

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, SEPTEMBER 18, 1997**

The Legislature convened at 4:00 P.M. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll:

Present - 18 , Absent - 1 (Mr. Whalen) (Mr. Burger, while not present during the roll call arrived prior to the consideration of resolutions)

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

APPROVAL OF MINUTES:

Mr. Shafer moved, seconded by Mr. Miller, that the minutes of the August 20, 1997 Regular Session be approved as prepared and presented by the Clerk.

Carried. Ayes-17, Nays-0, Absent-2 (Burger & Whalen)

Mr. Schofield noted that the committee minutes from August 15, 1997 through September 11, 1997 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. Mather and seconded by Mr. Wike.

Carried. Ayes-17, Nays-0, Absent-2 (Burger & Whalen)

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

- 1.Appointing Patricia A. Snieska as Director of Public Health, effective October 27, 1997.
- 2.Appointing Ernest J. Gagnon as Commissioner of Mental Health, effective September 22, 1997.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

PETITIONS: NONE

COMMUNICATIONS:

- 1.Minutes from:
 - a.Cornell Cooperative Extension
 - b.Soil and Water Conservation District
 - c.Environmental Management Council
 - d.EMC's Natural Resources Committee
 - e.EMC Ad Hoc Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
 - f.EMC Solid Waste Committee
 - g.Nanticoke Landfill Citizens Advisory Committee
- h.Industrial Development Agency (minutes and various materials)
- 2.Copy of letter from Mayor David J. Archer instructing Endicott Fire and Police Departments to prepare for consolidation with Broome County.
- 3.Letter from Marion Percik regarding pollution to Cutler Pond.

COMMUNICATIONS (continued):

- 4.NYS Office of the State Comptroller: Copy of Application (Town of Chenango, Sewer District No. 7A).
- 5.Official Order from NYS Department of Transportation

(Abandonment of portions of Johnson City-Binghamton, SH 68-8 encompassing portions of roads in the Town of Dickinson, the City of Binghamton and the County of Broome.

NOTICES: NONE

REPORTS:

1. Monthly Report: Broome Community College
(Budget Transfers, July and August 1997)

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE:

Letters from the Chair, Daniel A. Schofield:

1. Appointing Margaret M. Coffey as voting representative for Mark R. Whalen, Public Safety and Emergency Services Committee, September 9, 1997.
2. Appointing William H. Miller as voting representative for Arthur J. Shafer, Transportation Committee, September 9, 1997.
3. Appointing the following Legislators as voting representatives:
 - a. William H. Miller for Louis P. Augostini, County Administration, Economic Development and Planning Committee, September 11, 1997
 - b. William H. Miller for Wayne L. Howard, Finance Committee, September 11, 1997
 - c. Brian K. Mather for Wayne L. Howard, County Administration, Economic Development and Planning Committee, September 11, 1997

Mr. Brunza 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 1997 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.

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Carried. Ayes-17, Nays-0, Absent-2 (Burger & Whalen)

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

Mrs. Hudak and Mr. Brunza were designated as participants in the 'Short Roll Call.'

Mr. Shafer seconded the 'Preferred Agenda.'

RESOLUTION TABLED FROM THE PREVIOUS SESSION OF AUGUST 20, 1997:

RESOLUTION NO. 310A

by Finance Committee

AUTHORIZING SALE OF COUNTY PROPERTY OF THE 1997 TAX SALE AUCTION (1993 IN REM FORECLOSURE)

WHEREAS, the County of Broome now owns real property at Tax Map No. 3-H8-Y-16 as a result of the 1993 in rem foreclosure action, and

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

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 1997 was held and tabulation of all bids submitted was undertaken by the Director of Real Property Tax Service, now therefore, be it

RESOLVED, that this County Legislature hereby rejects the following bid in as much as authorization had previously been granted to sell the property to the former owner as follows: Town of Union, Tax Map No. 3-H8-Y-16, Susan O'Connor, 10 Theresa Boulevard,

Binghamton, NY 13901, for the amount of \$51,000 in the 1997 Broome County tax sale.

Mr. Wike moved, seconded by Mrs. Hudak that the Resolved paragraph be changed to reflect acceptance of the bid from Susan O'Connor as follows:

"RESOLVED, that this County Legislature hereby accepts the following bid to sell the property as follows: Town of Union, Tax Map No. 3-H8-Y-16, Susan O'Connor, 10 Theresa Boulevard, Binghamton, NY 13901, for the amount of \$51,000."

The amendment **carried**. Ayes-18, Nays-0, Absent-1 (Whalen)

The resolution as amended **carried**. Ayes-18, Nays-0, Absent-1 (Whalen)

RESOLUTIONS HELD OVER FROM THE PREVIOUS SESSION OF AUGUST 20, 1997:

RESOLUTION NO. 353 (heldover by Mr. Hull)

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

RESOLUTION AUTHORIZING MODIFICATION OF AGREEMENT WITH THE LAW OFFICES OF BURR & REID FOR COLLECTION SERVICES IN CONNECTION WITH RECOVERING COSTS OF PUBLIC ASSISTANCE OVERPAYMENTS

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

RESOLUTION NO. 356 (heldover by Mr. Pasquale)

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING & FINANCE COMMITTEES

RESOLUTION AUTHORIZING AGREEMENT WITH PITNEY

BOWES, INC. FOR RENTAL OF A SPECTRUM FOLDER/INSERTING SYSTEM FOR VARIOUS COUNTY DEPARTMENTS FOR 1997 THROUGH 2001.

