

(b) The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the County in any action or proceeding involving the collection of a tax due under this local law to which such County or an officer or employee of such County is a party or a claimant, or on behalf of any party to any action or proceeding under the provisions of this local law when the returns or facts shown thereby are directly involved in such action or proceeding, in any of which events the court may require the production of, and may admit in evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more.

(c) Nothing herein shall be construed to prohibit the delivery to a grantor or grantee of an instrument effecting a conveyance or the duly authorized representative of a grantor or grantee of a certified copy of any return filed in connection with such instrument or to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the legal representatives of such County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon.

(d) Any officer or employee of such County who willfully violates the provisions of this section shall be dismissed from office and be incapable of holding any public office in this state for a period of five years thereafter.

SECTION 20. SEPARABILITY. If any clause, sentence, paragraph, section or article of this shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the proceeding in which such adjudication shall have been rendered.

SECTION 21. EFFECTIVE DATE. This local law shall take effect immediately.

Mr. Augostini moved, seconded by Mr. Pasquale to **table the resolution. Tabled**

Mr. Pasquale moved seconded by Mr. Augostini to adjourn at 4:16 P.M. **Carried.**

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

The Legislature convened at 4:17 P.M. with a call to order by the Chairman, Arthur J. Shafer.

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

Mr. Pasquale moved, seconded by Mr. Augostini that the minutes of the Regular Session of June 16, 1994 and the minutes of the Special Session of June 30, 1994 be approved as prepared and as presented by the Clerk.

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

COMMUNICATIONS:

1.Minutes from:

a.Binghamton Regional Airport

b.Willow Point Nursing
Facility

c.EMC Ad Hoc Committee on Composting

2.Contract (County of Broome and Broome Administrative and Professional Association).

3.Copy of letter of resignation of Gerald R. Smith, County Historian.

REPORTS:

1. Department of Public Works: List of Pending Projects.
2. Monthly Report:
 - a. Broome Community College (Above Minimum Hires, June 1994).
3. State Education Department: Approval of audit (Children's Unit for Treatment and Evaluation-Preschool Program).

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chairman, Arthur J. Shafer:

1. Appointing Audrey Taylor as voting representative for Merry Harris, Inter-Governmental Relations Committee, July 11, 1994.
2. Appointing the following as voting representatives:
 - a. Health/Human Services: V. Pasquale for M. Harris, July 12, 1994.
 - b. Public Works: L. Augostini as Acting Chair for R. Brown and M. Whalen for W. Howard, July 12, 1994.
 - c. Environment: C. Burger for R. Brown, July 13, 1994.
 - d. Education, Culture and Recreation: K. Wagstaff as Acting Chair and W. Hudak for W. Howard, July 13, 1994.
 - e. Personnel: V. Pasquale for M. Harris and W. Hudak for D. Schofield, July 13, 1994.
 - f. County Administration: K. Wagstaff for M. Pazzaglini, July 13, 1994.
 - g. Finance: J. Malley for V. Pasquale, July 13, 1994.

PRESENTATION OF SEAL OF BROOME COUNTY TO MICHAEL P. PAZZAGLINI

Mr. Shafer announced that the County Clerk had received Mr.

Pazzaglini's resignation effective August 16, 1994. Mr. Shafer recognized Mr. Pazzaglini's efforts during his time in office and presented him with the Seal Of Broome County. Mr. Pazzaglini accepted the Seal with thanks.

The following resolution that was heldover from the special session (July 21, 1994), was again presented for consideration.

RESOLUTION NO. 295 by County Administration, Economic Development & Planning heldover by Mr. Augostini. **RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 7, 1994 ENTITLED "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO SUBSTITUTE AN APPOINTED COUNTY ADMINISTRATOR FOR THE ELECTED COUNTY EXECUTIVE, TO REDUCE THE NUMBER OF COUNTY LEGISLATORS FROM 19 TO 13 AND TO PROVIDE FOR AN ELECTED COMPTROLLER"**

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

The call of the question **carried.**

Ayes-11(Augostini, Brown, Harbachuk, Harris, Howard, Hudak, Lindsey, Mather, Pazzaglini, Wagstaff & Shafer)

Nays-8(Burger, Coffey, Kavulich, Malley, Pasquale, Schofield, Taylor & Whalen)

The resolution **carried.**

Ayes-11(Augostini, Brown, Burger, Harbachuk, Howard, Hudak, Lindsey, Mather, Pazzaglini, Wagstaff & Shafer)

Nays-8(Coffey, Harris, Kavulich, Malley, Pasquale, Schofield, Taylor & Whalen)

Mr. Augostini moved, seconded by Mr. Pasquale to remove from the table, the following two resolutions (94-305 & 94-306) which were

tabled at the Special Session of July 21, 1994. **Carried.**

RESOLUTION NO. 305 by Hon. Louis P. Augostini and Hon. Vincent A. Pasquale
and seconded by Mr. Kavulich

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 9, 1994,
ENTITLED: "A LOCAL LAW IMPOSING A COUNTY
RECORDING TAX ON OBLIGATIONS SECURED BY A
MORTGAGE ON REAL PROPERTY."**

Carried.

Ayes-13(Augostini, Coffey, Harris, Howard, Lindsey, Malley,
Pasquale, Pazzaglini, Schofield, Taylor, Wagstaff,
Whalen & Shafer).

Nays-6(Brown, Burger, Harbachuk, Hudak, Kavulich & Mather)

RESOLUTION NO. 306 by Hon. Louis P. Augostini and Hon. Vincent A. Pasquale
and seconded by Mr. Kavulich.

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 10,
1994, ENTITLED: "A LOCAL LAW IMPOSING A TAX ON
REAL ESTATE TRANSFERS IN THE COUNTY OF
BROOME."**

Carried.

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

Nays-7(Brown, Burger, Harbachuk, Hudak, Kavulich, Mather &
Taylor)

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. Wagstaff.

RESOLUTION NO. 307

by Finance Committees Seconded by Mrs. Wagstaff

**RESOLUTION AUTHORIZING A CONTRACT WITH THE
CENTER FOR GOVERNMENTAL RESEARCH, INC., FOR AN
EFFICIENCY AND COST-SAVINGS STUDY OF SELECTED
DEPARTMENTS AND/OR PROGRAMS OF BROOME
COUNTY GOVERNMENT**

WHEREAS, the Broome County Executive and the Chair of the Broome County Legislature have secured a proposal from the Center for Governmental Research, Inc., 37 South Washington Street, Rochester, NY 14608, and

WHEREAS, this proposal, attached as Exhibit "A" outlines a proposal to undertake an efficiency and cost-savings study of selected aspects of Broome County Government, and

WHEREAS, the County Executive and the Chair of the Legislature and your sponsoring committee recommends that Broome County enter into an agreement with the Center for Governmental Research, Inc., for the study as outlined in Exhibit "A," not to exceed \$197,000, and be it

RESOLVED, that this County Legislature hereby authorizes a contract with the Center for Governmental Research, Inc., 37 South Washington Street, Rochester, NY 14608 for an efficiency and cost-savings study of selected aspects of Broome County Government, outlined in Exhibit "A," not to exceed \$197,000, and be it

FURTHER RESOLVED, that the payment(s) hereinabove authorized shall be made from budget line 240010.4747.101000 (Other Fees for Services), and be it

FURTHER RESOLVED, that in order to provide funds for this contract, this County Legislature hereby approves the transfer of \$197,000 from budget line 900084.4459.101000 (Reserve For Programs) to budget line 240010.4747.101000 (Other Fees For

Services), and be it

FURTHER RESOLVED, that the County Executive or the duly authorized representative of the County Executive 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. Harbachuk.

