

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
JULY 20, 1995**

The Legislature convened at 4:00 P.M. with a call to order by the Chair, Arthur J. Shafer. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll: Present - 15, Absent - 4 (Mr. Augostini, Mrs. Coffey, Mr. Lindsey & Mr. O'Day)

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

Mr. Miller moved, seconded by Mr. Pasquale that the minutes of the June 16, 1995 Regular Session and the July 6, 1995 Special Session be approved as prepared and presented by the Clerk. **Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

Letter from the County Executive, Timothy M. Grippen:

- 1.Designating Budget Director, Timothy M. Costello, as Acting County Executive, July 5 and July 6, 1995 and County Attorney, Joseph J. Slocum, as Acting County Executive, July 7 and July 8, 1995.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

COMMUNICATIONS:

1.Minutes from:

- a. Binghamton Regional Airport
- b.Environmental Management Council
- c.EMC's Natural Resources Committee
- d.Soil and Water Conservation District
- e.Industrial Development Agency
- f.Willow Point Nursing Facility

2.Resolutions from:

- a.Rockland County (Memorializing the NYS Legislature to require Health Insurance Benefits for Lyme Disease Treatment)
- b.Town of Fenton (Reserving Right to Withdraw from Broome County Workers' Compensation Self-Insurance Plan, effective January 1, 1996)
- c.City of Binghamton (Ordinance authorizing City of Binghamton to become a

REGULAR SESSION OF JULY 20, 1995

Self-Insurer for Workers' Compensation)

3. Broome County Recommended Customer Services Budget 1996.
4. Notice of 1996 NYSAC Dues.
5. Letter from County Attorney's office to Gene Raymondi, Employee Network Inc., regarding selection of Provider for Employee Assistance Program.
6. Memorandum from Department of Budget and Research regarding budget transfers (salary adjustments).
7. Letter from Chautauqua County Department of Law regarding Conrail Tax Assessment Litigation.

REPORTS:

1. 1994 Annual Report:
  - a. Public Library
  - b. Mental Health Services

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Arthur J. Shafer:

1. Appointing John E. Cahill as voting representative for James L. Holley, Ad Hoc Charter and Administrative Code Review Committee, June 28, 1995.
2. Appointing James L. Holley as voting representative for Wanda Hudak and William H. Miller as Acting Chair, Community and Social Services Committee, July 11, 1995.
3. Appointing James L. Holley as voting representative for William H. Miller, Environment Committee, July 12, 1995.
4. Appointing Patrick F. O'Day as voting representative for Chris W. Burger and Louis P. Augustini as voting representative and Acting Chair for Wayne L. Howard, County Administration, Economic Development and Planning Committee, July 12, 1995.

Mr. Cahill moved, seconded by Mr. Whalen to receive and file the above referenced reports and that the Clerk be directed to index said reports in the Journal of Proceedings and to publish the pertinent portions of said reports as may be directed by the Chair.

**Carried.** Ayes-15, Nays-0, Absent-4 (Augustini, Coffey, Lindsey & O'Day)

Several resolutions were taken out of order, however, for the sake of clarity, all resolutions are presented in numerical order. Mrs. Hudak and Mr. Pasquale were designated by the Chair as participants in the 'short roll call' for the session. Mr. Kavulich & Mr. Mather seconded the preferred agenda.

RESOLUTIONS TABLED INDEFINITELY AT PREVIOUS SESSIONS

Mr. Burger moved, seconded by Mr. Cahill that Resolution No. 162 which had been tabled at the April 20, 1995 Session of the Legislature, be **removed from the table**. The removal from the table **carried**. Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 162**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4, 1995, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE REGARDING SOLID WASTE TIPPING FEES."**

RESOLVED, that Local Law Intro. No. 4, 1994, entitled: "A Local Law amending chapter 179 of the Broome County Charter and Code regarding solid waste tipping fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter, Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 4, 1995**

" A Local Law amending Chapter 179 of the Broome County Charter and Code regarding Solid Waste Tipping Fees."

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

Section 1, Section 179-9(5) shall be amended to read as follows:

Section 179-9(5): Commencing April 17, 1995, the following separate charge shall apply at the Nanticoke Landfill:

A. Contaminated soils which can be accepted for disposal at the Nanticoke Landfill: [Ten dollars (\$10.00)] Thirty dollars and five cents (\$30.05) per ton.

Section 2, That this Local Law shall take effect upon filing with the Secretary of State. matters in [brackets] deleted matters underlined added

**Carried**. Ayes-14, Nays-1 (Hudak), Absent-4 (Augostini, Coffey, Lindsey & O'Day)

Mrs. Sweet moved, seconded by Mr. Holley that Resolution No. 231 which had

been tabled at the June 16, 1995 Session of the Legislature, be **removed from the table**. The removal from the table **carried**. Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 231** by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING ACCEPTANCE OF MENTAL HEALTH/JUVENILE JUSTICE PROJECT GRANT FROM THE NEW YORK STATE DIVISION FOR YOUTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.**

Mrs. Sweet moved, seconded by Mrs. Hudak that the resolution be amended to add the Probation Department to the resolution; to change the funding to \$25,000; and to change the grant period to September 1, 1995 through December 31, 1995. (Note: The full text of the amended resolution follows)

The amendment **carried**. Ayes-15, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

The resolution as amended **carried**.

Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**ADOPTED VERSION OF RESOLUTION NO. 231** by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING ACCEPTANCE OF MENTAL HEALTH/PROBATION JUVENILE JUSTICE PROJECT GRANT FROM THE NEW YORK STATE DIVISION FOR YOUTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.**

WHEREAS, the Department of Mental Health and the Broome County Probation Department requests authorization to accept a Mental Health/Probation Juvenile Justice Grant in the amount of ~~\$60,000.00~~ **\$25,000.00** for the period ~~June 1, 1995~~ **September 1, 1995** through December 31, 1995, and

WHEREAS, said project will develop closer working relationships between the Probation Department and the Mental Health Clinic staff and will facilitate diversion of children who are in need of mental health and/or alcohol and substance abuse services by linking them to these services at the earliest opportunity while such children are under supervision of the Probation Department, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of ~~\$60,000.00~~ **\$25,000.00** from the New York State Division For Youth for the period ~~June 1, 1995~~ **September 1, 1995** through December 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 ~~\$60,000.00~~

**\$25,000.00** for the period ~~June 1, 1995~~ **September 1, 1995** through December 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.

NOTES: Exhibit A reflects the \$25,000.00 appropriations & revenues.

Strikeout indicates materials that were deleted - ~~AAAAAAAAAAAAA~~

Bolding and underlining indicates materials that were added - **BBBBBBBBBBBBB**

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION OF June 16, 1995

**RESOLUTION NO. 278** heldover by Mr. Whalen

**ADOPTING LOCAL LAW INTRO. NO. 10, 1995, ENTITLED "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE TO INCREASE THE TERMS OF OFFICE OF COUNTY LEGISLATORS TO FOUR YEARS"**

Mr. Pasquale moved, seconded by Mr. Mather to change the 1998 date to 1996.

Mr. Cahill moved, seconded by Mr. Pasquale to **call the question** on the amendment. The call of the question **carried**.

Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

The amendment **carried**.

Ayes-14, Nays-1 (Howard), Absent-4 (Augostini, Coffey, Lindsey & O'Day)

The chair noted that the amendment of a Local Law requires an additional waiting period before the Legislature can act on the Local Law and he directed that this be held over as a matter of law.

**RESOLUTION NO. 312** heldover by Mr. Howard

**AUTHORIZING AN AGREEMENT WITH THE BINGHAMTON CITY SCHOOL DISTRICT AND THE JOHNSON CITY SCHOOL DISTRICT FOR THE PURCHASE OF PRESCRIPTION DRUG BENEFITS FROM PCS HEALTH SYSTEMS, INC.**

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

RESOLUTIONS INTRODUCED AT THIS SESSION

**RESOLUTION NO. 318**

by Hon. Vincent Pasquale

Seconded by Mr. Wike

**RESOLUTION AUTHORIZING A REDISTRIBUTION OF SALES TAX BETWEEN THE COUNTY OF BROOME AND THE TOWNS, VILLAGES AND THE CITY OF BINGHAMTON OF BROOME COUNTY.**

WHEREAS, Resolution No. 180 of 1965 as amended by Resolution No. 173 of 1980 authorized a distribution of 50% of county sales tax to be distributed to the City, Towns and Villages of Broome County, and

WHEREAS, the balance and costs of service responsibilities between the County and smaller local governments has significantly changed since 1965, and

WHEREAS, Broome County is being squeezed by both federal and state mandates to raise property taxes to pay for federal and state requirements, and

WHEREAS, the cost of mandates for Broome County in the 1995 budget year equals almost the entire Broome County property tax levy for 1994, and

WHEREAS, it has become increasingly more difficult for the County of Broome to continue to share its sales tax revenue with the City, Towns and Villages of Broome County wherein the County attached no mandates upon those communities, and

WHEREAS, fiscal pressures imposed upon Broome County by state and federal

mandates have over the years created pressures on Broome County to consider their statutory authority to chargeback Broome Community College expenses to the municipalities, the ability to chargeback 100% of election costs to the municipalities and the consideration of the elimination of non-mandated sheriff's road patrols, and

WHEREAS, if Broome County were to pass these costs along to the municipalities, millions of dollars of benefits currently received by these communities would be imposed upon them, and

