

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
OCTOBER 17, 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-19 (Mr. Pasquale arrived following approval of the minutes and Mr. Schofield arrived following receipt of reports)

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

Mr. Miller moved, seconded by Mr. Kavulich that the minutes of the Regular Session of September 19, 1996, the Special Session of September 30, 1996 and the Regular Session of October 1, 1996, be approved as prepared and presented by the Clerk. **Carried.** Ayes-17, Absent-2 (Pasquale & Schofield)

Mr. Hull, as Chair of the Public Works Committee gave a verbal report of his and the committee's findings and actions concerning the safety of the Library Building on Exchange Street.

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

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES
& REPORTS:

PETITIONS: NONE

COMMUNICATIONS:

1.Board of Elections:

1995 Election Expenses to be charged back to Municipalities.

2.Minutes from:

- a.Environmental Management Council
- b.Local Early Intervention Coordinating Council
- c.Soil and Water Conservation District
- d.Industrial Development Agency (minutes and various materials)
- e.Public Library

3.1997 Recommended Broome County Budget and Capital Improvements Program (1997-2002), as well as missing page for Central Library.

NOTICES: NONE

REPORTS:

1.Monthly Report:

Broome Community College (Above Minimum Hires, September 1996).

2.Department of Audit & Control:

- a.Payroll Audit (Willow Point Nursing Home)
- b.Audit (Vehicle Repair Parts Vendor Contract)
- c.Lessee Contract Compliance Audit (Aviation Dept.)

3.Official results of 1996 Primary Election, September 10, 1996.

4.Appraisal Report: Town of Dickinson "Garden Plots".

Mr. Cahill moved, seconded by Mr. Pasquale, 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 (Schofield)

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WRITTEN OR ORAL PRESENTATIONS TO THE COUNTY LEGISLATURE

PRESENTATION:

Mr. Howard requested that Mr. Thomas Albrechta be allowed to address the Legislature concerning problems that he had with the Broome I.D.A. concerning recent acquisition of some of his property in Conklin. Permission was **granted**.

PRESENTATION: Plaza Deck Project by NYS Office of General Services

The Plaza Deck reconstruction project is a jointly funded by the State of New York, the County of Broome and the City of Binghamton. Chairman Shafer recognized Assemblyman Robert Warner who was in attendance for the presentation. Chairman Shafer then recognized City Councilman, Tony Fiala and asked him to introduce the other members of Council who were present. They included Councilman Collins and Councilman Wackett.

Raymond Webster, an architect with the NYS Office of General Services made the technical presentation to the Legislature. He indicated that the existing deck between the City, County and State Buildings and Hawley Street would be demolished. The upper deck would be rehabilitated and there would be a resurfacing of the street area parking.

Additional renovations would be made to both Isbell Street and Hawley Street sidewalks. The walkway into the County Building would

be enclosed and the loading dock area would also be rehabilitated. Basement and sub-basement parking areas would also be rehabilitated.

OGS has completed the design work. Construction is scheduled to begin in May of 1997 with completion in the Fall of 1998.

LETTERS FROM THE CHAIR, ARTHUR J. SHAFER:

1.Appointing Thomas A. Hull as voting representative for Patrick F. O'Day, Environment Committee, October 9, 1996.

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

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

Mrs. Hudak seconded the preferred agenda.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION of
September 19, 1996

RESOLUTION NO. 339 (heldover by Mr. Cahill)

by FINANCE AND PUBLIC SAFETY & EMERGENCY SERVICES
COMMITTEES

**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,**

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MONITOR AND REPORT ON THE PROGRESS OF THE PROJECT.

Mr. Cahill moved, seconded by Mr. Mather to **table** the resolution.
The tabling **carried**. Ayes-17, Nays-2 (Coffey & Whalen)

The following four resolutions (342, 343, 344 & 345) were introduced at this time. Mr. Augostini moved, seconded by Mr. Wike that all four be **tabled** and requested that it be done as a single vote if possible. There was no objection to a single **tabling vote**.

All four resolutions were **tabled**.
Ayes-15, Nays-4 (Coffey, Kavulich, Pasquale & Whalen)

RESOLUTION NO. 342 (heldover by Mr. Augostini)
by FINANCE COMMITTEE

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.

Tabled. (Single tabling vote noted above)

RESOLUTION NO. 343 (heldover by Mr. Augostini)
by FINANCE COMMITTEE

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.

Tabled. (Single tabling vote noted above)

RESOLUTION NO. 344 (heldover by Mr. Augostini)

by FINANCE COMMITTEE

RESOLUTION AMENDING THE 1996 CAPITAL IMPROVEMENT PROGRAMS.

Tabled. (Single tabling vote noted above)

RESOLUTION NO. 345 (heldover by Mr. Augostini)

by FINANCE COMMITTEE

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.

Tabled. (Single tabling vote noted above)

RESOLUTION NO. 371 (heldover by Mr. Howard)

by FINANCE COMMITTEE

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

Mr. Howard moved, seconded by Mrs. Sweet that the following Further Resolved paragraph be added to the resolution:

FURTHER RESOLVED, that as a condition of this sale, the purchaser shall agree to remove or renovate the existing buildings on this property, and remediate any environmental problems on the property within five years of obtaining title to this property, as well as posting a bond or other security acceptable to the County to guarantee the purchaser's performance of the obligation set forth in this paragraph, and be it

The amendment **carried**. Ayes-18, Nays-1 (Coffey)
The resolution as amended **carried**.

The full resolution as amended follows:

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 as a condition of this sale, the purchaser shall agree to remove or renovate the existing buildings on this property, and remediate any environmental problems on the property within five years of obtaining title to this property, as well as posting a bond or other security acceptable to the County to guarantee the purchaser's performance of the obligation set forth in this paragraph, 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.

Note: The following resolution was separated into Resolution No. 375 and Resolution No. 375A. Resolution No. 375A was tabled. The new versions follow. The former full version is found on page 333 of the 1996 Journal of Proceedings.

RESOLUTION NO. 375 (heldover by Mr. Schofield)
RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE OFFICE OF EMPLOYMENT AND TRAINING, SOCIAL SERVICES, LAW, AND LEGAL SERVICES.

Mr. Schofield requested separate consideration for the following:

RESOLUTION NO. 375

by FINANCE AND PERSONNEL COMMITTEES

Seconded by Mr. Burger

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND SOCIAL 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

MA6700034.1000, minimum salary \$16,161, Grade 09, Union Code 04 (CSEA), effective January 8, 1996.

Carried.

Mr. Schofield moved, seconded by Mr. Pasquale to **table** the remainder of the resolution, renumbered as Resolution 96-375A:

RESOLUTION NO. 375A

by FINANCE AND PERSONNEL COMMITTEES

Seconded by Mr. Burger

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE LAW DEPARTMENT AND THE LEGAL SERVICES DIVISION OF THE LAW DEPARTMENT

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

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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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	900274	1600	101000	Salaries, Temporary	
					\$16,056
TO :	900274	1000	101000	Salaries, Full-Time	
					\$16,056

The tabling **carried.**

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 382

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL AND AMENDMENT OF AGREEMENT WITH WATER STREET ASSOCIATES FOR THE DRUG AWARENESS CENTER (YESCAP) PROGRAM FOR OFFICE SPACE LEASE FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 333 of 1995, authorized an agreement with Water Street Associates for rental space on the third floor of 166 Water Street, Binghamton, New York, for the offices of the Drug Awareness Center Services Community Action Project (YESCAP) for the period April 1, 1995 through March 31, 1996, at a cost of \$375.00 per month for a total amount not to exceed \$4,500.00, and

WHEREAS, said services are necessary to house the offices of the

YESCAP Program which is a Drug and Alcohol Prevention Program operating in Broome and Tioga Counties, and

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

WHEREAS, the Director of the Drug Awareness Center recommends that the program move to larger quarters on the second floor of said building on November 1, 1996, at rent of \$400 per month, and that the lease be renewed and amended accordingly for the period April 1, 1996 through March 31, 1997, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Water Street Associates, 168 Water Street, Binghamton, New York, 13901, for rental of office space for the YESCAP Program at a rate of \$375.00 per month for the period April 1, 1996 through October 31, 1996, and the amendment thereof to provide for rental of second floor space for the period November 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$375.00 per month for the period April 1, 1996 through October 31, 1996, and \$400.00 per month for the period November 1, 1996 through March 31, 1997, total cost not to exceed \$4,625.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470146.4422.104027 (Building and Land Rental), and be it

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

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

RESOLUTION NO. 383

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by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING AGREEMENT WITH BEARSCH COMPEAU KNUDSON ARCHITECTS & ENGINEERS P.C., FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR WILLOW POINT NURSING FACILITY ROOM RENOVATIONS.