RESOLUTION NO. 308

by County Administration, Economic Development and Planning Committee

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING BUSINESS RECORDS CORPORATION TO CONDUCT A REVIEW OF ALL COUNTY DEPARTMENTS FOR THE PURPOSE OF DETERMINING BROOME COUNTY'S ELIGIBILITY TO BE CONSIDERED FOR A REGIONAL TECHNOLOGY CENTER (RTC)

WHEREAS, the Board of Legislators authorizes Business Records Corporation to conduct said review at no cost to the County, and

WHEREAS, the review is necessary in order to determine what, if any, County assets can be marketed to other jurisdictions, healthcare institutions, and/or school systems, and

WHEREAS, Business Records Corporation will provide a written and oral report to the County Legislature and County Executive upon the review's completion, and

WHEREAS, the review will last one (1) week, each department director spending approximately one hour with the interviewing teams, with a follow up meeting lasting approximately one-half (1/2) hour on Thursday of the review week to ensure that all information and notes

accurately reflect the observations and comments made by the interviewees, and

WHEREAS, said review is being conducted to ascertain the feasibility of developing an externally generated revenue flow to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes Business Records Corporation, Government Services Division, 7227 3rd Street South, P.O. Box 1082 St. Cloud, MN 56302 to conduct said review for the one week period (specific dates to be mutually agreed upon), and be it

FURTHER RESOLVED, that the County acknowledges that Business Records Corporation will conduct this review at their own expense (estimated between \$20-\$30K) and will receive the cooperation and support of the County Executive and the Administration for the purpose of conducting this review and identifying any marketable assets, and be it

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

RESOLUTION NO. 309

by Education, Culture & Recreation Committee

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING THE PLACEMENT OF A MEMORIAL MARKER AT GRIPPEN PARK TO DESIGNATE THE SITE OF AN ANCIENT OWASCO INDIAN VILLAGE

WHEREAS, the New York State Society Daughters of the

American Colonists request this County Legislature to authorize the placement of a memorial, consisting of a boulder with a bronze tablet, in Grippen Park to designate the site of an ancient Owasco Indian Village, and

WHEREAS, the actual placement shall be determined by the Department of Parks & Recreation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the placement of a memorial, consisting of a boulder with a bronze tablet, in Grippen Park to designate the site of an ancient Owasco Indian Village, and be it

FURTHER RESOLVED, this resolution shall take effect immediately.

Carried.

RESOLUTION NO. 310

by Environment Committee

Seconded by Mrs. Wagstaff

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE ENVIRONMENTAL MANAGEMENT COUNCIL BOARD OF DIRECTORS.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 277, adopted September 21, 1971 and the provisions of Resolution No. 64, adopted February 6, 1973, Resolution No. 366, adopted December 21, 1976 and Resolution No. 341, adopted October 1, 1980, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Environmental Management Council Board of Directors for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Tim Fives 7½ Goethe Street	New appointment

Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH HICKEY, SHEEHAN & GATES, P.C., TO REPRESENT BROOME COUNTY IN A FEDERAL CIVIL RIGHTS ACTION

WHEREAS, this County Legislature, by Resolution 84 of 1993, authorized an agreement with Hickey, Sheehan & Gates, P.C., for legal representation in an action commenced by the Estate of David Whitman, a former employee, at a cost not to exceed \$6,000, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Hickey, Sheehan & Gates, P.C., 160-162 Hawley Street, POB 2124, Binghamton, New York, 13902, to represent Broome County in a Federal Civil Rights Action commenced by the Estate of David Whitman, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Law Firm of Hickey, Sheehan & Gates, P.C., \$85.00 per hour for legal services, total amount not to exceed \$9,625, this being the final bill, and be it

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

FURTHER RESOLVED, that Resolution 84 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. 312

by Environment Committee

Seconded by Mrs. Wagstaff

**RESOLUTION SETTING DATE, TIME AND PLACE FOR A
PUBLIC HEARING**

**CONCERNING THE RENEWAL OF AGRICULTURAL
DISTRICT # 5**

**IN THE TOWNS OF BARKER, CHENANGO, LISLE, MAINE,
NANTICOKE & TRIANGLE**

WHEREAS, Agricultural District # 5 in the Towns of Barker, Chenango, Lisle, Maine, Nanticoke and Triangle within the County of Broome was adopted by the Broome County Legislature on June 6, 1978 by Permanent Resolution # 78-175 and was subsequently established with an effective date of January 11, 1979, pursuant to Article 25-AA of the NYS Agriculture and Markets Law, and

WHEREAS, Agricultural District # 5 was reviewed and modified by the Broome County Legislature on June 24, 1986 by Permanent Resolution # 86-239 with modifications which included addition of certain parcels in the Towns of Barker, Lisle, and Triangle and deletion of selected parcels in the Towns of Barker and Lisle, and

WHEREAS, under Section 303(7)(a) of the NYS Agriculture and Markets Law, the County Legislative Body is required to review a district eight years after its creation and every eight years thereafter, and

WHEREAS, a 30-day period beginning May 2, 1994 and ending May 31, 1994 was established for comments and/or modification proposals, and

WHEREAS, no formal public comments or proposed modifications were submitted, and

WHEREAS, the Broome County Department of Planning and Economic Development and the Broome County Agricultural & Farmland Protection Board have undertaken a required forty-five (45)

day review of the district, and the Environmental Management Council has undertaken an Environmental Review of said district, and

WHEREAS, a public hearing must be held on the District, by the County Legislature to review proposed modifications, and recommendations of said Department, Board, or Council, now therefore

BE IT RESOLVED, that a public hearing on the continuation of Agricultural District Number 5 shall be held in the Legislative Chambers on Thursday, August 18, 1994 at 4:00 P.M., and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to cause to be published, the appropriate notices of said public hearing in the manner provided by law.

Carried.

RESOLUTION NO. 313

by Health & Human Services and Finance Committees

Seconded by Ms. Harris

**RESOLUTION OF THE BROOME COUNTY LEGISLATURE
CONCERNING MANDATES FROM THE NEW YORK STATE
DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the Broome County Legislature by 1994 Resolution Number 110 required that all units of Broome County government toward which federal and state generated mandates are directed, shall, beginning with January, 1994, be required to notify the Broome County Legislature of any new mandates whose value to the unit's annual budget exceeds \$1,000 and provide the legislature with all information associated with such directives, and

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, and

WHEREAS, the Commissioner of Social Services has submitted two mandates to this legislative body concerning:

1.SPOUSAL IMPOVERISHMENT: ALLOWANCE INCREASES FOR 1994

2.INCREASED MA INCOME AND RESOURCE STANDARDS AND FEDERAL INCOME GUIDELINES - 1994, attached as Exhibits 1 & 2, and

WHEREAS, the mandate for "Spousal Impoverishment: Allowance Increases for 1994" has an estimated gross cost impact of \$24,960 with an estimated local share of \$2,496 and the mandate for "Increased MA Income and Resource Standards and Federal Income Guidelines - 1994" has an estimated gross cost impact of \$229,200 with an estimated local share of \$39,300, and

WHEREAS, this legislative body has indicated that it will decide to either reject or accept, endorse and implement said mandates, now, therefore be it

RESOLVED, that this legislature having reviewed said mandates referenced above does hereby accept said mandate(s) and does hereby instruct the Clerk of this Legislature to notify the affected department of Broome County's acceptance. **Heldover** by Mr. Augostini.

RESOLUTION NO. 314

by Finance and Personnel Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE PERSONNEL DEPARTMENT

RESOLVED, that in accordance with a request from the Personnel Department, in order to provide funds for CSEA employee tuition reimbursement as approved by this County Legislature by Resolution No. 64 of 1994 (CSEA union contract approval), as requested by BT# 7186, 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	Contingent Acct.	\$1,500

TO : 400002 8081 101000 Emp. Tuition Reimb. \$1,500
Carried.

RESOLUTION NO. 315

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH MIPS-MILLER INFORMATION PROCESSING CORP., FOR COMPUTER BACKUP GENERATOR AND CONTINGENCY PLANNING FOR THE DEPARTMENT OF COMPUTER SERVICES FOR 1994.

