

RESOLVED, that this County Legislature hereby authorizes a lease agreement with Kradro Realty Corporation, Suite One, 49 Court Street, Binghamton, New York 13902, for the lease of substantially renovated buildings located at 36-42 Main Street, Binghamton, New York, for a ten year period, commencing January 1, 1997, with an option for two additional five year renewal periods, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay Kradro Realty Corporation at the rate of \$6.39 per square foot, with a 2% yearly rent escalation clause, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from Budget Line 670018.4422.103000 (Building and Grounds 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-16, Nays-1 (Shafer), Absent-2 (Lindsey & O'Day)

Mr. Cahill moved, seconded by Mr. Pasquale to **adjourn** at 4:46 PM.
The adjournment **carried.** Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

**BROOME COUNTY LEGISLATURE
PUBLIC HEARING - 1996-1997 BROOME COMMUNITY COLLEGE
BUDGET**

JULY 18, 1996

REGULAR SESSION OF JULY 18, 1996

At 4:00 P.M., the Hon. Patrick F. O'Day, Chairman of the Education, Culture and Recreation Committee opened a Public Hearing on the proposed 1996-1997 Broome Community College Budget. The hearing was required pursuant to provisions of the Broome County Charter & Administrative Code and the date and time were established by a resolution of the County Legislature, Permanent No. 96-276.

The Clerk, Richard R. Blythe read the legal notice of the hearing and presented proof of publication of the hearing which had appeared twice in 5 newspapers.

The first speaker was Charles Quagliata, Vice-President for Student and Community Affairs at Broome Community College. He spoke about the understanding of the budget process, acknowledged that the 3 versions were all very close and concluded that, 'Yes, we can live with the Budget.'

The second speaker was Michael O'Connell of 211 Leroy Street, Binghamton, NY. Mr. O'Connell noted that he was a 1965 graduate of BCC and has taught for 29 years in the Windsor School District. He noted that BCC was a valuable asset to the community.

Mr. O'Day closed the hearing at 4:06 P.M.

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
JULY 18, 1996**

The Legislature convened at 4:08 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-18, Absent-1 (Mrs. Hudak)

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

Regular Session of June 27, 1996, be approved as prepared and presented by the Clerk. **Carried.** Ayes-18, Nays-0, Absent-1 (Mrs. Hudak)

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

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

COMMUNICATIONS:

1.Minutes from:

- a.Emergency Medical Services Advisory Board
- b.Soil and Water Conservation District
- c.Willow Point Nursing Facility
- d.Environmental Management Council
- e.EMC's Natural Resources Committee
- f.EMC Ad Hoc Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
- g.Industrial Development Agency (minutes and other various materials)

2.Resolutions from:

- a.Towns of Vestal and Lisle, Village of Endicott (Withdrawal from County Workers' Compensation Plan, effective January 1, 1997).
- b.Advisory Resolution from EMC (Remediation of Illegal Dumpsites in Broome County).

3.Final Class Equalization Rates for the 1995 Assessment Roll.

C. NOTICES: Notice of Claim: Tonia McCoy against County of Broome

D. REPORTS:

- 1.Veterans Services Center: 1995 Annual Report and related financial information.
- 2.Monthly Report: Broome Community College (Above Minimum Hires).
- 3.Broome County Comprehensive Annual Financial Report (Year ended December 31, 1995).

REGULAR SESSION OF JULY 18, 1996

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Arthur J. Shafer:

1. Appointing the following Legislators as voting representatives:
 - a. William H. Miller for James L. Holley, Health Services Committee, July 9, 1996.
 - b. Thomas A. Hull for Chris W. Burger, Community and Social Services Committee, July 9, 1996.
2. Appointing Jane R. Sweet as voting representative for William T. Wike, County Administration, Economic Development and Planning Committee, July 10, 1996.
3. Appointing Wanda Hudak as voting representative for Thomas A. Hull, Personnel Committee, July 10, 1996.
4. Appointing Louis P. Augostini as voting representative for Chris W. Burger and John E. Cahill as Chair, Environment Committee, July 10, 1996.
5. Appointing John E. Cahill as voting representative for William T. Wike, Finance Committee, July 11, 1996.

Mr. Wike presented a certificate and 'Seal of the County' to the West Endicott Fire Company recognizing 75 years of service to the community, 1921-1996.