Withdrawn by the prime sponsoring committee.

RESOLUTION NO. 357 (heldover by Mr. Wike)

by PUBLIC WORKS and FINANCE COMMITTEES

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC., FOR ENVIRONMENTAL ENGINEERING SERVICES IN CONNECTION WITH DEMOLITION OF THE JAIL BARRACKS AND SHOOTING RANGE REMEDIATION FOR 1996 THROUGH 1998.

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

RESOLUTIONS INTRODUCED AT THIS SESSION:

RESOLUTION NO. 383

by TRANSPORTATION AND FINANCE COMMITTEES Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH MCFARLAND-JOHNSON, INC., FOR THE DEVELOPMENT OF PLANS AND SPECIFICATIONS FOR THE RUNWAY 10/28 REHABILITATION PROJECT FOR THE BINGHAMTON REGIONAL AIRPORT.

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland-Johnson, Inc., for the development of plans and specifications for the Runway 10/28 Rehabilitation Project, at a cost not to exceed \$174,000, and

WHEREAS, said services are necessary to correct pavement deficiencies and decrease annual maintenance expenses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., 171 Front Street, Post Office

Box 1980, Binghamton, New York 13902, for the development of plans and specifications for the Runway 10/28 Rehabilitation Project, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$174,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211029.4457.502294 (Subcontracted Program), and be it

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

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

RESOLUTION NO. 384

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF FOOD STAMP NUTRITION EDUCATION PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, the Acting Commissioner of the Department of Social Services requests authorization to accept a Food Stamp Nutrition Education Program Grant in the amount of \$141,343 for the period October 1, 1997 through September 30, 1998, and

WHEREAS, said grant program provides services to assist pregnant teens, parenting classes and programs for at-risk teens to obtain nutrition education, food preparation and life skills training, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and

approves acceptance of \$141,343 from the New York State Social Services Department for the period October 1, 1997 through September 30, 1998, 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 \$141,343 for the period October 1, 1997 through September 30, 1998, 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 385

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

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE CHILD CARE AND DEVELOPMENT BLOCK (CCDBG) GRANT PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 528 of 1996 and companion authorized and approved the Child Care and Development Block Grant (CCDBG) Program and adopted a program budget in the amount of \$574,727 for the period October 1, 1996 through September 30, 1997, and

WHEREAS, this grant program provides funding for child day care for eligible low income families and related services, and

WHEREAS, it is desired at this time to renew said grant program for the period October 1, 1997 through September 30, 1998 in the amount of \$574,727, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$574,727 from the Child Care and Development Block Grant (CCDBG) from New York State Department of Social Services for the Department of Social Services Child Care and Development Block Grant (CCDBG) Program for the period October 1, 1997 through September 30, 1998, 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 \$574,727 for the period October 1, 1997 through September 30, 1998, 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

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purpose of this Resolution, and be it

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

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

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

RESOLUTION NO. 386

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING REVISION OF FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 363 of 1996, authorized the continued participation by the Department of Social Services in the Food Stamp Employment and Training Program for the period October 1, 1996 through September 30, 1997, and adopted a program budget in connection therewith in the total amount of \$58,025, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Food Stamp Employment and Training Program for the period October 1, 1996 through September 30, 1997 in the total amount of \$52,680, 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 \$52,680 for the period October 1, 1996 through September 30, 1997, and be it

FURTHER RESOLVED, that Resolution 363 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 387

by COMMUNITY & SOCIAL SERVICES, PERSONNEL AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF THE FOOD STAMP EMPLOYMENT AND TRAINING GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

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WHEREAS, this County Legislature, by Resolutions 403 of 1995, 63 of 1996 and 363 of 1996 and companion resolution, authorized and approved the continued participation by the Department of Social Services in the Food Stamp Employment and Training Grant and adopted a program budget in the amount of \$52,680 for the period October 1, 1996 through September 30, 1997, and

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

WHEREAS, it is desired to renew said grant program for the period October 1, 1997 through September 30, 1998, in the amount of \$52,680, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$52,680 from the New York State Department of Social Services for the period October 1, 1997 through September 30, 1998, 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 \$52,680 for the period October 1, 1997 through September 30, 1998, 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds within this grant budget provided that employee head

count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 388

by COMMUNITY AND SOCIAL SERVICES, PERSONNEL AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING REVISION OF MENTAL HEALTH OUTREACH PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997.

WHEREAS, this County Legislature, by Resolution 536 of 1996, authorized the continued participation by the Office for Aging in the Mental Health Outreach Program for the calendar year 1997 and adopted a program budget in connection therewith in the total amount of \$31,934, 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 Mental Health Outreach Program for the period January 1, 1997 through December 31, 1997 to include an increase in said grant appropriations in the amount of \$3,283, 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 \$35,217 for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that Resolution 536 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(including the Budget Director, Comptroller and/or Commissioner of Finance)are hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 389

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC., FOR THE OFFICE FOR AGING'S SOCIAL DAY CARE SERVICES FOR 1997.