WHEREAS, the Department of Computer Services requests authorization for an agreement with MIPS-Miller Information Processing Corp., for computer backup generator and contingency planning for the period August 1, 1994 through December 31, 1994, at a cost not to exceed \$150,000, and

WHEREAS, said services will provide a review of existing contingency plans, services and equipment to ensure that the Department of Computer Services has a complete source of emergency power to fully operate all systems, including Public Safety Information System should the main power source be unavailable, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with MIPS-Miller Information Processing Corp., Two Clinton Square, Syracuse, NY, 13202, for computer backup generator and contingency planning, for the period August 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 \$150,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4726.501291

(Contracted Data Processing Services), and be it

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

Mr. Pazzaglini moved, seconded by Mr. Malley to **table** the resolution. The tabling **carried**.

RESOLUTION NO. 316

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AGREEMENT WITH ANDY WALKER'S AUCTIONS, UNLIMITED, FOR AUCTIONEERING SERVICES FOR THE DEPARTMENT OF GENERAL SERVICES, PURCHASING DIVISION, ELEVENTH ANNUAL AUCTION SCHEDULED FOR SEPTEMBER 10, 1994 AT GRIPPEN PARK IN ENDICOTT, NEW YORK

WHEREAS, the Department of General Services, Purchasing Division, requests authorization for an agreement with Andy Walker's Auctions, Unlimited, for auctioneering services for its eleventh annual auction of surplus supplies, equipment, materials and vehicles on September 10, 1994, at a cost of \$800 for expenses and 8.5 percent of the auctioneer's gross receipts (commission is based on gross sales, sales taxes are not taken into consideration for commission) for Broome County Government, and

WHEREAS, all political subdivisions of Broome County shall be eligible to offer surplus supplies, materials, equipment and vehicles for sale at the auction, and

WHEREAS, all political subdivisions, including Broome community College, shall pay a fee of 11 percent of the auctioneer's gross receipts attributable to its property, with 8.5 percent of said fee

payable to auctioneer and 2.5 percent to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Andy Walker's Auctions, Unlimited, 134 Elaine Drive, Binghamton, New York, 13905, for auctioneer services for the September 10, 1994 auction, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Andy Walker's Auctions, Unlimited, \$800 for expenses, plus 8.5 percent of the auctioneer's gross receipts for the term of this agreement, and be it

FURTHER RESOLVED, that Andy Walker's Auctions, Unlimited, will pay the Broome County Parks Department an amount not to exceed \$250 for clean up by the Parks Department, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from the proceeds of the auction referred to above, 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. 317

by Finance, Public Works and Public Safety and Emergency Services Committees

Seconded by Mr. Mather

RESOLUTION AMENDING THE 1991 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, the Broome County Legislature approved the 1991 Capital Project F-404 Public Safety Facility by Resolution 90-489, and

WHEREAS, the Broome County Legislature by Resolutions 90-581, as amended by 91-378, and 93-427 authorized funding for this

project, and

WHEREAS, the Commissioner of Finance has requested an amendment to appropriation and revenue accounts to allow for the recording of Certificates of Participation (COP's), and

WHEREAS, the Department of Public Works has requested additional funding for costs related to the agreement with the Town of Dickinson, addressing environmental issues and project delays, now, therefore, be it

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

FROM:

Estimated Construction Cost:				
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>
<u>County</u>				
F-404	Public Safety Facility	\$35,000,000	\$0	\$0
	\$35,000,000			

How Financed:			
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1991	30	\$34,125,000	\$875,000

TO:

Estimated Construction Cost:				
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>
<u>County</u>				
F-404	Public Safety Facility	\$44,075,027	\$0	\$0
	\$44,075,027			

How Financed:			
<u>Year Start</u>	<u>YPU</u>	<u>COPS</u>	<u>Bond</u>
	<u>*Current Revenue</u>		

1991 30 \$36,814,108 \$6,258,750 \$1,002,169

*Includes \$127,169.58 of accrued interest associated with COP's
Carried. Ayes-15, Nays-4 (Brown, Hudak, Kavulich and
Wagstaff).

RESOLUTION NO. 318

by Finance Committee

Seconded by Mrs. Wagstaff

**RESOLUTION AUTHORIZING CANCELLATION OF REAL
PROPERTY TAXES ON PARCELS IN THE TOWN OF
SANFORD.**

WHEREAS, the Director of Real Property Tax Services requests
this Legislature to cancel taxes on 4 accounts in that the property does
not exist, now, therefore, be it

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

1. Town of Sanford, Account Number 42793000000, listed owner:
People State of New York, amount to be cancelled \$1,103.18;
2. Town of Sanford, Account Number 42793300000, listed owner:
People State of New York, amount to be cancelled \$183.99;
3. Town of Sanford, Account Number 42793100000, listed owner:
People State of New York, amount to be cancelled \$1,916.53;
4. Town of Sanford, Account Number 42793200000, listed owner:
People State of New York, amount to be cancelled \$292.60,
5. Town of Kirkwood, 4-8S3, People State of New York. Reason:
Erroneous School Relevy on Town and County taxes,
Amount to Cancel in \$752.12.

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. 319

by Finance Committee

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING THE SALE OF A 27' X 50' DOUBLE WIDE MOBILE HOME TO FRANCIS AND ELIZABETH FISHER

WHEREAS, this County Legislature, by Resolution 218 of 1994, authorized the advertising for sale of a 27' x 50' double wide mobile home located on real property owned by Broome County on Dunham Hill Road in the Town of Barker, New York, in that this mobile home had been found to be of no retentive value to the County by appropriate County officials and the Finance Committee of this County Legislature, and

WHEREAS, during the in rem property auction held on May 26, 1994, Francis and Elizabeth Fisher were the successful bidders, offering \$15,000 for the mobile home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the sale of a double wide mobile home, which is located on Dunham Hill Road in the Town of Barker, New York, parcel number 4-44-S2, it being understood that Broome County is only selling the mobile home and not the underlying parcel of land, and be it

FURTHER RESOLVED, that the money so received shall be credited to budget line 230086.0212.206000 (Sales of Real Property), and be it

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

Carried.

RESOLUTION NO. 320

by Finance Committee

Seconded by Mrs. Wagstaff

RESOLUTION APPROVING SALE OF 1990 IN REM FORECLOSURE PROPERTIES TO FORMER OWNERS

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of the completion of proceedings and foreclosure in rem for year 1990, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Services advises that the former owners of certain properties have requested to have the properties sold back to them, and the Director and your sponsoring committee recommend that such requests be granted based on the circumstances of each such case as reviewed and approved by your sponsoring committee, now, therefore, be it

RESOLVED, that the sale back to the former owners of the parcels listed below for the amounts as stated is hereby approved by this County Legislature based on the circumstances of each such case, as determined by your sponsoring committee as well as the hardship to the former owners that the failure to approve such sales would cause:

<u>TOWN</u>	<u>TAX MAP #</u>	<u>FORMER OWNER</u>	<u>SALE AMOUNT</u>
Lisle	6-5-A-5	Rita Kim P.O. Box 75 Whitney Point, NY 13862	\$ 4,068.57
Windsor	10-6S3	Harry & Roberta Howard RD 2 Windsor, NY 13865	\$ 2,305.96
Conklin	6-3-10-1	Genevieve Cron 73 Stillwater Road	\$ 3,305.98

Corbettsville, NY 13749

and, be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the former owners in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

Carried.

RESOLUTION NO. 321

by Finance Committee

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES OF THE 1994 TAX SALE AUCTION (1990 IN REM FORECLOSURE)

WHEREAS, the County of Broome now owns certain parcels of real property as a result of the 1990 in rem foreclosure action, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 1994 was held and tabulation of all bids submitted was undertaken by the Director of Real Property Tax Service, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 1994 Broome County tax sale auction as indicated on the attached Exhibit A, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the

properties listed above to the successful bidders in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

Mrs. Wagstaff moved, seconded by Mr. Brown to **amend the resolution to add the following paragraph:**

FURTHER RESOLVED, that this County Legislature hereby rejects the following bids in as much as authorization has previously been granted to sell the properties to former owners (per 1994 permanent Resolution # 321):

**TOWN and TAX MAP #: CONKLIN 6-3-10-1
REJECTED BIDDER: Brian Perry, 20 Stillwater Road, Conklin, NY 13745
BID AMOUNT: \$2,500 (NOTE: Sale to former owner for \$4,068.57)**

**TOWN and TAX MAP #: LISLE 6-5-A-5
REJECTED BIDDER: Orrin Pendell, 273 Smith Hill Rd., Lisle, NY 13797
BID AMOUNT: \$2,500 (NOTE: Sale to former owner for \$2,305.96)**

**TOWN and TAX MAP #: WINDSOR 10-6-S3
REJECTED BIDDER: Audrey Zimmer, 2822 NY Route 79, Harpursville, NY 13787
BID AMOUNT: \$2,300 (NOTE: Sale to former owner for \$3,305.98)**

The amendment **carried**.
The resolution as amended **carried**.