The chairman presented a certificate to Mr. Kavulich in honor of his 50th birthday, which happened to coincide with the session.

Mr. Cahill moved, seconded by Mr. Whalen, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1996 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried.** Ayes-18, Absent-1 (Hudak)

Several resolutions were taken out of order, however, for the sake of clarity, all resolutions are presented in numerical order.

Mr. Augostini and Mrs. Coffey were designated by the Chair as participants in the 'short roll call' for the session.

Mr. Wike seconded the preferred agenda.

RESOLUTION HELD OVER FROM PREVIOUS SESSION (June 27, 1996)

RESOLUTION NO. 246 held over by Mrs. Sweet
by HEALTH SERVICES and FINANCE COMMITTEES
Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING AGREEMENT WITH WELLCARE
OF NEW YORK, INCORPORATED FOR MANAGED MEDICAID
CLINIC SERVICES AND HOME NURSING VISITS FOR THE
HEALTH DEPARTMENT HOME HEALTH SERVICES AND CLINIC
DIVISIONS FOR 1996.**

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

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 285
by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES
Seconded by Mrs. Coffey

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

WHEREAS, this County Legislature, by Resolution 105 of 1989, as amended by Resolutions 240 and 504 of 1990, 202 of 1991, 39 and 308 of 1992, 172 and 483 of 1993, 114 and 493 of 1994, 195, 283 and 458 of 1995, and 38 and 210 of 1996, authorized the continued participation in the Ongoing Child Abuse Prevention and Education Grant Program and adopted a program budget in connection therewith in the total amount of \$84,938.82, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of

REGULAR SESSION OF JULY 18, 1996

the Ongoing Child Abuse Prevention and Education Grant program in the total amount of \$86,350.07, 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 \$86,350.07, and be it

FURTHER RESOLVED, that Resolution 105 of 1989, as amended by Resolutions 240 and 504 of 1990, 202 of 1991, 39 and 308 of 1992, 172 and 483 of 1993, 114 and 493 of 1994, 195, 283 and 458 of 1995, and 38 and 210 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 286

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

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH HARRY BROWN PC SERVICES, FOR PURCHASE OF SOFTWARE FOR DRUG AWARENESS CENTER

WHEREAS, the Director of the Drug Awareness Center requests authorization for an agreement with Harry Brown PC Services for the purchase of TX Tools Clinical Software which includes twenty (20) hours of on-site

training, phone support and software installation/programming/customization at a cost not to exceed \$5,000, and

WHEREAS, said services are necessary to automate the alcohol/drug treatment case record documentation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Harry Brown PC Services, 24 Depot Street, P.O. Box 595, Antwerp, New York, 13608, for TX Tools Clinical Software which includes twenty (20) hours of on-site training, phone support and software installation/programming/customization, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470062.4359.102975 (Computer Software), and be it

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

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

RESOLUTION NO. 287

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE BROOME COUNTY CHAMBER OF COMMERCE TO ACT AS THE AGENCY IN BROOME COUNTY FOR TOURISM AND CONVENTION PROMOTION FOR 1997

WHEREAS, this County Legislature, by Resolution 298 of 1995, authorized the Broome County Chamber of Commerce to act as the agency in Broome County for tourism and convention promotion for calendar year 1996, and

WHEREAS, it is desired at this time to authorize the Broome County Chamber of Commerce to be the tourism and convention promoter for Broome County for 1997 so that appropriate applications may be filed timely for New

York State grant monies, now, therefore, be it

RESOLVED, that this County Legislature hereby names and authorizes the Broome County Chamber of Commerce to be the tourism and convention promoter for Broome County for calendar year 1997, and be it

FURTHER RESOLVED, that the Broome County Chamber of Commerce is hereby authorized to make application for any grants from the State of New York for tourism and convention promotion in Broome County, and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to enter into agreement(s) with the Broome County Chamber of Commerce to provide tourism and convention promotion in Broome County, subject to funding sources and matching funds by the Broome County Chamber of Commerce, and be it

FURTHER RESOLVED, that upon approval of said grants, the County Executive is authorized to execute any agreements, documents, or papers, approved by the Department of Law, necessary to carry out the intent and purpose of this resolution, and be it

FURTHER RESOLVED, that the Broome County Chamber of Commerce shall submit a quarterly written report to this Legislature as to the disposition of said grant monies.