WHEREAS, the Director of Facilities Management requests authorization for an agreement with Bearsch Compeau Knudson Architects & Engineers, P.C., for architectural and engineering services, at a cost not to exceed \$330,000, and

WHEREAS, said services are necessary to provide design services, construction contract administration and construction inspection and related services in connection with the Willow Point Nursing Facility room renovations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Bearsch Compeau Knudson Architects & Engineers P.C., 41 Chenango Street, Binghamton, New York, 13901-1956, for professional architectural and engineering services, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$330,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160267.4746.501329 (Engineering/Architectural Services), and be it

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

Carried.

RESOLUTION NO. 384

by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING AGREEMENT WITH ROOT 2, P.C., FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR WILLOW POINT NURSING FACILITY FRONT ENTRANCE RECONSTRUCTION.

WHEREAS, the Director of Facilities Management requests authorization for an agreement with Root 2, P.C., for engineering and architectural services for the reconstruction of front entrance at the Willow Point Nursing Facility, at a cost not to exceed \$25,845, and

WHEREAS, said services are necessary to provide design construction contract administration and part-time construction inspection and related services with respect to the front entrance reconstruction at the Willow Point Nursing Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Root 2, P.C., 126 West Main Street, P.O. Box 7356, Endicott, New York, 137601, for architectural and engineering services, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$25,845 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160267.4746.502255 (Engineering/Architectural Services), and be it

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

Carried.

RESOLUTION NO. 385

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by FINANCE and HEALTH SERVICES COMMITTEES

Seconded by Mr. Holley

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF HEALTH, OFFICE FOR AGING, AND WILLOW POINT NURSING HOME

RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds for administrative support, as requested by BT# 10358, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480368	1000	102964	Salaries, Full-Time	
	\$3,252				
TO :	480368	4610	102964	Administrative Chargeback	
	\$3,252				

and be it

FURTHER RESOLVED, that in accordance with a request from the Office for Aging, in order to provide funds for revision of revenue and appropriations for the Mental Health Outreach Program to close out 1996, as requested by BT# 10660, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	760785	8040	104012	Worker's Compensation	
	\$ 119				
	760785	8050	104012	Life Insurance	

\$ 2

TO :	760785	1000	104012	Salaries, Full-Time	
	\$	992			
	760785	8010	104012	State Retirement	\$
112					
	760785	8030	104012	Social Security	\$
86					
	760785	8060	104012	Health Insurance	
	\$	1,458			
INC.:	760785	0474	104012	OFA Chargeback Revenue	
	\$	2,527			

and be it

FURTHER RESOLVED, that in accordance with a request from the Office for Aging, in order to provide funds for revision of appropriations for the Service for Older Persons (SOP) Program to close out year 1996, as requested by BT# 10100, 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:	760777	4606	104011	Telephone Bill Account	
	\$	68			
	760777	4627	104011	Single Audit Chargeback	
	\$	160			
	760777	8030	104011	Social Security	\$
55					
	760777	8050	104011	Life Insurance	
	\$	4			
	760077	8060	104011	Health Insurance	\$

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TO : 760777 1000 104011 Salaries, Full-Time
 \$ 30
 760777 1600 104011 Salaries, Temporary
 \$ 244
 760777 8010 104011 State Retirement \$

374

760777 8040 104011 Worker's Compensation
 \$ 20

FURTHER RESOLVED, that in accordance with a request from the Office for Aging, in order to provide funds for revision of revenue and appropriations for the III-F Program to close out year 1996, as requested by BT# 10099, 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:	760793	4311	104013	Books & Subscriptions	
	\$ 150				
	760793	4461	104013	Mileage & Pkg/Local	
	\$ 50				
	760793	4462	104013	Travel, Hotel, Meals	\$
200					
	760793	4467	104013	Non-Employee Travel	
	\$ 100				
	760793	4618	104013	Office Supply Chargeback	
	\$ 51				
DEC.:	760793	0900	104013	Other Federal Aid	\$
551					

FURTHER RESOLVED, that in accordance with a request from Office of Aging, in order to provide funds for revision of appropriations for the WRAP Program to close out year 1996 , as requested by BT# 10662 , this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u> <u>Title</u>	<u>Amount</u>
FROM:	760009	1500	102978 Salaries, Part-Time	
	\$ 738			
	760009	4606	102978 Telephone Bill Account	
	\$ 225			
	760009	8030	102978 Social Security	\$
56				
	760009	8050	102978 Life Insurance	
	\$ 2			
	760009	8063	102978 Disability Insurance	\$
59				
TO :	760009	4449	102978 Other Operational	\$
515				
	760009	4461	102978 Mileage & Parking/Local	
	\$ 475			
	760009	4462	102978 Travel, Hotel, Meals	\$
90				

FURTHER RESOLVED, that in accordance with a request from Office for Aging, in order to provide funds for revision of revenue and appropriations for the III-D Program to close out year 1996, as requested by BT# 10661, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	760819	4457	104003	Subcontracted	Program
Expense \$	57				
DEC.:	760819	0592	104003	Federal III-D Aid	\$
	57				

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds to cover vacancies, as requested by BT# 10435, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160010	1000	204000	Salaries, Full-Time	
\$	800				
	160127	1500	204000	Salaries, Part-Time	
\$	651				
	160127	1700	204000	Salaries, Overtime	
\$8,000					
TO :	160010	1700	204000	Salaries, Overtime	
\$	800				
	160127	1600	204000	Salaries, Temporary	
\$	551				
	160127	1930	204000	Stand By Pay	
\$8,000					
	160127	1940	204000	Other Personnel Services	
\$	100				

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funds to cover vacancies, as requested by BT# 10436, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160184	1500	204000	Salaries, Part-Time	
					\$47,160
	160226	4463	204000	Education & Training	\$
					125
TO :	160184	1000	204000	Salaries, Full-Time	
					\$47,160
	160226	1940	204000	Other Personnel Expenses	
					\$ 125

Carried.

RESOLUTION NO. 386

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

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENTS OF SOLID WASTE MANAGEMENT AND COUNTY CLERK/RECORDS.

RESOLVED, that in accordance with a request from the Department of Solid Waste Management, as contained in PCR# 96-455, this County Legislature hereby authorizes the **change** of one (1) full-

time Leachate Treatment Operator position at budget line SC230086.1000, minimum salary \$14.41/hr (annual salary \$29,973), Grade NA, Union Code 12(AFSCME) to one (1) full-time Motor Equipment Operator II position at budget line SC230086.1000, minimum salary \$11.40/hr (annual salary \$23,712), Grade NA, Union Code 12 (AFSCME), effective October 17, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the County Clerk/Records, as contained in PCR# 96-462, this County Legislature hereby authorizes the **unfreezing** of one (1) full-time Secretary to County Clerk position at budget line A300012.1000, minimum salary \$20,694, Grade 14, Union Code 09 (Admin), effective September 9, 1996

Separate votes were taken on each PCR as follows:

PCR# 96-455 - **Carried.**

PCR# 96-462 - **Carried.** Ayes-17, Nays-1 (Hudak), Abstain-1 (Cahill)

RESOLUTION NO. 387

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING ACCEPTANCE OF N.Y.S. PUBLIC HEALTH STATE AID FOR 1996.

WHEREAS, this County Legislature, by Resolution 509 of 1995, authorized the acceptance of New York State Public Health State Aid for the Broome County Health Department in the amount of \$824,887 for 1995, and

WHEREAS, pursuant to New York State Public Health Law §606, Broome County submitted an application for State aid for 1996 and this application was approved by the New York State Department of Health, and

WHEREAS, it is desired at this time to accept New York State Public Health State Aid for 1996 in the total amount of \$843,699, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the New York State Public Health State Aid for the Broome County Health Department in the total amount of \$843,699, and be it

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

Carried.

RESOLUTION NO. 388

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH N.Y. EASTER SEAL SOCIETY, INC., FOR THE HEALTH DEPARTMENT'S EDUCATION FOR HANDICAPPED CHILDREN'S PROGRAM FOR 1996.

WHEREAS, this County Legislature, by Resolution 594 of 1993, authorized an agreement with New York Easter Seals for therapies and related services for the Health Department's Handicapped Children's Program, and

WHEREAS, said services are necessary for to provide itinerant speech (ST), occupational (OT), and physical therapy (PT), special education, medical services (including psychological evaluation, social history, physical exam, and non-physician evaluation), classroom and personal care aides, service coordination, interpreters, nursing services, counseling, and transportation for the Health Department Education for Handicapped Children's Program, and

WHEREAS, said agreement expired by its terms on December 31, 1995, and it is desired at this time to renew said 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 New York Easter Seal Society, Inc., 845 Central Avenue, Albany, New York, 12206, for the Health Department's Education for Handicapped Children's Program 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 New York State Mandated rates for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from various budget lines not to exceed legal appropriated amounts, and be it

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

Carried.