RESOLUTION NO. 322

by Public Works, Transportation and Finance Committees

Seconded by Mrs. Wagstaff

**RESOLUTION AUTHORIZING AGREEMENT WITH
McFARLAND-JOHNSON ENGINEERS, INC., FOR
ELECTRICAL DESIGN SERVICES FOR BINGHAMTON
REGIONAL AIRPORT FOR 1994.**

WHEREAS, the Department of Public Works requests authorization for an agreement with McFarland-Johnson Engineers, Inc., for electrical design services at Binghamton Regional Airport for 1994, at a cost not to exceed \$10,040, and

WHEREAS, said services are necessary for the fuel farm projects and water system improvements at the Binghamton Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson Engineers, Inc., P.O. Box 1980, 171 Front Street, Binghamton, NY, 13902, for electrical design services for the fuel farm and water system improvements at the Binghamton Regional Airport for 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,040 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 211011.4746.502223 and 211037. 4746.502189 (Engineering & Architectural Services), and be it

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

Carried.

RESOLUTION NO. 323

by Public Works and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AGREEMENT WITH THE DEWOLFF PARTNERSHIP ARCHITECTS FOR PROFESSIONAL ARCHITECT/ ENGINEER SERVICES FOR THE CENTRAL FOODS EXPANSION PROJECT FOR 1994 THROUGH 1995

WHEREAS, the Departments of Public Works and Central Foods requests authorization for an agreement with The DeWolff Partnership, Architects for professional architect/engineer services for the Central Foods Expansion Project for calendar years 1994 and 1995, at a cost not to exceed \$208,525, and

WHEREAS, said architect and engineering services are necessary for the design and construction phase relating to the Central Foods Expansion Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with The DeWolff Partnership, Architects, St. Paul Place, 151 St. Paul Street, Rochester, NY, 14604, for professional architect/engineer services relating to the Central Foods Expansion Project, for the calendar years 1994 and 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$208,525 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 235028.4746.502219 and 235051. 4746.501290 (Engineering & Architectural Services), and be it

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

purpose of this Resolution.
Carried.

RESOLUTION NO. 324

by Finance and Public Works Committees
 Seconded by Mr. Malley

RESOLUTION AMENDING THE 1993 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, the Broome County Legislature approved the 1993 Capital Project D-333 Hales Eddy Bridge by Resolution 92-524, and

WHEREAS, Capital Project D-333 Hales Eddy Bridge (BIN3352290) has been included in the Federal Aid Local Bridge Program providing 80% of project costs, and

WHEREAS, the Department of Public Works has requested an amendment to D-333 Hales Eddy Bridge to reflect the change in funding sources, now, therefore, be it,

RESOLVED, that the 1993 Capital Budget is hereby amended as follows:

FROM:		Estimated Construction Cost:				
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>*Other</u>	<u>County</u>	
D-333	Hales Eddy Bridge	\$1,420,000	\$ 0		\$710,000	\$710,000

			How Financed:	
<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1993	20	\$1,420,000	\$ 0

*Delaware County

Description: Reconstruct or replace, as previously authorized study determines, the 224 foot Hales Eddy Bridge (3352290) across the Delaware in the Town of Sanford with the cost shared with Delaware County. Design would begin in 1993 with construction initiated in

1994 and completion scheduled late in 1995.

TO:		Estimated			
Construction Cost:					
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
D-333	Hales Eddy Bridge	\$124,700	\$ 0	\$ 0	\$124,700

How Financed:					
	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>	
<u>Revenue</u>	1993		20	\$124,700	\$ 0

Description: Reimbursement to New York State for ten per cent of the total cost for the rehabilitation/replacement of Hales Eddy Bridge. The State will receive eighty per cent from Federal funds and the remaining ten per cent from Delaware County. Project is scheduled for completion in 1998, and be it

FURTHER RESOLVED, that Department of Public Works is authorized to enter into an agreement with NYS DOT to provide funds for D-333 Hales Eddy Bridge as amended, and be it

FURTHER RESOLVED, that this amendment and agreement is contingent upon resolution approving funding from Delaware County.

Carried.

RESOLUTION NO. 325

by Public Safety & Emergency Services, Education, Culture & Recreation, and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING ESTABLISHMENT OF THE BROOME COUNTY STOP-DWI HOLIDAY CLASSIC GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, the Broome County STOP-DWI Program and the Broome County Parks & Recreation Department are co-sponsoring a

STOP-DWI Holiday Classic Basketball Tournament to be held on December 27, 28 and 29, 1994, and

WHEREAS, the Broome County STOP-DWI Program requests authorization to establish the STOP-DWI Holiday Classic Grant to administer the STOP-DWI Holiday Classic Basketball Tournament for the period July 1, 1994 through March 1, 1995, in the amount of \$74,500, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the establishment of the STOP-DWI Holiday Classic Grant in the amount of \$74,500 for the period July 1, 1994 through March 1, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$74,500 for the period July 1, 1994 through March 1, 1995, and be it

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

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

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

Carried.

RESOLUTION NO. 326

by Public Safety & Emergency Services, Education, Culture &

Recreation and Finance Committees
Mrs. Wagstaff

Seconded by

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT
WITH CHARLES TARRICONE FOR TOURNAMENT
DIRECTOR SERVICES FOR THE BROOME COUNTY STOP-
DWI HOLIDAY CLASSIC BASKETBALL TOURNAMENT
FOR 1994**

WHEREAS, the Broome County STOP-DWI Program and the Broome County Parks Department are co-sponsoring a STOP-DWI Holiday Classic Basketball Tournament to be held on December 27, 28 and 29, 1994, and

WHEREAS, this County Legislature, by Resolution 433 of 1993, authorized an agreement with Charles Tarricone for tournament director services for the STOP-DWI Holiday Classic Basketball Tournament for 1993 at a cost not to exceed \$5,000, and

WHEREAS, said services are necessary to oversee the planning, development and operation of this tournament which will showcase some of Section IV's top high school basketball teams against top flight teams from across the United States and to promote the Broome County STOP-DWI Program's Drunk Driving message during the 1994 holiday season, and it is desired to renew said agreement with Charles Tarricone for 1994, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Charles Tarricone, 1305 Campus Drive, Vestal, NY, 13850, for tournament director services for the STOP-DWI Program Holiday Classic Basketball Tournament for 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,000, plus authorized expenses as approved by the STOP-DWI Program Coordinator for his services for the 1994 tournament, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Broome County STOP-DWI

Program Holiday Classic Basketball Tournament Trust and Agency account previously established, 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. 327

by Public Safety and Emergency Services, Education, Culture & Recreation and Finance Committees Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AGREEMENT WITH THE BROOME COUNTY ARENA FOR THE STOP-DWI HOLIDAY CLASSIC FOR 1994

WHEREAS, the Broome County STOP-DWI Program and the Broome County Parks Department are co-sponsoring a STOP-DWI Holiday Classic Basketball Tournament to be held on December 27, 28, and 29, 1994, and

WHEREAS, it is desired to enter into a contract with the Broome County Arena for use of its facility to hold the majority of the games scheduled for this tournament at a cost not to exceed \$9,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome County Arena for use of its facility for the Broome County STOP-DWI Program Holiday Classic Basketball Tournament for the period December 27 through December 29, 1994, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Parks and Recreation Department shall receive an amount not to exceed \$9,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove

authorized shall be made from the Broome County STOP-DWI Program Holiday Classic Basketball Tournament Trust and Agency account previously established, 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. 328