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

RESOLUTION NO. 288

by FINANCE, HEALTH SERVICES, and PUBLIC WORKS COMMITTEES
Seconded by Mr. Wike

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF HEALTH AND HIGHWAYS

RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds for personnel service lines to cover cost associated with administrative chargebacks, clinic supplies, data processing, audit expenses and travel, as requested by BT# 10737 and 10738, 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:				
480368	1000	102964	Salaries, Full-time	\$8,424
480368	4459	102964	Reserve for Program	\$
812				
480368	8060	102964	Health Insurance	\$ 800

<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
TO :				
480368	4363	102964	Medical, Lab & Clinic Supplies	\$5,413
480368	4609	102964	Data Processing	\$ 600
480368	4627	102964	Single Audit Chargeback	\$1,832
480368	4461	102964	Mileage, Parking Location	\$ 279
480368	4462	102964	Travel, Hotel, Meals	\$ 533
480368	4319	102964	General Office Expense	\$ 579
480368	8063	102964	Disability Insurance	\$ 800

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds for temporary help needed while employee is on leave of absence, as requested by BT# 102247, 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:				
480293	4461	101000	Local Mileage	\$ 898

TO :
480228 1600 101000 Salaries, Temporary \$
898

and be it

FURTHER RESOLVED, that in accordance with a request from Highways, in order to provide funds for extraordinary expenses for snow removal, as requested by BT# 9916, 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>Title</u>	<u>Amount</u>

FROM:

080028	1600	301000	Salaries, Temporary	
				\$10,000

TO :

080028	4305	301000	Snow Removal Materials	\$
1,030				
080028	4449	301000	Other Operations	\$ 8,970

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

RESOLUTION NO. 289

by EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEES

Seconded by Mr. Miller

RESOLUTION AUTHORIZING AGREEMENT WITH FORESTATE, FOR FOREST MANAGEMENT AND LOGGING PROJECT AT AQUA-TERRA PARK

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with Forestate for the Forest Management and Logging Project at Aqua-Terra Park, and

WHEREAS, said services are necessary to conduct the Forest Management and Logging Project at Aqua-Terra Park, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Forestate, P.O. Box 522, Waverly, New York, 14892, for logging services, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall be compensated at a rate not to exceed fifteen percent (15%) of the amount paid upon sale of logging rights for said project, and be it

FURTHER RESOLVED, that the revenues received by the County hereinabove authorized shall be credited to budget line 541003.0205.101000 (Sale of Scrap & Excess Materials), and be it

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

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

RESOLUTION NO. 290

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK, SIXTH JUDICIAL DISTRICT, FOR COURT SECURITY SERVICES FOR 1996 THROUGH 1997

WHEREAS, this County Legislature, by Resolution 329 of 1995, 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 \$367,000, and

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

WHEREAS, said agreement expired by its terms on March 31, 1996, and

REGULAR SESSION OF JULY 18, 1996

it is desired at this time to renew said agreement for the period April 1, 1996 through March 31, 1997, on substantially similar terms and conditions with an increase in revenue, 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 District, State Office Building, Hawley Street, Binghamton, New York, for court security services for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the United Court System of the State of New York, Sixth District, shall pay to the County of Broome the sum of \$388,000 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 revenue realized pursuant to such agreement shall be credited to 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-18, Nays-0, Absent-1 (Hudak)

RESOLUTION NO. 291

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PENNSYLVANIA INSTITUTIONAL HEALTH SERVICES, INC., (P.I.H.S.) FOR PROFESSIONAL HEALTH SERVICES FOR THE BROOME COUNTY JAILS FOR 1996 THROUGH 1997

WHEREAS, this County Legislature, by Resolutions 328 of 1995 and 117

of 1996, 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 August 1, 1995 through July 31, 1996, at a cost of \$657,480, and

WHEREAS, said services are necessary to provide health services for the Broome County Correction Facility and to comply with the minimum standards for such services prescribed by law, and