WHEREAS, the mandates imposed upon Broome County by the state and federal government impede the county's continued ability to be as generous with the distribution of their sales tax to these communities, and

WHEREAS, Broome County currently shares 1½% of the 3% portion of sales tax received, now, therefore be it

RESOLVED, that Section 14 of Resolution 180 of 1965 as amended is hereby amended to add a new subdivision (g) to read as follows:

(g)(1) Anything hereinabove contained to the contrary notwithstanding, commencing with the distribution by the County to the City, Towns and Villages within the county on or about April 15, 1996, said municipalities shall receive forty one and two thirds percent (41.2/3%) of the first three percent of sales tax collected in accordance with the distribution formula established herein,

(2) Anything hereinabove contained to the contrary notwithstanding commencing with the distribution by the County to the City, Towns and Villages within the County on or about April 15, 1997 and for every quarter subsequent thereto, said municipality shall receive thirty three and one-third percent (33.1/3%) of the first three percent of sales tax collected in accordance with the distribution formula established herein

(3) Provided however that the provision of this subsection shall not be effective if the County:

(i)eliminates Sheriff's road patrol and detective services or charges the Towns, City and Villages the cost of said services, or

(ii)charges the cost of operating Broome Community College to the Towns, City and Villages pursuant to the Education Law, or

(iii)reduces County funded support for the libraries within the County below the level of aid provided by the County in fiscal year 1994 which shall be calculated as the County aid provided for the central library, the four county library system and municipal branch aid, or

(iv)charges the Towns, City and Villages for costs of the elections office

- (4) In any year in which the provision of subsection (g) do not apply the distribution by the County to the City, Towns and Villages shall be as set forth in subsection (a)-(f) of this section

FURTHER RESOLVED, that the County Legislature of the County of Broome as the policy making body expresses its clear interest and willingness to pursue further consolidation of government services such as police consolidation, assessment consolidation, cooperative arrangements on bridge and road maintenance, computer and data processing, pooling of liability and insurance coverages and purchasing consolidation and it is

FURTHER RESOLVED, that the Broome County Legislature as the policy making body of the County expresses its specific willingness to explore other areas where the County might facilitate or undertake discussions with the other municipalities in Broome County that will save them money without significant costs shifts to the County for services which are clearly local municipal responsibilities, and be it

FURTHER RESOLVED, that the Legislature hopes the economy will improve over the long term and that future additional sales tax receipts will offset long term impacts of this redistribution upon the municipalities within the County, and

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

**Held Over** under the 'Rules' by Mr. Pasquale.

**RESOLUTION NO. 319**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING,  
and FINANCE COMMITTEES

Seconded by Mr. Miller

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 12, 1995 ENTITLED:  
"A LOCAL LAW REPEALING LOCAL LAW NO. 14, 1993, ENTITLED: "A  
LOCAL LAW IMPOSING A SPECIAL MOTOR VEHICLE USE FEE IN  
BROOME COUNTY AND AUTHORIZING THE COLLECTION OF SAID  
FEE BY THE COMMISSIONER OF THE NEW YORK STATE  
DEPARTMENT OF MOTOR VEHICLES ON BEHALF OF BROOME  
COUNTY"**

RESOLVED, that Local Law No. 14, 1993, entitled: "A Local Law imposing a



special motor vehicle use fee in Broome County and authorizing the collection of said fee by the Commissioner of the New York State Department of Motor Vehicles on behalf of Broome County" be and the same hereby is repealed in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 12, 1995**

**A LOCAL LAW REPEALING LOCAL LAW NO. 14, 1993, ENTITLED: "A LOCAL LAW IMPOSING SPECIAL MOTOR VEHICLE USE FEE IN BROOME COUNTY AND AUTHORIZING THE COLLECTION OF SAID FEE BY THE COMMISSIONER OF THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES ON BEHALF OF BROOME COUNTY."**

Be it enacted by the County Legislature of the County of Broome as follows:

Section 1. Local Law No. 14, 1993 be and the same hereby is repealed.

Section 2. Any fee paid pursuant to Local Law No. 14, 1993 on or before December 31, 1995 shall not be refunded due to the repeal of Local Law 14, 1993.

Section 3. This Local Law shall take effect January 1, 1996.

Mr. Cahill moved, seconded by Mrs. Hudak to **call the question** on the resolution.

The call of the question **lost** as follows:

Ayes-8 Cahill, Howard, Hudak, Hull, Miller, Sweet, Wike & Shafer

Nays-7 Burger, Holley, Kavulich, Mather, Pasquale, Schofield & Whalen

Absent-4 Augostini, Coffey, Lindsey & O'Day

Following additional debate on the Local Law, Mr. Howard moved, seconded by Mr. Mather to **call the question** on the resolution.

The call of the question **carried** as follows:

Ayes-13 Burger, Cahill, Howard, Hudak, Hull, Kavulich, Mather, Miller, Pasquale, Schofield, Sweet, Wike & Shafer

Nays-2 Holley & Whalen

Absent-4 Augostini, Coffey, Lindsey & O'Day

The resolution **carried**:

Ayes-11 Burger, Cahill, Howard, Hudak, Hull, Mather, Miller, Schofield, Sweet, Wike & Shafer

Nays-4 Holley, Kavulich, Pasquale & Whalen

Absent-4 Augostini, Coffey, Lindsey & O'Day

**RESOLUTION NO. 320**

by FINANCE and EDUCATION, CULTURE & RECREATION COMMITTEES

Seconded by Mr. Cahill & Mr. Whalen

**RESOLUTION ADOPTING THE BUDGET FOR BROOME COMMUNITY COLLEGE FOR 1995 THROUGH 1996.**

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 the 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, 1995 and ending August 31, 1996, and

WHEREAS, the Broome Community College Board of Trustees expects to receive grant monies in the amount of \$2,044,360 for the year commencing September 1, 1995 and ending August 31, 1996, and

WHEREAS, on July 10, 1995, 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 have 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 this proposed budget of Broome Community College in the amount of \$29,227,503 be and hereby is adopted for said Broome Community College for the year commencing September 1, 1995 and ending August 31, 1996, 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 \$36,786 is appropriated as a match required to receive federal funds, and be it

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

**SUMMARY OF BROOME COMMUNITY COLLEGE BUDGET**

Fiscal Year September 1, 1995 through August 31, 1996

	Operating <u>Budget</u>	Grant <u>Activities</u>	<u>Totals</u>
<b>Appropriations:</b>	\$ 27,183,143	\$ 2,044,360	\$ 29,227,503
<b>Estimated Revenues:</b>			
Various Grant Revenues		\$ 2,044,360	\$ 2,044,360
Misc. Offsets to Expenses	\$ 1,388,700		1,388,700
State Aid	8,467,838		8,467,838
Student Tuition	9,672,314		9,672,314
Sponsors' Support:			
Broome's Contribution	4,690,393		4,690,393
Other Counties	1,410,012		1,410,012
Out-of-State Tuition	585,480	585,480	
Appropriated Fund Bal.	<u>968,406</u>		<u>968,406</u>
<b>Total Revenues:</b>	\$ 27,183,143	\$ 2,044,360	\$ 29,227,503

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-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 321**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS HEALTH CARE PROVIDERS FOR BREAST AND CERVICAL CANCER SCREENING, DIAGNOSIS AND RELATED TREATMENT SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION EDUCATION PROGRAM FOR 1995 AND 1996.**

WHEREAS, this County Legislature, by Resolution 94-340, authorized agreements with various health care providers for breast and cervical screening diagnosis and related treatment services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1994 through June 30, 1995, total cost not to exceed \$146,985.00, and

WHEREAS, said agreements were necessary in order to provide various sites around the Southern Tier for breast and cervical cancer early detection program services in support of the Health Department Breast and Cervical Cancer Detection Education

REGULAR SESSION OF JULY 20, 1995

Program, and

WHEREAS, said agreements expire by their terms on June 30, 1995, and it is desired at this time to renew said agreements and authorize additional agreements for the period July 1, 1995 through June 30, 1996, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the health care providers as listed on the attached Exhibit A for breast and cervical cancer screening, diagnosis and related treatment services, said services more particularly described on the attached Exhibit B, for the period June 1, 1995 through June 30, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the vendors the amounts for the services listed on the attached Schedule B, total amount not to exceed the budgeted appropriations, 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.