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

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PRISONER HEALTH SERVICES, INC., FOR PROFESSIONAL MEDICAL SERVICES TO THE JAIL FACILITIES OF THE SHERIFF'S DEPARTMENT FOR 1994

WHEREAS, this County Legislature, by Resolution 167 of 1994, 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 \$319,300 for the period October 1, 1993 through March 31, 1994, 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 June 30, 1994 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Prisoner Health Services, Inc., for professional medical services to the jail facilities of the Sheriff's Department for the period April 1, 1994 through June 30, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$157,650 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.**

RESOLUTION NO. 329

by Finance and Education, Culture and Recreation Committees

Seconded by Mr. Harbachuk

RESOLUTION ADOPTING THE BUDGET FOR BROOME COMMUNITY COLLEGE FOR 1994 THROUGH 1995

WHEREAS, Broome Community College receives funding from four major areas: Broome County Government and other sponsors' support, tuition and State aid, as well as miscellaneous offset revenue for its specific and general expenses, and

WHEREAS, New York State Law has set ceilings for tuition charges and State aid to ensure an equitable distribution of financial responsibility among sponsoring local government, students and State government, and

WHEREAS, pursuant to the Broome County Charter and Administrative Code, Article XXIII-A, Broome Community College has submitted a proposed budget for the year commencing September 1, 1994 and ending August 31, 1995, and

WHEREAS, the Broome Community College Board of Trustees expects to receive grant monies in the amount of \$1,824,843 for the year commencing September 1, 1994 and ending August 31, 1995, and

WHEREAS, on June 30, 1994, a public hearing was held on this proposed budget and the Budget Message submitted by the County Executive and copies of the proposed budget and the Budget Message had been available for inspection and/or procurement for at least five

days prior to this hearing pursuant to this County's Charter and Administrative Code, now, therefore, be it

RESOLVED, that the proposed budget of Broome Community College in the amount of \$29,137,444 be and hereby is adopted for said Broome Community College for the year commencing September 1, 1994 and ending August 31, 1995, and be it

FURTHER RESOLVED, that Broome County shall provide \$4,690,393 as an appropriation for its annual contribution to the support of Broome Community College's operating and maintenance expenditures, and be it

FURTHER RESOLVED, that an amount of \$35,995 is appropriated as a match required to receive federal funds, and be it

FURTHER RESOLVED, that the above adopted budget is summarized as follows:

(Note: Presented as amended in committee & adopted by the Legislature)

SUMMARY OF BROOME COMMUNITY COLLEGE BUDGET

Fiscal Year September 1, 1994 through August 31, 1995

	<u>Operating</u> <u>Budget</u>	<u>Grant</u> <u>Activities</u>	<u>Totals</u>
Appropriation:	\$27,312,601	\$1,824,843	\$29,137,444
Estimated Revenues:			
Various Grant Revenues	1,824,843	1,824,843	
Misc. Offsets Expenses	1,334,518		1,334,518
State Sources	9,409,531		9,409,531
Student Sources	9,483,361	9,483,361	
Sponsor Sources:			
Broome County Contribution	4,690,393	4,690,393	
Other Counties	1,257,538	1,257,538	
Out of State Students	638,045	638,045	
Appropriated Fund Balance	499,215	499,215	
Total Revenues	\$27,312,601	\$1,824,843	

\$29,137,444

and be it

FURTHER RESOLVED, that the Budget Director is hereby authorized, empowered and directed to correct any modifications, changes, and/or typographical errors, including additions, and to file same with the Clerk of the Broome County Legislature. **Carried.**

Ayes-17, Nays-2 (Augostini, Coff

RESOLUTION NO. 330

by Health & Human Services and Finance Committees

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MICHAEL W. SCHAFER FOR CONSULTANT SERVICES TO YESCAP FOR THE ADSIP PEER LEADERSHIP PROGRAM FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 318 of 1993, authorized an agreement with Michael W. Schafer for consultant services to YESCAP for ADSIP Peer Leadership Program in an amount not to exceed \$4,500, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Michael W. Schafer, 3623 Country Club Road, Endwell, NY, 13760, for consultant services to YESCAP for the ADSIP Peer Leadership Program for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470062.4747.102000 (Other Fees for Services), and be it

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

Carried. Ayes-18, Nays-1 (Coffey).

RESOLUTION NO. 331

by Health & Human Services, Personnel and Finance Committees
Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY DRUG AWARENESS CENTER STUDENT ASSISTANCE PROGRAM FOR THE UNION-ENDICOTT SCHOOL DISTRICT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 369 of 1993, authorized and approved the operation of the Broome County Drug Awareness Center Student Assistance Program for the Union-Endicott School District for the period September 1, 1993 through August 31, 1994 and adopted a program budget in the amount of \$28,500, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1994 through August 31, 1995 in the amount of \$26,295, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$26,295 from the Union-Endicott School District for the Broome County Drug Awareness Center Student Assistance Program for the period September 1, 1994 through August 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$26,295 for the period September 1, 1994 through August 31, 1995, and be it

FURTHER RESOLVED, that the County Executive or his duly

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

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

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

Carried.

RESOLUTION NO. 332

by Health & Human Services and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR PERSONAL CARE SERVICES IN CONNECTION WITH SOCIAL SERVICES MEDICAID PROGRAM FOR 1992 THROUGH 1994

WHEREAS, this County Legislature, by Resolution 645 of 1992, authorized agreements with various vendors for personal care services furnished to Medicaid recipients at a rate approved by New York State for 1993 through 1994, pending New York State approval, and

WHEREAS, said agreements expired by their terms on December 31, 1993 and it is desired at this time to renew said agreements on substantially similar terms and conditions, establishing the New York State reimbursement rate for 1992, 1993 and 1994 and authorizing continuation of the 1994 rates through calendar year 1995 at 1994 rates, pending New York State approval, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes

renewal and revision of the agreement with Interim Healthcare (formerly Medical Personnel Pool, 59 Front Street, Binghamton, New York, 13905, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1992 through December 31, 1994:

	1992-1993 hourly rates		1994 hourly rates	
Level I	\$ 11.16		\$ n/a	
Level II	12.29		12.47	
Level II Hard to Serve			11.48	14.01
Shared Aide I			12.89	12.73
Shared Aide I	n/a		(¼ hr)	3.18
Shared Aide II	12.36		12.73	
Shared Aide II	n/a	(¼ hr)	3.18	
Nursing Supervision Visit	n/a		20.59	

and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal and revision of the agreement with Homemakers of Broome County, Inc., d/b/a Caregivers, 2465 Sheridan Drive, Buffalo, New York, 14240, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1992 through December 31, 1994:

	1992-1993 hourly rates		1994 hourly rates	
Level I	\$ n/a		\$ 9.56	
Level II	11.34		11.09	
Level II Hard to Serve			11.73	n/a
Shared Aide I			12.44	10.68
Shared Aide I	n/a		(¼ hr)	2.67
Shared Aide II	12.44		11.04	
Shared Aide II	n/a	(¼ hr)	2.76	
Nursing Supervision Visit	n/a		22.36	

and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal and revision of the agreement with Stafcare of New York, d/b/a Americare, 138 Court Street, Binghamton, New York, 13901, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1992 through December 31, 1993:

1992-1993 hourly rates	
Level I	\$ 11.94
Level II	11.94
Level II Hard to Serve	11.50
Shared Aide I	11.95
Shared Aide II	12.31

and these rates to continue for calendar years 1994 and 1995, pending New York State approval, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal and revision of the agreement with Olsten Kimberly Quality Care, 30 W. State Street, Binghamton, New York, 13901, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1992 through December 31, 1994:

1992-1993 hourly rates		1994 hourly rates
Level II	\$ 11.97	\$ 12.42
Nursing Supervision Visit	n/a	21.44

and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal and revision of the agreement with Stafkings Healthcare, P. O. Box 1015, Binghamton, New York, 13902, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1992 through December 31, 1993:

1992-1993 hourly rates

Level II	\$ 12.78
Level II Hard to Serve	11.73
Shared Aide II	11.22
Shared Aide II	n/a
Nursing Supervision Visit	n/a

and these rates to continue for calendar years 1994 and 1995, pending New York State approval, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal and revision of the agreement with Family & Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York, 13905, for personal care services for eligible Medicaid recipients at the following rates, for the period January 1, 1992 through December 31, 1994:

	1992-1993 hourly rates	1994 hourly rates	
Level I	\$ n/a	\$ 11.33	
Level II	13.48	12.55	
Level II Hard to Serve		11.73	13.68
Shared Aide I		13.48	12.85
Shared Aide I	n/a	(¼ hr)	3.21
Shared Aide II	13.48	14.08	
Shared Aide II	n/a	(¼ hr)	3.52
Nursing Supervision Visit	n/a	57.75	

and the 1994 rates continue for calendar year 1995, pending New York State approval, and be it

FURTHER RESOLVED, that Resolution 645 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS Medical Assistance), and be it

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

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

Carried.