RESOLUTION NO. 389

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

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

WHEREAS, this County Legislature, by Resolution 246 of 1996, authorized an agreement with Wellcare of New York, Inc., for managed medicaid clinic services and home nursing visits to patients of the Health Department Home Health Services and Clinic Divisions for the period June 27, 1996 through December 31, 1996, with revenue to Broome County, and

WHEREAS, it is necessary to authorize the amendment of said

agreement to include therapy services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Wellcare of New York, Inc., 3209 Vestal Parkway East, Vestal, New York, 13850, for managed medicaid clinic services, home nursing visits and therapy services to Health Department Home Health Services and Clinic Divisions patients for the period June 27, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 480228.0070.101000 and 480061.0070.101000 (Fees for Service), and be it

FURTHER RESOLVED, that Resolution 246 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.

RESOLUTION NO. 390

by PUBLIC WORKS AND FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH THE STATE OF NEW YORK AND THE CITY OF BINGHAMTON FOR RECONSTRUCTION OF THE GOVERNMENT PLAZA DECK FOR 1996 THROUGH 1999.

WHEREAS, the Director of Facilities Management requests authorization for an agreement with the State of New York and the City of Binghamton for reconstruction of the Government Plaza deck at a cost (County share) not to exceed \$1,002,601.70, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the State of New York and the City of Binghamton for reconstruction of the Government Plaza deck for the period August 1,

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1996 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration thereof the County shall pay to the State of New York an amount not to exceed \$1,002,601.70 for the term of this agreement and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035113.2011.501218, and be it

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

Carried.

RESOLUTION NO. 391

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING AGREEMENT WITH VARIOUS HEALTH CARE PROVIDERS FOR BREAST AND CERVICAL CANCER SCREENING, DIAGNOSIS AND RELATED TREATMENT SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION EDUCATION PROGRAM FOR 1996 THROUGH 1997.

WHEREAS, the Acting Health Director requests authorization for agreements with United Medical Associates, P.C. and Guthrie Primary Care, P.C., for breast and cervical cancer screening, diagnosis and related treatment services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1996 through June 30, 1997, total cost not to exceed the budgeted appropriations, and

WHEREAS, said services are necessary in order to provide various

sites around the Southern Tier with breast and cervical cancer early detection program services in support of the Health Department Breast and Cervical Cancer Detection Education Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with United Medical Associates, P.C., Wilson Square Medical Office Building, 30 Harrison Street, Johnson City, New York, 13790, for breast and cervical cancer screening, diagnosis and related treatment services, said services more particularly described on the attached Exhibit "A", for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Guthrie Primary Care, P.C., Guthrie Health Systems, 3rd Level, Guthrie Square, Sayre, Pennsylvania, 11840, for breast and cervical cancer screening, diagnosis, and related treatment services, said services more particularly described on the attached Exhibit "A", for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed the amounts for the services listed on the attached Exhibit "A", total amount not to exceed the budgeted appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4707.104045 (Medical and Hospital Services), and be it

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

Carried.

RESOLUTION NO. 392

by FINANCE COMMITTEE

Seconded by Mrs. Hudak

RESOLUTION TO ENACT ONE-WEEK SALES AND USE TAX CLOTHING AND FOOTWEAR EXEMPTION.

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

Section One. Receipts from sales of and consideration given or contracted to be given for purchases of clothing and footwear exempt from state sales and compensating use taxes pursuant to paragraph 30 of subdivision (a) of Section 1115 of the tax law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction.

Section Two. This resolution shall take effect immediately and shall apply to sales made and uses occurring during the period commencing January 18, 1997, and ending January 24, 1997, although made or occurring under a prior contract.

Carried.

RESOLUTION NO. 393

by FINANCE COMMITTEE

Seconded by Mrs. Hudak

A RESOLUTION AUTHORIZING THE SALE OF COUNTY OWNED PROPERTY TO D & B ENTERPRISES.

WHEREAS, the County of Broome is currently the owner of real property known as Tax Map No. 5-4-S4 in the Town of Kirkwood which was acquired as part of the Resource Recovery Project, and

WHEREAS, the County has received an offer from D & B Enterprises to purchase said property from the County, and

WHEREAS, the County is willing to sell said property to D & B

Enterprises, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with D & B Enterprises, 216 Colesville Road, Binghamton, New York, 13904, for the purchase of 20.40 acres of County-owned property in the Town of Kirkwood, Tax Map No. 5-4-S4, and be it

FURTHER RESOLVED, that in consideration of said agreement the vendor shall pay the County \$10,650, and be it

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

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

Carried.

RESOLUTION NO. 394

by FINANCE and INTERGOVERNMENTAL COMMITTEES

Seconded by Mrs. Hudak

A RESOLUTION AUTHORIZING COLLECTION OF PARTIAL PAYMENTS OF SCHOOL TAXES.

WHEREAS, §928-a of the Real Property Tax Law enables counties to authorize local tax collectors to accept partial payments of levied taxes, now, therefore, be it

RESOLVED, that if approved by the local boards of education, the collection warrants for school tax collectors for districts contained wholly within the County are, now and hereafter, amended to authorize the acceptance of partial payments of at least 50% of the original principal amounts levied against all parcels for which there are no delinquent taxes, the first partial payment due in September and the second in October of each year, and be it

FURTHER RESOLVED, that for a school district which is contained partly within and partly without the County, this Resolution shall apply to such school district only if all counties in which the school district is located have adopted identical partial payment programs pursuant to §928-a of the Real Property Tax Law, and be it

FURTHER RESOLVED, that the Clerk of the Legislature is hereby directed to file a copy of this Resolution with the State Division of Real Property Tax Services within 30 days after adoption.

Carried.

RESOLUTION NO. 395

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Miller

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JOHN MACE FOR JOB TRAINING SERVICES, WRITING AND MONITORING ON THE JOB TRAINING CONTRACTS FOR THE OFFICE OF EMPLOYMENT AND TRAINING SOUTHERN TIER CAREER CENTER FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 381 of 1995, authorized an agreement with John Mace for job training services, and writing and monitoring On the Job Training contracts for the Office of Employment and Training Southern Tier Career Center for July 1, 1995 through June 30, 1996, at a cost not to exceed \$12,000, and

WHEREAS, said services assist the current staff of Broome County Office of Employment and Training, Broome County Office for Aging, and Broome County Office of Mental Health currently staffing the Southern Tier Regional Career Center by providing enhanced job placement services and OJT contracting expertise, and

WHEREAS, said agreement expired by its terms on June 30, 1996,

and it is desired at this time to renew said agreement for the period July 1, 1996 through June 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 John Mace, 30 Wall Street, Binghamton, New York, 13901, for job training and related services for the Office of Employment and Training Southern Tier Career Center, for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor total amount not to exceed \$20,000, plus mileage, for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 720722.4542.308XXX (Contracted Training), and be it

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

Carried.

RESOLUTION NO. 396

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL OF THE PROBATION DEPARTMENT PRETRIAL RELEASE PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 273 of 1995, authorized and approved the Probation Department in the Pretrial

Release Program Grant and adopted a program budget in the amount of \$78,311 for the period July 1, 1995 through June 30, 1996, and

WHEREAS, said grand funds services designed to reduce the unsentenced inmates at the Broome County jail by the provision of information to the court necessary to enable the court to decide the least restrictive method necessary to secure an inmate's appearance in court without detention and/or for those inmates unable to post bail, and

WHEREAS, it is desired to renew said program grant for the period July 1, 1996 through June 30, 1997, in the amount of \$81,617, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$81,617 from the New York State Division of Probation and Correctional Alternatives for the Probation Department Pretrial Release Program Grant for the period July 1, 1996 through June 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 \$81,617 for the period July 1, 1996 through June 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.

RESOLUTION NO. 397

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING REVISION OF PROBATION DEPARTMENT INTENSIVE SUPERVISION PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 119 of 1996, authorized the Probation Department Intensive Supervision Program Grant for the period April 1, 1996 through March 31, 1997, and adopted a program budget in the amount of \$166,037, and

WHEREAS, said grant funds probation officers devoted exclusively to supervising a limited number of cases enabling frequent intervention by the officers designed as an alternative sentence to incarceration, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Probation Department Intensive Supervision Program Grant for the period April 1, 1996 through March 31, 1997, in the total amount of \$160,813, 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 \$160,813 for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that Resolution 119 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.

