND APPROVING THE PHASE III EVALUATION AND RANKING OF POTENTIAL SITES FOR THE BROOME COUNTY LANDFILL SITING STUDY

WHEREAS, the Division of Solid Waste Management, in conjunction with Clark Patterson Mossein, has developed the Phase III evaluation and ranking of potential sites for the Broome County Landfill Siting Study, and

WHEREAS, the Phase III evaluation and ranking of potential sites report will continue the outline of procedures and criteria necessary to site a new Broome County Landfill, and

WHEREAS, it is desired that this Legislature adopt and approve the Phase III evaluation and ranking of potential sites for the Broome County Landfill Siting Study on file with the Clerk of the Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby adopts and approves the Phase III evaluation and ranking of potential sites for the Broome County Landfill Siting Study, and be it

FURTHER RESOLVED, that this County Legislature adopts and approves Dunham Hill Road, Site No. 27 and Dunbar Road, Site No. 48 as the finalist sites and recommends proceeding with the Phase IV evaluation of said sites, and be it

FURTHER RESOLVED, that the County Legislature authorizes the Division of Solid Waste Management to take all necessary steps to gain temporary access to the two finalist sites including purchase or condemnation of temporary easements necessary for the aforesaid testing, and be it

FURTHER RESOLVED, that this County Legislature finds that the acquiring of temporary easements for the Phase IV evaluation of said sites to be "deminimus" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Procedure Law."

Heldover by Mr. Brown

RESOLUTION NO. 183

REGULAR SESSION OF APRIL 21, 1994

by Environment and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) GRANT FOR THE DIVISION OF SOLID WASTE MANAGEMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1996.

WHEREAS, the Director of the Division of Solid Waste Management requests authorization to accept a New York State Energy Research and Development Authority (NYSERDA) Grant in the amount of \$120,695 for the period June 1, 1994 through March 31, 1996, and

WHEREAS, said grant agreement is necessary to outline the terms of financial support being provided to the Broome County Division of Solid Waste Management by NYSERDA for a leachate recirculation study at the Nanticoke Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$ 120,695 from the New York State Energy Research and Development Authority, Two Rockefeller Plaza, Albany, NY, 12223-9998, for a leachate recirculation study at the Nanticoke Landfill for the period June 1, 1994 through March 31, 1996, and be it

FURTHER RESOLVED, that as part of said grant agreement, the County shall provide in-kind services in the amount of \$46,599, 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 \$120,695 for the period June 1, 1994 through March 31, 1994, and be it

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

FURTHER RESOLVED, that the County Executive or his duly

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

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

Carried.

RESOLUTION NO. 184

by Environment and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH SUNY-OSWEGO FOR SERVICES IN CONNECTION WITH THE LEACHATE RECIRCULATION STUDY AT NANTICOKE LANDFILL AS FUNDED BY NYSERDA FOR 1994 THROUGH 1996

WHEREAS, the Director of Solid Waste Management requests authorization for an agreement with SUNY-Oswego for services to assist in the leachate recirculation study at the Nanticoke Landfill for the period June 1, 1994 through March 31, 1996, at a cost not to exceed \$120,695, and

WHEREAS, said services are necessary to ensure that said leachate recirculation study is completed as required in the NYSERDA agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with SUNY-Oswego, Research Center, Oswego, NY, 13126, for services in connection with the leachate recirculation study at the Nanticoke Landfill, for the period June 1, 1994 through March 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$120,695 for

REGULAR SESSION OF APRIL 21, 1994

the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230136.4545.216000 (Contracted Services), and be it

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

Carried.

RESOLUTION NO. 185

by Health & Human Services, Public Works and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH CLEVINGER FRABLE LA VALLEE, FOR FOOD SERVICE DESIGN SERVICES FOR DIETARY RENOVATION PROJECT AT WILLOW POINT NURSING FACILITY FOR 1994 THROUGH 1995.