RESOLUTION NO. 333

by Health & Human Services, Personnel and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING ACCEPTANCE OF MEDICAID OUTSTATIONED WORKER GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, the Department of Social Services requests authorization to accept a Medicaid Outstationed Worker Program Grant from Lourdes Hospital and New York State Department of Social Services in the amount of \$30,190 for the period August 1, 1994 through July 31, 1995, and

WHEREAS, said grant program provides for a staff person to conduct Medicaid Assistance eligibility activities and process Medicaid applications at Lourdes Hospital, enhancing the County's ability to service indigent County residents in need of assistance while hospitalized, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,095 from the New York State Department of Social Services and \$15,095 from Lourdes Hospital for the Medicaid Outstationed Worker Grant for the Department of Social Services, for the period August 1, 1994 through July 31, 1995 and be it

FURTHER RESOLVED, that this County Legislature hereby

approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$30,190 for the period August 1, 1994 through July 31, 1995, and be it

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

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

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

Carried.

RESOLUTION NO. 334

by Health & Human Services, Personnel and Finance Committees

Seconded by Mrs. Wagstaff

**RESOLUTION AUTHORIZING RENEWAL OF FEDERAL
EVEN START FAMILY LITERACY PROGRAM FOR THE
DEPARTMENT OF SOCIAL SERVICES THROUGH THE
BINGHAMTON CITY SCHOOL DISTRICT AND ADOPTING
A PROGRAM BUDGET IN CONNECTION THEREWITH FOR
1994 THROUGH 1995**

WHEREAS, this County Legislature, by Resolution 384 of 1993, authorized and approved the Federal Even Start Family Literacy Program Grant through the Binghamton City School District in the amount of \$36,000 for the period September 1, 1993 through August 31, 1994, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1994 through August 31, 1995 in the amount of \$35,300, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$35,300 from the Federal Even Start Family Literacy Program through the Binghamton City School District for the period September 1, 1994 through August 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$35,300 for the period September 1, 1994 through August 31, 1995, and be it

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

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

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

Carried.

RESOLUTION NO. 335

by Health & Human Services and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING REVISION OF DEPARTMENT OF SOCIAL SERVICES HOME ENERGY ASSISTANCE PROGRAM (HEAP) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 482 of 1993, as amended by Resolution 10 of 1994, authorized the continued participation by the Department of Social Services in the Home Energy Assistance Program (HEAP) for the period November 1, 1993 through November 15, 1994 and adopted a program budget in connection therewith in the total amount of \$2,208,674, 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 Home Energy Assistance Program (HEAP) for the period November 1, 1993 through November 15, 1994 in the total amount of \$2,856,978, 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 \$2,856,978 for the period November 1, 1993 through November 15, 1994, and be it

FURTHER RESOLVED, that Resolution 482 of 1993, as amended by Resolution 10 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 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. 336

by Health & Human Services, Personnel and Finance Committees

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING ACCEPTANCE OF DEPARTMENT OF SOCIAL SERVICES DAY CARE HOMES REGISTRATION GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995

WHEREAS, the Department of Social Services requests authorization to accept a Day Care Homes Registration Program Grant from the New York State Department of Social Services in the amount of \$57,000 for the period August 1, 1994 through July 31, 1995, and

WHEREAS, said grant program provides for the registration and inspection, including investigations and enforcement referrals, of family day care homes on the local level, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$57,000 from the New York State Department of Social Services for a Day Care Homes Registration Program, for the period August 1, 1994 through July 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby

approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$57,000 for the period August 1, 1994 through July 31, 1995, and be it

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

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

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

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

RESOLUTION NO. 337

by Health & Human Services and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AGREEMENT WITH FAY'S INCORPORATED FOR PHARMACY SERVICES FOR HEALTH DEPARTMENT CLINICS FOR 1994 THROUGH 1995

WHEREAS, the Health Department requests authorization for an agreement with Fay's Incorporated for pharmacy services for various Broome County Health Department Clinics, including STD, Chest, and Communicable Diseases Clinics for the period July 1, 1994 through June 30, 1995, at a cost not to exceed \$8,200, and

WHEREAS, said pharmacy services are necessary for repackaging of drugs for the STD Clinic, pharmacy consultant services and provision of drugs for the Chest Clinic and Communicable Disease Clinic, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Fay's Incorporated, 7245 Henry Clay Boulevard, Liverpool, New York, 13088, for pharmacy services for the Broome County Health Department, including repackaging of drugs for STD Clinic, pharmacy consultant services and provision of various drugs for the Chest Clinic and Communicable Disease Clinic, for the period July 1, 1994 through June 30, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$8,000 for the pharmacy services and \$200 for required pharmacist consulting services for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4715.101058 (Other Health & Medical Services), 480228.4365.101055, 480228.4365.101056, and 480228.4365.101054 (Prescription Drugs), 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. 338

by Health & Human Services and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING RENEWAL OF GRANT FROM SOUTHERN TIER AIDS PROGRAM (STAP) FOR HIV/AIDS EDUCATION AND TESTING IN BROOME AND OTSEGO COUNTIES FOR 1994 THROUGH 1995

WHEREAS, this County Legislature, by Resolution 474 of 1993, authorized and approved the Southern Tier Aids Program (STAP) Grant in the amount of \$20,000 to provide HIV/AIDS Education and Testing in Broome and Otsego Counties for the period July 1, 1993 through June 30, 1994, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1994 through June 30, 1995 in the amount of \$19,500, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,500 from the Southern Tier Aids Program (STAP) for HIV/AIDS Education and Testing for Broome and Otsego Counties for the period July 1, 1994 through June 30, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$19,500 for the period July 1, 1994 through June 30, 1995, and be it

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

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

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

Carried.

RESOLUTION NO. 339

by Health & Human Services, Personnel and Finance Committees
Secoded by Mrs. Wagstaff

RESOLUTION AUTHORIZING REVISION OF THE HEALTH DEPARTMENT WOMEN'S, INFANTS' AND CHILDREN'S (WIC) NUTRITION PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994

WHEREAS, this County Legislature, by Resolution 392 of 1993, authorized the continued operation of the Women's, Infants' and Children's (WIC) Nutrition Program for the period October 1, 1993 through September 30, 1994 in the amount of \$659,079, 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 Women's, Infants' and Children's (WIC) Nutrition Program for the period October 1, 1993 through September 30, 1994 in the amount of \$730,677, 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 \$730,677 for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that Resolution 392 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. 340

by Health & Human Services and Finance Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING AGREEMENTS WITH SERVICE PROVIDERS FOR BREAST AND CERVICAL CANCER CLINICAL, SCREENING, AND DIAGNOSTIC SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER EDUCATION AND DETECTION PROGRAM FOR 1994 AND 1995

WHEREAS, the Health Department requests authorization for agreements with various providers for breast and cervical cancer clinical, screening, and diagnostic services for its Breast and Cervical Cancer Education and Detection Program for the period July 1, 1994 through June 30, 1995 for a total amount not to exceed \$146,985, and

WHEREAS, said services are necessary to provide various sites around the Southern Tier for breast and cervical cancer early detection program services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the service providers on the attached Exhibit A for breast and cervical cancer clinical, screening, and diagnostic services as more particularly described and costed on the attached Exhibit A, for the Health Department Breast and Cervical Cancer Education and Detection Program for the period July 1, 1994 through June 30, 1995, total cost not to exceed \$146,985, and be it

FURTHER RESOLVED, that the payments hereinabove

authorized shall be made from budget line 480251.4707.102000 (Medical and Hospital 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.