RESOLUTION NO. 398

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE PUBLIC DEFENDER AID TO LOCALITIES AID FOR 1996 THROUGH 1997

WHEREAS, this County Legislature, by Resolution 681 of 1995, authorized and accepted New York State Public Defender Aid to Localities aid in the amount of \$34,470 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, this aid supports the Broome County Office of the Public Defender who provides representation to financially eligible persons arrested in Broome County and this aid relieves the County of an expense it would otherwise have to assume, and

WHEREAS, as it is desired at this time to accept New York State Public Defender Aid to Localities aid in the amount of \$34,470 for the period April 1, 1996 through March 31, 1997, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the New York State Public Aid to Localities aid in the amount of \$34,470 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 agreements, documents, or papers approved by the Department of Law as may be necessary to implement the intent and purpose of this Resolution. **Carried.**

RESOLUTION NO. 399

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL OF STATE AND LOCAL OVERTIME AND EXPENSE PROGRAM GRANT FROM UNITED STATES DEPARTMENT OF JUSTICE FOR THE BROOME COUNTY SHERIFF'S DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996.

WHEREAS, this County Legislature, by Resolution 267 of 1996, authorized and approved the acceptance of the State and Local Overtime and Expense Program Grant from United States Department of Justice in the amount of \$6,099 for the period January 1, 1996 through March 31, 1996, and

WHEREAS, said grant program allows the Task Force to assist local law enforcement agencies such as the Sheriff's Dept. in the fight against drugs, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through June 30, 1996, in the amount of \$6,099, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$6,099 from United States Department of Justice for the period April 1, 1996 through June 30, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$6,099 for the period April 1, 1996 through June

30, 1996, and be it

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

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

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

Carried.

RESOLUTION NO. 400

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL OF BINGHAMTON UNIVERSITY MASTERS DEGREE PROGRAM GRANT FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 447 of 1995, authorized and approved the Binghamton University Masters Degree Program grant for the Department of social Services in the amount of \$66,656 for the period August 23, 1995 through August 22, 1996, and

WHEREAS, said grant program provides for selected Department of Social Services employees to enroll on a part-time basis in the Master of Arts in Public Administration (MPA) Program at Binghamton University, and

WHEREAS, said program is funded by State grant funds at no cost to Broome County, and

WHEREAS, it is desired to renew said grant program for the period August 23, 1996 through August 22, 1997, in the amount of \$133,644, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$133,644 from New York State Department of Social Services for the Masters Degree Program at Binghamton University for Department of Social Services employees for the period August 23, 1996 through August 22, 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 \$133,644 for the period August 22, 1996 through August 22, 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.

RESOLUTION NO. 401

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS

WITH VARIOUS VENDORS FOR PERSONAL CARE SERVICES IN CONNECTION WITH SOCIAL SERVICES MEDICAID PROGRAM FOR 1996.

WHEREAS, this County Legislature, by Resolutions 552 of 1995, authorized agreements with various vendors for personal care services furnished to Medicaid recipients at a rate approved by New York State for 1995 through 1996, pending New York State approval, and

WHEREAS, said agreements expired by their terms on December 31, 1995, and it is desired at this time to renew said agreements on substantially similar terms and conditions, establishing the New York State reimbursement rate for 1996, and authorizing continuation of the 1996 rates through 1997, pending New York State approval, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Olsten Kimberly Quality Care, 30 State Street, Binghamton, New York, 13901, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1996 through December 31, 1996:

	<u>1996 hourly rates</u>
Level I	\$13.75
Level I (1/4 hour)	3.43
Level II	13.75
Level II (1/4 hour)	3.43
Nursing Supervision Visit	41.24

and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with StafKings Healthcare, P.O. Box 1015, Binghamton, New York, 13902, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1996 through December 31, 1996:

	<u>1996 hourly rates</u>
Level I	\$13.11
Level II	13.11

Shared Aide Level I	13.20
Shared Aide Level II	13.20
Shared Aide Level I (1/4 hour)	3.30
Shared Aide Level II (1/4 hour)	3.30
Level I (1/4 hour)	3.28
Level II (1/4 hour)	3.28
Nursing Supervision Visit	38.08

and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York, 13905, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1996 through December 31, 1996:

	<u>1996 hourly rates</u>
Level I	\$12.85
Level II	13.28
Level II Hard to Serve	16.47
Shared Aide Level I	12.77
Shared Aide Level II	13.32
Level I (1/4 hour)	3.21
Level II (1/4 hour)	3.32
Shared Aide Level I (1/4 hour)	3.19
Shared Aide Level II (1/4 hour)	3.33
Nursing Supervision Visit	43.18

and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Interim Healthcare, Inc., 59 Front Street, Binghamton, New York, 13905, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1996 through December 31, 1996:

	<u>1996 hourly rates</u>
Level II	\$13.09
Shared Aide Level I	12.72
Shared Aide Level II	13.26
Level II (1/4 hour)	3.27
Shared Aide Level I (1/4 hour)	3.53
Shared Aide Level II (1/4 hour)	3.62
Nursing Supervision Visit	45.00

and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Homemakers of Broome County, Inc., d/b/a CareGivers, 2465 Sheridan Drive, Buffalo, New York, 14240, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1996 through December 31, 1996:

	<u>1996 hourly rates</u>
Level I	\$12.43
Level II	12.84
Shared Aide Level I	12.41
Shared Aide Level II	12.17
Level I (1/4 hour)	3.11
Level II (1/4 hour)	3.21
Shared Aide Level I (1/4 hour)	3.10
Shared Aide Level II (1/4 hour)	3.04
Nursing Supervision Visit	39.58

and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with StafCare of New York, d/b/a Americare, 138 Court Street, Binghamton, New York, 13901, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1996 through December 31, 1996:

	<u>1996 hourly rates</u>
Level II	\$13.18

Shared Aide Level I	13.18
Shared Aide Level II	13.18
Level II (1/4 hour)	3.29
Shared Aide Level I (1/4 hour)	3.29
Shared Aide Level II (1/4 hour)	3.29
Nursing Supervision Visit	47.50

and be it

FURTHER RESOLVED, that Resolution 552 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103XXX (MMIS Medical Assistance), and be it

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

Carried.

RESOLUTION NO. 402

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL OF THE DEPARTMENT OF SOCIAL SERVICES HOME ENERGY ASSISTANCE PROGRAM (HEAP) AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolutions 448 of 1995, 83 and 269 of 1996, authorized and approved the Department of Social Services participation in the Home Energy Assistance Program (HEAP) for the period November 1, 1995 through November 15, 1996, and

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adopted a program budget in the amount of \$608,998, and

WHEREAS, it is desired to renew said grant program for the period November 15, 1996 through November 15, 1997, in the amount of \$127,941, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$127,941 from the New York State Department of Social Services for the period November 15, 1996 through November 15, 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 \$127,941 for the period November 15, 1996 through November 15, 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.

RESOLUTION NO. 403

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mrs. Hudak

**RESOLUTION AUTHORIZING AGREEMENT WITH
STEARNS & WHEELER, LLC, FOR PROFESSIONAL**

ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT.

WHEREAS, the Director of the Solid Waste Management Division requests authorization for an agreement with Stearns & Wheler, LLC, for professional engineering services, for the period January 1, 1997 through December 31, 1997, at a cost not to exceed \$18,700, and

WHEREAS, said services are necessary to review and update the County options for future discharge of effluent from the Leachate Treatment Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York, 13035, for professional engineering 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 Contractor an amount not to exceed \$18,700 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501282 (Contracted Services), and be it

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

Carried.

RESOLUTION NO. 404

by ENVIRONMENT and FINANCE COMMITTEES Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING AGREEMENT WITH STEARNS & WHELER, LLC, FOR PROFESSIONAL ENGINEERING SERVICES FOR SOLID WASTE MANAGEMENT.

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WHEREAS, the Director of Solid Waste Management requests authorization for an agreement with Stearns & Wheler for professional engineering services for the period November 1, 1996 through October 31, 1997, at a cost not to exceed \$54,400, and

WHEREAS, said services are necessary to operate the new Leachate Treatment Facility to optimize performance and treatment capability, minimize facility start-up and down-time, and to train County personnel in operation of the facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York, 13035, for professional engineering services, for the period November 1, 1996 through October 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$54,400 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4545.206000 (Contracted Services), and be it

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

Carried.

RESOLUTION NO. 405

by ENVIRONMENT COMMITTEE

Seconded by Mrs. Hudak

A RESOLUTION SCHEDULING A PUBLIC "SCOPING" MEETING WITH REGARD TO THE DEVELOPMENT OF A NEW LANDFILL AND A SOLID WASTE COMPOSTING SYSTEM.

WHEREAS, this Legislature, by Resolution 288 of 1993, declared

itself lead agency under the State Environment Quality Review Act with regard to the development of a new landfill and Solid Waste Composting System, and

WHEREAS, this Legislature has received a proposed outline of a Draft Environmental Impact Statement with regard to this project, and

WHEREAS, this Legislature has determined that a public "scoping" meeting should be held to assist the lead agency to determine the appropriate scope of the Environmental Impact Statement, now, therefore, be it

RESOLVED, that this Legislature schedules a public "scoping" meeting to be held on November 21, 1996, at 7:00 p.m. in the Legislative Chambers, and be it

FURTHER RESOLVED, that the lead agency will receive written comments on the scope of the Environmental Impact Statement through December 1, 1996, and be it

FURTHER RESOLVED, that a transcript of the "scoping" meeting and copies of all written comments be forwarded to this Legislature for its review.