**Guthrie Medical Group**

Guthrie Square  
Sayre, PA 11840  
&  
Route 26  
Maine, NY 13802  
&  
2517 Vestal Parkway E.  
Vestal, NY 13850  
&  
PO Box 409  
Spencer, NY 14883  
&  
31 N. Chemung Street  
Waverly, NY 14892  
&  
128 North Avenue  
Owego, NY 13827  
&

**Chenango Memorial Hospital**

CA 10-532-4  
179 N. Broad  
Norwich, NY 13915

**Community Medical Group**

CA 10-532-9  
RD #1, Box 251  
Stamford, New York 12167

**Delaware Valley Hospital**

CA 10-532  
1 Titus Place  
Walton, NY 13856  
&  
36 E. Front Street  
Hancock, NY 13783  
&  
Colchest Health Care Center

3 Tioga Blvd.  
Apalachin, NY 13732

**Mary Imogene Bassett Hospital**

CA 10-532-1  
O'Connor Hospital Division  
Andes Road, Box 205A  
Delhi, NY 13753

&  
P.O. Box 370  
Stamford, NY 12167

&  
1 Atwell Road  
Cooperstown, NY 13626

**Tioga Opportunities Program**

CA 10-532-11  
231 Main Street  
Owego, NY 13827

**Lourdes Hospital**

CA 10-532-13  
169 Riverside Drive  
Binghamton, NY 13905

&  
303 Main Street  
Binghamton, NY 13905

477 State Street  
Binghamton, NY 13901

&  
72 W. Main Street  
Hancock, NY 13783

&  
PO Box 28  
Richford, NY 13835

**United Health Services Hospitals, Inc.**

Downsville, NY 13755

&

PO Box 327  
Roscoe, NY 12776

**The Hospital**

CA 10-532-3  
43 Pearl Street West  
Sidney, NY 13838

**Jay Sarfraz, M.D.**

CA 10-532-8  
PO Box 313  
Stamford, NY 12167

**Margaretville Memorial Hospital**

CA 10-532-2  
PO Box 200, Rt. 28  
Margaretville, NY 12455

**Park Avenue Associates in Radiology**

CA 10-532-5  
502 5th Avenue  
Owego, NY 13827

**Fox Memorial Hospital**

1 Norton Avenue  
Oneonta, NY 13820

**Robert Packer Hospital**

Guthrie Square  
Sayre, PA 11840

**Broome County Health Dept.**

1 Wall Street - Binghamton, NY 13901

**Planned Parenthood of Broome  
& Chenango Counties**

CA 10-532-12  
20-42 Mitchell Avenue  
Binghamton, NY 13903  
&  
32, 33-95 Harrison St.  
Johnson City, NY 13790  
&  
40 Arch Street  
Johnson City, NY 13790  
&  
54 Main Street  
Candor, NY 13743

CA 10-532-6  
168 Water Street  
Binghamton, NY 13901  
&  
157 E. Main Street  
Norwich, NY 13815  
  
**Tioga County Health Dept.**  
231 Main Street  
Owego, NY 13827  
  
**Planned Parenthood of Delaware**  
**& Otsego Counties**  
36 Front Street  
Hancock, NY 13783  
&  
Walton, NY 13865

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 322**

by TRANSPORTATION COMMITTEE

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION ADOPTING AN EQUAL EMPLOYMENT OPPORTUNITY PROGRAM FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION.**

WHEREAS, applicants for and recipients of federal transit operating and capital financial assistance, meeting certain thresholds, are required to have an Equal Employment Opportunity Program containing specific affirmative action programmatic components, (such program, to be updated on at least a triennial basis), and

WHEREAS, the Broome County Department of Public Transportation is an applicant for and recipient of federal transit operating and capital financial assistance meeting these thresholds, and

WHEREAS, Federal Transit Administration looks for specific language and components in such an EEO program, above and beyond that which is present in the Broome County Affirmative Action Plan adopted by Resolution No. 274, on June 18, 1992, and

WHEREAS, failure to carry out the terms of the required Equal Opportunity Program would be treated by the Federal Transit Administration as a violation of grant agreements for federal operating and/or capital assistance, and

WHEREAS, a copy of the policy is attached as Exhibit "A", now, therefore, be it  
RESOLVED, that this County Legislature hereby adopts the Equal Employment  
Opportunity Program and Affirmative Action Program specifically for the Department  
of Public Transportation attached hereto as Exhibit "A", and be it

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

**EXHIBIT 'A' TO 1995 PERMANENT RESOLUTION # 322  
BROOME COUNTY EQUAL EMPLOYMENT OPPORTUNITY AND  
AFFIRMATIVE ACTION PROGRAM  
FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION  
JUNE 1995 - POLICY STATEMENT**

The Broome County Department of Public Transportation is committed to equal  
opportunity for all persons employed or seeking employment, without regard to sex,  
race, color, religion, national origin, age or disability. (Except where one of these is a  
bona fide occupational qualification).

Responsibility for implementation of this policy, including the necessary  
communications and monitoring, rests with the Equal Employment  
Opportunity/Affirmative Action Officer of the Broome County Department of Public  
Transportation.

It is the policy of the Broome County Department of Public Transportation that:

Recruitment, selection, training, transfer or promotion opportunities, and all other  
aspects of employment, including compensation, retention, and working conditions will  
be provided without regard to sex, race, color, religion, national origin, age, or  
disability. Barriers which stand in the way of equal opportunity will be identified and  
dismantled.

An affirmative action program, including goals and timetables, will be undertaken in  
order to overcome the effects of past discrimination on minorities and women.

Applicants and employees have the right to file complaints alleging discrimination with  
the Broome County Affirmative Action Officer, the New York State Division of Human  
Rights, and the U.S. Equal Employment Opportunity Commission.

REGULAR SESSION OF JULY 20, 1995

All management personnel are accountable for implementing this EEO plan in their particular area of responsibility. The success of the plan shall be included as an element in the evaluation of management's performance.

Broome County's Department of Public Transportation will reap benefits from increasing representation of minorities and women in those areas of employment in which they are now under-utilized. The Department of Public Transportation needs the best minds and skills obtainable, and by expanding the supply of people from which employees are found, an even better selection of personnel will be available. Excluding certain groups of potential employees, either intentionally or unintentionally, limits the Department's ability to reach peak performance and to adapt to a changing world. By availing itself of the talents and experience of all qualified candidates, the Department will be better prepared to meet the demands of the present and the challenges of the future.

County  
Executive: \_\_\_\_\_ Date: \_\_\_\_\_

**DISSEMINATION OF AFFIRMATIVE ACTION POLICY**

**A. INTERNAL DISSEMINATION:**

1. All internal dissemination of the program shall be the direct responsibility of the Equal Employment Opportunity/Affirmative Action Officer.
2. Affirmative Action will be a part of all new employees' orientation and training.
3. At least twice a year, managers and supervisors will participate in a meeting at which the EEO/AA Program will be discussed and progress evaluated.
4. All employees will be made aware of the policy using both written communication from the Commissioner and verbal communication from management.
5. The Equal Employment Opportunity/Affirmative Action Policy, signed by the County Executive will be posted on employee bulletin boards throughout the facility.

**B. EXTERNAL DISSEMINATION:**



1. Recruiting sources and relevant organizations will be informed orally and in writing of the Department's policy, with requests that these sources actively recruit and refer minorities and females for all positions listed.
2. Our employment applicants will be notified of our EEO policy by a statement featured prominently on our application form, and by a posting of our policy in the lobby area where application forms are distributed. All advertisements for personnel carry the notice EEO/AA.

**RESPONSIBILITIES FOR IMPLEMENTATION:**

**COMMISSIONER OF THE DEPARTMENT OF PUBLIC TRANSPORTATION:**

The Commissioner of the Department has the responsibility for the overall effectiveness and implementation of the EEO/AA Program. He has appointed the Director of Transit Administration as the department's Equal Employment Opportunity/Affirmative Action Officer to ensure that EEO/AA policies and practices are functioning effectively to achieve the goals of the program. The EEO/AA Officer reports directly to the Commissioner. He has the complete and unqualified support of top management in ensuring success of the program.

The duties of the EEO/AA Officer include, but are not limited to, the following:

1. Prepares plan updates, including utilization analyses, goals and timetables with input from the Commissioner and Managers.
2. Internal and external communications relating to the Department's EEO/AA Program, including ensuring that posters and policy statements are correctly displayed.
3. Provides ongoing guidance and assistance to managers and supervisors to achieve successful implementation of the program. This includes identification of problem areas and causes, and arriving at effective solutions to these problems.
4. Monitoring and reporting of data relating to employment in the department, including applicant flow data, hirings, promotions and terminations. Regular reports of progress are made to the Commissioner of the department.
5. Involvement in recruitment, hiring, promotion, and termination decisions to ensure conformance to the Department's EEO/AA policies.

6. Assists in monitoring training, tuition assistance programs and other educational opportunities to ensure the selection of employees conforms to our EEO/AA policies.
7. Works with Broome County's Affirmative Action Officer to investigate all formal charges of discrimination, and assists in determination of appropriate response or action.
8. Works with Broome County's Affirmative Action Officer in promoting relations between our organization and minority organizations, women's organizations, and community action groups concerned with employment opportunities for minorities and women.

### **MANAGERS AND SUPERVISORS**

It is the responsibility of all supervisory staff and managers to implement and actively participate in the EEO/AA Program.

1. Work with the EEO/AA Officer to establish department goals, identify problem areas, and formulate solutions.
2. Participate in EEO/AA training.
3. Assisting employees in realizing their full potential.

