

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.

Mr. Shafer moved, seconded by Mr. Whalen, to adjourn. Motion to adjourn **carried**. Meeting adjourned at 4:27pm.

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, APRIL 16, 1998**

The Legislature convened at 4:00pm with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augostini, read the fire exit announcement and called the Attendance Roll, Present-16, Absent-3 (Coffey, Lindsey, O'Day). Ms. Coffey arrived at 4:20pm during discussion of hold over 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.

Mr. Miller moved, seconded by Mr. Hull, that the minutes of the March 19, 1998 Regular Session be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the weeks of March 13 through April 9, 1998 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Deputy 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. Wike and seconded by Mr. Harbachuk. **Carried.**

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

- A. Letters from the County Executive, Jeffrey P. Kraham
1. Nominating 14 persons to membership on Criminal Justice Advisory Board

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
1. Minutes from:
 - a. Cornell Cooperative Extension
 - b. Nanticoke Landfill Citizens Advisory Committee
 - c. Association of Towns and Villages
 - d. Environmental Management Council
 - e. EMC's Committee on Alternative Transportation of BMTS Bicycle and Pedestrian Plan Advisory Committee
 - f. EMC's Natural Resource Committee
 - g. EMC Solid Waste Committee
 - h. Local Early Intervention Coordinating Council
 2. Resolutions from:
 - a. Cortland County (Urging New York State to make more equitable distribution of State Education Aid)
 - b. Cayuga County (Requesting State Legislation for relief from unnecessary legal costs resulting from misplaced lawsuits)

3. Letter from Jefferson County (signed by Chairman, Administrator and Emergency Management Director) extending appreciation for Broome County assistance during recent winter emergency.
- C. **Notices:**
 1. Notice of Claim: Michael A. Homza vs. Village of Johnson City and County of Broome County Legislature
- D. **Reports:**
 1. 1997 Annual Report
 - a. Department of Planning & Economic Development (received February 13, 1998)
 - b. Broome County Clerk
 - c. Office of Public Defender
 - d. Department of Public Works
 2. Broome Community College
 - a. Auditor's Report (Federal Financial Assistance Programs and Financial Statements, year end August 31, 1997)
 - b. Monthly Reports: Budget Transfers and Above Minimum Hire (February 1998)
 3. ACCORD, A Center for Dispute Resolution, Inc. (Financial Statements, year end March 31, 1997)

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

- A. Letters from the Chair, Daniel A. Schofield:
 1. Appointing Jane R. Sweet as voting representative for David L. Lindsey, Education, Culture & Recreation Committee, April 7, 1998
 2. Appointing the following Legislators as voting representatives for Chris W. Burger on April 8, 1998:
 - a. William H. Miller, Community & Social Services
 - b. George Kolba, Jr., Public Works Committee

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 1998 Journal Of Proceedings and to publish pertinent portions of said reports as may be directed by the Chair.

Mr. Hull and Mr. Whalen were designated as participants in the 'Short Roll Call.'

RESOLUTIONS TABLED FROM A PREVIOUS SESSION

RESOLUTION NO. 28 (Tabled by Ms. Sweet)

By Health Services and Finance Committees

Seconded by Mr. Wike

AUTHORIZING AGREEMENT WITH DELOITTE & TOUCHE, LLP FOR CONSULTING SERVICES FOR WILLOW POINT NURSING FACILITY FOR 1998. Carried, Ayes-16, Nays-0, Absent-3 (Coffey, Lindsey, O'Day) .

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 81 (Held over by Mr. Wike)

By County Administration, Economic Development & Planning, Health Services and Finance Committees

Seconded by Mr. Wike

ADOPTING LOCAL LAW INTRO. NO. 4, 1998 ENTITLED "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND CODE WITH REGARD TO THE DEPARTMENT OF NURSING HOMES AND HEALTH RELATED FACILITIES". Mrs. Coffey arrived during discussion of this resolution. Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 124 (Held over by Mr. Wike)

By Personnel, Finance and Health Services Committees

Seconded by Mr. Burger

AUTHORIZING PERSONNEL CHANGE REQUESTS FOR WILLOW POINT NURSING HOME

Mr. Pasquale moved, seconded by Mr. Kavulich, to amend the RESOLVED paragraph to read "...(1) Deputy Nursing Home Administrator for Administration Services, Full-Time, (Licensed Nursing Home Administrator), at budget..."

Amendment carried, Ayes-16, Nays-1(Hull), Absent-2 (Lindsey, O'Day).