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Clevenger Frable LaVallee, for food service design services for the dietary renovation project at Willow Point Nursing Facility for the period June 1, 1994 through September 1, 1995, at a cost not to exceed \$13,980, and

WHEREAS, said services are necessary to provide professional, specialized expertise in food service design required to complete the dietary renovation project at the Willow Point Nursing Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Clevenger Frable LaVallee, 39 Westmoreland Avenue, White Plains, NY, 10606, for professional food service design services,

for the period June 1, 1994 through September 1, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$13,980 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160267.4746.502227 (Architectural/Engineering Services), and be it

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

Carried.

RESOLUTION NO. 186

by Health & Human Services, Public Works and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH JENNINGS ENVIRONMENTAL MANAGEMENT, INC., FOR AIR QUALITY MONITORING SERVICES FOR THE WILLOW POINT NURSING FACILITY ASBESTOS REMEDIATION PROJECT FOR 1994.

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Jennings Environmental Management, Inc., for air quality monitoring services for the Willow Point Nursing Facility asbestos remediation project for the period May 1, 1994 through December 31, 1994, at a cost not to exceed \$75,762, and

WHEREAS, said services are necessary to provide specialized expertise, licensing and certification required to comply with NYCRR 56 pertaining to asbestos material remediation for the Willow Point Nursing Facility asbestos remediation project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Jennings Environmental Management, Inc., P.O. Box

831, Binghamton, NY 13850, for professional air quality monitoring services for asbestos remediation project at Willow Point Nursing Facility, for the period May 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 \$75,762 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160267.4746.501256 (Architectural/Engineering Services), and be it

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

Carried.

RESOLUTION NO. 187

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

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING REVISION OF THE MEDICAID MANAGED CARE (MAX) PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 115 of 1992, as amended by Resolution 55 of 1993, authorized the continued participation by the Department of Social Services in the Medicaid Managed Care (MAX) Program for the period April 1, 1992 through May 31, 1994 and adopted a program budget in connection therewith in the total amount of \$171,802, and

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

reflect an increase in grant appropriations and to extend the period of said grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Medicaid Managed Care (MAX) Program for the period April 1, 1992 through March 31, 1995 in the total amount of \$238,854, 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 \$238,854 for the period April 1, 1992 through March 31, 1995, and be it

FURTHER RESOLVED, that Resolutions 115 of 1992 and 55 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.

RESOLUTION NO. 188

by Health & Human Services and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH VARIOUS SERVICE PROVIDERS IN

REGULAR SESSION OF APRIL 21, 1994

CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES' MEDICAID MANAGED CARE (MAX) PROGRAM

WHEREAS, the Broome County Department of Social Services began participation in the Medicaid Managed Care (MAX) Demonstration Project in September, 1991 to reduce the expanding costs of Medicaid for Broome County residents, and

WHEREAS, the Broome County MAX Program has proven its cost-effectiveness and health care management benefits and is now a program mandated for all counties in New York State, and

WHEREAS, Broome County currently has over 3,200 voluntary enrollees in the MAX Program which has decreased expensive and unnecessary emergency room usage by 60%, in-patient hospitalization by 50% and specialty physician usage by 80% in the first year of the Program, and

WHEREAS, Broome County Department of Social Services, as authorized by this Legislature, has contracts with three primary care groups representing 38 providers at nine sites, and numerous medical specialists and dentists to provide services for MAX enrollees in Broome County, and

WHEREAS, these agreements are authorized by Social Services Law §§364-j and 365, Title XIX of the Social Security Act, and Article 5, Title II of the Social Services Law of New York, and

WHEREAS, this County Legislature, by Resolutions 115 of 1992 and 55 of 1993, as amended by companion resolution, authorized the continued participation by the Department of Social Services in the Medicaid Managed Care (MAX) Program for the period April 1, 1992 through March 31, 1995, and adopted a program budget in connection therewith for a total amount of \$238,854, and