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

### **RESOLUTION NO. 323**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

### **RESOLUTION AUTHORIZING RENEWAL OF DEPARTMENT OF SOCIAL SERVICES DAY CARE HOMES REGISTRATION GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 336 of 1994 authorized the acceptance by the Department of Social Services 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, it is desired to renew said grant in the amount of \$61,700 for the period August 1, 1995 through July 31, 1996; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$61,700 from the New York State Department of Social Services for a Day Care Homes Registration Program, for the period August 1, 1995 through July 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 \$61,700 for the period August 1, 1995 through July 31, 1996, and be it

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

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

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 324**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**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 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 334 of 1994, authorized and approved the Federal Even Start Family Literacy Program Grant through the Binghamton City School District in the amount of \$35,300 for the period September 1, 1994 through August 31, 1995, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1995 through August 31, 1996 in the amount of \$36,000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves

acceptance of \$36,000 from the Federal Even Start Family Literacy Program through the Binghamton City School District for the period September 1, 1995 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 \$36,000 for the period September 1, 1995 through August 31, 1996, and be it

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

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

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 325**

by TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANT FOR EQUIPMENT REPLACEMENT, WATER SYSTEM IMPROVEMENTS AND HANGAR DEVELOPMENT FOR THE BINGHAMTON REGIONAL AIRPORT.**

WHEREAS, the Department of Aviation requests authorization to accept a New York State Department of Transportation Equipment Replacement, Water Systems Improvements and Hangar Development Grant in the amount of \$420,000.00, and

WHEREAS, said grant is to fund costs associated with Equipment Replacement, Water System Improvements and Hangar Development, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$420,000.00 from the New York State Department of Transportation, Special Transportation Aviation Program, State Office Building, 44 Hawley Street, 14th Floor, Binghamton, New York 13901-3200 for equipment replacement, water system improvements, and hangar improvement (P.I.N. 9910.01) for Binghamton Regional Airport, 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.

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 326**

by FINANCE COMMITTEE

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENTS WITH PEBSCO OF NEW YORK AND DIVERSIFIED INVESTMENT ADVISORS FOR FINANCIAL SERVICES FOR BROOME COUNTY EMPLOYEES FOR 1995 THROUGH 2000.**

WHEREAS, this County Legislature, by Resolution 224 of 1989, and 302 of 1995 authorized an agreement with PEBSCO of New York for financial services for Broome County employees at no cost to the County, for the period June 1, 1989 through July 31, 1995, and

WHEREAS, it is desired to renew said agreement for a five year period and authorize an agreement with Diversified Investment Advisors, both for financial services for Broome County employees, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with PEBSCO of New York, One Corporate Place, 1170 Pittsford-Victor Road, Pittsford, New York 14534, and an agreement with Diversified Investment Advisors, 103 Chapin Lane, Dalton, PA 18414, for financial services for Broome County employees for the period August 1, 1995 through May 31, 2000, at no cost to the County, and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 327**

by EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION INCREASING PETTY CASH FUND AT FINCH HOLLOW NATURE CENTER.**

WHEREAS, the Commissioner of Parks and Recreation has indicated the need to

increase the currently established petty cash fund at Finch Hollow Nature Center; and

WHEREAS, the Commissioner of Finance has determined that petty cash fund should be increased at Finch Hollow Nature Center, now, therefore, be it

RESOLVED, that this County Legislature hereby increases the petty cash fund for the Department of Parks and Recreation as follows,

	<u>From</u>	<u>To</u>
Finch Hollow Nature Center	\$150.00	\$250.00

FURTHER authorizes the Commissioner of Finance to transfer such additional amount to said petty cash fund, and be it

FURTHER RESOLVED, that the County Comptroller is hereby authorized and directed to establish rules and procedures governing the use of the petty cash fund herewith increased, including, among other things, the requirement that at all times the petty cash allowance shall be fully accounted for in the form of cash on hand and receipted bills for purchases.

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 328**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION RATIFYING AGREEMENT WITH PENNSYLVANIA INSTITUTIONAL HEALTH SERVICES, INC. (P.I.H.S.) FOR PROFESSIONAL HEALTH SERVICES FOR THE BROOME COUNTY JAILS FOR THE PERIOD JANUARY 1, 1995 THROUGH JULY 31, 1995, AND AUTHORIZING RENEWAL OF SAID AGREEMENT FOR THE PERIOD AUGUST 1, 1995 THROUGH JULY 31, 1996.**

WHEREAS, by Resolution No. 94-217 adopted May 19, 1994, this County Legislature authorized an agreement with Pennsylvania Institutional Health Services, Inc. (P.I.H.S.) for professional medical services for the Broome County Jails for the period June 1, 1994 through December 31, 1994 at a cost not to exceed \$322,250.00 for such period; and

WHEREAS, The County of Broome and the Broome County Sheriff entered into an agreement with said Pennsylvania Institutional Health Services, Inc. to provide such medical services for the period August 1, 1994 through July 31, 1995, at an annual base cost of \$549,000.00 payable in twelve equal monthly installments of \$45,750.00 per month; and

WHEREAS, the Broome County Sheriff has requested that this Legislature approve and ratify the said agreement with Pennsylvania Institutional Health Services, Inc., for said period of August 1, 1994 through July 31, 1995, and further authorize the

expenditure of a sum not to exceed \$357,870.00 for the period January 1, 1995 through July 31, 1995; and

WHEREAS, the Broome County Sheriff further requests authorization for a renewal of said agreement with Pennsylvania Institutional Health Services, Inc. for an additional one-year term from August 1, 1995 through July 31, 1996 at an annual base cost of \$627,480.00 plus an additional allowance for per diem charges and catastrophic medical expense in the sum of \$30,000.00, the total cost of such agreement not to exceed \$657,480.00; and

WHEREAS, said services are necessary to provide health services for the Broome County Jails and to comply with the minimum standards for such services prescribed by law; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and ratifies the existing agreement with Pennsylvania Institutional Health Services, Inc. (P.I.H.S.), Office Court of Harrisburg, 4755 Linglestown Road, Building 100, Suite 102, Harrisburg, PA 17112, for professional health services for the Broome County Jails for the period August 1, 1994, through July 31, 1995; and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves the expenditure of a sum not to exceed \$357,870.00 pursuant to such agreement for the period January 1, 1995 through July 31, 1995; and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of said agreement with said Pennsylvania Institutional Health Services, Inc. (P.I.H.S.) for an additional one-year term from August 1, 1995 through July 31, 1996 upon substantially the same terms and conditions as heretofore provided; and be it

FURTHER RESOLVED, that in consideration of the services provided for the period January 1, 1995 through July 31, 1995, the County shall pay to the Contractor (P.I.H.S.) an amount not to exceed \$357,870.00; and be it

FURTHER RESOLVED, that in consideration of the services to be provided for the period August 1, 1995 through July 31, 1996 the County shall pay to the Contractor (P.I.H.S.) an amount not to exceed \$657,480.00; and be it

FURTHER RESOLVED, that all payments hereinabove authorized shall be made from budget line 450023.4715.101000 (Other Health & Medical Services); and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 329**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT FOR COURT SECURITY SERVICES FOR THE PERIOD APRIL 1, 1995 THROUGH MARCH 31, 1996.**

WHEREAS, this County Legislature, by Resolution 94-375 of 1994, authorized an agreement with The Unified Court System of the State of New York, Sixth Judicial District for court security services at a cost of \$383,000.00, and

WHEREAS, said services are necessary for maintaining security in Supreme Court, County Court, Family Court and Binghamton City Court, and

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Unified Court System of the State of New York, Sixth Judicial for court security services for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services the Unified Court System of the State of New York shall pay to the County of Broome the sum of \$367,000.00 for reimbursement of allowable costs incurred by the County of Broome in providing the services required under the terms of the agreement, and be it

FURTHER RESOLVED, that the revenues realized pursuant to such agreement shall be deposited to the credit of the County of Broome under budget line 450007.0240.101000 (Temporary Court Officers), and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 330**



by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES PROGRAM GRANT FOR THE D.A.R.E PROGRAM AND TO PROVIDE LOCKS FOR THE ELDERLY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, the Broome County Sheriff requests authorization to accept a New York State Division of Criminal Justice Services Program Grant in the amount of \$20,000.00 for the period November 1, 1995 through October 31, 1996, and

WHEREAS, said grant program provides funding for the D.A.R.E. Program and to provide locks for the elderly; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000.00 from New York State Division of Criminal Justice Services for the period November 1, 1995 through October 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 \$20,000.00 for the period November 1, 1995 through October 31, 1996, and be it

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

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

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 331**

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING REVISION OF A NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) GRANT FOR THE DIVISION OF SOLID WASTE MANAGEMENT AND**

REGULAR SESSION OF JULY 20, 1995

**ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 183 of 1994, authorized acceptance of a grant from the New York State Energy Research and Development Authority for the Division of Solid Waste Management for the period 1994 to 1996 and adopted a program budget in connection therewith in the total amount of \$120,695.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the New York State Energy Research and Development grant for the Division of Solid Waste Management for the period 1994 through 1996 in the total amount of \$124,960.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised grant budget annexed hereto as Exhibit "A" in the total amount of \$124,960.00 for the period 1994 through 1996, and be it

FURTHER RESOLVED, that Resolution 183 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.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 332**

by ENVIRONMENT & FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE VILLAGE OF JOHNSON CITY FOR THE LEASE OF ONE USED RECYCLING BODY FOR THE COLLECTION OF RECYCLABLES WITHIN THE VILLAGE OF JOHNSON CITY.**

WHEREAS, this County Legislature, by Resolution 221 of 1989, authorized an

agreement with the Village of Johnson City for the lease of recycling bodies by the Village of Johnson City for the collection of recyclables, and

WHEREAS, it is necessary to authorize the amendment of said agreement to permit the lease of an additional used recycling body for the Village of Johnson City, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Village of Johnson City, 243 Main Street, Johnson City, New York 13790 for the lease of one additional used recycling body by the Village of Johnson City for the collection of recyclables within the Village of Johnson City for the term August 1, 1995 through July 31, 2000, and be it