WHEREAS, this County Legislature, by Resolution 103 of 1996, authorized an agreement to provide adult social day care services for Ideal Senior Living Center, Inc. Long Term Home Health Care clients at the rate of \$31.00 per client for a full day of social day care, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ideal Senior Living Center, Inc., 508 High Avenue, Endicott, New York, 13760, for social day care services to its Long Term Health Care Program clients for the period April 1, 1997 through July 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$31.00 per client for a full day of social day care for the term of this agreement, and be it

FURTHER RESOLVED, that the revenues hereinabove authorized shall be credited to budget line 760983.0538.104121 (Home Health Care Fees), and be it

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

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

RESOLUTION NO. 390

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC., FOR THE OFFICE FOR AGING'S SOCIAL DAY CARE SERVICES FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by companion resolution, authorized an agreement to provide adult social day care services for

Ideal Senior Living Center, Inc. Long Term Home Health Care clients at the rate of \$31.00 per client for a full day of social day care, and

WHEREAS, said agreement expires by its terms on July 31, 1997, and it is desired at this time to renew said agreement for the period August 1, 1997 through August 1, 1998, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ideal Senior Living Center, Inc., 508 High Avenue, Endicott, New York, 13760, for social day care services to its Long Term Health Care Program clients for the period August 1, 1997 through August 1, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$31.00 per client for a full day of social day care for the term of this agreement, and be it

FURTHER RESOLVED, that the revenues hereinabove authorized shall be credited to budget line 760983.0538.104121 (Home Health Care Fees), and be it

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

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

RESOLUTION NO. 391

by COMMUNITY & SOCIAL SERVICES and FINANCE

COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING REVISION OF EXPANDED IN-HOME SERVICES FOR THE ELDERLY (EISEP) PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 113 of 1997, authorized the continued participation by the Office for Aging in the Expanded In-Home Services For The Elderly Program for the period April 1, 1997 through March 31, 1998 and adopted a program budget in connection therewith in the total amount of \$446,513, 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 Expanded In-Home Services For The Elderly Program for the period April 1, 1997 through March 31, 1998 to include an increase in said grant appropriations in the amount of \$21,344, 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 \$467,857 for the period April 1, 1997 through March 31, 1998, and be it

FURTHER RESOLVED, that Resolution 113 of 1997, 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(including the Budget Director, Comptroller and/or Commissioner of Finance)are hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 392

by HEALTH SERVICES AND FINANCE COMMITTEESeconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH DELOITTE & TOUCHE, LLP FOR ACCOUNTING SERVICES FOR WILLOW POINT NURSING FACILITY FOR 1997 to 1998

WHEREAS, the Administrator of Willow Point Nursing Facility requests authorization for an agreement with Deloitte & Touche, LLP for assistance with conversion to a charge structure, accounts receivable collection and revenue accounting for Willow Point Nursing Facility for the period October 1, 1997 through September 30, 1998, at a cost not to exceed \$20,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Deloitte & Touche, LLP, 2200 Chase Square, Rochester, New York 14604 for assistance with conversion to a charge structure, accounts receivable collection and revenue accounting for the period October 1, 1997 through September 30, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20,000 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), and be it

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

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

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

RESOLUTION NO. 393

by HEALTH SERVICES COMMITTEE Seconded by Mr. Shafer
RESOLUTION AUTHORIZING ACCEPTANCE BY WILLOW POINT NURSING FACILITY OF AN E & J ELECTRIC WHEEL CHAIR.

WHEREAS, the Administrator of Willow Point Nursing Facility requests authorization to accept an E&J Electric Wheel Chair valued at \$700.00 from the Purtell family at no cost to the County, and

WHEREAS, said Wheel Chair will enhance the quality of life at Willow Point Nursing Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of an E&J Electric Wheel Chair at no cost to the County, and be it

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

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

RESOLUTION NO. 394

by HEALTH SERVICES COMMITTEE Seconded by Mr. Shafer
RESOLUTION AUTHORIZING ACCEPTANCE BY WILLOW POINT NURSING FACILITY OF A LUMEX 565T RECLINING GERI-CHAIR.

WHEREAS, the Administrator of Willow Point Nursing Facility requests authorization to accept a Lumex 565T Reclining Geri-chair

valued at \$660.00 from the Palm family at no cost to the County, and

WHEREAS, said chair will enhance the quality of life at Willow Point Nursing Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a Lumex 565T Reclining Geri-chair at no cost to the County, and be it

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

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

RESOLUTION NO. 395

by HEALTH SERVICES AND FINANCE COMMITTEES Seconded by Mr. Lindsey

RESOLUTION AUTHORIZING CHARGE STRUCTURE FOR RESIDENTS OF WILLOW POINT NURSING FACILITY FOR 1998.

WHEREAS, this County Legislature, by Resolution 453 of 1995, authorized a private pay daily rate of \$160.00 per day per resident effective January 1, 1996, and

WHEREAS, it is necessary for the facility to convert the present flat rate fee to a fee for service charge structure to commence January 1, 1998, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a charge structure for the residents of Willow Point Nursing Facility effective January 1, 1998 as follows:

- A. Room & Board \$160.00 per day
- B. Physical Therapy \$36.00 per 15 minute unit
- C. Occupational Therapy \$27.00 per 15 minute unit
- D. Speech Therapy \$13.00 per 15 minute unit
- E. Prescription Medications cost plus 20% markup and be it

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

FURTHER RESOLVED, that the Broome County Comptroller and Commissioner of Finance are hereby authorized within the restraints of this Resolution to make any necessary adjustments to implement the intent and purpose of this Resolution.

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

RESOLUTION NO. 396

by PUBLIC SAFETY & EMERGENCY SERVICES, EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEES Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL AND REVISION OF AGREEMENT WITH DAVE HAMBURG FOR MARKETING AND SPORTS INFORMATION COORDINATOR SERVICES FOR THE BROOME COUNTY STOP-DWI HOLIDAY CLASSIC TOURNAMENT FOR 1997.