WHEREAS, Corporate Care Management provides case management of medical and dental needs, data collection, utilization reports, quality assurance reviews, central billing for dental services and dental consulting services at a cost of \$2.95 per month per enrollee as approved by and billed through New York State Department of Social

Services, and

WHEREAS, the Medicaid Manage Care (MAX) Program has become a state mandated program which provides quality health care at an overall savings to Broome County and is paid through the New York State MMIS Medicaid funds, and

WHEREAS, it is necessary and desirable at this time to authorize contracts with various doctors, dentists, specialists, and Corporate Care Management for services rendered in connection with the Medicaid Managed Care (MAX) Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes execution of various contracts with doctors, dentists, specialists and Corporate Care management in connection with the continuation of the Department of Social Services' Medicaid Managed Care (MAX) Program, and be it

FURTHER RESOLVED, that payments made in connection herewith shall be made in accordance with approvals from the New York State Department of Social Services, from budget line 670083.4568.103000 (MMIS Medical Assistance) as authorized by this Legislature by each annual budget, and be it

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

Carried.

RESOLUTION NO. 189 by Health & Human Services, Personnel and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING ACCEPTANCE OF IMMUNIZATION PROGRAM GRANT FOR THE BROOME COUNTY HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR

1994

WHEREAS, the Public Health Director requests authorization to accept an Immunization Program Grant in the amount of \$13,500 for the period January 1, 1994 through December 31, 1994, and

WHEREAS, said grant program provides for funds to hire a clerk to enhance the immunization program activities for the Broome County Health Department, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$13,500 from the New York State Department of Health, Immunization Program, Room 649, Corning Tower Building, Albany, NY, 12237, for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$13,500 for the period January 1, 1994 through December 31, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 190

by Finance Committee

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING AGREEMENT WITH
PRESCRIPTION DRUG SERVICE, INC., FOR MAIL ORDER
PRESCRIPTION SERVICES FOR MAINTENANCE
MEDICATIONS FOR 1994 THROUGH 1997**

WHEREAS, the Risk Manager requests authorization for an agreement with Prescription Drug Service, Inc., for mail order prescription services for the period May 1, 1994 through April 30, 1997, at no cost to the County, and

WHEREAS, said services are necessary to continue to provide services pursuant to labor agreements with County employees for mail order prescription services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Prescription Drug Service, Inc., 500 Wheeler Road, Hauppauge, NY, 11788, for mail order prescription services for the period May 1, 1994 through April 30, 1997, and be it

FURTHER RESOLVED, that said services shall be provided at no cost to the County, and be it

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

Carried.

RESOLUTION NO. 191

by Public Works and Finance Committees

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING THE DEPARTMENT OF
PUBLIC WORKS TO COMPLETE A STUDY OF
BROOME COUNTY OWNERSHIP OF MUNICIPAL BRIDGES
OVER 20-FT. IN LENGTH WITHIN
THE COUNTY AND TO REPORT THEIR FINDINGS TO THE**

REGULAR SESSION OF APRIL 21, 1994

**COUNTY EXECUTIVE AND
THE COUNTY LEGISLATURE BY MAY 31, 1994**

WHEREAS, several municipalities, have requested that pursuant to Highway Law, Section 234, subdivision 10, that the County of Broome assume responsibility for maintenance and preservation of their bridges, and

WHEREAS, these municipal governments have indicated that they are unable to meet the requirements of maintenance and preservation of their bridges, and

WHEREAS, the County Executive in his State of the County address indicated his desire to proceed with the concept of County ownership and maintenance of all bridges within the County, and

WHEREAS, the Broome County Department of Public Works as part of their continuing mission of service recently began a study of the concept of County ownership of all bridges within the County over 20-feet in length, and

WHEREAS, the Commissioner of Public Works has indicated that this study is over 80% complete, now therefore be it

WHEREAS, your sponsoring committee(s) believes that it is appropriate for Broome County to complete this study for purposes of determining the appropriateness of transferring ownership of local bridges to Broome County, now, therefore, be it