WHEREAS, said agreement expires by its terms on July 31, 1996, and it is desired at this time to renew said agreement for the period August 1, 1996 through July 31, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Pennsylvania Institutional Health Services, Inc., (P.I.H.S.), Office Court of Harrisburg, 4755 Linglestown Road, Building 100, Suite 102, Harrisburg, Pennsylvania, 17112, for professional medical services for the period August 1, 1996 through July 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor, at a base cost of \$678,425 plus an additional allowance for per diem charges and catastrophic medical expense in the sum of \$50,000, total cost not to exceed \$728,425 for the term of this agreement, and be it

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

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

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

RESOLUTION NO. 292

by COMMUNITY & SOCIAL SERVICES, PERSONNEL, and FINANCE COMMITTEES

Seconded by Mr. Wike

REGULAR SESSION OF JULY 18, 1996

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 1996 THROUGH 1997

WHEREAS, this County Legislature, by Resolution 324 of 1995, authorized and approved the Federal Even Start Family Literacy Program Grant through the Binghamton City School District and adopted a program budget in the amount of \$36,000 for the period September 1, 1995 through August 31, 1996, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1996 through August 31, 1997, in the amount of \$40,184, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$40,184 from the Federal Even Start Family Literacy Program through the Binghamton City School District for the period September 1, 1996 through August 31, 1997, 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 \$40,184 for the period September 1, 1996 through August 31, 1997, and be it

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

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

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

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

RESOLUTION NO. 293

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC., FOR FOSTER FAMILY PERSONAL CARE SERVICES FOR ADULTS FOR 1993

WHEREAS, this County Legislature, by Resolution 251 of 1992, authorized an agreement with Family and Children's Society of Broome County, Inc., for various services in connection with the Department of Social Services Foster Family Care Program at a cost of \$922.86 per month per client, \$30.76 per day for fractions of a month per client, for the period January 1, 1991 through December 31, 1992, and

WHEREAS, New York State has recently completed the process for determination of the medicaid reimbursement rates and has established the 1993 rates, and

WHEREAS, said agreement expired by its terms on December 31, 1992, and it is desired at this time to renew said agreement for the period January 1, 1993 through December 31, 1993, on substantially similar terms and conditions with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York, 13905, for personal care services in connection with the Department of Social Services Adult Foster Care Program for the period January 1, 1993 through December 31, 1993, subject to New York State approval and Broome Legislative approval of the revised 1993 rates, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$1,038.35 per month per client, \$33.61 per day for fractions of a month per client, and be it

FURTHER RESOLVED, that the requested rates will continue until such a time as a new rate is approved by New York State, and be it

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

REGULAR SESSION OF JULY 18, 1996

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

Carried. Ayes-16, Nays-2 (Kavulich & Whalen), Absent-1 (Hudak)

RESOLUTION NO. 294

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF PRETRIAL RELEASE PROGRAM GRANT FOR THE PROBATION DEPARTMENT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996

WHEREAS, this County Legislature, by Resolution 273 of 1995, authorized the continued participation by the Probation Department in the Pretrial Release Program for the period July 1, 1995 through June 30, 1996, and adopted a program budget in connection therewith in the total amount of \$78,311, and

WHEREAS, it is necessary at this time to revise said program budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Pretrial Release Program for the period July 1, 1995 through June 30, 1996, in the total amount of \$78,311, 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 \$78,311 for the period July 1, 1995 through June 30, 1996, and be it

FURTHER RESOLVED, that Resolution 273 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-18, Nays-0, Absent-1 (Hudak)

RESOLUTION NO. 295

by ENVIRONMENT and FINANCE COMMITTEES Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH GERAGHTY AND MILLER FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE COLESVILLE LANDFILL REMEDIATION

WHEREAS, this County Legislature, by Resolutions 308 of 1995 and 131 of 1996, authorized an agreement with Geraghty and Miller for professional engineering services associated with the Colesville Landfill Remediation, at a cost of \$221,640, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the agreement for an additional six (6) months and to reflect an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Geraghty and Miller, 125 East Bethpage Road, Plainview, New York, 11803, for professional engineering services associated with the Colesville Landfill Remediation, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$61,168, (total additional amount not to exceed \$122,336), with GAF Corporation paying an equal share, for a total contract amount of \$343,976 for the term of this agreement, and be it

REGULAR SESSION OF JULY 18, 1996

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4746.501262 (Engineering Services), and be it

FURTHER RESOLVED, that Resolutions 308 of 1995 and 131 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 296

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE VILLAGE OF ENDICOTT FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL AT THE VILLAGE SEWAGE TREATMENT PLANT FOR 1996 THROUGH 1998