WHEREAS, this County Legislature, by Permanent Resolution Number 409 of 1996, authorized 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 twenty-five hundred (\$2,500) dollars, 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 services are necessary for the period September 1, 1997 through and including August 1, 1998, and

WHEREAS, the aforesaid Permanent Resolution Number 409 of 1996 authorized the services for Dave Hamburg for the 1996 Broome County STOP-DWI Holiday Classic, and WHEREAS, it is desired to renew the said agreement for the aforesaid term of September 1, 1997 through and including August 31, 1998, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Dave Hamburg, 16 Jamison Road, Binghamton, New York, 13905, for marketing and sports information coordinator services for the Broome County Stop-DWI Holiday Classic Tournament for the period September 1, 1997 through and including August 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the

County shall pay Dave Hamburg an amount not to exceed twenty-five hundred (\$2,500) dollars, plus directly related expenses as approved by the Stop-DWI Program Coordinator, plus 20% of any revenue actually received from sponsors who have not previously contributed to the STOP-DWI Holiday Classic Tournament, in excess of the first five thousand (\$5,000) dollars actually received from sponsors who have not previously contributed to the STOP-DWI Holiday Classic Tournament, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 525525.036 (Trust Account), and be it

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

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

RESOLUTION NO. 397

by PUBLIC SAFETY & EMERGENCY SERVICES, EDUCATION, CULTURE & RECREATION AND FINANCE COMMITTEES

**Seconded by Mr. Hull
RESOLUTION AUTHORIZING RENEWAL AND REVISION OF AGREEMENT WITH CHARLES TARRICONE FOR TOURNAMENT DIRECTOR SERVICES FOR THE BROOME COUNTY STOP-DWI HOLIDAY CLASSIC TOURNAMENT FOR 1997 THROUGH 2001.**

WHEREAS, this County Legislature, by Resolution 408 of 1996, authorized a renewal of an agreement with Charles Tarricone for tournament director services with respect to the Stop-DWI Holiday Classic 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 and revise said agreement for the 1997 through and including the 2001 Stop-DWI Holiday Classics 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 1997 through and including the 2001 Broome County Stop-DWI Program Holiday Classic Tournaments, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Charles Tarricone an amount not to exceed \$6,000 for 1997, \$6,250 for 1998, \$6,500 for 1999, \$6,750 for 2000 and \$7,000 for 2001, plus expenses as approved by the Stop-DWI Program Coordinator for the 1997 through and including the 2001 tournament, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 525525.036 (Trust Account), 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. Hull moved, seconded by Mr. Shafer to **call the question** on the resolution. The call of the question **carried**. Ayes-14, Nays-4 (Brunza, Burger, Kavulich & Mather), Absent-1 (Whalen). The resolution **carried**. Ayes-18, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 398

by HEALTH SERVICES and FINANCE COMMITTEES seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE REIMBURSEMENT OF CERTAIN COSTS FOR THE

BROOME COUNTY HEALTH DEPARTMENT RABIES PROGRAM FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 349 of 1996, authorized an agreement with the New York State Department of Health for reimbursement of certain costs for the Broome County Health Department Rabies Program for the period April 1, 1996 through March 31, 1997, with revenue to the County for a maximum amount of \$12,800, and

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

WHEREAS, said agreement expired by its terms on March 31, 1997, and it is desired at this time to renew said agreement for the period April 1, 1997 through March 31, 1998, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the New York State Department of Health, Zoonoses Program, Corning Tower, Albany, New York, 12237, for reimbursement of certain costs associated with the Broome County Health Department Rabies Program for the period April 1, 1997 through March 31, 1998, and be it

FURTHER RESOLVED, that the New York State Department of Health shall reimburse the County a maximum amount of \$13,000 in accordance with the new Appendix "C" to the original agreement, annexed hereto as Exhibit "A", and be it

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

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

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

RESOLUTION NO. 399

by HEALTH SERVICES AND FINANCE COMMITTEES Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH SUSAN LIPINOGA FOR PHYSICAL THERAPY SERVICES FOR EARLY INTERVENTION AND EDUCATIONALLY HANDICAPPED CHILDREN'S PROGRAM FOR 1997 THROUGH 1998.

WHEREAS, the Acting Public Health Director requests authorization for an agreement with Susan Lipinoga for physical therapist services for the period September 1, 1997 through and including December 31, 1998, at a cost as per the attached New York State rate schedules, and

WHEREAS, said services are necessary due to a shortage of physical therapists in the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Susan Lipinoga, 2110 North Triphammer Road, Ithaca, New York 14850, for physical therapy services for the Early Intervention and Educationally Handicapped Children's Program, for the period September 1, 1997 through and including December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor for services rendered at the request of the Health Department, such payments to be made according to the New York State approved reimbursement rates for physical therapy; schedules of the aforesaid New York State rates are annexed hereto as Exhibit "A", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480202.4716.101000 (Home Based Services) 480202.4709.101000 (Center Based Services), and 480285.4706.101000 (Rehab & Therapy), and be it

FURTHER RESOLVED, that the County Executive or his duly

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

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

RESOLUTION NO. 400

by EDUCATION, CULTURE & RECREATION AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH COURT AND STATE COMPANY FOR LEASE OF SPACE FOR BROOME COUNTY PUBLIC LIBRARY FOR THE PERIOD 1997 THROUGH 1999.