Carried.

RESOLUTION NO. 406

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY STOP-DWI PROGRAM HOLIDAY CLASSIC AND JOHN MCCARTHY MEMORIAL BASKETBALL TOURNAMENT GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

REGULAR SESSION OF OCTOBER 17, 1996

WHEREAS, this County Legislature, by Resolution 380 of 1995, authorized and approved the Broome County Stop-DWI Program Holiday Classic and John McCarthy Memorial Basketball Tournament Grant and adopted a program budget in connection therewith the amount of \$74,300 for the period July 1, 1995 through June 30, 1996, and

WHEREAS, said grant program funds the Holiday Classic and John McCarthy Memorial Basketball Tournament, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1996 through August 31, 1997, in the amount of \$84,748, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Broome County Stop-DWI Program Holiday Classic and John McCarthy Memorial Basketball Tournament Grant in the amount of \$84,748 for the period September 1, 1996 through August 31, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$84,748 for the period September 1, 1996 through August 31, 1997, and be it

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

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

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

Carried.

RESOLUTION NO. 407

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE BROOME COUNTY ARENA FOR THE STOP-DWI HOLIDAY CLASSIC BASKETBALL TOURNAMENT FOR 1996 AND 1997.

WHEREAS, this County Legislature, by Resolution 379 of 1995, authorized an agreement with the Broome County Arena for use and host of the majority of the games scheduled in connection with the Stop-DWI Holiday Classic Basketball Tournament at a cost of \$9,000, and

WHEREAS, it is desired at this time to renew said agreement for the period December 27-29, 1996, and December 27-29, 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 Broome County Arena for use of its facility for the annual Broome County Stop-DWI Program Holiday Classic Basketball Tournament for the periods December 27-29, 1996, and December 27-29, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall contribute equipment valued at \$6,500, as well as pay an amount not to exceed \$5,750 for 1996 and an amount not to exceed \$5,750 for 1997; total value not to exceed \$18,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 820019.4449.104XXX (Other Operational Expenses), 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.

RESOLUTION NO. 408

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CHARLES TARRICONE FOR TOURNAMENT DIRECTOR SERVICES FOR THE BROOME COUNTY STOP-DWI HOLIDAY CLASSIC BASKETBALL TOURNAMENT FOR 1996.

WHEREAS, this County Legislature, by Resolution 378 of 1995, authorized an agreement with Charles Tarricone for tournament director services with respect to the Stop-DWI Holiday Classic Basketball Tournament at a cost of \$5,000 plus authorized expenses, and

WHEREAS, said services are necessary to oversee planning, development and operation of the tournament which showcases some of Section IV's top high school basketball teams against top flight teams from across the United States and promotes the Stop-DWI Program Drunk Driving Message during a holiday season, and

WHEREAS, it is desired at this time to renew said agreement for the 1996 Stop-DWI Holiday Classic Basketball Tournament, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Charles Tarricone, 1305 Campus Drive, Vestal, New York, 13850, for tournament director services for the 1996 Broome County Stop-DWI Program Holiday Classic Basketball

Tournament, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Charles Tarricone an amount not to exceed \$5,000 plus expenses as approved by the Stop-DWI Program Coordinator for the 1996 tournament, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 820019.4457.104XXX (Subcontracted Program Expense), and be it

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

Carried.

RESOLUTION NO. 409

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING AGREEMENT WITH DAVE HAMBURG FOR MARKETING AND SPORTS INFORMATION COORDINATOR SERVICES FOR THE BROOME COUNTY STOP-DWI HOLIDAY CLASSIC TOURNAMENT FOR 1996.

WHEREAS, the Stop-DWI Coordinator requests authorization for an agreement with Dave Hamburg for marketing and sports information coordinator services for the Broome County Stop-DWI Holiday Classic Tournament for 1996, at a cost not to exceed \$2,500, plus expenses as approved by the Stop-DWI Coordinator, plus 20% of revenue received from sponsors who have not contributed previously and are solicited by vendor, and

WHEREAS, said agreement is necessary to coordinate marketing/sponsorship, fund raising and sports information services for

the 1996 Broome County Stop-DWI Holiday Classic Tournament, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Dave Hamburg, 16 Jameson Road, Binghamton, New York, 13905, for marketing and sports information coordinator services for the 1996 Broome County Stop-DWI Program Holiday Classic Basketball Tournament, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Dave Hamburg an amount not to exceed \$2,500, plus directly related expenses as approved by the Stop-DWI Program Coordinator, plus 20% of revenue received from sponsors who have not contributed previously and are solicited by vendor, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 820019.4457.104XXX (Subcontracted Program Expense), and be it

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

Carried.

RESOLUTION NO. 410

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING ACCEPTANCE BY WILLOW POINT NURSING FACILITY OF CAROUSEL HORSE.

WHEREAS, the Administrator of Willow Point Nursing Facility requests authorization to accept one handmade carousel horse valued at \$200.00 at no cost to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of one handmade carousel horse valued at \$200.00

from Donna Arboit and Gloria Callan, at no cost to the County, and be it

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

Carried.

RESOLUTION NO. 411

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING ACCEPTANCE BY WILLOW POINT NURSING FACILITY OF THERMOMETERS, ENTERTAINMENT CENTERS, VCR AND CAMERA.

WHEREAS, the Administrator of the Willow Point Nursing Facility requests authorization to accept two (2) ear thermometers valued at \$600.00; two (2) entertainment centers valued at \$249.98; one (1) VCR valued at \$139.99; and one (1) camera valued at \$149.95, from The Memorial & Gift Fund Committee at no cost to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of two (2) ear thermometers valued at \$600.00; two (2) entertainment centers valued at \$249.98; one (1) VCR valued at \$139.99; and one (1) camera valued at \$149.95 from The Memorial & Gift Fund Committee, at no cost to the County, and be it

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

Carried.

RESOLUTION NO. 412

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING AGREEMENT WITH DELOITTE & TOUCHE, LLP, FOR CONSULTING SERVICES FOR THE WILLOW POINT NURSING FACILITY FOR 1996.

WHEREAS, the Administrator of the Willow Point Nursing Facility requests authorization for an agreement with Deloitte & Touche, LLP for consulting services for the period October 21, 1996 through December 31, 1996, at a cost not to exceed \$8,000, and

WHEREAS, said services are necessary to assist in the development of a charge structure to determine practicality of participation in Phase III of the Medicare Demonstration Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Deloitte & Touche, LLP, 2200 Chase Square, Rochester, New York, 14604-1998, for consulting services, for the period October 21, 1996 through December 31, 1996, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010.4725.204000 (Other Financial Services), and be it

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

Carried.

RESOLUTION NO. 413

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEE

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING AGREEMENT WITH TOWN

OF MAINE FOR USE OF HIGHWAY GARAGE AS SUBSTATION FOR THE BROOME COUNTY SHERIFF'S DEPARTMENT.

WHEREAS, the Broome County Sheriff requests authorization for an agreement with Town of Maine for use of the highway garage as a substation for the Broome County Sheriff's Department for the period July 1, 1996 through December 31, 1997, at no cost to the County, and

WHEREAS, said services are necessary to provide use of the Town of Maine highway garage as a substation for the Sheriff's Department, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Town of Maine, P.O. Box 336, Maine, New York, 13802, for use of the Town of Maine highway garage as a substation for the Broome County Sheriff's Department, for the period July 1, 1996 through December 31, 1997, and be it

FURTHER RESOLVED, that there will be no cost to the County for the term of this agreement, and be it

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

Carried.

RESOLUTION NO. 414

by PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

RESOLUTION AUTHORIZING REVISION OF HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES EFFECTIVE FOR 1997.

WHEREAS, this County Legislature, by Resolutions 424, 580 and 605 of 1991, as amended by Resolutions 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, it is desired at this time to amend the hourly rate schedule for 1997 as indicated on Exhibit "A" attached hereto, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary, seasonal and miscellaneous employees for 1997 as set out in Exhibit "A" attached hereto, and be it

FURTHER RESOLVED, that the effective date of said amendments shall be January 1, 1997, unless otherwise indicated on Exhibit "A" attached hereto.

Carried.

