

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
SEPTEMBER 19, 1996**

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-18, Absent-1 (Mr. Mather)

The Chair, Mr. Shafer, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by an invocation given by The Rev. Franklyn P. Cism, Jr., retired pastor of the Hale Eddy United Methodist Church.

Mr. Howard moved, seconded by Mr. Pasquale that the minutes of the Regular Session of August 15, 1996, be approved as prepared and presented by the Clerk. **Carried.** Ayes-18, Nays-0, Absent-1 (Mather)

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

**PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES  
& REPORTS:**

**COMMUNICATIONS:**

1. Minutes from:

- a. Willow Point Nursing Facility
- b. Emergency Medical Services
- c. Binghamton Regional Airport
- d. Environmental Management Council
- e. EMC Solid Waste Committee and Nanticoke Landfill Task Force
- f. EMC Ad Hoc Committee on Alternative Transportation and  
BMTS Bicycle and Pedestrian Plan Advisory Committee

- g. Soil and Water Conservation District
- h. Industrial Development Agency (minutes and various materials)

2. Resolutions: (Rejoining Broome County Workers' Compensation Plan)

- |                        |                     |
|------------------------|---------------------|
| a. Town of Sanford     | e. Town of Chenango |
| b. Village of Endicott | f. Town of Lisle    |
| c. Town of Vestal      | g. Town of Barker   |
| d. Town of Binghamton  | h. Town of Windsor  |

3. Copy of letter from County Clerk, Richard A. Hogan, adding the "Reporter" to list of designated newspapers (publication of Notice of Newly Filed Limited Liability Companies).

4. Copy of memorandum from County Comptroller to Personnel Department (interpretation of Administrative Rules, Article 10, Section 1b regarding vacation time payments).

5. Letters from Travellers Hotels (NY), Inc. regarding offer to purchase 3 acres of land known as "Garden Plots".

NOTICES: Debra Lynn Ackerman (on behalf of Bohdan Morelock, infant) against Broome County  
David W. Bogart against County of Broome

REPORTS:

1. Monthly Report: Department of Social Services (April 1996).
2. Broome Community College: Quarterly Income Statements and Balance Sheets.
3. Department of Audit and Control:
  - a. Mental Health Audit
  - b. Personal Computer Applications Audit
  - c. H. M. Stevens, Inc., (Aramark Contract CA50-29)

d. Court Assigned Counsel Audit

4. Ross Park Zoo: Activity Report January through June 1996.

5. Broome County Arts Council: Second Quarterly Report.

6. Environmental Directory (Environmental Management Council).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY  
LEGISLATURE

PRESENTATION: The Chair asked Mr. Burger to assist in recognizing the 25th. Anniversary of the Environmental Management Council. Mr. Burger presented the following proclamation to the Chairman of the EMC:

**BROOME COUNTY PROCLAMATION**

**25TH ANNIVERSARY - BROOME COUNTY  
ENVIRONMENTAL MANAGEMENT COUNCIL**

**WHEREAS**, the Broome County Environmental Management Council was established on September 21, 1971, by the Broome County Legislature and was created to advise and inform the County Executive, Legislature, and municipal officials on local environmental issues and concerns, and

**WHEREAS**, the Environmental Management Council has effectively applied its services for the benefit of Broome County residents by keeping the County at the forefront of the effort to address environmental challenges such as natural resource protection, and solid and hazardous waste management, and

**WHEREAS**, the Environmental Management Council and its members are to be commended for addressing environmental issues and

conditions, and are deserving of public acknowledgment for many years of outstanding service to protect and enhance the local environment, and

**WHEREAS**, September 21, 1996 represents a very special day in Broome County marking 25 years of continual service by the Environmental Management Council, and

**WHEREAS**, it is most fitting and proper for the Broome County Legislature to recognize the contributions of the Environmental Management Council for the valuable service which it has provided to the community

**NOW THEREFORE**, I, Arthur J. Shafer, Chair of the Broome County Legislature, do hereby recognize September 21, 1996 as the 25th Anniversary of the Broome County Environmental Management Council and urge the entire Broome County community to join us in recognition of this noteworthy occasion.

Following receipt of the proclamation, Frank Cardullo, Chair of the Environmental Management Council made the following remarks:

**REMARKS TO THE BROOME COUNTY LEGISLATURE:**

Mr. Chairman and members of the legislature I, on behalf of the members of the Broome County Environmental Management Council (EMC), thank you for this proclamation. We are proud of our record as "one of the most effective of the thirty-four EMC's in New York State". I would like to take this opportunity to acquaint you with some of the activities of your EMC.

As you know, the Broome County Environmental Management Council is celebrating its 25th year of serving as County government's citizens advisory board on local environmental matters. Over the years, our volunteers and staff have conducted public education programs,

offered advisory resolutions, and published a small library of reports, plans and technical papers. Our most significant accomplishments include spearheading County recycling and holding the first Pesticides Clean-Up Day in New York State. Current topics of concern to the EMC are solid waste composting, landfill impacts, bicycle and pedestrian access, redevelopment of old industrial sites and natural resource protection. We are also involved in several hands-on volunteer projects such as sponsoring ten riverbank clean-up events since 1990, storm drain stenciling and the annual Earth Day Celebration. A testimony to our perceived value to the municipalities is that when the Town of Conklin wanted to have the leachate from its old dump treated by the Binghamton Johnson City Sewage Treatment Facility, the Commissioner stated that he would accept the leachate if the EMC and the County Health Department approved of the plan.

The EMC played a major role in the development and implementation of the household hazardous waste facility and the development of the composting facility at the County's landfill. Another major solid waste project was the spearheading of the County recycling program. As early as 1984, the EMC called for mandatory source separation of recyclables. Through the pilot recycling projects in Vestal, Chenango and Endicott in 1986, the EMC initiated the first county-run recycling program in New York State. These pilot projects showed that curbside recycling was viable county-wide. This has led to one of the most successful recycling programs in New York State.

The EMC considers one of its most important functions to be environmental education. Towards that end, we have provided training seminars and individual consultations on environmental review laws for county departments and municipal planning and zoning officials. We have also established a speakers bureau for the purpose of providing speakers to any school, club, municipality or county agency on many environmental issues.

Recently, we have joined with faculty at the State University of New York at Binghamton, the EDA and NYSEG to prepare a grant proposal to the US EPA on the subject of sustainable economic development and "brownfields". The latter of these refers to utilizing abandoned facilities in preference to destroying open spaces.

The EMC has had a significant workload over the past several years which has been shared by the staff and the volunteers. Last year, EMC volunteers contributed a total of 5810 hours. This year we have suffered the loss of a full-time staff person. This has had a measurable impact on our work plan. While the volunteers perform a large percentage of the work, staff direction and coordination is essential for these activities to be successful. In our 1997 budget request we have included the restoration of one-half of the lost position. We sincerely hope the legislature will give this request serious consideration. Claudia and I would be pleased to meet with the appropriate committees to discuss this request.

In closing, I wish to again thank you for the honor you have bestowed upon us. I would also like to take this opportunity to publicly acknowledge the indefatigable efforts of our volunteers and especially those of our Staff Director, Claudia Stallman. It is my sincere belief that her excellent organizational skills and her attention to detail, as well as her knowledge of environmental issues provide the glue to keep us together and the oil to keep us functioning smoothly.

I once again thank you for your indulgence. Good afternoon.

Frank M. Cardullo, Chairman - Broome County Environmental Management Council

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 (Mather)

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

Mr. Cahill and Mr. Pasquale were designated by the Chair as participants in the 'short roll call' for the session.