WHEREAS, this County Legislature, by Resolution 359 of 1994, authorized an agreement with the Village of Endicott for treatment of leachate from the Nanticoke Landfill at the Village's Sewage Treatment Plant at a cost of \$15.00 per 1,000 gallons of leachate treated, with the total payments during each year of the agreement not to exceed \$200,000, and

WHEREAS, said agreement expires by its terms on August 20, 1996, and it is desired at this time to renew said agreement for the period August 21, 1996 through August 20, 1998, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Village of Endicott, 1009 East Main Street, Endicott, New York, 13760, for treatment of leachate from the Nanticoke Landfill for the period August 21, 1996 through August 20, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$18.00 per 1,000 gallons of leachate treated,

total cost not to exceed \$250,000 for each year of the agreement for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4449.206000 (Other Operational Expenses), and be it

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

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

RESOLUTION NO. 297

by ENVIRONMENT COMMITTEE

Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE GRANT-IN-AID FOR RESOURCE RECOVERY AND/OR SOURCE SEPARATION/RECYCLING EQUIPMENT FOR A MUNICIPAL SOLID WASTE MANAGEMENT PROJECT AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPLICABLE LAWS OF THE STATE OF NEW YORK WITH REGARD TO THE PURCHASE OF LEAF AND YARD WASTE COMPOSTING EQUIPMENT

WHEREAS, the State of New York provides financial aid for resource recovery equipment, source separation equipment, or both, for the implementation of small scale, low technology approaches to resource recovery; and

WHEREAS, the County of Broome herein called the "Municipality" has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application under these laws with regard to the purchase of leaf and yard waste composting equipment; and

WHEREAS, it is necessary that a contract be entered into by and between the People of the State of New York, herein called the "State", and the Municipality be executed for such State aid; now, therefore, be it

REGULAR SESSION OF JULY 18, 1996

RESOLVED, that this County Legislature authorizes the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative agrees it will fund its portion of the cost of said solid waste management project, and be it

FURTHER RESOLVED, that the County is directed and authorized as the official representative of Broome County to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State, and be it

FURTHER RESOLVED, that five certified copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York, 12233-4015, together with a complete application.

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

RESOLUTION NO. 298

by ENVIRONMENT COMMITTEE

Seconded by Mr. Wike

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS "LEAD AGENCY" WITH RESPECT TO THE ENVIRONMENTAL REVIEW FOR THE PROPOSED DEVELOPMENT OF A NEW LANDFILL AND A SOLID WASTE COMPOSTING SYSTEM AND RENDERING A "POSITIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to undertake the development of two possibly interrelated but separate activities a new landfill and a solid waste composting system, and

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

WHEREAS, this County Legislature has determined that it is the agency

with the broadest governmental powers for investigation of the impact of the proposed action and has the greatest capabilities for providing the most thorough environmental assessment of the project, and

WHEREAS, this project is a Type I action as defined in 6 NYCRR 617.6(a)(iv), and

WHEREAS, this action is not located in an Agricultural District, and

WHEREAS, the development of a new landfill and a solid waste composting system 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 development of a new landfill and a solid waste composting system, and be it

FURTHER RESOLVED, that the Division of Solid Waste Management is hereby directed to take all steps necessary to initiate a "coordinated review" of this project in accordance with the State Environmental Quality Review Act, 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 proposed development of a new landfill and a solid waste composting system will have a significant effect on the environment, and be it

FURTHER RESOLVED, that upon this County Legislature having acquired Lead Agency status, this County Legislature hereby authorizes the filing of the "Positive Declaration" annexed hereto as "Exhibit A".