FURTHER RESOLVED, that Resolution 221 of 1989, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 333**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WATER STREET ASSOCIATES FOR THE DRUG AWARENESS CENTER (YESCAP) PROGRAM FOR OFFICE SPACE LEASE FOR 1995 THRU 1996.**

WHEREAS, this County Legislature, by Resolution 540 of 1994, authorized an agreement with Water Street Associates for rental space for the offices of the Drug Awareness Center Services Community Action Project (YESCAP) for the period of January 1, 1995 through March 31, 1995 at a cost of \$375.00 per month at a cost not to exceed \$1,125.00 for the term of this agreement, utilities included, and

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

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Water Street Associates 168 Water Street, 5th Floor, Binghamton, New York 13901 for rental of office space for the YESCAP Program consisting of 500 square feet for the period April 1, 1995 through March 31, 1996, and be it

REGULAR SESSION OF JULY 20, 1995

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor Water Street Associates, \$375.00/month, utilities included for a total cost not to exceed \$4,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470062.4422.102938 (Building and Land Rental), and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 334**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MICHAEL W. SCHAFER FOR CONSULTANT SERVICES TO YESCAP FOR THE ADSIP PEER LEADERSHIP PROGRAM FOR 1995 THROUGH 1996**

WHEREAS, this County Legislature, by Resolution 330 of 1994, authorized an agreement with Michael W. Schafer for consultant services to YESCAP for ADSIP Peer Leadership Program in an amount not to exceed \$6,500, and

WHEREAS, said agreement has expired and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 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, 1995 through March 31, 1996, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470062.4747.102938 (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-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 335**

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING REVISION 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 331 of 1994, 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, 1994 through August 31, 1995 and adopted a program budget in the amount of \$26,295, and

WHEREAS, it is necessary at this time to revise said program to reflect a revision of appropriations for the period September 1, 1994 through August 31, 1995 in the amount of \$26,295.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves revisions of appropriations totaling \$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

REGULAR SESSION OF JULY 20, 1995

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 336**

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING REVISION OF COMPREHENSIVE PREVENTION SERVICES PROGRAM GRANT FROM DEPOSIT CENTRAL SCHOOL DISTRICT FOR THE DRUG AWARENESS CENTER AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR JULY 1, 1994 THROUGH SEPTEMBER 30, 1995.**

WHEREAS, this County Legislature, by Resolution 263 of 1994, as amended by a companion resolution authorized and approved the acceptance of a Comprehensive Prevention Services Program Grant from Deposit Central School District for the Drug Awareness Center and adopted a program budget in the amount of \$72,650 for July 1, 1994 through June 30, 1995, and

WHEREAS, said grant program provides a Comprehensive Prevention Services Program for the Deposit Central School District, including a student assistance program for grades K-12, and school-community based prevention activities, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$5,120.00 and also to extend said program grant from July 1, 1994 to September 30, 1995, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$77,770 from the Deposit Central School District for the Comprehensive Prevention Services Program for the period July 1, 1994 through September 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 \$77,770 for the period July 1, 1994 through September 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.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 337**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TIOGA COUNTY COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE IN CONNECTION WITH THE YOUTH EDUCATION SERVICES COMMUNITY ACTION PROJECT (YESCAP) FOR 1995 THROUGH 1996**

WHEREAS, this County Legislature, by Resolution 262 of 1994, authorized an agreement with Tioga County Council on Alcoholism for the expanded and enhanced operation of the Peer Leadership Program - ADSIP in Tioga County for the period April 1, 1994 through March 31, 1995, at a cost not to exceed \$3,250, and

WHEREAS, said services are necessary for the enhancement and operation of the Peer Leadership Program - ADSIP in Tioga County which encourages children and adolescents to remain drug-free, and

WHEREAS, said agreement expired by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Tioga County Council on Alcoholism and Substance Abuse, 98 Temple Street, Owego, New York, 13827 for the expanded and enhanced operation of the Peer Leadership Program - ADSIP in Tioga County in connection with the Broome County Drug Awareness Center's YESCAP Program for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,250 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470062.4457.102938 (Subcontracted Program Expense), and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 338**

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF THE BROOME EMPLOYMENT SELF-SUFFICIENCY (ESS) PROGRAM GRANT FOR THE MENTAL HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 203 of 1994, authorized and approved the Broome Employment Self-Sufficiency (ESS) Program Grant and adopted a program budget in the amount of \$88,068 for the period September 1, 1994 through June 30, 1995, and

WHEREAS, said grant program provides vocational and pre-vocational case management, in cooperation with the Broome County Office of Employment & Training, for Broome County residents that are unemployed or underemployed due to mental illness and/or alcohol/substance abuse, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1995 through June 30, 1996 in the amount of \$76,595, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$69,995 from the Broome County Office of Employment & Training and \$6,600 from the Catholic Charities of Broome County, 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 \$76,595 for the period July 1, 1995 through June 30, 1996, and be it

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

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

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 339**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather



**RESOLUTION AUTHORIZING REVISION OF THE CORPORATION FOR NATIONAL SERVICE FOSTER GRANDPARENTS GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.**

WHEREAS, this County Legislature, by Resolution 593 of 1994, authorized the continued participation by the Office for Aging in the Foster Grandparents Action Grant Program for the calendar year 1995 and adopted a program budget in connection therewith in the total amount of \$245,469.00, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in grant appropriations and a change in the title of the program to "the Corporation for National Service Foster Grandparents Grant Program", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Corporation for National Service Foster Grandparents Grant Program for the period January 1, 1995 through December 31, 1995 in the total amount of \$255,553.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$255,553.00 for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that Resolution 593 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.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 340**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

REGULAR SESSION OF JULY 20, 1995

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING REVISION OF HOME ENERGY ASSISTANCE PROGRAM (HEAP) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.**

WHEREAS, this County Legislature, by Resolution 432 of 1994, authorized the continued participation by the Office for Aging in the Home Energy Assistance Program for the period October 1, 1994 through September 30, 1995 and adopted a program budget in connection therewith in the total amount of \$21,602.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Home Energy Assistance Program for the period October 1, 1994 through September 30, 1995 in the total amount of \$27,384.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$27,384.00 for the period October 1, 1994 through September 30, 1995, and be it

FURTHER RESOLVED, that Resolution 432 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.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 341**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL AND FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING REVISION OF WEATHERIZATION REFERRAL AND PACKAGING (WRAP) PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994**

**THROUGH 1995.**

WHEREAS, this County Legislature, by Resolution 65 of 1995, authorized the continued participation by the Office for Aging in the Weatherization Referral and Packaging (WRAP) Program for the period of July 1, 1994 through December 31, 1995 and adopted a program budget in connection therewith in the total amount of \$68,927.00, and

WHEREAS, it is necessary at this time to revise said program to reflect a change in distribution of appropriations and revenues in same, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Weatherization Referral and Packaging (WRAP) for the period July 1, 1994 through December 31, 1995 in the total amount of \$68,927.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$68,927.00 for the period July 1, 1994 through December 31, 1995, and be it

FURTHER RESOLVED, that Resolution 65 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 342**

by ENVIRONMENT, EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF THE MUNICIPAL COOPERATIVE AGREEMENT WITH THE BROOME COUNTY SOIL & WATER CONSERVATION DISTRICT FOR TEN YEARS**

WHEREAS, Resolution Number 213 of 1982, with an effective date of 6/30/82 states that a ten year cooperative agreement would be entered into to develop the property known as the County Farm near the Broome Community College Campus, and

REGULAR SESSION OF JULY 20, 1995

WHEREAS, the Soil and Water Conservation District developed this property in the following manner:

1. Erected a 54-ft. by 72-ft. building - October, 1982
2. Added Electric Service to building - April, 1983
3. Added Water Service to building - October, 1987
4. Addition of 54-ft. by 45-ft. added - May, 1988
5. Bathroom and Office Space - May, 1993, and

WHEREAS, the District continues to work cooperatively with the County Parks and Recreation Department in providing to said department, storage space and an equipment maintenance area, and

WHEREAS, the Soil and Water Conservation District uses this building to coordinate District activities as well as to store and maintain District equipment and supplies and said building may potentially serve as the District offices, and

WHEREAS, the original agreement is up for renewal, now therefore be it

RESOLVED, that the County Legislature hereby authorizes renewal of the municipal cooperative agreement with the Broome County Soil and Water Conservation District, pursuant to General Municipal Law §119-o, for a ten year period, under the following conditions:

- 1.The Broome County Soil and Water Conservation District shall maintain the building and grounds in a way that insures that the building and grounds do not detract from the aesthetics of the surrounding area.
- 2.The Broome County Soil and Water Conservation District shall agree to seek approval from the County Legislature before expanding its facilities or further developing the aforementioned land.
- 3.The County Parks and Recreation Department shall be permitted to use said building for storage space of equipment with at least one (1) bay being set aside for their purpose, year round.
- 4.The Parks Department will have use of the rest room facilities for their employees and will share responsibility for the cleaning of the building and the grounds with the District. The Parks Department will also have the opportunity during severe cold weather to make use of the heated office space.
- 5.The Parks Department will have exclusive use of one of the two gas pumps and will share the use of the diesel fuel pump with the District. Each party will be responsible for their own fuel and the Parks Department will be responsible for pump and tank testing and maintenance.
- 6.The Parks Department will have use of the heated bay for repair and maintenance of equipment whenever possible.
- 7.The Parks Department will have access to the building parking facilities for park

vehicles and equipment and employee's vehicles in a manner which does not pose an eyesore or restrict traffic flow in the area.