RESOLUTION NO. 415 by FINANCE COMMITTEE

Seconded by Mr. Cahill

RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME COUNTY GOVERNMENT FOR FISCAL YEAR 1997

WHEREAS, this County Legislature, by an accompanying Resolution 96-416 of 1996, has adopted a budget for fiscal year 1997, now, therefore be it

RESOLVED, that the several amounts specified in such budget under the various categories and the various objects of expense in the 1997 tentative budget under the recommended column, unless a specific change or correction has been made in the same, in which case such change or corrected figure shall apply, shall be the amounts appropriated for such items, effective January 1, 1997, and be it

FURTHER RESOLVED, that the budget officer be and he hereby is authorized, empowered and directed to correct any modifications, changes, additions and/or typographic errors not affecting the substance of the budget, and that the budget officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature

and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 416 by FINANCE COMMITTEE

Seconded by Mr. Cahill

RESOLUTION ADOPTING THE BROOME COUNTY BUDGET AND ESTABLISHING RATE OF COMPENSATION FOR NON UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 1997

RESOLVED, that the tentative budget of the County of Broome, including the County's 1997 Capital Budget, as corrected and amended to _____ ; be and it hereby is adopted as the budget for the County of Broome, for the year commencing January 1, 1997 and ending December 31, 1997, and be it

FURTHER RESOLVED, that all non-union Administrative I and Administrative II personnel, will receive a 3.0 percent salary increase, after adjustment for longevity, said 3.0 percent salary increase to be determined by the 1996 base salary to become effective January 1, 1997, and be it

FURTHER RESOLVED, that all non-union Administrative I and Administrative II position minimums shall also be increased 3.0 percent, effective January 1, 1997, said minimums to be as set forth herein, and be it

FURTHER RESOLVED, that the budget officer be and he is hereby authorized, empowered, and directed to correct any modifications, changes, additions and/or typographical errors not effecting the substance of the budget and that the budget officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

ADMINISTRATIVE I

ADMINISTRATIVE II

REGULAR SESSION OF OCTOBER 17, 1996

1996 JOURNAL OF PROCEEDINGS OF THE BROOME COUNTY LEGISLATURE

Grade	1996 Minimum	1997 Minimum	Grade	1996 Minimum	1997
7	\$14,831	\$15,276	A	\$24,426	\$25,159
8	15,539	16,005	B	26,675	27,475
9	16,288	16,777	C	28,925	29,793
10	17,078	17,590	D	31,173	32,108
11	17,909	18,446	E	33,421	34,424
12	18,788	19,352	F	35,670	36,740
13	19,716	20,307	F(40 hrs)		
14	20,694	21,315		38,048	39,189
15	21,723	22,375	G	37,920	39,058
16	22,811	23,495	H	40,168	41,373
17	23,960	24,679	H(40 hrs)		
18	25,172	25,927		42,722	44,004
19	26,448	27,241	I	42,417	43,690
20	27,797	28,631	J	44,667	46,007
20(40 hrs)			K	46,915	48,322
	29,610	30,498	K(40 hrs)		
21	29,219	30,096		49,914	51,411
21(40 hrs)			L	51,413	52,955
	31,131	32,065	M	54,351	55,982

ADMINISTRATIVE I

Grade	1996 Minimum	1997 Minimum
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22	30,721	31,643	M - 1
22(40 hrs)			N
	32,738	33,720	O

ADMINISTRATIVE II

Grade	1996 Minimum	1997
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	54,899	56,546
	59,601	61,389
	66,809	68,813

23	32,301	33,270		
24	33,972	34,991		
24(40 hrs)			<u>MISCELLANEOUS OFFICIALS</u>	
	36,215	37,301	Coroner	\$25,500
			County	
25	35,735	36,807	Historian	\$ 5,000
26	37,596	38,724	Deputy	
27	39,554	40,741	Historian	\$8.0033/hour
28	41,621	42,870	Election	
29	43,806	45,120	Commissioner	\$ 5,000

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 417 by FINANCE COMMITTEE

Seconded by Mr. Cahill

RESOLUTION APPROVING THE 1997-2002 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 1997 Capital Budget and the 1997-2002 Capital Improvement Program as accompanying the tentative budget for 1997, and as corrected and amended is hereby approved and adopted as the 1997 Capital Budget and 1997-2002 Capital Improvement Program for the County of Broome, and be it

FURTHER RESOLVED, that the use and expenditure of the County's funds for C-267 Terminal Building Renovations Phase I; E-109 Business Building Roof Replacement; F-572 Dog Shelter Expansion; Q-52 Transit-Radio System Replacement; Q-54 Electronic Fareboxes Purchase; shall be limited and contingent upon and subject to approval and commitment by the State of New York, the United States, and non-county sources of Aid Funds for appropriate projects, and be it

FURTHER RESOLVED, that the Budget Officer be and hereby is authorized, empowered, and directed to correct any modification, changes, additions, and/or typographical errors not effecting the substance of the capital budget and capital program, and that the budget officer is further directed, after making such corrections, to file the same with the clerk of the County Legislature and to furnish said clerk with

sufficient copies thereof for the members of the County Legislature.
Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 418

by PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

RESOLUTION AUTHORIZING RATES FOR INDIVIDUAL AND DEPENDENT HEALTH BENEFITS COVERAGE EFFECTIVE JANUARY 1, 1997.

WHEREAS, this County Legislature previously authorized the County Health Benefits Self-Insurance Program whereby County Administrative and Legislative units, County officers, County employees and retirees share the cost of individual and dependent health insurance premiums in accordance with formulas established by labor agreements and/or Legislative resolution, and

WHEREAS, the current health insurance rates shall be changed and the monthly contributions shall be calculated as set forth in the attached Exhibit "A", now, therefore, be it

RESOLVED, that commencing January 1, 1997, the monthly contribution to the County Health Benefits Self-Insurance Program, which is shared by County Administrative and Legislative units, County officers, County employees and retirees in accordance with the labor agreements and all Legislative resolutions shall be in the amounts indicated on Exhibit "A", and be it

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

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 419 by FINANCE COMMITTEE

Seconded by Mr. Cahill

RESOLUTION LEVYING THE COST OF WORKERS' COMPENSATION FOR CALENDAR YEAR 1997.

WHEREAS, a budget for the operation of the Broome County Self-Insurance Plan for Workers' Compensation for the year 1997 in the amount of \$2,998,985 has been presented and approved by the County Legislature, now, therefore, be it

RESOLVED, that the estimated costs of the Broome County Self Insurance Plan for Workers' Compensation for the calendar year 1997, as previously established, as apportioned to the county and the towns and villages participating in the fund, and be included by the County Legislature in the next succeeding tax levy and paid to the Commissioner of Finance, and the Commissioner of Finance is hereby authorized to bill the Villages of Endicott, Lisle, Whitney Point and Port Dickinson for the amounts apportioned to them, and when the same is collected, deposit said amounts to the Workers' Compensation account as follows:

<u>TOWNS</u>	<u>AMOUNT</u>
Barker	\$ 5,568
Binghamton	51,212
Chenango	88,204
Colesville	58,368
Conklin	22,487
Lisle	24,353
Maine	27,301
Nanticoke	3,147
Sanford	28,183
Triangle	5,554
Vestal	153,364
Windsor	39,254

<u>VILLAGES</u>	<u>AMOUNT</u>
Endicott	\$ 211,218
Lisle	17,044
Port Dickinson	9,204
Whitney Point	13,495
Broome County	1,615,640
	<u><u>\$2,373,596</u></u>

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 420

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

Seconded by Mr. Cahill

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 13, 1996, ENTITLED: "A LOCAL LAW AMENDING LOCAL LAW NO. 20, 1995, IMPOSING A LOCAL SURCHARGE FOR AN ENHANCED EMERGENCY TELEPHONE SYSTEM."

RESOLVED, that Local Law Intro. No. 13, 1996, entitled: "A Local Law Amending Local Law Intro. No. 20, 1995, Imposing a Local Surcharge for an Enhanced Emergency Telephone System", be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 13, 1996

A LOCAL LAW AMENDING LOCAL LAW NO. 20, 1995,

**IMPOSING A LOCAL SURCHARGE FOR AN
ENHANCED EMERGENCY TELEPHONE SYSTEM.**

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

SECTION 1. Commencing January 1, 1997, section 2 of Local Law No. 20 of 1995 shall be amended as follows:

Section 2. Commencing January 1, [1996] 1997 there shall be imposed on each customer of a service supplier within Broome County a surcharge of [\$.30] \$.35 per access line per month.

SECTION 2. Except as hereinabove amended, Local Law No. 20, 1995, shall remain in full force and effect.

SECTION 3. This Local Law shall take effect upon filing with the Secretary of State.

Matters in [brackets] are deleted. Matters underlined are added.

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 421

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Cahill

RESOLUTION REPEALING RESOLUTIONS 533 OF 1990, 298 OF 1991, AND 574 OF 1995.