WHEREAS, this County Legislature, by Resolution 464 of 1996, authorized a renewal of the agreement with Court and State Company for lease of space at 122 State Street, Binghamton, New York, at a cost of \$48,320 (including heating cost) for the period October 1, 1996 through September 30, 1997, and

WHEREAS, said lease of space is necessary for the continued need for additional property to house library operations, and

WHEREAS, said agreement expires by its terms on September 30, 1997, and it is desired at this time to renew said agreement for the period October 1, 1997 through September 30, 1999, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Court and State Company, 49 Zimmer Road, Kirkwood, New York 13795, for lease of space at 122 Court Street, Binghamton, New York, for the period October 1, 1997 through September 30, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor, Court and State Company, a total

amount not to exceed \$92,020 [\$46,010 per year] for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 841007.4422.304000 and 841007.4422.304118 (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-1 (Whalen)

RESOLUTION NO. 401

by PUBLIC WORKS AND FINANCE COMMITTEES Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH ATLANTIC TESTING LABORATORIES, LIMITED, FOR QUALITY CONTROL TESTING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1997 AND 1998.

WHEREAS, this County Legislature, by Resolution 265 of 1997, authorized an agreement with Atlantic Testing Laboratories, Limited, for quality control testing services for the period June 20, 1997 through May 31, 1998, at a cost of \$15,000, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include other capital projects in addition to roads and bridges, with no increase in total cost, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Atlantic Testing Services, Limited for the Department of Public Works for quality control testing for any

capital projects requiring such services for the period June 20, 1997 through May 31, 1998, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the appropriate operating and capital budget lines for the departments or projects for which the services are required, and be it

FURTHER RESOLVED, that Resolution 265 of 1997, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 402

by PUBLIC SAFETY AND EMERGENCY SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH TAZ DATA SYSTEMS, FOR THE MAP INFO SOFTWARE PROGRAM CONSULTATION SERVICES FOR THE DEPARTMENT OF EMERGENCY SERVICES FOR 1997 THROUGH 1998.

WHEREAS, the Director of Emergency Services requests authorization for an agreement with Taz Data Systems, Inc., for the Map Info software program consultation services for the period September 20, 1997 through September 19, 1998, at a cost not to exceed \$5,000, and

WHEREAS, said services are necessary to allow the County street maps to display on the computers used by each dispatcher, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an

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agreement with Taz Data Systems, Inc., , 215 Grassy Island Avenue, Jessup, Pennsylvania 18434, for the Map Info software program consultation services for the period September 20, 1997 through September 19, 1998, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460097.4449.101000 (Other Operational), and be it

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

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

RESOLUTION NO. 403

by PUBLIC SAFETY & EMERGENCY SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING REVISION OF HAZARDOUS MATERIALS TRANSPORTATION UNIFORM SAFETY ACT GRANT FOR THE DEPARTMENT OF EMERGENCY SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1998.

WHEREAS, this County Legislature, by Resolutions 389 of 1993, 599 of 1994 and 490 of 1996 authorized the continued participation by the Department of Emergency Services in the Hazardous Materials Transportation Uniform Safety Act Grant for the period October 1, 1993 through September 30, 1997, and adopted a program budget in connection therewith in the total amount of \$3,927, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Hazardous Materials Transportation Uniform Safety Act Grant for the period October 1, 1993 through September 30, 1998, in the total amount of \$4,472, 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 \$4,472 for the period October 1, 1993 through September 30, 1998, and be it

FURTHER RESOLVED, that Resolutions 389 of 1993, 599 of 1994 and 490 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

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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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 404

by PUBLIC SAFETY & EMERGENCY SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PENNSYLVANIA INSTITUTIONAL HEALTH SERVICES, INC., (P.I.H.S.) FOR PROFESSIONAL HEALTH SERVICES FOR THE BROOME COUNTY JAILS FOR AUGUST 1, 1997 THROUGH SEPTEMBER 30, 1997.

WHEREAS, this County Legislature, by Resolutions 328 of 1995 117 of 1996 and 291 of 1996 authorized an agreement with Pennsylvania Institutional Health Services, Inc., (P.I.H.S.) for professional medical services for the Broome County Jails for the period August 1, 1996 through July 31, 1997, at a cost of \$728,425, and

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

WHEREAS, said agreement expires by its terms on July 31, 1997, and it is desired at this time to renew said agreement for the period August 1, 1997 through September 30, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Pennsylvania Institutional Health Services, Inc., (P.I.H.S.), Office Court of Harrisburg, 4755 Linglestown Road, Building 100, Suite 102, Harrisburg, Pennsylvania, 17112, for professional medical services for the period August 1, 1997 through September 30, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor, at a base cost of \$113,070.72 plus an additional allowance for per diem charges and catastrophic medical expense in the sum of \$50,000, total cost not to exceed \$163,070.72 for the term of this agreement, and be it

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

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

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

RESOLUTION NO. 405

by FINANCE AND COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE LAW DEPARTMENT.

RESOLVED, that in accordance with a request from the County

Attorney in order to provide funds to cover incurred and anticipated outside legal service fees as requested by BT# 000490 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>Object</u>	<u>Code</u>		
FROM:	900084	4752	101000	Contingency	
	\$150,000				
TO:	390005	4736	101000	Legal Charges & Fees	
	\$150,000				

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

RESOLUTION NO. 406

by TRANSPORTATION, PUBLIC WORKS AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING LEASE OF PREMISES AT 37 COURT STREET, CITY OF BINGHAMTON, FOR BC TRANSIT TICKET OFFICE FOR 1997 THROUGH 2000.