RESOLVED, that this County Legislature, hereby authorizes and directs the Department of Public Works to complete the above referenced report and, be it

FURTHER RESOLVED, that the Department of Public Works will issue their report to the County Executive and the County Legislature by May 31, 1994, and be it

FURTHER RESOLVED, that the Public Works Committee is hereby directed to review this report and to issue a recommendation to the entire Legislature, and be it

FURTHER RESOLVED, that this review by the Public Works Committee will be made during a time frame which will allow for a final

recommendation to be provided to the Broome County Legislature prior to 1995 budget deliberations. **Carried.**

RESOLUTION NO. 192

by Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF ANTI-DRUG ABUSE PROGRAM GRANT FROM THE STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH, AND AUTHORIZING A RENEWAL OF THE AGREEMENT WITH THE CITY OF BINGHAMTON FOR PARTIAL ADMINISTRATION THEREOF FOR 1994

WHEREAS, this County Legislature by Resolution 182 of 1993, authorized the acceptance of \$260,687 from the New York State Division of Criminal Justice Services for the Anti-Drug Abuse Act Program for use in reducing the street trafficking and use thereof, of narcotics in the City of Binghamton, downtown business district, and develop a support network between and among businesses, police and community residents for the period May 1, 1993 through April 30, 1994, and

WHEREAS, the New York State Division of Criminal Justice Services has awarded Broome County \$143,167 for the above-mentioned program for the period May 1, 1994 through December 31, 1994, and

WHEREAS, additionally Broome County will contribute \$21,007, \$17,000 cash, and \$4007 in-kind services, and the City of Binghamton will provide \$26,716 of in-kind services in support for this program, total program expenditures being \$160,167 for the term of this program, and

WHEREAS, this program will be implemented by the Broome County District Attorney, Probation, Public Defender, and the City of

Binghamton, and

WHEREAS, it is desired to accept said grant monies from the State of New York Division of Criminal Justice Services in the amount of \$143,167 and to authorize an agreement with the City of Binghamton for that portion of the grant which the City of Binghamton is required to effectuate for the period May 1, 1994 through December 31, 1994, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$143,167 from the New York State Division of Criminal Justice Services for the period May 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approved and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$160,167, said sum consisting of only monies received or allocated, not in-kind services contributed, for the period May 1, 1994 through December 31, 1994 and be it

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

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

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

Carried.

RESOLUTION NO. 193

by County Administration, Economic Development & Planning and

Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING REVISION OF JOB TRAINING PARTNERSHIP ACT TITLE III WORKER ADJUSTMENT DISCRETIONARY (WA-DISC) GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1996

WHEREAS, this County Legislature, by Resolution 295 of 1993, authorized the continued participation by the Office of Employment and Training in the JTPA Title III Worker Adjustment Discretionary (WA-DISC) Program Grant for the period July 1, 1993 through June 30, 1996 in the total amount of \$145,600.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the JTPA Title III Worker Adjustment Discretionary (WA-DISC) Program Grant for the period July 1, 1993 through June 30, 1996 in the total amount of \$279,920.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$279,920 for the period July 1, 1993 through June 30, 1996, and be it

FURTHER RESOLVED, that Resolution 295 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

REGULAR SESSION OF APRIL 21, 1994

funds, and be it

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

RESOLUTION NO. 194

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

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING AGREEMENT WITH TAD
TECHNICAL SERVICES CORP. FOR TEMPORARY HELP
FOR GENERAL SERVICES-PURCHASING DIVISION FOR
1993 THROUGH 1994**

WHEREAS, the Commissioner of General Services requests authorization for an agreement with TAD Technical Services Corp. for the period May 27, 1993 through April 1, 1994, at a cost not to exceed \$23,895, and

WHEREAS, said contract is necessary to provide temporary personnel for the Purchasing Division, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with TAD Technical Services Corp., 217 Vestal Parkway E., Vestal, New York, 13850, for the period May 27, 1993 through April 1, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,895 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 350041.4747.101000 (Other Fees for Services), and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer

of funds, as contained in BT# 4964:

Index Code	Subobject	Project Code	Title	Amount
FROM: 350041	1000	101000	Salaries-FT	\$3,600
TO : 350041	4747	101000	Other Fees for Srv	\$3,600

and be it

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

Heldover by Mr. Schofield.