WHEREAS, this County Legislature, by Resolution 533 of 1990, established a policy regarding election chargebacks, and

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WHEREAS, said policy was modified by Resolution 298 of 1991, and further modified by Resolution 574 of 1995, and

WHEREAS, it is desired to rescind said policy as amended so that no election expenses will be charged back to municipalities in 1997 and later years, now, therefore, be it

RESOLVED, that Resolutions 533 of 1990, 298 of 1991, and 574 of 1995 are hereby repealed.

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 422

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Cahill

RESOLUTION DECLARING THE ACQUISITION OF REAL PROPERTY OF R.G. INGERSOLL WAITE ON UPPER FRONT STREET, TOWN OF DICKINSON, TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF SAID REAL PROPERTY BY CONDEMNATION.

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

WHEREAS, the Commissioner of Public Works recommends the acquisition of the property of R.G. Ingersoll Waite on Upper Front Street in the Town of Dickinson (0.53 acres; Tax Map 1-6-3), which adjoins the site of the County-owned jail barracks, in order to use such property for a redesigned entrance to Broome Community College and the Public Safety Facility and other County facilities, and

WHEREAS, this County Legislature, by Resolution 519 of 1992, adopted a Statement of Findings and Decision in connection with the

Broome County Public Safety Complex, and

WHEREAS, the Department of Public Works has determined that acquisition of such property is “de minimis” because there are no environmental impacts beyond those included in the Environmental Impact Statement for the Public Safety Facility Complex, and

WHEREAS, the Department of Public Works is requesting authorization from this Legislature to acquire said property by purchase or condemnation, and

WHEREAS, the Public Works Committee has reviewed such proposed acquisition and recommends that it be found to be exempt from the public hearing requirement because it is “de minimis” in nature, said determination being based upon the fact that the addition to the Public Safety Facility Complex of this one parcel consisting of only 0.53 acres from one property owner, would have no substantial effect on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the acquisition of the property of R.G. Ingersoll Waite on Upper Front Street, Town of Dickinson (Tax Map 1-6-3) to be “de minimis” in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the acquisition by condemnation of said real property for the redesigned entrance to Broome Community College and the Public Safety Facility and other County facilities.

Mr. Cahill moved, seconded by Mrs. Coffey to **call the question** on the resolution. The call of the question **carried**.

The resolution **carried**. Ayes-16, Nays-3 (Coffey, Hull & Whalen)

RESOLUTION NO. 423

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

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING REVISION OF BROOME COUNTY CLERK MOTOR VEHICLE ENFORCEMENT GRANT FROM THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLE AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996.

WHEREAS, this County Legislature, by Resolution 198 of 1996, authorized the Broome County Clerk Motor Vehicle Enforcement Grant from the New York State Department of Motor Vehicles for the period January 1, 1996 through December 31, 1996, and adopted a program budget in connection therewith in the total amount of \$30,735, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Broome County Clerk Motor Vehicle Enforcement Grant for the period January 1, 1996 through December 31, 1996, in the total amount of \$41,627.36, 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 \$41,627.36 for the period January 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that Resolution 198 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-0, Abstain-1 (Cahill)

RESOLUTION NO. 424

by FINANCE, PUBLIC WORKS, and EDUCATION, CULTURE & RECREATION COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AMENDING THE 1995 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, this Broome County Legislature, by Resolution 94-454 as amended by Resolution 95-650, has approved previously Broome Community College capital project E-112B Asbestos Remediation PH II, and

WHEREAS, Broome Community College has identified the need to expand this project to continue the removal of asbestos, and

WHEREAS, New York State has authorized additional funding for this project and the required local match is provided for in the 1997 Broome County Budget as adopted by the Broome County Legislature, now, therefore be it

RESOLVED, that the 1995 Capital Improvement Program is hereby amended as follows:

FROM:

Project		FAMIS		Year	Period
Probable					
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>	
E-112B 5	BCC-Asbestos Remediation PH II		502257	1995	

Project <u>Distribution of Costs: County Sources:</u>					
<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$100,000	0	\$50,000	\$50,000	\$0	\$100,000

Project

Description: Continue removal of asbestos previously identified (Hall-Kimbrell Report, 1987) and recently detailed by Sear, Brown from college buildings. Will require seven quarters; no stated impact upon operating budget. Approval received from NYS SUNY Construction Fund for matching funds

TO:

Project		FAMIS		Year	Period
Probable					
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>	
E-112B 5	BCC-Asbestos Remediation PH II		502257	1995	

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

\$154,276 \$0 \$77,138 \$77,138 \$0 \$154,276

Project Description: Same
Carried.

RESOLUTION NO. 425

by FINANCE, PUBLIC WORKS, and HEALTH COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AMENDING THE 1996 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, this County Legislature by Resolution 475 of 1995 as amended by Resolution 176 of 1996, previously approved capital project W-22C Asbestos Remediation PH II for the remediation of asbestos at Willow Point Nursing Home,

WHEREAS, the Nursing Home Administrator has requested an amendment to said capital project to reflect increased costs due to withdrawal of low bidder and allow timely completion of the asbestos remediation, now, therefore be it

RESOLVED, that the 1996 Capital Improvement Program is hereby amended as follows:

FROM:

Project	Project		FAMIS	Year	Period
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>	
W-22C	WPNH-Asbestos Remediation PH III		502270	1996	
	5				

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

\$632,840 \$0 \$0 \$632,840 \$0 \$632,840

Project

Description: Remove and/or contain asbestos containing materials in the South Building, final phase, as determined by Asbestos Management Engineering Plan. Complete in six quarters; no stated impact upon operating budget. Requires a NYS Department of Health Certificate of Need

TO:

Project	Project		FAMIS	Year	Period
Code	Title	Code	Start	Use	
W-22C 5	WPNH-Asbestos Remediation	PH II502270		1996	

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$667,840	\$0	\$0	\$667,840	\$0	\$667,840

Project Description: Same
Carried.

RESOLUTION NO. 426

by FINANCE, PUBLIC WORKS and HEALTH COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AMENDING THE 1996 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, this County Legislature, by Resolution 475 of 1995

as amended by Resolution 176 of 1996, previously approved capital project W-57 Resident Room Renovations, and

WHEREAS, the Nursing Home Administrator has requested an amendment of said project to increase the transfer amount and reduce future indebtedness, now, therefore be it

RESOLVED, that the 1996 Capital Improvement Program is hereby amended as follows:

FROM:

Project	Project		FAMIS	Year	Period
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>	
W-57	Resident Room Renovations		501329	1996	
15					

Project	<u>Distribution of Costs:</u>			<u>County Sources:</u>	
<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$2,480,000	\$0	\$0	\$2,480,000	\$2,310,000	
\$170,000					

Project Description: No Change

TO:

Project	Project		FAMIS	Year	Period
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>	
W-57	Resident Room Renovations		501239	1996	
15					

<u>Project</u>	<u>Distribution of Costs:</u>		<u>County Sources:</u>		
<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$2,480,000	\$0	\$0	\$2,480,000	\$1,520,000	
\$960,000					

Project Description: No Change
Carried.

RESOLUTION NO. 427

by FINANCE, PUBLIC WORKS and ENVIRONMENT
COMMITTEES

Seconded by Mrs. Coffey

**RESOLUTION AMENDING THE 1995 CAPITAL
IMPROVEMENT PROGRAM.**

WHEREAS, this County Legislature by Resolution 454 of 1994 previously approved capital project M-42, Landfill Gas Recovery Facility, and

WHEREAS, the Director of Solid Waste Management has requested an amendment to said capital project description to recognize recommendations from the Landfill Gas Feasibility Study, now, therefore be it

RESOLVED, that the 1995 Capital Improvement Program is hereby amended as follows:

FROM: Project Description:

Design and construct an active methane gas collection and utilization system in the closed sections of the Nanticoke landfill to comply with federal environmental regulation and to generate electricity.

Completed with seven quarters; revenue generation from sale of electricity may be possible.

TO:Project Description:

Design and construct an active methane gas collection and stand-by flare system in closed Section I and II of the landfill to comply with environmental regulations of the Clean Air Act and to follow recommendations of the LFG Feasibility Study. Complete project by end of 1997 and require annual operational costs of \$100,000.

Carried.

RESOLUTION NO. 428

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

Seconded by Mrs. Sweet

RESOLUTION AMENDING THE 1994 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, the 1997 Budget will provide from accumulated resources an additional \$265,000 to finance the cost of the Central Food Facility's expansion and to reduce indebtedness, now, therefore be it

RESOLVED, that the 1994 Capital Improvement Program is hereby amended as follows:

FROM:

Project	Project		FAMIS	Year	Period
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>	
F-441	Central Food Expansion		501290	1994	
10					

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$1,200,000	\$0	\$0	\$1,200,000	\$740,000	
\$460,000					

Project Description: Same

TO:

Project	Project		FAMIS	Year	Period
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>	
F-441	Central Food Expansion		501290	1994	
10					

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$1,200,000	\$0	\$0	\$1,200,000	\$475,000	
\$725,000					

Project Description: Same
Carried.