WHEREAS, the Deputy Commissioner of Public Works for Building and Grounds requests authorization for a lease agreement with Jewish Federation of Broome County, Inc. for a BC Transit ticket office for the period September 1, 1997 through August 31, 2000, at a cost not to exceed \$18,540 plus utilities, and

WHEREAS, it is necessary to establish a BC Transit ticket office on Court Street in connection with the move of BC Junction from Hawley Street to Court Street in order to accommodate the Plaza Deck Demolition Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with Jewish Federation of Broome County, Inc., 500 Clubhouse Road, Vestal, New

York 13850, for premises at 37 Court Street, City of Binghamton, to be used as a ticket office for BC Transit, and be it

FURTHER RESOLVED, that such lease shall include the following:

1. The term shall begin on September 1, 1997 and end on August 31, 2000.
2. Rent shall be \$500 per month for the first eighteen months and \$530 per month during the balance of the term.
3. The County shall make necessary improvements, including installation of a teller window, at the cost of the County.
4. The County shall be responsible for payment of utilities except for water and sewer.

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 220004.4422.203110 (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-1 (Whalen)

RESOLUTION NO. 407

by PUBLIC WORKS AND FINANCE COMMITTEES Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CAMP, DRESSER & MCKEE FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE LANDFILL GAS PRODUCTION INVESTIGATION AT THE NANTICOKE LANDFILL.

WHEREAS, this County Legislature, by Resolution 232 of 1996, authorized an agreement with Camp, Dresser & McKee for professional

engineering services associated with the landfill gas production investigation at the Nanticoke Landfill, at a cost of \$58,600, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for the submitting of pollutant emission forms to the state , and

WHEREAS, the Acting Director of the Division of Solid Waste Management has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Camp, Dresser & McKee, 660 Reynolds Arcade, 16 East Main Street, Rochester, New York 14614, for the submitting of pollutant emission forms to the state, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$3,000, total amount not to exceed \$61,600, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501319 (Contracted Services) , and be it

FURTHER RESOLVED, that Resolution 232 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 408

by HEALTH SERVICES AND FINANCE COMMITTEES Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH CHERYL WROBLESKI FOR SPEECH THERAPY SERVICES FOR EARLY INTERVENTION AND EDUCATIONALLY HANDICAPPED CHILDREN'S PROGRAM FOR 1997 THROUGH 1998.

WHEREAS, the Acting Public Health Director requests authorization for an agreement with Cheryl Wrobleski for speech therapy services for September 1, 1997 through and including December 31, 1998, at a cost per the attached New York State rates, and

WHEREAS, said services are necessary to provide speech therapies for the ever increasing number of children in the Early Intervention and Educationally Handicapped Children's Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Cheryl Wrobleski, 1010 Park Hill Drive, Endwell, New York 13760, for speech therapy services for the Early Intervention and Educationally Handicapped Children's Program, for the period September 1, 1997 through and including December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor for services rendered at the request of the Health Department, such payments to be made according to the New York State approved reimbursement rates for speech therapy; schedules of the aforesaid New York State rates are annexed hereto as Exhibit "A", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480202.4709.101000 (Center Based Services), 480202.4716.101000 (Home Based Services), and 480285.4706.101000 (Rehab & Therapy), 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

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purpose of this Resolution.

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

RESOLUTION NO. 409

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT
AND PLANNING COMMITTEE

Seconded by Mr. Shafer

**RESOLUTION SUPPORTING NEW YORK STATE ECONOMIC
DEVELOPMENT ZONES IN BROOME COUNTY.**

WHEREAS, the New York State Economic Development Zone (EDZ) Act of 1986 created 19 economic development zones throughout the state in an effort to stimulate new business activity, and

WHEREAS, three separate reports by the Comptroller's Office, the Legislative Commission on Expenditure Review, and the Department of Economic Development have all recorded positive results from the EDZ program, and

WHEREAS, the Department of Planning and Economic Development has been working with Empire State Development on an application to create a new economic development zone in Broome County, and

WHEREAS, the location of this new zone would include the Kirkwood Industrial Park area, which would include the Link/Hughes facility and Frito-Lay and portions of the City of Binghamton, now, therefore, be it

RESOLVED, that this County Legislature authorizes the Department of Planning and Economic Development to submit an application to the New York State Department of Economic Development in accordance with 5NYCRR Part 10 to create an Economic Development Zone within the Town of Kirkwood and the City of Binghamton, and be it

FURTHER RESOLVED, that said Economic Development Zone shall be bounded as set forth in the description annexed hereto as Exhibit

“A”, and be it

FURTHER RESOLVED, that the County Executive, the Broome County Industrial Development Agency, and the County Planning Department are directed and authorized to work closely with the above named municipality and school district to include language suitable to all parties which will begin to reduce local taxes and regulations within the proposed Economic Development Zone, and be it

FURTHER RESOLVED, that this County Legislature commits itself to pass the appropriate Local Laws to reduce sales and property taxes within the bounds of the newly created zone to the fullest extent allowed by state law.