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

RESOLUTION NO. 299

by TRANSPORTATION COMMITTEE

Seconded by Mr. Wike

**RESOLUTION AUTHORIZING ACCEPTANCE OF DONATED
COMPUTER EQUIPMENT FROM THE NEW YORK STATE
DEPARTMENT OF TRANSPORTATION**

WHEREAS, the New York State Department of Transportation has

REGULAR SESSION OF JULY 18, 1996

offered to donate to the Broome County Department of Public Transportation one (1) IBM personal computer with monitor, keyboard, modem, printer, and software, without cost to the County, and

WHEREAS, the Commissioner of Public Transportation requests authorization to accept such property for the use of the Department of Public Transportation, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes the acceptance of one (1) IBM personal computer and related equipment and software from the New York State Department of Transportation for the use of the Broome County Department of Public Transportation, and be it

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

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

RESOLUTION NO. 300

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEE

Seconded by Mr. Wike

RESOLUTION APPROVING REVISED BROOME COUNTY EMERGENCY MEDICAL SERVICES MUTUAL AID PLAN

WHEREAS, the Director of Emergency Services has requested approval of a revised Broome County Emergency Medical Services Mutual Aid Plan pursuant to Section 3010 of the Public Health Law, and

WHEREAS, said Mutual Aid Plan has been approved by the Susquehanna Regional Emergency Medical Services Council, and

WHEREAS, said Mutual Aid Plan has been approved by the Broome County Emergency Medical Services Advisory Board, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the Broome County Emergency Medical Services Mutual Aid Plan, a copy of which has been placed on file with the Clerk of the County Legislature, 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, as approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

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

RESOLUTION NO. 301

by FINANCE COMMITTEE

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AN AGREEMENT WITH 81 FRONT STREET DEVELOPMENT, LLC, FOR THE CONVEYANCE OF REAL PROPERTY COMMONLY KNOWN AS THE "GARDEN PLOTS".

WHEREAS, the County is the owner of real property on Upper Front Street in the Town of Dickinson commonly known as the Garden Plots, and

WHEREAS, the County has received an offer from 81 Front Street Development, LLC, to purchase the Garden Plots, and

WHEREAS, the County has determined that it is willing to sell the Garden Plots, now, therefore, be it

RESOLVED, that this County Legislature authorizes an agreement with 81 Front Street Development, LLC, having offices at 500 S. Salina Street, Syracuse, New York, 13202, for the sale of 15± acres of County owned property in the Town of Dickinson having Tax Map No. 17-S3 commonly known as the Garden Plots, and be it

FURTHER RESOLVED, that in consideration of said sale, the purchaser shall pay the County \$950,000, less any costs incurred for road improvements at the proposed entrances to the Garden Plots and the new Public Safety Facility, provided that these costs do not exceed an amount to be negotiated between the County and the developer, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 340000.0212.101000 (Sales of Real Property), and be it

FURTHER RESOLVED, that the County agrees to waive the requirement, pursuant to agreement with the Town of Dickinson, that 60% of the property be retained in a natural state, and be it

FURTHER RESOLVED, that the County Executive or his duly

REGULAR SESSION OF JULY 18, 1996

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. 302

by FINANCE and PERSONNEL COMMITTEES
Mr. Wike

Seconded by

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE WILLOW POINT NURSING HOME

RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-394, this County Legislature hereby authorizes the **creation** of one (1) part-time Account Clerk Typist position at budget line WC160010.1500, minimum salary \$7.1736/hr (Annual \$14,096), Grade 7, Union Code 08 (CSEA), effective July 29, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-409, this County Legislature hereby authorizes the **creation** of one (1) full-time Senior Account Clerk position at budget line WC160010.1000, minimum salary \$15,690, Grade 9, Union Code 04 (CSEA), effective July 29, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-410, this County Legislature hereby authorizes the **freezing** of one (1) full-time Fiscal Manager position at budget line WC160010.1000, minimum salary \$24,911, Grade 17, Union Code 07 (BAPA), effective July 29, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for the above positions, as requested by BT# 10422 and 10424, 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:				

160010	1000	204000	Salaries, Full-Time	\$6,817
160010	1600	204000	Salaries, Temporary	\$4,811
160010	8010	204000	State Retirement	\$ 291
160010	8030	204000	Social Security	\$ 655
160010	8040	204000	Workers' Compensation	\$ 359
160010	8063	204000	Disability Insurance	\$ 112

TO :

160028	1000	204000	Salaries, Full-time	\$8,551
160010	1500	204000	Salaries, Part-time	\$3,077
160028	8010	204000	State Retirement	\$ 291
160028	8030	204000	Social Security	\$ 655
160028	8040	204000	Workers' Compensation	\$ 359
160028	8063	204000	Disability Insurance	\$ 112