RESOLUTION NO. 195

by County Administration, Economic Development & Planning and Public Works Committees

Seconded by Mrs. Coffey

RESOLUTION ESTABLISHING MINORITY EMPLOYMENT GOAL FOR BROOME COUNTY PUBLIC WORKS CONTRACTS.

WHEREAS, unemployment is a significant problem in Broome County, and

WHEREAS, unemployment is particularly severe among members of minority groups, and

WHEREAS, it is the policy of Broome County to encourage minority participation in public works programs, as evidenced by the Minority Business Enterprise Program, and the Emerging Business Assistance Program, and

WHEREAS, it is deemed desirable to establish a minority employment goal for all County public works projects where it is estimated by the County that the contract amount will exceed \$100,000, now, therefore, be it

REGULAR SESSION OF APRIL 21, 1994

RESOLVED, that Broome County shall insert in all bid specifications prepared by Broome County after the effective date of this resolution for contracts that are expected to exceed \$100,000, including contracts for projects wholly or partially funded with federal or state funds, a requirement that the contractor shall establish a goal of five percent (5%) minority employment on the project, including employees of the prime contractor and all subcontractors who perform work on the project whether or not contracting directly with the prime contractor, and be it

FURTHER RESOLVED, that the text of provisions of the specifications implementing this resolution shall be approved by the Emerging Business Assistance Advisory Board, the County Legislature, and the County Executive and approved as to form by the County Attorney, and be it

FURTHER RESOLVED, that such specifications shall contain a provision imposing a penalty of up to five per cent (5%) of the contract sum, based on the extent of noncompliance with the minority employment goal.

Carried. Ayes-18, Absent-1 (Shafer)

RESOLUTION NO. 196

by Environment Committee

Seconded by Mr. Pasquale

RESOLUTION REQUESTING THE BROOME COUNTY ADMINISTRATION AND THE DEPARTMENT OF PUBLIC WORKS TO EXPEDITE THE IMPLEMENTATION OF SEDIMENT AND EROSION CONTROL MEASURES NECESSARY TO PROTECT CUTLER POND

WHEREAS, The Environmental Management Council has advised the County Legislature of their concerns about Cutler Pond as a result of construction of the new Broome County Public Safety Facility, and

WHEREAS, those concerns include:

the fact that the County is operating without a federal wetlands permit, the County is subject to the guidelines outlined by a state wetlands permit which requires the implementation and rigorous maintenance of a sediment and erosion control plan, and

"an improperly applied control measure, or one that is not properly maintained, invites failure and can create more damage than if no measures had been taken." (NY Guidelines for Urban Erosion and Sediment Control, p. 7.2), and

the construction project has not successfully controlled sediment laden runoff during the construction season thus far, and

WHEREAS, discussions among the staff of the Department of Public Works, Environmental Management Council, NYSDEC, and the Soil Conservation Service (SCS) have resulted in several proposed solutions to deal with existing problems, including the following request from the Environmental Management Council (FROM THEIR RESOLUTION TO THE COUNTY LEGISLATURE, ADOPTED ON APRIL 7, 1994):

"The Environmental Management Council (EMC) requests that the following measures be taken to protect Cutler Pond: (1) Install a crushed stone dike across the outlet of the drainage swale to increase the volume of water held above the sediment trap, (2) use heavier stones to construct berms in an attempt to minimize the washing out of these structures, (3) implement rigorous management of sediment and erosion control measures, checking daily if necessary, and (4) re-examine the current sediment and erosion control plan in consultation with the U.S. Soil Conservation Service in order to determine its adequacy in coming years," and