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

RESOLUTION NO. 410

by PUBLIC SAFETY & EMERGENCY SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE PUBLIC DEFENDER AID TO LOCALITIES AID FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 398 of 1996, authorized and accepted 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, 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, 1997 through March 31, 1998, 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, 1997 through March 31, 1998, 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. Ayes-18, Nays-0, Absent-1 (Whalen)

RESOLUTION NO. 411

by PERSONNEL, FINANCE and HEALTH SERVICES COMMITTEES

Seconded by Mr. Miller

RESOLUTION CONFIRMING APPOINTMENT OF PATRICIA A. SNIESKA AS DIRECTOR OF PUBLIC HEALTH AT A SALARY ABOVE THE MINIMUM GRADE AND AUTHORIZING THE PAYMENT OF RELOCATION EXPENSES.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article X-A, Section 1001-A of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, Patricia A. Snieska, 19 Stratton Circle, Troy, New York 12182 as Director of Public Health at an annual salary of \$61,389 as referenced by PDR# 97-1108N, which is above the minimum of \$55,982 (Administrative II, Grade M), effective October 27, 1997, and

WHEREAS, in the past Patricia Snieska has served Broome County in the Health Department and has extensive experience in health administration, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article X-A, Section 1001-A of the Broome County Charter, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of Patricia A. Snieska, as Director of Public Health, in accordance with her appointment by the County Executive, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the payment of up to \$1,500 for relocation expenses for Ms. Snieska's move from Troy, New York to Broome County.

At the request of Mrs. Coffey, separate votes were held on confirmation, hiring above the minimum and relocation expenses.

The resolution confirming Ms. Snieska **carried**.

Ayes-18, Nays-0, Absent-1 (Whalen)

Hiring above the minimum of the grade **carried**.

Ayes-16, Nays-2 (Coffey & Kavulich), Absent-1 (Whalen)

Approval of relocation expenses **carried**.

Ayes-17, Nays-1 (Coffey), Absent-1 (Whalen)

RESOLUTION NO. 412

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 8, 1997, ENTITLED "A LOCAL LAW AMENDING THE ZONE BOUNDARIES OF THE TRIPLE CITIES ECONOMIC DEVELOPMENT ZONE."

WHEREAS, this County Legislature by permanent Resolution No. 93 of 1994 endorsed the creation of an economic development zone within the County of Broome pursuant to Article 18B of the General Municipal Law of the State of New York, and adopted the zone boundaries thereof, and

WHEREAS, the City of Binghamton, the Village of Johnson City,

the Village of Endicott, and the Town of Union submitted a joint application resulting in the designation of certain areas within said municipalities and the County of Broome as the Triple Cities Economic Development Zone, and

WHEREAS, this County Legislature by permanent Resolution No. 144 of 1996 adopted amended zone boundaries thereof in accordance with the designation of the New York State Department of Economic Development, and

WHEREAS, the City of Binghamton, the Village of Endicott, and the Town of Union desire to amend the boundaries of the areas of the Triple Cities Economic Development Zone that are within their respective jurisdictions and the Village of Johnson City has no objection thereto, and

WHEREAS, this County Legislature supports and approves such zone boundary amendments, and

WHEREAS, this County Legislature, by Permanent Resolution No. 144 of 1996 adopted Local Law No. 4 of 1996 entitled "A Local Law Providing for an Exemption from Taxation and Special Ad Valorem Levies for Real Property Located within Designated Economic Development Zones within Broome County," and

WHEREAS, this County Legislature by Permanent Resolution No. 145 of 1996 amended Resolution No. 180 of 1965 to forgo the collection of certain sales and use taxes with respect to materials used for capital improvements to property located within the Triple Cities Economic Development Zone, and

WHEREAS, it is the intention of this County Legislature that the provisions of said Local Law No. 4 of 1996 and Resolution 145 of 1996 should apply to properties within the amended zone boundaries, now, therefore, be it

RESOLVED, that Local Law Intro. No. 8 of 1997 entitled "A Local Law Amending the Zone Boundaries of the Triple Cities Economic Development Zone" be, and the same hereby is, adopted and approved in accordance with the Broome County Charter and Code, and all applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 8, 1997

**A LOCAL LAW AMENDING THE ZONE BOUNDARIES
OF THE TRIPLE CITIES ECONOMIC DEVELOPMENT ZONE**

Be it enacted by the Broome County Legislature as follows:

Section 1. This County Legislature approves the amendment of the zone boundaries of the Triple Cities Economic Development Zone, as follows:

- A. The City of Binghamton Subzone boundary shall be as described in Exhibit "A" attached hereto.
- B. The Johnson City Subzone boundary shall remain as described in Exhibit "A" to Resolution No. 144 of 1996.
- C. The Endicott Subzone boundary, as described in said Exhibit "A" to Resolution No. 144 of 1996, shall be amended as set forth in Exhibit "B" attached hereto.

Section 2. The provisions of Local Law No. 4 of 1996 relating to exemption from taxation and ad valorem levies by the County of Broome as provided in Section 485-e of the Real Property Tax Law of the State of New York shall apply to the property within the amended zone boundaries of the Triple Cities Economic Development Zone.

Section 3. The provisions of Resolution 145 of 1996 relating to forgoing the collection of certain sales and use taxes with respect to materials used for capital improvements to properties shall apply to all property within the amended zone boundaries of the Triple Cities Economic Development Zone.

Section 4. This Local Law shall become effective upon filing with the Secretary of State.