Mr. Howard seconded the preferred agenda.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION of  
AUGUST 15, 1996

**RESOLUTION NO. 313** (heldover by Mrs. Coffey)  
by THE FINANCE AND PUBLIC WORKS COMMITTEES  
**AUTHORIZING ACQUISITION OF PROPERTY ON FRONT  
STREET, TOWN OF DICKINSON, FROM R. G. INGERSOLL  
WAITE**

The resolution **Lost.** Ayes-2 (Coffey & Whalen), Nays-16, Absent-1 (Mather)

**RESOLUTION NO. 328** (heldover by Mr. Miller)  
by THE EDUCATION, CULTURE & RECREATION AND FINANCE  
COMMITTEES

**AUTHORIZING AGREEMENT WITH SYRACUSE SUPPLY CO. FOR LEASE FOR TRACK LOADER**

The resolution was **withdrawn** at the request of the sponsoring committees.

**RESOLUTION NO. 334** (heldover by Mr. Pasquale)  
by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES  
**AUTHORIZING THE HIRING OF COUNSEL WITH RESPECT TO PENDING LITIGATION**

The resolution **carried**.

Ayes-15, Nays-3 (Coffey, Kavulich & Pasquale), Absent-1 (Mather)

RESOLUTIONS INTRODUCED AT THIS SESSION

**RESOLUTION NO. 339**  
by FINANCE AND PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEES  
Seconded by Mr. O'Day  
**A RESOLUTION AUTHORIZING AN AGREEMENT WITH MRB/GROUP ENGINEERING ARCHITECTURAL AND SURVEYING, P.C. WITH REGARD TO THE COURT FACILITIES PROJECT AND ESTABLISHING A SPECIAL 'GOVERNMENT FACILITIES CONSOLIDATION COMMITTEE' OF THE COUNTY LEGISLATURE TO DIRECT, MONITOR AND REPORT ON THE PROGRESS OF THE PROJECT.**

WHEREAS, Broome County is interested in leasing space for a

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court facility and establishing a special committee of the legislature to direct, monitor and report on the progress of this effort, and

WHEREAS, the MRB/Group Engineering, Architecture and Surveying, P.C. is the county's engineer of record in developing a court facility in compliance with the New York State Office of Court Administration; and

WHEREAS, this County Legislature is desirous of retaining the MRB/Group for Phase I Services (per the attached scope of services) at a fee not to exceed \$70,000, now, therefore, be it

RESOLVED, that this County Legislature hereby establishes a special 'Government Facilities Consolidation Committee' comprised of:

The County Executive (or his designated representative,

The Chairman of the County Legislature (or his designated representative,

The Majority Leader of the County Legislature (or his designated representative,

The Minority Leader of the County Legislature (or his designated representative,

and a legislator to be named by the Chairman, to direct, monitor and report on the progress of this leasing effort, and hereby authorizes an agreement with MRB Group for Phase I Services as set forth on the attached scope of services, and be it

FURTHER RESOLVED, that any contract executed between the County and the MRB/GROUP shall acknowledge the right of the above referenced committee to direct the consultant, monitor the project and report its findings to the Legislature as may be required, and be it

FURTHER RESOLVED, that in consideration of said services the

County shall pay the contractor an amount not to exceed \$70,000, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from 1997 appropriations, and be it

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

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

**RESOLUTION NO. 340**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**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, 210 and 285 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 \$86,350.07, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Ongoing Child Abuse Prevention and Education Grant

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program in the total amount of \$88,765.36, 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 \$88,765.36, 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, 210 and 285 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 (Mather)

**RESOLUTION NO. 341**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AMENDMENT OF LEASE AGREEMENT WITH COURT AND HENRY STREET DEVELOPMENT, INC., FOR THE COUNTY CLERK'S DEPARTMENT OF MOTOR VEHICLES BINGHAMTON**

**OFFICE PREMISES FOR THE COUNTY CLERK'S OFFICE FOR 1995 THROUGH 1999.**

WHEREAS, this County Legislature, by Resolution 532 of 1994, authorized an agreement with Court and Henry Street Development, Inc., for the County Clerk's Department of Motor Vehicles Binghamton office premises, at a cost of \$34,450 per year for the period January 1, 1995 through December 31, 1999, and

WHEREAS, it is necessary to authorize the amendment of said agreement for the period January 1, 1996 through December 31, 1996, to authorize an increase for calendar year 1996 in order to pay construction costs necessary to upgrade security and enlarge public area, said increase in costs to be reimbursed by a New York State grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Court and Henry Street Development, Inc., for the County Clerk's Department of Motor Vehicles Binghamton office premises for the period January 1, 1995 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$45,436 for the period January 1, 1996 through December 31, 1996, said increased costs for construction services and materials to be reimbursed by a New York State grant, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300061.4422.104044 (Building and Land Rental), and be it

FURTHER RESOLVED, that Resolution 532 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

**RESOLUTION NO. 342**

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING AGREEMENT WITH BINGHAMTON GIANT MARKET, INC., FOR THE PURCHASE OF LAND AND WILLIAM H. LANE, INC., FOR CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A NEW LIBRARY.**

WHEREAS, the County of Broome and the City of Binghamton are desirous of constructing a new Central Library Building, and

WHEREAS, it has been determined that the property at 177 Court Street in the City of Binghamton, New York, is the appropriate location for the new Central Library Building, and

WHEREAS, the County of Broome and the City of Binghamton are willing to purchase the property at 177 Court Street from Binghamton Giant Market, Inc., for the new Central Library, and

WHEREAS, the County of Broome and the City of Binghamton are desirous of obtaining construction management services during the construction phase of the Library project, and

WHEREAS, the County of Broome and the City of Binghamton are willing to retain William H. Lane, Inc., as construction manager on the Library project, now, therefore, be it

RESOLVED, that this County Legislature and the City Council of the City of Binghamton do hereby authorize an agreement with Binghamton Giant Market, Inc., for the acquisition of real property at 177 Court Street in the City of Binghamton, New York, and be it

FURTHER RESOLVED, that in consideration of said purchase, the County of Broome and the City of Binghamton shall pay Binghamton Giant Market, Inc., 100 Oakdale Road, Johnson City, New York, 13790, an amount not to exceed \$1,500,000, sixty percent (60%) of which shall

be paid by the County of Broome and forty percent (40%) of which shall be paid by the City of Binghamton, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the 1996 Capital Project, L54 Central Library Property Acquisition, and be it

FURTHER RESOLVED, that this County Legislature and the City Council of the City of Binghamton do authorize an agreement with William H. Lane, Inc., Acre Place, Binghamton, New York, 13904, for construction management services in connection with the construction of a New Central Library, and be it

FURTHER RESOLVED, that in consideration of said services the County of Broome and the City of Binghamton shall pay the Contractor an amount not to exceed \$425,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the 1996 Capital Project, L53 Central Library Building Construction and will be shared between the County of Broome and the City of Binghamton with the County's share at sixty percent (60%) and the City's share at forty percent (40%), and be it

FURTHER RESOLVED, that the County Executive and the Mayor of the City of Binghamton or their duly authorized representatives are hereby 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 of this Resolution.

**Held over** under the 'Rules' by Mr. Augustini.

**RESOLUTION NO. 343**

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

**BOND RESOLUTION DATED SEPTEMBER \_\_\_\_, 1996.**

**A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY AND THE CONSTRUCTION THEREON OF A NEW LIBRARY FACILITY IN AND FOR THE COUNTY OF BROOME, NEW YORK, AT A MAXIMUM ESTIMATED COST**

**OF \$7,560,000, AND AUTHORIZING THE ISSUANCE OF \$4,536,000 SERIAL BONDS OF SAID COUNTY TO PAY THE COST THEREOF.**

BE IT RESOLVED, by the County Legislature of the County of Broome, New York, as follows:

Section 1. The acquisition of real property (\$1,500,000) and the construction thereon of a new library facility (\$6,060,000) in and for the County of Broome, New York, including grading or improvement of the site, original furnishings, equipment, machinery or apparatus for which such building is to be used, as well as other incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$7,560,000.

Section 2. SEQR DETERMINATION: It is hereby declared to be the intent of this County Legislature that the aforesaid project shall not commence until all steps have been taken under the New York State Environmental Quality Review Act ("SEQR") to ensure that the proposed project is in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process. Notwithstanding the foregoing, it is hereby further determined that no further resolution of this County Legislature shall be required in order to permit the issuance of obligations pursuant to this resolution once the proposed project has been determined to be in compliance with the provisions of SEQR.