EXHIBIT A:

Planned Parenthood of Broome and Chenango Counties

168 Water Street - Binghamton, New York, 13901

Chenango Memorial Hospital

179 N. Broad - Norwich, NY 13815

Margaretville Memorial Hospital

P.O. Box 200, Rte. 28 - Margaretville, NY 12455

Delaware Valley Hospital

1 Titus Place - Walton, NY 13856

Park Avenue Associates in Radiology

502 5th Avenue - Owego, NY 13827

Lourdes Hospital

169 Riverside Drive - Binghamton, NY 13905

The Mary Imogene Bassett Hospital - O'Connor Hospital Division

Andes Road, Box 205A - Delhi, NY 13753

United Health Services Hospitals, Inc.

20-42 Mitchell Avenue - Binghamton, NY 13903

Broome County Health Department

One Wall Street - Binghamton, NY 13902

Carried.

RESOLUTION NO. 341

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

**RESOLUTION AUTHORIZING AGREEMENTS WITH
VARIOUS VENDORS TO PROVIDE SERVICES UNDER THE**

HEALTH DEPARTMENT'S DIVISION OF CHILD DEVELOPMENT PROGRAM FOR 1994 AND 1995

WHEREAS, this County Legislature, by Resolution 594 of 1993, authorized agreements with various vendors for services under the Health Department's Division of Child Development, formerly known as Education for Handicapped Children's Program, for calendar year 1994, and

WHEREAS, the Health Department requests authorization for agreements with additional providers for services under said program for calendar years 1994 and 1995, and

WHEREAS, said services are necessary to provide needed services, including itinerant speech, occupational, and physical therapies, special education, medical services (including psychological evaluation, social history, physical exam, and non-physician evaluation), classroom and personal care aides, service coordination, interpreters, nursing services, counseling, and transportation for the Health Department's Division of Child Development, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the vendors as listed on the attached Exhibit A for the period January 1, 1994 through December 31, 1995, and be it

FURTHER RESOLVED, that this Legislature authorizes payment at rates that are established for 1994 and 1995 by New York State or prevailing Medicaid rate, if applicable, upon the condition that said rates are communicated in writing to the Clerk of the Broome County Legislature, the Comptroller, the Finance Commissioner and the Director of Budget and Research, within 14 days of being notified of said rate by the State of New York, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from various budget lines under the Division of Child Development, total amount not to exceed the legal appropriated amounts for each calendar year, 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.

EXHIBIT A:

Pediatric Surgery Assoc. of Central New York

725 Irving Avenue - Syracuse, NY 13210

Pediatric Cardiology Service Group

725 Irving Avenue - Suite 804 - Syracuse, NY 13210

ENABLE

1603 Court Street - Syracuse, NY 13208

New York Easter Seal Society, Inc.

845 Central Avenue - Albany, NY 12206

Carried.

RESOLUTION NO. 342

by Health & Human Services and Finance Committees

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING ACCEPTANCE OF THE HEALTH DEPARTMENT MODEL EARLY INTERVENTION PROJECT (MEIP) GRANT, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH THE CENTER FOR ADMINISTRATION OF SAME FOR 1994 THROUGH 1996

WHEREAS, the Department of Health, Division of Child Development, requests authorization to accept a Model Early Intervention Project (MEIP) Grant from the New York State Department of Health Early Intervention Program, in the amount of \$59,034 for the period September 1, 1994 through August 31, 1996, and

WHEREAS, said grant program is intended to provide services to infants and toddlers with special needs in natural environments with the emphasis on accessing typical peers through comprehensive and

intensive inclusion training, outreach for training to the community and support of young families with special needs children, and

WHEREAS, the Department of Health, Division of Child Development requests authorization for an agreement with The Center for partial administration of the MEIP Program for the period September 1, 1994 through August 31, 1996, at a cost not to exceed \$57,488, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$59,034 from New York State Department of Health Early Intervention Program for a Model Early Intervention Project (MEIP) Grant, for the period September 1, 1994 through August 31, 1996, 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 \$59,034 for the period September 1, 1994 through August 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with The Center, 44 Main Street, Binghamton, New York, for partial administration of the MEIP Project, for the period September 1, 1994 through August 31, 1996, at a total cost not to exceed \$57,488 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480251.4457.102000 (Sub-contracted Program Expense), and be it

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

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

grant funds, and be it

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

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

RESOLUTION NO. 343

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

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF THE HEALTH DEPARTMENT COMPREHENSIVE TRAFFIC SAFETY PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 371 of 1993, authorized the continued participation by the Health Department in the Comprehensive Traffic Safety Program for the period September 1, 1993 through August 31, 1994 and adopted a program budget in connection therewith in the total amount of \$52,050, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Comprehensive Traffic Safety Program Grant for the period September 1, 1993 through September 30, 1994 in the total amount of \$51,550, 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 \$51,550 for the period September 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that Resolution 371 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-17, Nays-1 (Augostini), Absent-1 (Whalen).

RESOLUTION NO. 344

by Finance, Health & Human Services and Personnel Committees

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR DEPARTMENT OF HEALTH.

RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds to cover retroactive termination pay for Public Health Representative, as requested by BT# 007066, 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:480251	1500	102738	Salaries, Part-Time	\$1,230
TO : 480251	1000	102738	Salaries, Full-Time	\$1,230

Carried.

RESOLUTION NO. 345

by Personnel Committee

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DRUG AWARENESS CENTER AND THE DEPARTMENT OF HEALTH.

RESOLVED, that in accordance with a request from the Drug Awareness Center, as contained in PCR# 94-229, this County Legislature hereby authorizes the **creation** of two (2) part-time Drug Abuse Counselor positions at budget line A470021.1500, minimum salary \$10.3103/hr (\$20,105), Grade 14, Union Code 08 (CSEA), and the **abolishment** of one (1) full-time Drug Abuse Counselor position at budget line A470021.1000, minimum salary \$20,105, Grade 14, Union Code 04 (CSEA) effective August 1, 1994, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, as contained in PDR# 94-831N, this County Legislature hereby authorizes a request to **establish salary** for one (1) part-time Medical Director TB position at budget line A480228.1500, Grade N/A, recommended salary \$45.00/hr, effective July 12, 1994.

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

RESOLUTION NO. 346

by Environment Committee

Seconded by Mrs. Wagstaff

RESOLUTION ACCEPTING THE LEACHATE FEASIBILITY STUDY DATED APRIL, 1994 AND PREPARED BY STEARNS

& WHELER FOR THE DIVISION OF SOLID WASTE MANAGEMENT

WHEREAS, Sterns & Wheler has prepared a Leachate Feasibility Study dated April, 1994 for the Division of Solid Waste Management, and

WHEREAS, a copy of said Study is on file with the Clerk of the Legislature, and

WHEREAS, the Division of Solid Waste Management has requested that this Legislature accept this Study, now, therefore, be it

RESOLVED, that this County Legislature accepts the Leachate Feasibility Study dated April, 1994 and prepared by Stearns & Wheler, a copy of which is on file with the Clerk of the Legislature.

Carried.