8. The Parks Department will be responsible for the repair of any damages which occur as a result of their employees or representatives.
9. The term of this agreement shall be for ten years.
10. At the expiration of said 10 year period, this agreement may be renewed upon such terms and conditions as are mutually agreeable to the County and to the Broome County Soil and Water Conservation District.
11. As consideration for this agreement, the Broome County Soil and Water Conservation District agrees that at the end of said 10 year period, or if the agreement is renewed at the end of any such renewal period, any buildings constructed on the property shall become the property of Broome County. It is further understood that in the event that the Broome County Soil and Water Conservation District no longer has any need or desire for the building prior to the expiration of any renewal period, any buildings shall become the property of Broome County at that point.

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.

**Held Over** under the 'Rules' by Mr. Burger.

**RESOLUTION NO. 343** by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENT WITH THE TOWN OF UNION FOR THE LEASE OF REAL PROPERTY FOR THE INSTALLATION AND MAINTENANCE OF A RADIO TRANSMITTER TOWER.**

WHEREAS, the Town of Union is willing to lease to the County of Broome a portion of Town owned property on the Twist Run watertower site, Tax Map No. 3-B7-3-S1, 375 Twist Run Road, to permit the County to install a radio transmitter tower and accompanying transmitter building on said property, and

WHEREAS, as consideration for this lease the County will provide the Town of Union tower space for the radio antennas at no cost to the Town, and

WHEREAS, the construction of this radio tower will provide better radio coverage for Emergency Services in the Western part of Broome County, now, therefore, be it

REGULAR SESSION OF JULY 20, 1995

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Union, 3111 East Main Street, Endwell, New York 13760, for the lease of a portion of town owned property located off Twist Run Road, said property being the Twist Run watertower site at 375 Twist Run Road, Tax Map No. 3-B7-3-S1 for the purpose of installing a radio transmitter tower and transmitter building for the County of Broome, and be it

FURTHER RESOLVED, that in consideration of said lease the County will provide the Town tower space for their radio antennas at no cost to the Town, and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 344**

by FINANCE COMMITTEE                      Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION APPROVING SALE OF 1991 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 1991, 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 unusual 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 unusual circumstances of each such case, as determined by your sponsoring committee, as well as the undue 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>		
Colesville	10-61-S9	Mervin & Barbara Scott 65 Still Road Harpursville, NY 13787	\$324.35

Conklin	3-11-S1	Laura Miller-Evans 19 Thomas Street Binghamton, NY 13901-1229	\$297.02
Dickinson	3-2-A-9	Francis & Sharyn Begley 185 Bevier Street Binghamton, NY 13904	\$8,420.83
Chenango	3-34	Christine Macon 523 West Chenango Road Binghamton, NY 13905	\$16,451.84

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.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 345**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING  
and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENT WITH ANDY WALKER'S  
AUCTIONS, UNLIMITED, FOR AUCTIONEERING SERVICES FOR THE  
DEPARTMENT OF GENERAL SERVICES, PURCHASING DIVISION,  
TWELFTH (12TH) ANNUAL AUCTION SCHEDULED FOR SEPTEMBER 23,  
1995 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 Twelfth 12th annual auction of surplus supplies, equipment, materials and vehicles on September 23, 1995, 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

REGULAR SESSION OF JULY 20, 1995

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 23, 1995 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 \$500.00 for clean up and tipping fees 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.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 346**

by TRANSPORTATION, PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH MCFARLAND-JOHNSON ENGINEERS, INC. FOR ELECTRICAL DESIGN SERVICES FOR THE FUEL FARM AT THE BINGHAMTON REGIONAL AIRPORT FOR 1994 AND 1995.**

WHEREAS, this County Legislature, by Resolution 94-322, authorized an agreement with McFarland-Johnson Engineers, Inc. for electrical design services for the fuel farm at the Binghamton Regional Airport, at a cost of \$10,040.00 for 1994, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect changes in the scope of work, contract term and increase in total amount, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the amendments to the agreement with McFarland-Johnson Engineers, Inc., 171 Front Street, PO Box 1980, Binghamton, NY 13902 for electrical design services for the fuel farm at the Binghamton Regional Airport for 1994 and 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$12,540.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made



from budget line 201011.2016.502223 (Other Improvements), and be it

FURTHER RESOLVED, that Resolution 94-322, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 347**

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE REMOVAL AND REPLACEMENT OF PETROLEUM STORAGE TANKS AT BROOME TRANSIT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

WHEREAS, it is necessary to undertake a capital project for the removal and replacement of petroleum storage tanks at Broome Transit, and

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

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

WHEREAS, this County Legislature is an involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned removal and replacement of petroleum storage tanks at Broome Transit, and

WHEREAS, this project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of the proposed removal and replacement of petroleum storage tanks at Broome Transit, and be it

FURTHER RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the removal and replacement of petroleum storage tanks at Broome Transit will not have a significant effect on the environment, and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 348**

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE REMOVAL AND REPLACEMENT OF PETROLEUM STORAGE TANKS AT THE BROOME COUNTY HIGHWAY GARAGE AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

WHEREAS, it is necessary to undertake the removal and replacement of petroleum storage tanks at the Broome Highway Garage, and

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

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

WHEREAS, this County Legislature is an involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned removal and replacement of petroleum storage tanks at the Highway Garage, and

WHEREAS, this project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of the proposed removal and replacement of petroleum storage tanks at the Highway Garage, and be it

FURTHER RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the removal and replacement of petroleum storage tanks at the Highway Garage will not have a significant effect on the environment, and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 349**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING ACCEPTANCE OF AN FLTC PROJECT PROMOTING MENTAL WELLNESS IN ELDER CARE GRANT BY WILLOW POINT NURSING FACILITY FOR 1995 TO 1996.**

WHEREAS, the Administrator of Willow Point Nursing Facility requests authorization to accept a FLTC Project Promoting Mental Wellness in Elder Care Grant in the amount of \$3,750.00 for the period January 1, 1995 through February 28, 1996, and

WHEREAS, said grant program provides funds for necessary supplies to fulfill the agreement between FLTC and Willow Point Nursing Facility for training of staff and resident's families; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$ 3,750.00 from The Foundation for Long Term Care, Inc., 194 Washington Avenue, Albany, New York 12210 for the period January 1, 1995 through February 28, 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 \$3,750.00 for the period January 1, 1995 through February 28, 1996, and be it

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

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

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 350**

by HEALTH SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

REGULAR SESSION OF JULY 20, 1995

**RESOLUTION AUTHORIZING AN INCREASE IN PRIVATE PAY RATES FOR PATIENTS AT WILLOW POINT NURSING FACILITY FOR 1995.**

WHEREAS, the Board of Directors of Willow Point Nursing Facility recommends an increase in the private pay daily rate for nursing care at Willow Point Nursing Facility effective September 1, 1995, and

WHEREAS, this County Legislature by Resolution 616 of 1994, authorized an increase in the private pay daily rate and no adjustments have been made since that time, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an increase in private pay daily rates at Willow Point Nursing Facility from \$135.20 per day to \$145.00 per day for private pay residents in the facility as of June 8, 1995 and \$155.00 per day for private pay residents admitted after June 8, 1995 effective September 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 Broome County Comptroller and Commissioner of Finance are hereby authorized within the restraints of this Resolution to make any necessary adjustments to implement the intent and purpose of this Resolution.

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 351**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENT WITH BROOME TIOGA BOCES FOR EMPLOYMENT AND TRAINING SERVICES FOR THE OFFICE OF EMPLOYMENT AND TRAINING FOR 1994.**

WHEREAS, the Office of Employment and Training requests authorization for an agreement with Broome Tioga BOCES for employment and training services for the Summer Youth Employment Program for the period July 1, 1994 through September 30, 1994, at a cost not to exceed \$171,116.00, and

WHEREAS, said services are necessary to provide summer employment and

training opportunities to approximately 150 14-15 year old youths during the months of July and August, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome Tioga BOCES, for employment and training services for the summer youth employment program, for the period July 1, 1994 through September 30, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$171,116.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 720730.4542.308040 (Contracted Training), and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 352**

by TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING SPECIAL PARKING RATE FOR THE HAM RADIO HAMFEST '95 SCHEDULED AT THE BINGHAMTON REGIONAL AIRPORT ON AUGUST 18, 1995.**

WHEREAS, this County Legislature, by Resolution 612 of 1988, as amended, authorized and established metered parking rates at the Binghamton Regional Airport, and

WHEREAS, Hamfest '95 is an annual event held at the Binghamton Regional Airport during which local Ham Radio operators recognize its members involvement with the National Weather Service and SKYWARN Net System, a volunteer emergency weather notification system, both of which greatly assist the Binghamton Regional Airport and local residents, and

WHEREAS, this Ham Radio Hamfest '95 is scheduled to be held August 18, 1995 at the Binghamton Regional Airport, and

WHEREAS, it is desired to modify the parking fee for those people attending Ham Radio Hamfest '95 and parking in airport lots, in order to encourage community participation and recognize this volunteer organization's contribution to the Binghamton Regional Airport, the National Weather Services and this community, now, therefore, be it

RESOLVED, that this County Legislature hereby modifies the parking fee for those people parking at the Binghamton Regional Airport in order to attend the Miller Aviation/Roberson Museum Aircraft Fair at the Binghamton Regional Airport scheduled for August 18, 1995, or any rain date to \$1.00 per vehicle.