WHEREAS, subsequent consultation with the US SCS revealed that construction of a stone dike (see item (1) above) may not be the best solution, the EMC therefore recommends that the Department of Public Works take any and all appropriate actions, in conference with the US SCS and the NYSDEC, to further reduce the sediment load entering

Cutler Pond and, be it

RESOLVED, that this County Legislature concurs with these concerns and recommendations of the Environmental Management Council and requests the County Executive and the Broome County Department of Public Works to immediately implement the recommendations of the EMC in this matter, and be

FURTHER RESOLVED, that the Department of Public Works is hereby directed to report to the County Legislature within 30 days of the effective date of this resolution as to their actions taken in this matter.

Mr. Schofield moved, seconded by Mr. Brown to add a 4th WHEREAS. (see underlined section above) **Carried.** Ayes-18, Absent-1 (Shafer).

Mr. Lindsey moved, seconded by Mr. Mather to **call the question on the** resolution as amended. The call of the question **Carried.** Ayes-18, Absent-1 (Shafer).

The resolution as amended **carried.** Ayes-18, Absent-1 (Shafer).

RESOLUTION NO. 197

by Environment Committee

Seconded by Mrs. Wagstaff

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE ENACTMENT OF LOCAL LAW INTRO. NO. 5, 1994 AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to enact Local Law Intro. No. 5, 1994, waiving tipping fees for winter and spring storm damage in the winter and spring of 1994, and

WHEREAS, it is has been determined that the waiver of tipping fees for winter and spring storm damage 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 tipping fee waiver, and

WHEREAS, the waiver of tipping fees for winter and spring storm damage 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 waiver of tipping fees for winter and spring storm damage, 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 waiver of tipping fees for storm damage 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."

Mrs. Wagstaff moved, seconded by Mr. Mather to replace winter with winter and spring. (see underlined above)

Carried. Ayes-18, Absent-1 (Shafer).

Resolution as amended **carried.**

Ayes-18, Absent-1 (Shafer).

RESOLUTION NO. 198

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

Seconded by Mrs. Wagstaff

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5, 1994, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE REGARDING SOLID WASTE TIPPING FEES."

WHEREAS, the Winter and Spring Storms of 1994 caused personal and property damage to property and business owners throughout Broome County, and

WHEREAS, the Broome County Executive, on March 3, 1994, and the Supervisors of several Towns, the Mayor of the City of Binghamton and Mayors of Villages at varying times during these past winter and spring months did declare formal States of Emergency as the result of snow and ice and flooding, and

WHEREAS, the cleanup of storm-related debris and storm damaged goods continues by both public and private sector efforts with most of said debris slated to be deposited at the Broome County Landfill, and

WHEREAS, this Legislative Body finds that requiring a tipping fee for disposal of winter and spring storm related debris for those individuals and businesses adversely affected by the recent winter and spring storms is inappropriate and that a waiver of tipping fee would be right and proper, now, therefore, be it

RESOLVED, that Local Law Intro. No. 5, 1994, entitled: "A Local Law Amending Chapter 179 of the Broome County Charter and Code Regarding Solid Waste Tipping Fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter, Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto, and be it

FURTHER RESOLVED, that in order to provide funds for the waiver of the tipping fee, 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: 900084	4752	101000	Contingency	\$15,000
TO : 230086	0606	206000	Tipping fees	\$15,000

LOCAL LAW INTRO. NO. 5, 1994

**A LOCAL LAW AMENDING CHAPTER 179 OF THE
BROOME COUNTY CHARTER AND CODE
REGARDING SOLID WASTE TIPPING FEES**

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

SECTION 1. Section 179-9 shall be amended to add a new subsection (4) to read as follows:

Section 179-9(4): Commencing March 3, 1994, and expiring on July 1, 1994, the charges set forth in Section 179-9 shall be waived for disposal of debris related to winter and spring storm damage occurring during the winter and spring of 1993-94.