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

RESOLUTION NO. 303

by EDUCATION, CULTURE, RECREATION & FINANCE COMMITTEES
Seconded by Mr. Miller

**RESOLUTION ADOPTING THE BUDGET FOR BROOME
COMMUNITY COLLEGE FOR 1996 THROUGH 1997**

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, 1996 and ending August 31, 1997, and

WHEREAS, the Broome Community College Board of Trustees expects

REGULAR SESSION OF JULY 18, 1996

to receive grant monies in the amount of \$2,503,313 for the year commencing September 1, 1996 and ending August 31, 1997, and

WHEREAS, on July 18, 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 \$29,001,430 be and hereby is adopted for said Broome Community College for the year commencing September 1, 1996 and ending August 31, 1997, 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 \$2,667 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, 1996 through August 31, 1997

	Operating Budget (Unrestricted)	Grant Activities (Restricted)	<u>Totals</u>
Appropriations:	\$ 26,498,117	\$ 2,503,313	\$ 29,001,430
Estimated Revenues:			
Various Grant Revenues		\$ 2,503,313	\$ 2,503,313
Misc. Offsets to Expenses	\$ 1,441,360		1,441,360
State Aid	\$ 7,963,118		7,963,118
Student Tuition	9,409,975		9,409,975
Sponsors' Support:			

Broome's Contribution	4,690,393	4,690,393
Other Counties	1,414,895	1,414,895
Out-of-State Tuition	583,000	583,000
Appropriated Fund Bal.	<u>995,376</u>	<u>995,376</u>

Total Revenues: \$ 26,498,117 \$ 2,503,313 \$ 29,001,430
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-18, Nays-0, Absent-1 (Hudak)

RESOLUTION NO. 304

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JOHNSON & HIGGINS FOR THE BROOME COUNTY PROPERTY AND LIABILITY PROGRAM FOR 1996 THROUGH 1997

WHEREAS, this County Legislature, by Resolution 309 of 1995, and amended by Resolutions 278 and 279 of 1996, authorized an agreement with Johnson & Higgins to provide insurance coverage of various kinds for the period July 1, 1995 through July 31, 1996, and

WHEREAS, said agreement expires by its terms on July 31, 1996, and it is desired at this time to renew said agreement for the period August 1, 1996 through July 31, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Johnson & Higgins, 1700 Midtown Tower, Rochester, New York, 14604, whereby said firm will provide the following coverages for fees not to exceed the sums indicated:

(1995/1996)	Aviation	\$38,802 (1996/1997)	\$34,048
(1995/1996)	Property (NTE)	\$69,000 (1996/1997)	\$68,021

for the period August 1, 1996 through July 31, 1997, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050062.4521.307000 (Insurance Premium), and be it

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

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

RESOLUTION NO. 305

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Augostini

RESOLUTION AUTHORIZING THE WAIVING OF THE TIME REQUIREMENTS OF SECTION 76-4(c)(1) OF THE BROOME COUNTY CHARTER AND CODE.

WHEREAS, Section 76-4(c)(1) of the Broome County Charter and Code requires that municipalities participating in the Broome County Workers' Compensation Self-Insurance Program file a certified copy of a resolution by July 1st of each year with the Clerk of the Legislature if they wish to withdraw from the Plan, and

WHEREAS, the Town of Chenango adopted a resolution on June 19, 1996, withdrawing from the Broome County Workers' Compensation Self Insurance Plan, and

WHEREAS, the certified copy of the resolution was not filed with the County until July 11, 1996, and

WHEREAS, the County is willing to waive the July 1, 1996, deadline for the Town of Chenango for the purpose of this request to withdraw from the Workers' Compensation Self-Insurance Plan, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the acceptance of the Town of Chenango's request to withdraw from the Broome County Workers' Compensation Self-Insurance Plan which was filed on July 11, 1996, and be it

FURTHER RESOLVED, that the time limits of Section 76-4(c)(1) of the Broome County Charter and Code are hereby waived for this request, and be it

FURTHER RESOLVED, that the Town of Chenango will be permitted to withdraw from the Workers' Compensation Self-Insurance Plan effective January 1, 1997, and be it

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

Carried. Ayes-17, Nays-1 (Coffey), Absent-1 (Hudak)

Mr. Lindsey moved, seconded by Mr. Pasquale to **adjourn** at approximately 4:38 P.M.

The adjournment **carried.** Ayes-18, Nays-0, Absent-1 (Hudak)