Section 3. The plan for the financing of such maximum estimated cost is by the issuance of \$4,536,000 serial bonds of said

County, hereby authorized to be issued therefor pursuant to the Local Finance Law, and by collecting the City of Binghamton's share of the project costs of \$3,024,000 directly from the City, to be allocated among land acquisition and construction as set forth in Section 1 hereof.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid land acquisition is thirty years pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law, and the library facility, twenty years pursuant to subdivision 11(b) of said paragraph and section, each being a specific object or purpose.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized including renewals of such notes is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents and shall be sold in such manner as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt services, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.



Section 7. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money or,
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect upon its approval by the County Executive, shall be published in the Press & Sun-Bulletin, which is the only newspaper having circulation in said County for such

purpose, together with a notice of the Clerk of the Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

**Held over** under the 'Rules' by Mr. Augustini.

**RESOLUTION NO. 344**

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

**RESOLUTION AMENDING THE 1996 CAPITAL IMPROVEMENT PROGRAMS.**

WHEREAS, it has been widely recognized for decades that the nearly 100-year-old central library building located on Exchange Street in downtown Binghamton is severely overcrowded and in need of structural repair, and

WHEREAS, all Broome County Legislatures since 1986 have authorized and scheduled construction or lease of a replacement for the current library building in their adopted Capital Programs, and

WHEREAS, the physical condition of the building continues to decline and to be a cause of concern for the health and safety of the public and staff as well as a cause for concern for the preservation of the library's collections, a public asset that is worth millions of dollars and which is irreplaceable, and

WHEREAS, moving the central library to a new location is the most cost-effective alternative and further the proposed location on Court Street is the site that is able to provide the residents of Broome County the best value for the dollar as previously explained in various analyses, and

WHEREAS, wide community support for construction of a new central library building has been documented and already demonstrated by pledges of major support by area foundations and numerous local businesses, senior citizens, school children and community groups, now therefore be it

RESOLVED, that the 1996 Capital Improvement Program is hereby

amended as follows:

**Create:**

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS</u>		<u>Year</u>		<u>Period</u>
		<u>Code</u>	<u>Start</u>	<u>Use</u>	<u>Probable</u>	
L53	Central Library Building Construction	NA	1996			20

<u>Project Cost</u>	<u>Distribution of Costs:</u>		<u>County Sources:</u>		
	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$6,060,000	\$2,424,000*	\$0	\$3,636,000	\$3,636,000	\$0

**Project**

Description: Preparation of site, construction of an annex (approximately 30,000 Sq Ft) and renovation of an existing Class B building (approximately 30,000 Sq Ft) to consolidate operations, meet American with Disabilities Act mandates, preserve the County's literary and historical collections from theft and decomposition and enhance the safety of employees and public. No stated impact on operating budget.

\* City of Binghamton share is forty percent (40%) of project cost.

**Create:**

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS</u>		<u>Year</u>		<u>Period</u>
		<u>Code</u>	<u>Start</u>	<u>Use</u>	<u>Probable</u>	
L54	Central Library Property Acquisition	N/A	1996			30

<u>Project Cost</u>	<u>Distribution of Costs:</u>		<u>County Sources:</u>		
	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>

\$1,500,000    \$600,000\*            \$0            \$900,000            \$900,000  
 \$0

**Project**

Description: Acquisition of land and structures as necessary to allow construction of a new central library. No stated impact on operating budget.

\* City of Binghamton share is forty percent (40%) of project cost.

**Create:**

<u>Project Code</u>	<u>Project Title</u>	<u>Period</u>		<u>Probable</u>
		<u>FAMIS Code</u>	<u>Year Start</u>	
L52	Central Library Furniture and Equipment	N/A	1996	3

<u>Project Cost</u>	<u>Distribution of Costs: County Sources:</u>				
	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$2,500,000	\$2,500,000	\$0	\$0	\$0	\$0

**Project**

Description: To provide appropriations necessary to equip and furnish the new central library with total funding to be provided by gifts and donations and grants. No stated impact on operating budget.

**Held over** under the 'Rules' by Mr. Augustini.

**RESOLUTION NO. 345**

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS "LEAD AGENCY" WITH RESPECT TO THE CONSTRUCTION OF A NEW CENTRAL LIBRARY BUILDING AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

WHEREAS, it is necessary to undertake the construction of a new Central Library Building, and

WHEREAS, it has been proposed that the Central Library Building be constructed on a site located at 177 Court Street in the City of Binghamton, New York, and

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

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned construction, 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 construction of a new Central Library Building at 177 Court Street in the City of Binghamton, New York, 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 construction of a new Central Library

Building at 177 Court Street in the City of Binghamton, New York, will not have a significant effect on the environment, and be it

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

**Held over** under the 'Rules' by Mr. Augustini.

**RESOLUTION NO. 346**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AGREEMENT WITH VARIOUS VENDORS FOR THE HEALTH DEPARTMENT'S EDUCATION FOR HANDICAPPED CHILDREN'S PROGRAM FOR 1997.**

WHEREAS, the Dir. of Public Health requests authorization for an agreement with Joan Dubofsky for speech therapy services and Katherine Vladescu for educational evaluations and special education itinerant services for the Health Department's Educ. for Handicapped Children's Program for calendar year 1997, and

WHEREAS, said services are necessary to provide speech therapy services and educational evaluations and special education itinerant services to children for the Health Department Education for Handicapped Children's Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Joan Dubofsky, 23 Devon Boulevard, Binghamton, New York, 13903, for speech therapy services, for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Katherine Vladescu, 5 Elisabeth Lane, Binghamton, New York, 13903, for educational evaluations and special education itinerant services for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors an amount not to exceed New York

State set rates for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480202.4701.101000, 480202.4709.101000, 480202.4716.101000, 480285.4706.101000, and 480285.4715.101000 (Evals., Center, Home Based Services; Related Services, Seit, Itinerant), 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 (Mather)

**RESOLUTION NO. 347**

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF THE HEALTH DEPARTMENT HEALTHY NEIGHBORHOODS PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 374 of 1995, authorized and approved the Health Department Healthy Neighborhoods Program Grant and adopted a program budget in the amount of \$44,037.00 for October 1, 1995 through September 30, 1996, and

WHEREAS, said grant program assesses unmet health needs by outreach and target areas in Broome County and also provides staff support to the lead paint, injury control, and community sanitation programs in Broome County, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1996 through September 30, 1997, in the amount of \$45,866.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$45,866.00 from the New York State Health

Department Bureau of Community Sanitation and Food Protection for the Health Department Healthy Neighborhoods Program Grant for the period October 1, 1996 through September 30, 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 \$45,866.00 for the period October 1, 1996 through September 30, 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 (Mather)

**RESOLUTION NO. 348**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE REIMBURSEMENT OF CERTAIN COSTS FOR THE BROOME COUNTY HEALTH DEPARTMENT RABIES PROGRAM FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 593 of 1995, authorized an agreement with the New York State Department of Health



for reimbursement of certain costs for the Broome County Health Department Rabies Program for the period April 1, 1995 through March 31, 1996, with revenue to the County in an amount not to exceed \$10,000, and

WHEREAS, said agreement reimburses Broome County for certain costs incurred by the Broome County Health Department in its rabies program, including human treatment, specimen shipment and pet vaccination clinics, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect an increase in appropriations from New York State Department of Health, and,

WHEREAS, the Acting Public Health Director has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the New York State Department of Health for reimbursement of certain costs associated with the Broome County Health Department Rabies Program for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that the New York State Department of Health shall reimburse the County a maximum amount of \$12,261, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480160.0274.101000 (Rabies), and be it

FURTHER RESOLVED, that Resolution 593 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 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 (Mather)