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

RESOLUTION NO. 413

by PERSONNEL, FINANCE AND HEALTH SERVICES
COMMITTEES

Seconded by Mr. Wike

RESOLUTION CONFIRMING APPOINTMENT OF ERNEST J. GAGNON AS COMMISSIONER OF MENTAL HEALTH AND AUTHORIZING THE PAYMENT OF RELOCATION EXPENSES.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article VIII, Section 801 of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, Ernest J. Gagnon, 310 Second North Street, Syracuse, New York 13208, as Commissioner of Mental Health at an annual salary of \$61,389 as referenced by PDR# 97-1111N, which is at the minimum grade, effective September 22, 1997, and

WHEREAS, Mr. Gagnon has had extensive experience in both private and public mental health administration which will provide the County with new leadership in this department, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article VIII, Section 801 of the Broome County Charter, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of Ernest J. Gagnon, as Commissioner of Mental Health, in accordance with his appointment by the County Executive, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the payment of up to \$1,500 for relocation expenses for Mr. Gagnon's move from Syracuse, New York to Broome County, subject to compliance with Section 31-1 of the Broome County Charter and Code.

At the request of Mrs. Coffey, separate votes were held on confirmation and relocation expenses.

The resolution confirming Mr. Gagnon **carried.**

Ayes-18, Nays-0, Absent-1 (Whalen)

Approval of relocation expenses **carried.**

Ayes-17, Nays-1 (Coffey), Absent-1 (Whalen)

RESOLUTION NO. 414

by FINANCE COMMITTEE

Seconded by Mr. Miller

RESOLUTION FIXING THE DATE, TIME AND PLACE OF A PUBLIC HEARING BY THE BROOME COUNTY LEGISLATURE ON THE 1998 TENTATIVE BUDGET

WHEREAS, the County Executive will present a tentative 1998 Budget to the members of the County Legislature on Wednesday, October 1, 1997, including a proposed budget, a capital program, and the budget message, and

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

RESOLVED, that a Public Hearing on the tentative Broome County Budget for 1997 will be held on **Thursday, October 16th., 1997 at 7:00 p.m.** in the Legislative Chambers, Sixth Floor, Edwin L. Crawford County Office Building, Government Plaza, Hawley Street, Binghamton, New York, and the Clerk of this County Legislature is hereby authorized to publish notice of said public hearing in the official newspaper(s) of the County pursuant to the provisions of the Broome County Charter.

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

RESOLUTION NO. 415

by TRANSPORTATION AND FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING ACCEPTANCE OF

DEPARTMENT OF AVIATION FEDERAL AVIATION ADMINISTRATION GRANTS FOR SNOW EQUIPMENT REPLACEMENT, THE PASSENGER TERMINAL REHABILITATION PROJECT-PHASE I, AND THE RUNWAY 10-28 REHABILITATION-PHASE I PROJECT FOR THE DEPARTMENT OF AVIATION.

WHEREAS, the Department of Aviation requests authorization to accept Federal Aviation Administration Grants for Snow Equipment Replacement, the Passenger Terminal Rehabilitation Project-Phase I, and the Runway 10-28 Rehabilitation-Phase I Project in the amounts of \$279,043, \$500,000 and \$1,000,000, respectively, and

WHEREAS, said grants will serve to assist the Department of Aviation in the implementation of these projects, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$279,043 for Snow Equipment Replacement, \$500,000 for the Passenger Terminal Rehabilitation Project-Phase I, and \$1,000,000 for the Runway 10-28 Rehabilitation-Phase I Project, 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 this grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly representative (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 416

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING AND FINANCE COMMITTEES

Seconded by Mr.Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LEXIS/NEXIS (Mead Data Central)FOR LEXIS/NEXIS LEGAL RESEARCH SUBSCRIPTION FOR PERIOD APRIL 1, 1997 THROUGH OCTOBER 31, 1997 AND AUTHORIZING PARTICIPATION IN STATE CONTRACT WITH LEXIS/NEXIS FOR LEGAL RESEARCH FOR PERIOD NOVEMBER 1, 1997 THROUGH MAY 31, 1998.

WHEREAS, this County Legislature, by Resolution 154 of 1995, authorized an agreement with Lexis/Nexis for subscription to Lexis/Nexis Legal Services for the period April 1, 1995 through March 31, 1996 which agreement, by Resolution 102 of 1996, was renewed for the period April 1, 1996 through March 31, 1997, and

WHEREAS, said services are necessary for efficient and prompt availability of legal materials including cases, statutes, regulations, and codes, and

WHEREAS, said agreement expires by its terms on March 31, 1997 and

WHEREAS, subsequent to March 31, 1997 Lexis/Nexis had negotiated with the New York State Office of General Services Contract Number CMS0415 (79010 - Lexis/Nexis) which provides for substantial savings to municipalities that participate in the State Contract Program, and

WHEREAS, the Broome County Department of Law desires to continue the Lexis/Nexis Service and to now participate in the State Contract pricing program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the

REGULAR SESSION OF SEPTEMBER 18, 1997

Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, Dean R. Jenks, 141 Ganoungtown Road, Port Crane, New York 13833, as Commissioner of Public Transportation at an annual salary of \$51,411 as referenced by PDR# 97-1144N, effective September 22, 1997, and

WHEREAS, Dean Jenks is fully qualified to fill the position of Commissioner of Public Transportation, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article X, Section 1001 of the Broome County Charter, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of Dean Jenks, as Commissioner of Public Transportation, in accordance with his appointment by the County Executive.

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

Mr. Shafer moved, seconded by Mr. Augostini to **adjourn** at 4:38 P.M. The adjournment **carried.** Ayes-18, Nays-0, Absent-1 (Whalen)