Resolution as amended carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 128

By Transportation and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING ACCEPTANCE OF A REVISED NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANT FOR NORTH AND WEST APRON REHABILITATION (CONSTRUCTION), RUNWAY 16/34 SLOPE REPAIR, AND EQUIPMENT ACQUISITION

WHEREAS, this County Legislature, by Resolution 475 of 1997, authorized and approved acceptance of \$207,066 from the New York State Department of Transportation (P.I.N. No. 9910.36/9910.37) for North and West Apron Rehabilitation (Construction) and Runway 16/34 Slope Repair, and Equipment Acquisition at the Binghamton Regional Airport, and

WHEREAS, the Department of Transportation has decreased the amount of the grant, and WHEREAS, the Commissioner of Aviation requests authorization to accept a revised New York State Department of Transportation Grant in the amount of \$90,345 for the construction phase of the North and West Apron Rehabilitation Project, the Runway 16/34 Slope Repair Project, and Equipment Acquisition Project at the Binghamton Regional Airport, and that said authorization would supersede that authorization given through Permanent Resolution 475 of 1997, and,

WHEREAS, said grant program provides for funds for an airport transportation infrastructure renewal project, and

WHEREAS, the total budget amounts for the Apron Project is \$1,218,781 with \$1,096,903 as the federal share, \$60,939 as the local share, and \$60,939 as the state share and the budget amounts for the Slope Repair and Equipment Acquisition Project is \$588,124 with \$412,591 as the federal share, 146,127 as the local share, and \$29,406 as the state share, now, therefore, be it

RESOLVED, that the County Legislature hereby authorizes and approves acceptance of \$90,345 from the New York State Department of Transportation (P.I.N. No. 9910.36/9910.37) for North and West Apron Rehabilitation (Construction) and Runway 16/34 Slope Repair, and Equipment Acquisition at the Binghamton Regional Airport, and that said authorization will supersede that authorization given through Permanent Resolution 475 of 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 no increased, and the salary rate or salary total for a position is not changed.

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 129

By Community & Social Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR PERSONAL CARE SERVICES IN CONNECTION WITH SOCIAL SERVICES MEDICAID PROGRAM FOR 1997 AND 1998

WHEREAS, this County Legislature, by Resolution 401 of 1996, authorized renewal of agreements with various vendors for personal care services furnished to Medicaid recipients at a rate approved by New York State for 1996, and

WHEREAS, said agreements expired by their terms on December 31, 1996, and it is desired at this time to renew said agreements for the period January 1, 1997 through and including December 31, 1998, on substantially similar terms and conditions, establishing the New York State reimbursement rate for 1997 as per the attached Exhibit "A" with the vendors so listed, and authorizing continuation of the 1997 rates through 1998 pending New York State approval, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with various vendors as per the attached Exhibit "A" at the rates designated therein for personal care services for eligible Medicaid recipients for the period January 1, 1997 through and including December 31, 1998, and be it

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

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

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 130

Community & Social Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GTL, INCORPORATED AND PROJECT HEAR FOR PERSONAL EMERGENCY RESPONSE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1997 AND 1998

WHEREAS, New York State Law mandates the Personal Emergency Response System (PERS) pursuant to Social Services Law for certain eligible medical assistance recipients, and

WHEREAS, the cost of medical assistance expenditures for personal care services have rapidly increased and PERS will allow Broome County Department of Social Services to reduce or eliminate the number of hours authorized for home care workers who are in a client's home solely for the purpose of monitoring the client's health and safety, and

WHEREAS, Broome County Department of Social Services is authorized to enter into an agreement for the provision of PERS for which reimbursement is available, and

WHEREAS, this County Legislature, by Resolution 18 OF 1996, authorized renewal of agreements with GTL, Incorporated and Project HEAR for provision of Personal Emergency Response Services for the period January 1, 1996 through December 31, 1996, and

WHEREAS, GTL, Incorporated, and Project HEAR are ready, willing and able to provide Personal Emergency Response Services for eligible Broome County medical assistance recipients, and

WHEREAS, said agreements expired by their terms on December 31, 1996, and it is desired at this time to renew said agreements for the period January 1, 1997 through and including December 31, 1998, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreements with GTL, Incorporated, 1421A Arnot Road, Horseheads, New York, 14845, and with Project HEAR, 229-231 State Street, Binghamton, New York, 13905, for Personal Emergency Response Services in

connection with the Department of Social Services' medical assistance program for the period January 1, 1997 through and including December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay GTL, Incorporated, \$30.00 per installation of each PERS unit and \$24.00 per month per unit monitoring fee; and shall pay Project HEAR \$35.00 per installation of each PERS unit and \$25.00 per month per unit monitoring fee, and be it

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

FURTHER RESOLVED, that the Commissioner of Broome County Department of Social Services shall have the discretion to authorize CASA or other agencies or individuals to act as the designee or representative for the Broome County Department of Social Services for any or all of the local department's functions in this 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 131