**RESOLUTION NO. 349**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE REIMBURSEMENT OF CERTAIN COSTS FOR THE BROOME COUNTY HEALTH DEPARTMENT RABIES PROGRAM FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 593 of 1995, and by companion resolution, authorized an agreement with the New York State Department of Health for reimbursement of certain costs for the Broome County Health Department Rabies Program for the period April 1, 1995 through March 31, 1996, with revenue to the County for a maximum amount of \$12,261, and

WHEREAS, said agreement reimburses Broome County for certain costs incurred by the Broome County Health Department in its rabies program, including human treatment, specimen shipment and pet vaccination clinics, and

WHEREAS, said agreement expired by its terms on March 31, 1996, and 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, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the New York State Department of Health, Zoonoses Program, Corning Tower, Albany, New York, 12237, for reimbursement of certain costs associated with the Broome County Health Department Rabies Program for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that the New York State Department of Health shall reimburse the County a maximum amount of \$12,800, and be it

FURTHER RESOLVED, that the payments hereinabove authorized

shall be made from budget line 480160.0274.101000 (Rabies), 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 (Mather)

**RESOLUTION NO. 350**

by FINANCE and PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PETTY CASH FUND FOR SHERIFF'S DEPARTMENT DETECTIVE SECTION.**

WHEREAS, the Commissioner of Finance requests that this County Legislature establish a petty cash fund for the Sheriff's Department Detective Section, for use as a change fund, and

WHEREAS, the Commissioner of Finance has determined that such petty cash fund is warranted, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and authorizes the establishment of a petty cash fund in the amount of \$500.00 for the purchase of narcotics (as evidence) and payments to informants, and further authorizes the Commissioner of Finance to transfer \$500.00 to said fund, and be it

FURTHER RESOLVED, that the administration of said funds shall be in accordance with those rules and procedures governing the use of petty cash funds created by the County Comptroller including, but not limited to, the requirement that at all times the petty cash allowance be fully accounted for in the form of cash on hand, receipts and records.

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

**RESOLUTION NO. 351**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolutions 418 of 1995, 114 and 314 of 1996, authorized and approved the renewal of the Home Energy Assistance Program (HEAP) Grant and adopted a program budget in the amount of \$18,540 for the period October 1, 1995 through September 30, 1996, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1996 through September 30, 1997, in the amount of \$12,290, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$12,290 from the New York State Department of Social Services for the period October 1, 1996 through September 30, 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 \$12,290 for the period October 1, 1996 through September 30, 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

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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 (Mather)

**RESOLUTION NO. 352**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) SUBSIDY PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 420 of 1995, authorized and approved the renewal of the USDA Subsidy Program Grant and adopted a program budget in the amount of \$148,623 for the period October 1, 1995 through September 30, 1996, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1996 through September 30, 1997, in the amount of \$151,504, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$151,504 from the United States Department of Agriculture (USDA) for the period October 1, 1996 through September 30, 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 \$151,504 for the period October 1, 1996 through September 30, 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 (Mather)

**RESOLUTION NO. 353**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF CONGREGATE SERVICES INITIATIVE (CSI) PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolutions 529 of 1995 and 115 of 1996, authorized and approved the Congregate Services Initiative (CSI) Program Grant and adopted a program budget in the amount of \$3,443 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, said grant program provides for the description of the Congregate Services Initiative (CSI), transmittal of application materials and an allocation schedule for CSI, as well as providing instructions for completion of applications, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$3,315, now

therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,486 from the New York State Office for Aging for the period April 1, 1996 through March 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 \$3,315 for the period April 1, 1996 through March 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 (Mather)

**RESOLUTION NO. 354**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF THE FOSTER GRANDPARENTS - SOFA GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 421 of 1995, authorized and approved the renewal of the Foster Grandparents - SOFA Grant and adopted a program budget in the amount of \$20,269 for the

period April 1, 1995 through March 31, 1996, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$20,269, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,269 from the New York State Office for Aging for the period April 1, 1996 through March 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 \$20,269 for the period April 1, 1996 through March 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 (Mather)

**RESOLUTION NO. 355**

by FINANCE, HEALTH SERVICES, PUBLIC SAFETY &  
EMERGENCY SERVICES AND  
PERSONNEL COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR  
THE DEPARTMENTS OF HEALTH, WILLOW POINT**

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**NURSING HOME AND THE SHERIFF.**

RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds for unexpected shift differential expenses, as requested by BT# 10354, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1700	104056	Salaries, Overtime	
	\$	34			

TO :	480301	1900	104056	Salaries, Shift Differential	\$
	34				

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds for WIC Van repairs, local and non-local mileage for attendance at NYS training and meetings, as requested by BT# 10742, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480368	1000	102964	Salaries, Full-Time	
	\$2,500				
TO :	480368	4461	102964	Mileage & Parking Local	
	\$	400			
		480368	4462	Travel Hotel & Meals	\$
	396				
		480368	4616	Fleet Services	
	\$	704			

480368 4463            102964 Education & Training  
 \$1,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for out of title and temporary help employees between index codes, as requested by BT# 10426 and 10427, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160119	1000	204000	Salaries, Full-time	
					\$ 3,829
	160077	1000	204000	Salaries, Full-time	
					\$19,296
	160077	1500	204000	Salaries, Part-time	
					\$16,120
	160077	8010	204000	State Retirement	\$
1,735					
	160077	8030	204000	Social Security	\$
2,709					
	160077	8050	204000	Life Insurance	
					\$ 40
	160077	8060	204000	Health Insurance	\$
8,119					
	160077	8063	204000	Disability Insurance	\$
230					
TO :	160119	1600	204000	Salaries, Temporary	
					\$ 3,829
	160085	1600	204000	Salaries, Temporary	
					\$23,409
	160085	1910	204000	Out of Title Pay	

\$12,007  
 160085 8010 204000 State Retirement \$  
 1,735  
 160085 8030 204000 Social Security \$  
 2,709  
 160085 8050 204000 Life Insurance  
 \$ 40  
 160085 8060 204000 Health Insurance \$  
 8,119  
 160085 8063 204000 Disability Insurance \$  
 230  
 and be it,

FURTHER RESOLVED, that in accordance with a request from the Sheriff, in order to provide funds for overtime due to higher than anticipated absentee rate, as requested by BT# 9381, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	450023	1000	101000	Salaries, Full-Time	
					\$92,100
TO :	450023	1700	101000	Salaries, Overtime	
					\$92,100

Mr. Whalen requested separate consideration on BT# 9381, Overtime Funding for the Sheriff's Department. The transfer requests for all but the Sheriff's Department **carried**. Ayes-18, Nays-0, Absent-1 (Mather)

BT#9381, Overtime Funding for the Sheriff's Department **carried**. Ayes-16, Nays-2 (Pasquale & Whalen), Absent-1 (Mather)

**RESOLUTION NO. 356**

by FINANCE COMMITTEE

Seconded by Mr. Howard

**RESOLUTION APPROVING SALE OF 1992 IN REM FORECLOSURE PROPERTIES.**

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 1992, 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 offers have been made to purchase certain properties, and the Director and your sponsoring committee recommend that such requests be granted as reviewed and approved by your sponsoring committee, now, therefore, be it

RESOLVED, that the sale of the parcels listed below for the amounts as stated is hereby approved by this County Legislature:

<u>TOWN</u>	<u>TAX MAP</u>	<u>#FORMER OWNER</u>	<u>SALE</u>
Union	3-H7-C-10X	Richard Thomson 121 Delaware Street Walton, New York 13856	\$14,340.76
Union	1-H13-31	Northeastern Professional Services P.O. Box 1154 Vestal, New York 13851	\$41,000.00

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-18, Nays-0, Absent-1 (Mather)

**RESOLUTION NO. 357**

by FINANCE COMMITTEE

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON A PARCEL IN THE TOWN OF VESTAL.**

WHEREAS, the County of Broome now owns a certain parcel of real property taken by virtue of condemnation proceedings and it is necessary to cancel the 1996 Town and County taxes and clear the tax records of this parcel of real property, now, therefore, be it