- a) Eligibility for this program shall be limited to the property owner suffering the winter and spring storm damage.
- b) The person requesting a fee waiver shall file an application with the Division of Solid Waste Management, on forms provided by the Division.
- c) The application shall contain a certification from an appropriate code enforcement or emergency services official that the applicant qualifies for the fee waiver based on records of winter and spring storm damage.
- d) The total cost of this fee waiver program shall not exceed \$15,000.
- e) The amount of the fee waiver for any applicant shall be limited to the tipping fee for disposal of debris which is not covered by any insurance.
- f) The Division of Solid Waste Management shall prepare appropriate regulations to implement the intent of this Local Law, which regulations shall be filed with the Clerk of the Legislature.

REGULAR SESSION OF APRIL 21, 1994

SECTION 2. That this Local Law shall take effect immediately upon filing with the Secretary of State.

Mrs. Wagstaff moved, seconded by Mr. Mather replace winter with **winter and spring.** (see underlined items above)

The amendment **carried.**

Ayes-18, Absent-1 (Shafer).

The resolution as amended **carried.**

Ayes-18, Absent-1 (Shafer)

RESOLUTION NO. 199

by Environment Committee

Seconded by Mr. Howard

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE ENACTMENT OF LOCAL LAW INTRO. NO. 6, 1994 AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to enact Local Law Intro. No. 6, 1994, and

WHEREAS, it is has been determined that the enactment of Local Law Intro. No. 6, 1994 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 Local Law, and

WHEREAS, the enactment of Local Law Intro. No. 6, 1994 may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of a proposed Local Law Intro. No. 6, 1994, 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 enactment of Local Law Intro. No. 6, 1994 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-18, Absent-1 (Shafer)

RESOLUTION NO. 200

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

Seconded by Mr. Howard

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 6, 1994,
ENTITLED: "A LOCAL LAW AMENDING CHAPTER 179 OF
THE BROOME COUNTY CHARTER AND CODE REGARDING
SOLID WASTE TIPPING FEES."**

WHEREAS, the Broome County tipping fee for the Nanticoke Landfill currently is assessed at a rate of \$60 per ton for construction/demolition debris, and

WHEREAS, environmental accidents occur which cause damage to the affected lands and waters of Broome County, and

WHEREAS, soil contaminated by such accidents remains a valuable commodity and is capable of reuse as landfill cover, and

REGULAR SESSION OF APRIL 21, 1994

WHEREAS, environmental accidents result in the incurring of unexpected tipping fee costs for those individuals upon whose property the incidents occur, and

WHEREAS, remedial cleanup actions and the consequential \$60 per ton tipping fee charge oftentimes represent significant financial hardship for the responsible property owners, and

WHEREAS, there is a need for Broome County lawmakers to take action to grant relief from unanticipated tipping fee costs, and

WHEREAS, the ramification of legislative inaction regarding these situations likely will be greater non-compliance in reporting of environmental accidents, and thereby only further serve to damage the environment and increase fiscal and community costs, now, therefore, be it

RESOLVED, that Local Law Intro. No. 6, 1994, entitled: "A Local Law Amending Chapter 179 of the Broome County Charter and Code Regarding Solid Waste Tipping Fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter, Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto,

LOCAL LAW INTRO. NO. 6, 1994

A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE REGARDING SOLID WASTE TIPPING FEES

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

SECTION 1. Section 179-9 shall be amended to add a new section (5) to read as follows:

Section 179-9(5): Commencing April 1, 1994, the following separate charge shall apply at the Nanticoke Landfill:

- a) Contaminated soils which can be accepted for disposal at the

Nanticoke Landfill: Ten Dollars (\$10.00) per ton.

b) The Division of Solid Waste Management shall prepare appropriate regulations to implement the intent of this Local Law, which regulations shall be filed with the Clerk of the Legislature.

SECTION 2. That this Local Law shall take effect immediately upon filing with the Secretary of State.

Carried. Ayes-18, Absent-1 (Shafer).

Mr. Mather moved, seconded by Mrs. Coffey to adjourn at 6:50 P.M.

Carried.