RESOLUTION NO. 347

by Environment Committee

Seconded by Mrs. Coffey

RESOLUTION DECLARING THE ACQUISITION OF TEMPORARY EASEMENTS FOR HYDROGEOLOGIC TESTING OF THE TWO (2) FINALIST SITES FOR A NEW COUNTY LANDFILL IN THE TOWNS OF NANTICOKE, BARKER AND WINDSOR TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION

WHEREAS, the Eminent Domain Law requires that a public hearing be held in connection with any proposed public project for which the acquisition of real property through the exercise of eminent domain may be required, except that a project is exempt from the public hearing requirement "when in the opinion of the condemnor the acquisition is de minimis in nature so that the public interest will not

be prejudiced by the construction of the project," and

WHEREAS, the Division of Solid Waste Management desires to acquire the land rights necessary to commence the aforesaid hydrogeologic testing project and is requesting authorization from this Legislature to acquire said land by condemnation, and

WHEREAS, the Environment Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the hydrogeologic testing work is relatively minor in nature, consisting of subsurface exploration, sampling, laboratory analysis and geotechnical testing programs and hydrogeologic investigations, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the acquisition of temporary easements for hydrogeologic testing of two finalist sites in the Towns of Nanticoke, Barker and Windsor to be "de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the acquisition by condemnation of the real property necessary to undertake and perform the aforesaid project in accordance with the work plan for said project.

Withdrawn by the Environment Committee.

RESOLUTION NO. 348

by Environment and Finance Committees

Secoded by Mrs. Wagstaff

**RESOLUTION AUTHORIZING AGREEMENT WITH
RANDALL C. AND ELLA DeFREITAS FOR THE PURCHASE
OF REAL PROPERTY ON EAST WINDSOR ROAD IN THE
TOWN OF COLESVILLE, NEW YORK**

WHEREAS, the County, in conjunction with GAF Corporation, is undertaking the remediation of the Colesville Landfill Site on East

Windsor Road in the Town of Colesville, New York, and

WHEREAS, purchase of this property will reduce the remediation costs to the County, and

WHEREAS, pursuant to the remediation agreements between the County and GAF Corporation, GAF Corporation will pay 50% of the cost of this land acquisition, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Randall C. and Ella DeFreitas, East Windsor Road, Colesville, New York, for the purchase of real property on East Windsor Road, Tax Map No. 10-47, and be it

FURTHER RESOLVED, that in consideration of said purchase, the County shall pay the DeFreitas' an amount not to exceed \$18,000 (GAF Corporation to pay an equal amount not to exceed \$18,000), and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035212.2001.501127 (Original Acquisition), 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. 349

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

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING REVISION OF THE JOB TRAINING PARTNERSHIP ACT TITLE IIB SUMMER

YOUTH PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1996

WHEREAS, this County Legislature, by Resolutions 343 of 1993 and 222 of 1994, authorized the Job Training Partnership Act Title IIB Summer Youth Program for the period October 1, 1993 through September 30, 1996 and adopted a program budget in connection therewith in the total amount of \$1,020,579, and

WHEREAS, this program provides job training and work experience for income eligible youth in Broome, Tioga and Tompkins counties, and

WHEREAS, it is necessary at this time to revise said program to move unexpended funds from the 1993 Summer Youth Program into the contractual expenses division for 1994, which will be used for educational enrichment activities during the summer of 1994, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Job Training Partnership Act Title IIB Summer Youth Program Grant for the period October 1, 1993 through September 30, 1996 in the total amount of \$1,020,579, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$1,020,579 for the period October 1, 1993 through September 30, 1996, and be it

FURTHER RESOLVED, that Resolutions 343 of 1993 and 222 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 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. 350

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

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING THE COUNTY CORONERS PARTICIPATION IN THE BROOME COUNTY HEALTH BENEFITS PROGRAM

WHEREAS, it is requested by the Risk Manager that the currently employed as well as retired County Coroners be eligible to participate in the Broome County Health Benefits Plan, and

WHEREAS, the cost of said premiums shall be paid by those Coroners with no County contribution, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the participation in the County's Health Benefits program by the currently employed as well as retired Broome County Coroners, effective August 1, 1994, and be it

FURTHER RESOLVED, that those Coroners shall fully compensate the County for the cost of their participation, and be it

FURTHER RESOLVED, that the County Comptroller and

Commissioner of Finance are hereby authorized to make the necessary accounting entries to implement the intent and purpose of this resolution.

Heldover by Mrs. Wagstaff.

RESOLUTION NO. 351

by Finance Committee Seconded by Mrs. Wagstaff

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS
WITHIN THE DEPARTMENT OF AUDIT AND CONTROL
FOR SINGLE AUDIT FEES**

WHEREAS, Resolution 92-640 established authority for Broome County to enter into an agreement with Price Waterhouse of Syracuse, New York, and Piaker and Lyons of Vestal, New York, for auditing services for fiscal years 1992, 1993, and 1994, for an amount not to exceed \$123,500, and

WHEREAS, the County Executive or his duly authorized representative was authorized to execute ANY SUCH agreements, documents, or papers, to implement the intent and purpose of Resolution 92-640, and

WHEREAS, Broome County entered into a contractual agreement with Price Waterhouse for \$102,000 for fiscal years 1992, 1993, and 1994, and

WHEREAS, Broome County entered into a contract with Piaker and Lyons for fiscal year 1992 for an amount not to exceed \$21,500, and

WHEREAS, a contract was proposed under Resolution 92-640 to enter into an agreement with Piaker and Lyons for fiscal years 1993 and 1994 for an amount not to exceed \$19,500, and

WHEREAS, the Broome County Attorney recommended that an additional authorizing resolution be passed by the County Legislature to enter into this agreement with Piaker and Lyons, and

WHEREAS, the County Legislature passed Resolution 94-237 further reinforcing authority for Broome County to enter into an

agreement with Piaker and Lyons for fiscal years 1993 and 1994, and

WHEREAS, the 1994 Broome County Adopted Budget appropriated \$112,000 for Single Audit in anticipation of acceptance of a new proposal for Broome County by the above referenced audit firms, and

WHEREAS, the County Legislature has not acted upon the newly proposed agreement, and

WHEREAS, Price Waterhouse has conducted the audit of fiscal year 1993 under the original agreement and the County Attorney has begun processing a contract for Piaker and Lyons for the authorized amount of \$19,500, and

WHEREAS, it is necessary to acquire a supply of inventory tags not appropriated in the 1994 budget, now, therefore, be it

RESOLVED, that in accordance with a request from the Department of Audit and Control, in order to provide funds for Single Audit Fees, as requested by BT #1754, this County Legislature authorizes the Commissioner of Finance to make 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	\$10,500
TO:	360008	4722	101000	Audit Fees	\$ 9,500
	360008	4419	101000	General Office Expense	\$ 1,000

and be it

FURTHER RESOLVED, that the County Executive, Budget Director, Comptroller, and Commissioner of Finance are hereby authorized to process all necessary forms to achieve the purpose of this Resolution.

Carried.

RESOLUTION NO. 352

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING REVISION OF THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION AND EDUCATION GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 230 of 1994, authorized the continued participation by the Health Department in the Breast and Cervical Cancer Detection and Education Grant Program for the period July 1, 1994 through June 30, 1995, and adopted a program budget in connection therewith in the total amount of \$230,221, 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 the revision of the Health Department Breast and Cervical Cancer Detection and Education Grant for the period July 1, 1994 through June 30, 1995 in the total amount of \$239,223, 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 \$239,223 for the period July 1, 1994 through June 30, 1995, and be it

FURTHER RESOLVED, that Resolution 230 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 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. 353

by Health & Human Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AN AGREEMENT WITH LOURDES HOSPITAL FOR NURSE PRACTITIONER SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION AND EDUCATION PROGRAM FOR 1994 THROUGH 1995

WHEREAS, the Health Department requests authorization for an agreement with Lourdes Hospital to provide nurse practitioner services at the Broome County Health Department and at the hospital for the period August 1, 1994 through June 30, 1995 with revenue to Broome County, and

WHEREAS, said services are desired to assist in the Breast and Cervical Cancer Detection and Education Program administered by the Broome County Health Department at the Health Department and the hospital, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York, 13905, for nurse practitioner services at the hospital and the Broome County Health Department for the Health Department Breast and Cervical Cancer Detection and Education Program for the period August 1, 1994 through June 30, 1995 with revenue to Broome 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.

Mr. Pasquale moved, seconded by Mr. Augostini to adjourn at 5:38 P.M. **Carried.**