RESOLUTION NO. 429

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

BOND RESOLUTION DATED OCTOBER 17, 1996.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,002,600 SERIAL BONDS AND THE APPLICATION OF

\$1,066,780 IN STATE AID, OF THE COUNTY OF BROOME, NEW YORK, TO PAY PART OF THE COST OF THE RECONSTRUCTION OF THE GOVERNMENT PLAZA DECK IN AND FOR SAID COUNTY, AND REPEALING PREVIOUS BOND RESOLUTIONS.

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

Section 1.

The object or purpose to be financed by the County of Broome, New York, pursuant to this resolution, and its maximum estimated cost, is as follows:

<u>Project Code</u>	<u>Project Name</u>	<u>Maximum Est. Cost</u>
F-25	Reconstruction of Government Plaza Deck	\$2,950,000

Section 2.

The maximum estimated cost of the aforesaid object or purpose is \$2,950,000 which shall be financed as follows:

- (a) By the issuance of \$1,002,600 serial bonds of said County, hereby authorized to be issued therefor pursuant to the Local Finance Law;
- (b) By the application of \$1,066,780 to be received from the State government; and
- (c) By the expenditure of \$880,620, which amount constitutes the City of Binghamton's share of said cost.

Section 3.

It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local

Finance Law.

It is hereby further determined that the project herein authorized constitutes a new and different project from the government plaza deck projects authorized by bond resolutions adopted by this County Legislature on May 9, 1989, on March 6, 1990, and on January 20, 1994.

To the extent that obligations still remain to be issued pursuant to such bond resolutions, such bond resolutions are hereby rescinded and repealed.

Section 4.

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 5.

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 service, 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 6.

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 7.

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 8.

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 9.

This resolution, which takes effect upon its approval by the County

Executive, shall be published in full 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.

Carried.

RESOLUTION NO. 430

by PUBLIC WORKS AND FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AMENDING THE 1990 CAPITAL IMPROVEMENT PROGRAM.

WHEREAS, this County Legislature by Resolution 246 of 1989 as amended by Resolution 565 of 92, approved capital project F-25 Reconstruct Plaza Deck, and

WHEREAS, the Tri-partite Committee have come to a consensus on the overall project scope of work and cost sharing as described by the Tri-partite agreement, now, therefore be it

RESOLVED, that the 1990 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Project Code</u>	<u>Project Title</u>	<u>Code</u>	<u>FAMIS Start</u>	<u>Year Use</u>	<u>Period Probable</u>
F-25 10	Reconstruct Plaza Deck			501218	1989

<u>Project Cost</u>	<u>Distribution of Costs: County Sources:</u>			<u>Bond</u>	<u>Transfer</u>
	<u>Federal/Other</u>	<u>State</u>	<u>County</u>		
\$2,100,000	\$0	\$0	\$2,100,000	\$1,953,000	

\$147,000

Project

Description:County's share of architecture/engineering services for design work needed to demolish and reconstruct the plaza deck.

TO:

Project Code	Project Title	Code	FAMIS Start	Year Use	Period
					Probable
F-25 10	Reconstruct Plaza Deck			501218	1989

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$1,500,000 \$147,000	\$0	\$0	\$1,500,000	\$1,353,000	

Project

Description:County's share of the removal of the plaza decks and related improvement costs.

Carried.

RESOLUTION NO. 431

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING RENEWAL OF BROOME COUNTY HEALTH DEPARTMENT INFANT HEALTH

ASSESSMENT PROGRAM (IHAP) GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 596 of 1995, authorized the Broome County Health Department Infant Health Assessment Program (IHAP) Grant for the period October 1, 1995 through September 30, 1996, and adopted a program budget in connection therewith in the total amount of \$108,171, and

WHEREAS, said grant program identifies and registers infants and children at risk for developmental delays, and

WHEREAS, it is desired at this time to renew said program grant for the period October 1, 1996 through September 30, 1997, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes a renewal of the Broome County Health Department Infant Health Assessment Program (IHAP) Grant for the period October 1, 1996 through September 30, 1997, in a total amount of \$108,171, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the program budget annexed hereto as Exhibit "A" in the total amount of \$108,171 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.

RESOLUTION NO. 432

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Miller

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TOWNS OF BARKER, NANTICOKE AND MAINE FOR A HOST COMMUNITY AGREEMENT WITH RESPECT TO LANDFILL OPERATIONS.

WHEREAS, the Towns of Barker, Nanticoke and Maine (the “host communities”) and the County of Broome have been negotiating a Host Community Benefit Agreement for several months, in connection with the present Broome County Landfill (now located in the Towns of Barker and Nanticoke) and any new landfill cells at the Broome County Landfill (to be located in the Towns of Barker and Nanticoke) (the present Broome County Landfill and any new cells at the Broome County Landfill are hereafter referred to as Landfill), and

WHEREAS, the Towns have recently submitted a new proposed agreement to the County for its review and comment which agreement includes the matters contained in permanent Resolution No. 96-180 duly adopted May 16, 1996, and approved by the County Executive on May 20, 1996, and

WHEREAS, it is deemed in the best interest of the County to enter into said agreement with the three host communities, an executive summary of which agreement is attached hereto so as to finalize this matter, now, therefore, be it

RESOLVED, that this County Legislature authorizes an agreement with the Town of Barker, Nanticoke and Maine for host community benefits as part of the County’s Landfill operations in the Towns of Barker and Nanticoke which Host Community Benefit Agreement shall

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among other things, include the matters approved by this County Legislature in Permanent Resolution No. 96-180 as supplemented by the matters contained in the attached executive summary of said agreement, 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. Howard moved, seconded by Mr. Cahill to **call the question** on the resolution. The call of the question **carried**. Ayes-17, Nays-2 (Pasquale & Whalen)

The resolution **carried**. Ayes-16, Nays-3 (Coffey, Pasquale & Whalen)

RESOLUTION NO. 433

by ENVIRONMENT COMMITTEE

Seconded by Mr. Miller

A RESOLUTION DIRECTING THE INITIATION OF AN ENVIRONMENTAL REVIEW OF A PROPOSED RESOLUTION ESTABLISHING HOST COMMUNITY BENEFITS FOR THE TOWNS OF MAINE, BARKER AND NANTICOKE AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, this County Legislature has pending before it a proposed resolution to establish Host Community Benefits for the Towns of Maine, Barker and Nanticoke with respect to siting of a County Landfill, and

WHEREAS, the adoption of such resolution may have an impact on the environment, and

WHEREAS, it is hereby determined that the adoption of such a resolution is subject to the requirements of the State Environmental Quality Review Act (SEQRA) and it is therefore necessary to initiate

procedures with respect thereto, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the Environmental Review of a resolution which resolution would establish Host Community Benefits for the Towns of Maine, Barker and Nanticoke with respect to the siting of a County Landfill, 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 adoption of the proposed resolution 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.

Carried. Ayes-16, Nays-3 (Coffey, Pasquale & Whalen)

RESOLUTION NO. 434

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AGREEMENT WITH COASTAL BANK, C/O OF SALL ASSOCIATES, LTD., FOR THE BROOME COUNTY CLERK DEPARTMENT OF MOTOR VEHICLES BINGHAMTON OFFICES LOCATED AT THE METROCENTER FOR 1996 THROUGH 1999.

WHEREAS, this County Legislature by Resolutions 532 of 1994 and 341 of 1996 authorized an agreement with Court and Henry Street Development, Inc., for the Broome County Clerk Department of Motor Vehicles Binghamton Office premises located at the Metrocenter, 49 Court Street, Binghamton, New York, at a cost of \$45,336 for the period January 1, 1996 through December 31, 1996, and \$34,450 per year for calendar years 1997, 1998 and 1999, and

WHEREAS, it is necessary to authorize an agreement with the new owners of the premises, Coastal Bank, c/o Sall Associates, Ltd., for the remainder of the lease term, now, therefore, be it

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RESOLVED, this County Legislature hereby authorizes an agreement with Coastal Bank, c/o Sall Associates, Ltd., P.O. Box 140, WVS, Binghamton, New York, 13905-0140, for the Broome County Clerk Department of Motor Vehicles Binghamton office premises located at the Metrocenter, 49 Court Street, Binghamton, New York, for the period November 1, 1996 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay Coastal Bank, c/o Sall Associates, Ltd., an amount not to exceed \$16,742 for the period November 1, 1996 through December 31, 1996, with \$11,000 of this sum included for renovations reimbursed by a New York State grant, and \$34,450 per year for calendar years 1997, 1998 and 1999, 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 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-0, Abstain-1 (Cahill)

Mr. Augostini moved, seconded by Mr. Pasquale to **adjourn** at 5:22 P.M. The adjournment **carried.**