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 353**

by PERSONNEL, TRANSPORTATION, HEALTH SERVICES, FINANCE and COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT AND PLANNING COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENTS OF AVIATION, HEALTH, LEGISLATURE and BUDGET AND RESEARCH**

RESOLVED, that in accordance with a request from the Department of Aviation, as contained in PCR# 95-240, this County Legislature hereby authorizes the **upgrade** of one (1) full-time Principal Account Clerk position at budget line C210203.1000, minimum salary \$19,057, Grade 13, Union Code 04 (CSEA) to one (1) full-time Accountant position at budget line C210203.1000, minimum salary \$22,374, Grade 16, Union Code 04 (CSEA) effective July 31, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, as contained in PCR# 95-211, this County Legislature hereby authorizes the request to establish salary for one (1) part-time Public Health Medical Director position at budget line A480012.1500, Grade NA, recommended salary \$60/hr, effective July 1, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, as contained in PCR# 95-216, this County Legislature hereby authorizes **upgrade** of one (1) full-time Public Health Educator position at budget line A480012.1000, minimum salary \$24,906, Grade 18, Union Code 04 (CSEA) to one (1) full-time Supervising Public Health Educator position at budget line A480012.1000, minimum salary \$30,253, Grade 21, Union Code 07 (BAPA) effective June 15, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Legislature, as contained in PCR#s 95-229 and 95-230, this County Legislature hereby authorizes the **creation** of one (1) part-time Account Clerk Typist position at budget line A240028.1500, minimum salary \$7.8123/hr (\$15,234), Grade 08, and the **abolishment** of one (1) part-time Second Deputy Clerk of the Legislature position at budget line A240028.1500, minimum salary \$10.4041/hr (\$20,288), Grade 14, effective July 31, 1995 and be it

FURTHER RESOLVED, that in accordance with a request from the Division of Budget and Research, this County Legislature hereby authorizes the **creation** of one (1) Budget Analyst position at budget line A230037.1000, minimum salary \$23,490, Grade 17, Union Code 09 (Admin), effective July 24, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Division of Budget and Research, as contained in PCR# 95-242, this County Legislature hereby authorizes freezing of one (1) Budget Examiner position at budget line A230037.1000, minimum salary \$24,929, Grade 19, Union Code 09 (Admin), effective July 24, 1995.

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

<u>DEPARTMENT</u>	<u>PCR #</u>	<u>DESCRIPTION</u>
Aviation	95-240	the <b>upgrade</b> of one (1) full-time Principal Account Clerk position - to one (1) full-time Accountant position

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

<u>DEPARTMENT</u>	<u>PCR #</u>	<u>DESCRIPTION</u>
Health	95-211	establishment of a salary for one (1) part-time Public Health Medical Director

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

<u>DEPARTMENT</u>	<u>PCR #</u>	<u>DESCRIPTION</u>
Health	95-216	<b>upgrade</b> of one (1) full-time Public Health Educator position to one (1) full-time Supervising Public Health Educator position

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

<u>DEPARTMENT</u>	<u>PCR #</u>	<u>DESCRIPTION</u>
Legislature	95-229/230	<b>creation</b> of one (1) part-time Account Clerk Typist position at budget line A240028.1500, minimum salary \$7.8123/hr (\$15,234), Grade 08, and the <b>abolishment</b> of one (1) part-time Second Deputy Clerk of the Legislature position

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

<u>DEPARTMENT</u>	<u>PCR #</u>	<u>DESCRIPTION</u>
-------------------	--------------	--------------------

Budget 95-247 **creation** of one (1) Budget Analyst position

Mr. Mather moved, seconded by Mr. Cahill that the following be substituted as an amendment:

RESOLVED, that in accordance with a request from the Division of Budget and Research, as contained in PCR#95-247, this County Legislature hereby authorizes the creation of one (1) Budget Analyst position at budget line A230037.1000, minimum salary \$22,364, Grade 16, Union Code 09 (Admin), effective July 24, 1995.

Underlined areas indicate proposed amendment.

The amendment **lost**.

Ayes-9 Cahill, Holley, Howard, Kavulich, Mather, Pasquale, Schofield, Whalen & Wike  
Nays-6 Burger, Hudak, Hull, Miller, Sweet & Shafer  
Absent-4 Augostini, Coffey, Lindsey & O'Day  
The PCR was **held over** under the 'Rules' by Mr. Wike.

DEPARTMENT      PCR #      DESCRIPTION  
Budget              95-242 authorizes the freezing of one (1) Budget Examiner position

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 354**

by FINANCE, PUBLIC SAFETY & EMERGENCY SERVICES, HEALTH SERVICES, TRANSPORTATION and COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT AND PLANNING COMMITTEES

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF DISTRICT ATTORNEY, MENTAL HEALTH, SHERIFF, WILLOW POINT NURSING HOME, PUBLIC TRANSPORTATION AND LAW**

RESOLVED, that in accordance with a request from the District Attorney's Office in order to provide funds for salaries budgeted for 1995 did not include \$1000 Administrative raises, as requested by BT# 8127, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
<u>Code</u>	<u>object</u>	<u>Code</u>	<u>_____</u>	<u>_____</u>



1995 JOURNAL OF PROCEEDINGS OF THE BROOME COUNTY LEGISLATURE

FROM: 330035 4734 102809 Witness Expense \$3,373.47

TO :330035 1000 102809 Salaries, Full Time \$3,373.47

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, in order to provide funds in order to maximize grant appropriations, as requested by BT# 8017 , this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	4700112	1000	102906	Salaries, Full-Time	\$4,458
TO :	470112	4442	102906	Photographic	\$1,658
	470112	4311	102906	Books and Subscriptions	1,000
	470112	4319	102906	Office Supplies	1,000
	470112	4323	102906	Building Maint. Supplies	300
	470112	4619	102906	Building Svces. Chargeback	500

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, in order to provide funds to transfer available appropriations to cover actual 1995 expenditures for 1994 MICA Grant Program, as requested by BT# 8258, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	470096	1000	102800	Salaries, Full-Time	\$205
TO :	470096	1500	102800	Salaries, Part-Time	\$205

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, in order to provide funds in order maximize grant appropriations, as requested by BT# 8018 , this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index</u>	<u>Sub-</u>	<u>Project</u>
--------------	-------------	----------------

REGULAR SESSION OF JULY 20, 1995

1995 JOURNAL OF PROCEEDINGS OF THE BROOME COUNTY LEGISLATURE

	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	470096	1500	102831	Salaries, Part-Time	\$110
	470096	8060	102831	Health Insurance	\$858
	470096	8050	102831	Life Insurance	15
	470096	8063	102831	Disability Insurance	61

TO :	470096	1000	102831	Salaries, Full-Time	\$875
	470096	1900	102831	Salaries, Shift Diff.	20
	470096	8030	102831	Social Security	55
	470096	8040	102831	Workers' Compensation	94

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of the Sheriff, in order to provide funds to cover overtime salaries, as requested by BT# 7488 , this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingent Account	\$18,000

TO :	450056	1700	101000	Salaries, Overtime	\$18,000
------	--------	------	--------	--------------------	----------

and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funds for creating temporary positions to cover for employees on leave of absence, as requested by BT#s 8530 and 8531, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160119	1000	204000	Salaries, Full-Time	\$4,000
	160143	1000	204000	Salaries, Full-Time	\$6,000

TO :	160119	1600	204000	Salaries, Temporary	\$4,000
	160119	1600	204000	Salaries, Temporary	\$6,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Public Transportation in order to provide funds for partial funding for a study of transit routes, ridership, fares, etc. as recommended by CGR, as requested by BT# 6313, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	900084	4752	101000	Contingent Fund	\$55,000
TO :	220004	4449	203000	Other Operational	\$55,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Law in order to provide funds for extraordinary legal fees concerning cases on the behalf of Broome County, as requested by BT# 8664, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	900084	4752	101000	Contingent Fund	\$53,577
TO :	390005	4736	101000	Legal Charges and Fees	\$53,577

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

<u>DEPARTMENT</u>	<u>BT #</u>	<u>DESCRIPTION</u>
District Attorney	8127	provide funding for salaries budgeted for 1995 which did not include \$1000 Administrative raises

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

<u>DEPARTMENT</u>	<u>BT #</u>	<u>DESCRIPTION</u>
Mental Health	8017	provide funds in order to maximize grant appropriations,

**Carried.** Ayes-14, Nays-1 (Hudak), Absent-4 (Augostini, Coffey, Lindsey & O'Day)

<u>DEPARTMENT</u>	<u>BT #</u>	<u>DESCRIPTION</u>
Mental Health	8258	provide funds to transfer available appropriations to cover actual 1995 expenditures for 1994 MICA Grant Program

**Carried.** Ayes-14, Nays-1 (Hudak), Absent-4 (Augostini, Coffey, Lindsey & O'Day)

<u>DEPARTMENT</u>	<u>BT #</u>	<u>DESCRIPTION</u>
Mental Health	8018	provide funds in order maximize grant appropriations