RESOLVED, that the 1996 Town and County taxes are canceled on the following parcel of real property:

Town of Vestal, Parcel No. 8-1-A-58,  
former owner Dorothy Crawford,  
amount to be canceled \$26.22.

and be it

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

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

**RESOLUTION NO. 358**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JOHN T. RYER, D.V.M., SOUTHSIDE PET HOSPITAL FOR VETERINARIAN SERVICES IN SUPPORT OF THE BROOME COUNTY ANIMAL SHELTER FOR 1997.**

WHEREAS, this County Legislature, by Resolution 14 of 1996, authorized an agreement with John T. Ryer, D.V.M., Southside Pet Hospital for vaccination and veterinarian services in support of the Broome County Animal Shelter for calendar year 1996, at a cost of \$15,503.00, and

WHEREAS, said services are necessary for public health and humane treatment of strays and dogs running at large which are housed at the Broome County Animal Shelter, and

WHEREAS, said agreement expires by its terms on December 31, 1996, and it is desired at this time to renew said agreement for calendar year 1997 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with John T. Ryer, D.V.M., Southside Pet Hospital, 25 Webster Street, Binghamton, New York, 13903, for vaccination and veterinarian services and veterinary supplies at the Broome County Animal Shelter for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,880.00 for the term of this agreement, to be paid as follows:

\$8,880.00 from budget line 480160.4742.101000 (Veterinarian Services)

and \$4,000.00 from budget line 031476.4742.101000

(Miscellaneous Operational Supplies), and be it

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

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

**RESOLUTION NO. 359**

by PERSONNEL and PUBLIC SAFETY AND EMERGENCY SERVICES COMMITTEES

Seconded by Mr. Howard

**RESOLUTION GRANTING A WAIVER FOR RESIDENCY FOR MARK SMOLINSKY FOR EMPLOYMENT AS A SERGEANT IN THE BROOME COUNTY SHERIFF'S DEPARTMENT.**

WHEREAS, this County Legislature, by Resolution 205 of 1976, established a residency requirement whereby all employees hired by the County after the effective date of said Resolution are required to be residents of Broome County as a condition of employment, and

WHEREAS, the Corrections Division of the Sheriff is hiring a sergeant in the Corrections Division, and

WHEREAS, Mike Smolinsky is currently a Corrections Officer with the Sheriff's Department, and

WHEREAS, the Sheriff's Department requests a waiver of residency for Mark Smolinsky, a Tioga County resident, so that he may be offered employment as a Sergeant in the Corrections Division of the Sheriff's Department, now, therefore, be it

RESOLVED, that this County Legislature hereby exempts the certificate of residency for Mark Smolinsky, 739 Brown Road, Berkshire, New York, 13756, from the residency requirement of Resolution 205 of 1976 in order that he may be promoted to the position of Sergeant in the Corrections Division of the Sheriff's Department, and be it

FURTHER RESOLVED, that this exemption shall be effective

immediately and shall continue for so long as Mr. Smolinsky shall hold the aforementioned position.

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

**RESOLUTION NO. 360**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE ONEIDA COUNTY SHERIFF'S DEPARTMENT FOR SECURITY SERVICES FOR INMATES HOUSED AT THE CENTRAL NEW YORK PSYCHIATRIC CENTER FOR 1996.**

WHEREAS, this County Legislature, by Resolution 147 of 1986, authorized an agreement with the Oneida County Sheriff's Department for security services for inmates housed at the Central New York Psychiatric Center, and

WHEREAS, said agreement provides for the payment to the contractor at the rate of \$110 per day whenever one inmate is housed and \$25 per day for each additional inmate concurrently housed, and

WHEREAS, said agreement expired by its terms on December 31, 1989, and

WHEREAS, it is desired at this time to approve and ratify all payments made pursuant to said contract during the period from January 1, 1990 to and including December 31, 1995, to the same extent as if such payments had been made pursuant to an existing agreement, and

WHEREAS, it is also desired at this time to authorize the execution of a new agreement for calendar year 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Oneida County Sheriff's Department, Judd Road, Law Enforcement Building, Oriskany, New York, 13424, for security services for inmates housed at the Central New York Psychiatric



Center for the period January 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$110.00 per day per inmate, total amount not to exceed \$40,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4435.101000 (Inmate Expense - other facilities), 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 (Mather)

**RESOLUTION NO. 361**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH PSYCHOLOGICAL RESOURCE SUPPORT SYSTEM FOR PSYCHOLOGICAL TESTING AND EVALUATION FOR SHERIFF'S DEPARTMENT FOR 1995 THROUGH 1996.**

WHEREAS, the Board of Acquisition and Contract, on June 12, 1996, authorized an agreement with Psychological Resource Support System for psychological testing and evaluation for the period April 26, 1995 through April 25, 1996, at a cost not to exceed \$2,500, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect an increase in cost due to additional testing required for the period April 26, 1995 through April 25, 1996, and

WHEREAS, Sheriff's Department has requested authorization for said amendments as approved by the Department of Law, now,

therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Psychological Resource Support System, 74 Fourteenth Street, W., Atlanta, Georgia, 30309, for psychological testing and evaluation, for the period April 26, 1995 through April 25, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$2,500, for a total 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 450023.4434.101000 (Medical, Hospital & Lab 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-18, Nays-0, Absent-1 (Mather)

**RESOLUTION NO. 362** by COMMUNITY & SOCIAL SERVICES  
and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING REVISION OF CHILD CARE  
AND DEVELOPMENT BLOCK (CCDBG) GRANT AND  
ADOPTING A REVISED PROGRAM BUDGET IN  
CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolutions 400 of 1995 and 127 of 1996, authorized the continued participation by the Department of Social Services in the Child Care and Development Block Grant (CCDBG) for the period October 1, 1995 through September 30, 1996, and adopted a program budget in connection therewith in the total amount of \$310,027, and

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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 Child Care and Development Block Grant (CCDBG) for the period October 1, 1995 through September 30, 1996, in the total amount of \$316,642, 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 \$316,642 for the period October 1, 1995 through September 30, 1996, and be it

FURTHER RESOLVED, that Resolutions 400 of 1995 and 127 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 (Mather)

**RESOLUTION NO. 363**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF THE FOOD STAMP EMPLOYMENT AND TRAINING GRANT FOR THE**

**DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolutions 403 of 1995 and 63 of 1996, authorized and approved the continued participation by the Department of Social Services in the Food Stamp Employment and Training Grant and adopted a program budget in the amount of \$70,845 for the period October 1, 1995 through September 30, 1996, and

WHEREAS, said grant program provides for job readiness training and job search activities to non-public assistance and home-relief food stamp recipients, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1996 through September 30, 1997, in the amount of \$58,025, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$58,025 from the New York State Department of Social Services for the period October 1, 1996 through September 30, 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 \$58,025 for the period October 1, 1996 through September 30, 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, Abs-1 (Mather)

**RESOLUTION NO. 364**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING REVISION OF AT RISK LOW INCOME CHILD CARE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996.**

WHEREAS, this County Legislature, by Resolution 268 of 1996, authorized and approved the At Risk Low Income Child Care (ARLICC) Program Grant and adopted a program budget in the amount of \$37,967 for the period April 1, 1996 through June 30, 1996, and

WHEREAS, said grant program provides funds for day care subsidies for low income working families who are considered at risk for needing AFDC Public Assistance, and be it

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

RESOLVED, that this County Legislature hereby authorizes and approves a revision of the At Risk Low Income Child Care Program Grant for the period July 1, 1996 through September 30, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$53,648 for the period July 1, 1996 through September 30, 1996, and be it

FURTHER RESOLVED, that Resolution 268 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, 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 (Mather)

**RESOLUTION NO. 365**

by ENVIRONMENT and FINANCE COMMITTEES      Seconded by  
Mr. Howard

**RESOLUTION AUTHORIZING THE ACCEPTANCE BY THE  
DIVISION OF SOLID WASTE MANAGEMENT OF \$1,500  
FROM CROWLEY FOODS, INC., TO PAY PART OF THE  
COST OF RADIO ADVERTISING WITH REGARD TO MILK  
CARTON RECYCLING.**

WHEREAS, the Director of Solid Waste Management requests authorization to accept \$1,500 from Crowley Foods, Inc., to pay part of the cost of radio advertising for milk carton recycling, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,500 by the Division of Solid Waste Management to pay part of the cost of milk carton recycling advertising from Crowley Foods, Inc., P.O. Box 549, Binghamton, New York, 13902, 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 (Mather)

**RESOLUTION NO. 366**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AN AGREEMENT WITH NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES FOR ENHANCED AFTERCARE TREATMENT FOR PAROLEES FOR 1996 THROUGH 1997.**

WHEREAS, the Director of the Drug Awareness Center requests authorization to enter into an agreement with the New York State Office of Alcoholism and Substance Abuse Services for enhanced aftercare treatment for parolees released from the Willard Drug Treatment Campus for the period August 1, 1996 through July 31, 1997, and

WHEREAS, said agreement is necessary to provide for enhanced aftercare treatment for parolees released from the Willard Drug Treatment Campus, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Office of Alcoholism and Substance Abuse Services for enhanced aftercare treatment for parolees released from the Willard Drug Treatment Campus for the period August 1, 1996 through July 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County will receive \$300.00 for each Willard admission and \$700.00 for each successful 90 day treatment engagement for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 470021.0470.101000 (Client 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-18, Nays-0, Absent-1 (Mather)

**RESOLUTION NO. 367**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FEDERAL BUREAU OF INVESTIGATION FOR LEASE OF TOWER SPACE FOR EMERGENCY SERVICES COMMUNICATIONS SYSTEM FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 583 of 1995, authorized an agreement with the Federal Bureau of Investigation of the United States Department of Justice for lease of the tower facility at Hawkins Hill for the purpose of improvements to FBI communications system equipment and operations, for the period October 1, 1995 through September 30, 1996, providing revenue to the County of \$125.00 per month, or a total amount of \$1,500 per year, and

WHEREAS, said agreement expires by its terms on September 30, 1996, and it is desired at this time to renew said agreement for the period October 1, 1996 through September 30, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Federal Bureau of Investigation of the United States Department of Justice, James T. Foley Courthouse, Albany, New York, 12202-1219, for the lease of the Hawkins Hill site number 66 Tower, for the period October 1, 1996 through September 30, 1997, and be it

FURTHER RESOLVED, that in consideration of said lease the United States Department of Justice shall pay the County \$125.00 per month for the term of this agreement, total revenue \$1,500, and be it



FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 460006.0464.101000 (Other Local Governments), 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 (Mather)

**RESOLUTION NO. 368**

by FINANCE and ENVIRONMENT COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AGREEMENT WITH DAVID DIESEL FOR THE PURCHASE OF REAL PROPERTY ON DUNHAM HILL ROAD IN THE TOWN OF BARKER, NEW YORK.**

WHEREAS, the County is interested in purchasing areas around the Nanticoke Landfill for use as a buffer zone, and

WHEREAS, this property at 1064 Dunham Hill Road is adjacent to the Nanticoke Landfill and suitable for use as a buffer zone, and

WHEREAS, David Diesel has expressed an interest in selling said property to the County of Broome, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with David Diesel, 1064 Dunham Hill Road, Binghamton, New York, 13905, for the purchase of real property located at 1064 Dunham Hill Road, Tax Map No. 31.S2, and be it

FURTHER RESOLVED, that in consideration of said purchase, the County shall pay David Diesel an amount not to exceed \$85,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.2001.501321 (Original Acquisition), and be it

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

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

**RESOLUTION NO. 369**

by PUBLIC SAFETY AND EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AMENDMENT AND EXTENSION OF AGREEMENT WITH MUNICIPALITIES OF BROOME COUNTY FOR DOG SHELTER SERVICES.**

WHEREAS, this County Legislature, by Resolution 369 of 1994, authorized the extension and amendment of agreements with the towns, city and villages of Broome County for Dog Shelter services, pursuant to New York State Agriculture and Markets Law, Article 7, for the period January 1, 1995 through December 31, 1999, and

WHEREAS, the County has entered into contracts with the Towns of Barker, Binghamton, Chenango, Conklin, Dickinson, Fenton, Kirkwood, Nanticoke, Triangle, Union, and Windsor for terms expiring on December 31, 1999, and

WHEREAS, it is desired by the County and each of the Towns to amend such agreements as of January 1, 1997, to provide that the County shall pay for veterinary care for stray dogs brought to the Shelter and the County shall reimburse the Towns for the expense of dog enumeration in an aggregate amount not to exceed \$15,000 per year, and to extend the term of such agreements until December 31, 2001, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes

amendment of the agreements with said towns of Broome County to provide that the term thereof shall be extended to December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of Dog Shelter services provided by Broome County, the County will retain all impoundment fees as set by the Legislature and collected by the Shelter, all the County's statutory share of licensing fees, and all adoption fees collected by the Shelter, and, in addition, each participating municipality shall remit to Broome County ten dollars (\$10.00) for each spayed or neutered dog licensed by the participating municipality; ten dollars (\$10.00) for each unspayed or unneutered dog so licensed; and twenty-five dollars (\$25.00) for each New York State Purebred license issued, and be it

FURTHER RESOLVED, that beginning on January 1, 1997, the County shall pay for veterinary care for stray dogs brought to the Shelter and the County shall reimburse the towns for the expense of dog enumeration in an aggregate amount not to exceed \$15,000 per year, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 070011.0177.101000 (reimbursement animal shelter), and be it

FURTHER RESOLVED, that Resolution 369 of 1994 to the extent consistent herewith shall remain in full force and effect, and be it

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

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

**RESOLUTION NO. 370**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CITY OF BINGHAMTON FOR DOG SHELTER SERVICES FOR 1997 THROUGH 2001.**

WHEREAS, this County Legislature, by Resolution 620 of 1995, authorized renewal of an agreement with the City of Binghamton for Dog Shelter services with revenue to the County in the amount of \$41,500, and

WHEREAS, said agreement expires by its terms on December 31, 1996, and it is desired at this time to renew said agreement for the period January 1, 1997 through December 31, 2001, 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 City of Binghamton for Dog Shelter services for the period January 1, 1997 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of Dog Shelter services provided by Broome County, the County shall retain all impoundment fees as set by the Legislature and collected by the Shelter, all the County statutory share of licensing fees, and all adoption fees collected by the Shelter and in addition, the City of Binghamton shall remit to Broome County a fee, payable monthly, an annual amount as follows:

1997	—————	\$49,000	<u>(Amended to \$45,000)</u>
1998	—————	\$56,000	<u>(Amended to \$48,500)</u>
1999	—————	\$63,000	<u>(Amended to \$52,000)</u>
2000	—————	\$70,000	<u>(Amended to \$55,500)</u>
2001	—————	\$77,000	<u>(Amended to \$59,000)</u>

provided, however, that in any year following a complete or partial enumeration of dogs owned by residents of the City, the City shall pay to the County the higher of (1) the amount shown in the foregoing schedule

or (2) at the rate of \$10 for each spayed or neutered dog licensed by the City, \$10 for each unspayed or unneutered dog so licensed, and \$25 for each New York State Purebred license issued, and be it

FURTHER RESOLVED, that the County shall pay for veterinary care for stray dogs brought to the Shelter, and the City shall be entitled to reimbursement by the County for the expense of dog enumeration on the same basis as the Towns which contract with the County for Dog Shelter services in an aggregate amount not to exceed \$15,000 per year, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 070011.0177.101000 (Reimbursement Animal Shelter), and be it

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

Mr. Lindsey moved, seconded by Mr. Whalen to amend the resolution to reflect lower annual rates: \$45,000 in 1997; \$48,500 in 1998; \$52,000 in 1999; \$55,500 in 2000; and \$59,000 in 2001.