**Carried.** Ayes-14, Nays-1 (Hudak), Absent-4 (Augostini, Coffey, Lindsey & O'Day)

<u>DEPARTMENT</u>	<u>BT #</u>	<u>DESCRIPTION</u>
Sheriff	7488	provide funds to cover overtime salaries

**Held Over** under the 'Rules' by Mr. Cahill.

<u>DEPARTMENT</u>	<u>BT #</u>	<u>DESCRIPTION</u>
Willow Point Nursing Facility 8531	8530	provide funds for creating temporary positions to cover for employees on leave of absence

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

<u>DEPARTMENT</u>	<u>BT #</u>	<u>DESCRIPTION</u>
Transportation	6313	to provide funds for partial funding for a study of transit routes, ridership, fares, etc. as recommended by CGR

**Held Over** under the 'Rules' by Mr. Pasquale.

<u>DEPARTMENT</u>	<u>BT #</u>	<u>DESCRIPTION</u>
Law	8664	provide funds for extraordinary legal fees concerning cases on the behalf of Broome County

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 355**

by EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEES  
Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING WAIVER OF \$1.00 PARKING FEE AT  
OTSININGO PARK FOR "WALK TO REMEMBER" SPONSORED BY  
UNITED HEALTH SERVICES HOSPITALS**

WHEREAS, October, 1995, has been declared National Pregnancy and Infant Loss Awareness Month; and

WHEREAS, United Health Services Hospitals will sponsor its ninth annual "Walk to Remember" at Otsiningo Park on October 1, 1995; and

WHEREAS, United Health Services Hospitals has requested that Broome County waive the \$1.00 parking fee at Otsiningo Park for the purpose of such event; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes, empowers and directs the Broome County Commissioner of Parks and Recreation to waive collection of the \$1.00 parking fee at Otsiningo Park on October 1, 1995 for participants in the ninth annual "Walk to Remember" sponsored by United Health Services Hospitals.

Mrs. Sweet moved, seconded by Mr. Cahill that the resolution be amended to waive the \$1.00 parking fee as of August, 1, 1995 and to insert a new Whereas clause indicating that 'the Broome County Legislature realizes it is a health benefit to the citizens of Broome County to be able to walk and exercise at Otsiningo Park.'

Mr. Cahill moved, seconded by Mr. Howard to **call the question** on the amendment. The call of the question on the amendment **carried**.  
Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

The amendment **lost**.

Ayes-3 Cahill, Sweet & Shafer

Nays-12 Burger, Holley, Howard, Hudak, Hull, Kavulich, Mather, Miller, Pasquale,  
Schofield, Whalen & Wike

Absent-4 Augostini, Coffey, Lindsey & O'Day

Mr. Howard moved, seconded by Mr. Pasquale to call the question on the resolution. The call of the question on the resolution **carried**.  
Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

The resolution **carried**.

Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 356**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING  
and FINANCE COMMITTEES

Seconded by Mr. Kavulich & Mr. Mather

**RESOLUTION AUTHORIZING AMENDMENT AND RATIFICATION OF  
AGREEMENT WITH CHERNIN & GOLD FOR PROFESSIONAL LEGAL  
SERVICES.**

WHEREAS, this County Legislature, by Resolution No. 321 of 1979 authorized an agreement with the law firm of Chernin & Gold to provide professional legal services as required by the County Attorney at a rate not to exceed \$50.00 per hour; and

WHEREAS, this County Legislature, by Resolution No. 115 of 1982 authorized an agreement with the law firm of Chernin & Gold to provide professional legal services as required by the County Attorney at a rate not to exceed \$50.00 per hour; and

WHEREAS, this Legislature, by Resolution NO. 249 of 1985 authorized an agreement with the law firm of Chernin & Gold to provide professional legal services as required by the County attorney at a rate not to exceed \$65.00 per hour; and

WHEREAS, said agreement authorized by Resolution No. 249 of 1985 was subsequently renewed and extended by Resolution No. 303 of 1987 for the period July 1, 1987 through June 30, 1988, and by Resolution No. 293 of 1988 for the period July 1, 1988 through June 30, 1989; and

WHEREAS, the law firm of Chernin & Gold undertook representation of Broome County, at the request of the County Attorney, beginning in 1979, in connection with litigation arising from the construction of the Grippen Park Ice Rink; and

WHEREAS, the law firm of Chernin & Gold has continuously provided legal services in connection with such litigation, at the request of the County Attorney, from 1979 to and including 1994; and

WHEREAS, such litigation has concluded and the law firm of Chernin & Gold has presented for payment its statement for services rendered from 1982 to and including 1994, calculated at an hourly rate of \$65.00 per hour; now, therefore, be it

RESOLVED, that Resolution No. 115 of 1982 be, and the same hereby is, amended to authorize an agreement with the law firm of Chernin & Gold to provide professional legal services as required by the County Attorney at an hourly rate not to exceed \$65.00 per hour; and be it

FURTHER RESOLVED, that the term of the agreement authorized by Resolution No. 115 of 1982, as herein amended, be, and the same hereby is, extended to include all services rendered by the law firm of Chernin & Gold in connection with the Grippen Park ice rink litigation, to and including December 31, 1994; and be it

FURTHER RESOLVED, that this County Legislature hereby adopts, ratifies and approves all legal services provided by the law firm of Chernin & Gold in connection

with the Grippen Park ice rink litigation, in all respects as if such services were provided pursuant to a written agreement duly made, executed and delivered authorizing such services to be provided at a rate of \$65.00 per hour for the period from December 28, 1982 to and including December 31, 1994; and be it

FURTHER RESOLVED, that the Broome County Comptroller and the Broome County Commissioner of Finance be, and the same hereby are, authorized, empowered and directed to audit and pay the statement for services rendered dated November 22, 1994, presented by the law firm of Chernin & Gold in all respects as if such services were provided pursuant to a fully executed written agreement authorizing the same, in an amount not to exceed \$6,168.86; and be it

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

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 357**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

Seconded by All Members

**RESOLUTION OF CONDOLENCE ON THE DEATH OF MR. JOHN LASKY, FORMER SUPERVISOR FROM THE FIRST WARD OF THE CITY OF BINGHAMTON**

WHEREAS, John Lasky passed away on 13th day of July, 1995, and

WHEREAS, Mr. Lasky was appointed to fill an unexpired term on the Broome County Board of Supervisors, representing the First Ward of the City of Binghamton from April 4, 1960 through December 31, 1960, and then was elected to serve, three terms from 1961 through 1966 during which time he served on many committees, including:

County Clerk & Elections Committee

REGULAR SESSION OF JULY 20, 1995

Capital Projects Committee Public Safety Committee  
Veterans Committee Nursing Home Committee  
Purchasing Committee Reapportionment Committee  
Tuberculosis Hospital Committee

and

WHEREAS, Mr. Lasky will long be remembered for his integrity of character and clear judgement in the conduct of the affairs of this County as well as his dedicated service to the citizens of Broome County and for his desire to contribute in a meaningful way to the life of our community, and

WHEREAS, the Broome County Legislature, acting for the citizens of the Broome County Community, wishes to record its condolences in the official proceedings of this body, now therefore be it

RESOLVED, that the members of this County Legislature extends its sincere sympathy to the family of Mr. John Lasky, and be it

FURTHER RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward a copy of this resolution to the family of the late John Lasky.

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

**RESOLUTION NO. 358**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING AGREEMENT WITH CHAUTAUQUA COUNTY FOR A CONTRIBUTION TO A FUND FOR DEFENSE OF THE CONRAIL CLASS ACTION LITIGATION TO REDUCE ITS PROPERTY TAX LIABILITY.**

WHEREAS, Consolidated Rail Corporation (Conrail) commenced actions in 1993 and 1994 in the United States District Court for the Southern District of New York seeking to reduce the tax liability of Conrail in municipalities which tax railroad transportation property, and

WHEREAS, the Court certified a defendant class of all tax receiving municipalities including the County of Broome and named certain counties including Chautauqua County as defendant class representatives with the legal responsibility to defend the interest of all class defendants, including Broome County, and

WHEREAS, the issues in dispute involve complex matters of valuation and assessment which require the employment of expert witnesses and substantial amounts



of attorney time, in excess of the resources available to the defendant class representatives, and

WHEREAS, the counties of Chautauqua, Erie and Onondaga have requested contributions to a defense fund from all 42 counties which are members of the defendant class in an amount proportionate to the amount of tax money at risk for each county, such monies to be expended for legitimate costs of legal defense including expert witness fees and expenses, legal costs and expenses, and attorneys fees, and

WHEREAS, the amount at risk for Broome County is \$74,983.00 for 1994 taxes and \$56,191.00 for 1995 taxes, and

WHEREAS, the suggested contribution amount for Broome County is \$5,574.90, and

WHEREAS, successful defense of the Conrail tax litigation will be of substantial benefit to Broome County and also to several municipalities and school districts within Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the County of Chautauqua for calendar year 1995 concerning a contribution by Broome County to a joint defense fund in the Conrail tax litigation, and be it

FURTHER RESOLVED, that the County shall pay County of Chautauqua an amount not to exceed \$5,574.90 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the 1996 budget at 900183.4736.101000 (Legal Charges & Fees), and be it

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

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)

Mr. Howard moved, seconded by Mr. Pasquale to **adjourn** at 5:46 P.M.

**Carried.** Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Lindsey & O'Day)