The amendment **carried**. Ayes-17, Nays-0, Absent-2 (Cahill & Mather)

The resolution as amended **carried**. Ayes-17, Nays-0, Absent-2 (Cahill & Mather)

### **RESOLUTION NO. 371**

by FINANCE COMMITTEE

Seconded by Mr. Howard

### **RESOLUTION AUTHORIZING THE SALE OF THE FORMER CHENANGO BRIDGE NURSING HOME BY PUBLIC AUCTION.**

WHEREAS, Wayne Howard, Chairman of the Legislative County

Administration, Economic Development & Planning Committee, requests authorization to sell the former Chenango Bridge Nursing Home at public auction, and

WHEREAS, the sale would be advertised and conducted by the Real Property Tax Service Director using same or similar terms and conditions that are used for the annual County property tax auctions with the Finance Committee of this Legislature setting an upset price upon the recommendation of the Director of Real Property Tax Service, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the sale of the former Chenango Bridge Nursing Home by public auction, and be it

FURTHER RESOLVED, that said authorization is contingent upon the following:

1. The sale will be advertised and conducted by the Director of Real Property Tax Service using the same or similar terms and conditions that are used for the annual County property tax auction.

2. Finance Committee of this Legislature will set an upset price for the auction after consulting and receiving a recommendation from the Director of Real Property Tax Service, 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.

**Held over** under the 'Rules' by Mr. Howard.

**RESOLUTION NO. 372**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AMENDMENT OF THE  
NURSING HOME CASE-MIX AND QUALITY  
DEMONSTRATION MEDICARE PROJECT BY**

**AUTHORIZING IMPLEMENTATION OF A NEW CHARGE STRUCTURE AT WILLOW POINT NURSING FACILITY FOR PATIENT SERVICES FOR 1997.**

WHEREAS, this Legislature, by Resolution 452 of 1995, authorizes participation by Willow Point Nursing Facility in the Nursing Home Case-Mix and Quality Demonstration Medicare Project, and

WHEREAS, the continued participation in the Nursing Home Case-Mix and Quality Demonstration Medicare Project requires that Willow Point Nursing Facility implement a new patient charge structure that allows for ancillary billing by January 1, 1997, and

WHEREAS, the implementation of a new charge structure is believed to be one component of achieving the demonstration goals of improving quality of care, access to services and equity of the total Medicare and Medicaid programs, and

WHEREAS, participation is at no cost to the County and participants may decline to continue participation prior to full implementation of such charge structure without penalty, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the implementation of a new charge structure for patient services at Willow Point Nursing Facility to be effective January 1, 1997, and be it

FURTHER RESOLVED, that Resolution 452 of 1995, to the extent consistent herewith, shall continue 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 (Mather)

**RESOLUTION NO. 373**

by FINANCE COMMITTEE

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AGREEMENT FOR LEASE OF**

**COUNTY PREMISES KNOWN AS FAIRPLAY CARMEL FACTORY TO TERRY CONKLIN AND JOHN WOLOSZYN.**

WHEREAS, the Director of Real Property Tax Service, Ivan C. Moscrip, requests authorization for agreements with Terry Conklin and John Woloszyn for lease of real property owned by the County by virtue of in rem foreclosure proceeding, known as Fairplay Carmel Factory located in the Village of Johnson City, and

WHEREAS, said agreement with Terry Conklin, d/b/a Northeastern Professional Vehicle Services, would be for part of the Fairplay Carmel premises for a five-year lease with option to buy at a purchase price of \$41,000, rent \$300 per month plus utilities and taxes, \$4,100 security deposit to be paid prior to commencement of lease which security deposit will be applied to purchase price providing no damages are incurred prior to purchase, and

WHEREAS, said agreement with John Woloszyn would be for 60' x 120' area of southeast side of parking lot of the Fairplay Carmel premises on a month-to-month basis at \$200 per month with the specific requirement that John Woloszyn is to maintain the fence surrounding the leased area, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Terry Conklin, d/b/a Northeastern Professional Vehicle Services, P.O. Box 1154, Vestal, New York, 13851, for a part of the Fairplay Carmel Factory premises located in the Village of Johnson City for a five-year term, with option to buy at the purchase price of \$41,000, rent \$300 per month plus utilities and taxes, with a security deposit of \$4,100, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with John Woloszyn, d/b/a Johnson City Auto Service, 104 Grant Avenue, Johnson City, New York, 13790, for a 60' x 120' area of south side of parking lot of the Fairplay Carmel Factory located in the Village of Johnson City, on a month-to-month lease with rent to the County at \$200 per month with the specific condition that John Woloszyn is to maintain the fence surrounding premises leased,



and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 630004.0187.101000 (Rental of Real Property), and be it

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

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

**RESOLUTION NO. 374**

by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mr. Holley

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE DeWOLFF PARTNERSHIP, ARCHITECTS, FOR PROFESSIONAL ARCHITECT/ENGINEERING SERVICES FOR THE CENTRAL FOODS EXPANSION PROJECT.**

WHEREAS, this County Legislature, by Resolutions 323 of 1994 and 12 of 1996, authorized an agreement with The DeWolff Partnership Architects for professional architect/engineering services for the Central Foods Expansion Project, at a cost of \$214,614.44, for the period 1994 through 1996, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for additional printing costs incurred for reproduction of bid documents and for additional clerk of the works services to support the construction management activities, and

WHEREAS, the Director of Facilities Management has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with The DeWolff Partnership Architects, St. Paul Place, 151 St. Paul Street, Rochester, New York, 14604, for professional architect/engineering services for the Central Foods Expansion Project for the period ending November 1, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$18,228, for a total amount not to exceed \$232,843, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235051.4746.501290 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolutions 323 of 1994 and 12 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 (Mather)

**RESOLUTION NO. 375**

by FINANCE AND PERSONNEL COMMITTEES  
Mr. Burger

Seconded by

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE OFFICE OF EMPLOYMENT AND TRAINING, SOCIAL SERVICES, LAW, AND LEGAL SERVICES.**

RESOLVED, that in accordance with a request from the Office of Employment and Training, as contained in PCR# 96-430, this County Legislature hereby authorizes the **creation** of one (1) full-time Senior

Employment and Training Counselor position at budget line CD720722.1000, minimum salary \$21,632, Grade 15, Union Code 04 (CSEA), effective September 23, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Social Services, as contained in PCR# 96-442, this County Legislature hereby authorizes the **reclassification** of two (2) full-time Senior Support Collector positions at budget line MA670034.1000, minimum salary \$16,553, Grade 10, Union Code 04 (CSEA) to two (2) full-time Senior Account Clerk positions at budget line MA670034.1000, minimum salary \$15,690, Grade 09, Union Code 04 (CSEA) effective September 1, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Social Services, as contained in PCR# 96-443, this County Legislature hereby authorizes the **reclassification** of five (5) full-time Support Collector positions at budget line MA670034.1000, minimum salary \$14,782, Grade 08, Union Code 04 (CSEA) to five (5) full-time Child Support Specialist positions at budget line MA670034.1000, minimum salary \$16,161, Grade 09, Union Code 04 (CSEA), effective January 8, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Law, as contained in PCR# 96-452, this County Legislature hereby authorizes the **deletion** of one (1) Legal Associate position at budget line A390005.1000, minimum salary \$13,000, Grade NA, Union Code 01 (Admin), effective September 23, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Division of Legal Services, as contained in PCR# 96-450, this County Legislature hereby authorizes the **change** of one (1) Account Clerk Typist position at budget line A900274.1600, minimum salary \$16,288, Grade 08, Union Code 09 (Admin) to one (1) Account Clerk Typist position at budget line A900274.1000 minimum salary \$16,288, Grade 08, Union Code 09 (Admin), effective September 23, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Division of Legal Services, as contained in PCR# 96-451, this County

Legislature hereby authorizes the **change** of one (1) Senior Assistant County Attorney position at budget line A900274.1600, minimum salary \$43,806, Grade 29, Union Code 09 (Admin) to one (1) Senior Assistant County Attorney position at budget line A900274.1000, minimum salary \$43,806, Grade 29, Union Code 09 (Admin), effective September 23, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Executive, in order to provide funding for full-time salaries for changes requested by PCR's #96-450 and #96-451, as requested by BT# 10625, 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>Amount</u>
<u>Code</u>	<u>object</u>	<u>Code</u> <u>Title</u>	
FROM: 900274	1600	101000 Salaries, Temporary	\$16,056
TO :	900274 1000	101000 Salaries, Full-Time	\$16,056

**Held over** under the 'Rules' by Mr. Schofield.

**RESOLUTION NO. 376**

by EDUCATION, CULTURE AND RECREATION COMMITTEE

Seconded by Mr. Howard

**RESOLUTION PROCLAIMING OCTOBER 6, 1996 THROUGH OCTOBER 12, 1996**

**AS CORNELL COOPERATIVE EXTENSION WEEK AND NATIONAL 4-H WEEK IN BROOME COUNTY**

WHEREAS, Cornell Cooperative Extension of Broome County has a mission to "disseminate and encourage the application of research-generated knowledge and leadership techniques to individuals, families and communities," and

WHEREAS, Cornell Cooperative Extension of Broome County celebrates its 85th. anniversary in 1996, and

WHEREAS, Cornell Cooperative Extension of Broome County contributes to Broome County's economic development and improves the quality of life for Broome County residents, and

WHEREAS, Cornell Cooperative Extension of Broome County has documented accomplishments in family and youth development, agricultural profitability, nutrition and food safety, environment, and labor force enhancement, and

WHEREAS, Cornell Cooperative Extension of Broome County in partnership with county, state and federal governments and in cooperation with Cornell University links people, their businesses and their communities throughout Broome County to practical, research based knowledge, and

WHEREAS, Cornell Cooperative Extension of Broome County educators partner with over 900 volunteers annually, and

WHEREAS, Cornell Cooperative Extension of Broome County 4-H Youth Development programs invest in the County's future by developing valuable life skills in communications, decision making, leadership and citizenship among today's young people, and

WHEREAS, National 4-H Week is celebrated October 6, 1996 through October 12, 1996, and

WHEREAS, Cornell University has proclaimed October 6, 1996 through October 12, 1996 as Cornell Cooperative Extension Week, and

WHEREAS, having recognized the accomplishments of Cornell Cooperative Extension of Broome County and 4-H Programs, it is appropriate for Broome County Government to join Cornell University and many communities throughout New York State in promoting public awareness of Cornell Cooperative Extension Week and National 4-H Week, now therefore, be it

RESOLVED, that the County Legislature and the County Executive, now proclaims October 6, 1996 through October 12, 1996 as Cornell Cooperative Extension Week and National

4-H Week throughout Broome County, and be it

FURTHER RESOLVED, that the citizens of Broome County are requested to join this Legislature and Executive in recognizing the many active and meaningful ways in which Cornell Cooperative Extension of Broome County and 4-H has served our community and to support events associated with Cornell Cooperative Extension Week and National 4-H Week, and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature is hereby authorized and directed to send a certified copy of this resolution to Cornell Cooperative Extension of Broome County.

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

**RESOLUTION NO. 377**

by PERSONNEL and FINANCE COMMITTEES

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING REVISION OF HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY, AND SEASONAL EMPLOYEES EFFECTIVE OCTOBER 1, 1996.**

WHEREAS, this County Legislature, by Resolutions 424, 580 and 605 of 1991, 362 of 1992, 74 and 646 of 1993, 507 and 664 of 1994 and 575 of 1995 authorized hourly rates for various non-union, temporary and seasonal employees, and

WHEREAS, effective October 1, 1996, the minimum hourly wage will be \$4.75 and it is necessary to amend the hourly wage rate for those non-union, temporary and seasonal employees earning less than \$4.75 per hour effective October 1, 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hourly rate of \$4.75 for all non-union, temporary, seasonal and miscellaneous employees who currently earn less than \$4.75 per hour

effective October 1, 1996, and be it

FURTHER RESOLVED, that this resolution does not affect or pertain to those County employees earning \$4.75 per hour or more.

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

**RESOLUTION NO. 378**

by FINANCE COMMITTEE

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AN AGREEMENT WITH CRAIG R. FRITZSCH FOR PURCHASE OF REAL PROPERTY LOCATED IN THE TOWN OF UNION.**

WHEREAS, Ivan C. Moscrip, Director of Real Property Service, requests authorization for an agreement with Craig R. Fritzsich to purchase property acquired by the County of Broome via in rem foreclosure proceeding, and

WHEREAS, this property is located in the Town of Union and commonly known as Tax Map Nos. 3-G12-1 and 1-G12-02X consisting of 2.90 acres and 1.56 acres respectively and known as 900 Riverside Drive and 902 Riverside Drive Rear, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Craig R. Fritzsich, R.D. #2, Box 198T, Bainbridge, New York, 13733, for the purchase of two parcels of real property located in the Town of Union, Tax Map Nos. 3-G12-1 and 1-G12-02X, 2.90 acres and 1.56 acres respectively, known as 900 Riverside Drive and 902 Riverside Drive Rear respectively, and be it

FURTHER RESOLVED, that in consideration of said property transfer, the County shall receive from Craig R. Fritzsich \$100, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be credited to budget line 630004.0212.101000 (Sales of Real Property), and be it

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

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

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

**RESOLUTION NO. 379**

by FINANCE COMMITTEE                      Seconded by Mr. Pasquale

**RESOLUTION FIXING THE DATE, TIME AND PLACE OF PUBLIC HEARING BY THE BROOME COUNTY LEGISLATURE ON THE 1997 TENTATIVE BUDGET**

WHEREAS, the County Executive will present a tentative 1997 Budget to the members of the County Legislature on Tuesday, October 1, 1996, including a proposed budget, a capital program, and the budget message, and

WHEREAS, § C606 of the Broome County Charter requires that the County Legislature hold a public hearing on the proposed budget, the capital program and the budget message submitted by the County Executive now, therefore, be it

RESOLVED, that a Public Hearing on the tentative Broome County Budget for 1997 will be held on **Thursday, October 10th., 1996 at 7:00 p.m.** in the Legislative Chambers, Sixth Floor, Edwin L. Crawford County Office Building, Government Plaza, Hawley Street, Binghamton, New York, and the Clerk of this County Legislature is hereby authorized to publish notice of said public hearing in the official newspaper of the County pursuant to the provisions of the Broome County Charter.

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

**RESOLUTION NO. 380**

by FINANCE and COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING THE WAIVING OF THE TIME REQUIREMENTS OF SECTION 76-4(b)(1) OF THE BROOME**



**COUNTY CHARTER AND CODE.**

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

WHEREAS, the County by Local Law No. 12, 1996, amended the formula for apportioning the costs of the Workers' Compensation Self-Insurance Plan, and

WHEREAS, several municipalities who had previously withdrawn from the Workers' Compensation Plan have now advised the County they want to join the self-insurance plan again, and

WHEREAS, the certified copies of the resolutions were not filed with the County by August 1, 1996, and

WHEREAS, the County is willing to waive the August 1, 1996, deadline for the purpose of these requests to join the Workers' Compensation Self-Insurance Plan, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the acceptance of the requests from the Towns of Barker, Binghamton, Chenango, Conklin, Nanticoke, Lisle, Sanford, Vestal and Windsor and the Village of Endicott to join the Broome County Workers' Compensation Self-Insurance Plan, and be it

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

FURTHER RESOLVED, that these municipalities will be permitted to join 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-18, Nays-0, Absent-1 (Mather)

Mr. Augustini moved, seconded by Mr. Pasquale to **adjourn** at 4:48 P.M. The adjournment **carried.** Ayes-18, Nays-0, Absent-1 (Mather)