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH INTEGRA FOR THE MENTAL HEALTH DEPARTMENT TO BE A NETWORK PROVIDER AND AUTHORIZING REIMBURSEMENT TO THE DEPARTMENT OF MENTAL HEALTH FOR 1998 THROUGH AND INCLUDING JUNE 30, 2001

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with Integra for the Mental Health Department to be a network provider and authorizing reimbursement to the Department of Mental Health for the period January 1, 1998 through and including June 30, 2001, at no cost to the County, and

WHEREAS, said agreement is necessary to provide needed care to patients, and

WHEREAS, health maintenance organizations, by their nature, require periodic rate adjustments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Integra, 1060 First Avenue, Suite 400, King of Prussia, Pennsylvania 19406 for the Mental Health Department to be a network provider and authorizing reimbursement to the Department of Mental Health for the period January 1, 1998 through and including June 30, 2001, at no cost to the County, and be it

FURTHER RESOLVED, that the Commissioner of Mental Health is authorized to approve any and all rate changes as warranted for the term of this agreement, and be it

FURTHER RESOLVED, such reimbursements shall be credited to budget lines 470021.0470.101000 (Client Fees Income) and 470013.0077.101000 (Mental Health 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 132

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH COMMUNITY HEALTH PLAN FOR THE MENTAL HEALTH DEPARTMENT TO BE A PARTICIPATING PROVIDER AND ACCEPT

REIMBURSEMENT TO THE DEPARTMENT OF MENTAL HEALTH FOR JUNE 1, 1997 THROUGH AND INCLUDING JUNE 30, 2001

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with Community Health Plan for the Mental Health Department to be a participating provider and accept reimbursement to the Department of Mental Health for the period June 1, 1997 through and including June 30, 2001, at no cost to the County, and

WHEREAS, said agreement is necessary to provide needed care to patients, and

WHEREAS, health maintenance organizations, by their nature, require periodic rate adjustments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Community Health Plan, 200 Plaza Drive, Vestal, New York 13850 for the Mental Health Department to be a participating provider and accept reimbursement to the Department of Mental Health for the period June 1, 1997 through and including June 30, 2001, at no cost to the County, and be it

FURTHER RESOLVED, that the Commissioner of Mental Health is authorized to approve any and all rate changes as warranted for the term of this agreement, and be it

FURTHER RESOLVED, such reimbursements shall be credited to budget line 470013.0077.101000 (Mental Health 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 133

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH MERIT BEHAVIORAL HEALTH CARE FOR THE MENTAL HEALTH DEPARTMENT TO BE A PROVIDER OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES AND ACCEPT REIMBURSEMENT TO THE DEPARTMENT OF MENTAL HEALTH FOR JANUARY 1, 1998 THROUGH AND INCLUDING JUNE 30, 2001

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with Merit Behavioral Health Care for the Mental Health Department to be a provider of mental health and substance abuse services and accept reimbursement to the Department of Mental Health for the period January 1, 1998 through and including June 30, 2001, at no cost to the County, and

WHEREAS, said services are necessary to provide needed care to patients, and

WHEREAS, health maintenance organizations, by their nature, require periodic rate adjustments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Merit Behavioral Health Care, 13736 Riverport Drive, Suite 400, Maryland Heights, Missouri 63043 for the Mental Health Department to be a provider of mental health and substance abuse services and accept reimbursement to the Department of Mental Health for the period January 1, 1998 through and including June 30, 2001, at no cost to the County, and be it

FURTHER RESOLVED, that the Commissioner of Mental Health is authorized to approve any and all rate changes as warranted for the term of this agreement, and be it

FURTHER RESOLVED, such reimbursements shall be credited to budget lines 470021.0470.101000 (Client Fees Income) and 470013.0077.101000 (Mental Health 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 134

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH CORAM RESOURCE NETWORK, INC. FOR REIMBURSEMENT TO THE HEALTH DEPARTMENT DIVISION OF HOME HEALTH SERVICES FOR APRIL 1, 1998 THROUGH AND INCLUDING MARCH 31, 1999

WHEREAS, the Director of Public Health requests authorization to enter into an agreement with Coram Resource Network, Inc. whereby the Division of Home Health Services will be a participating provider of home health services and the Broome County Health Department Division of Home Health Services will receive reimbursement for services rendered for the period April 1, 1998 through and including March 31, 1999, and

WHEREAS, said agreement will allow the Broome County Health Department Division of Home Health Services to be reimbursed for services rendered to Coram enrollees, and

WHEREAS, health maintenance organizations, by their nature, require periodic rate adjustments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Coram Resource Network, Inc., 12450 Greenspoint Drive, Suite 1300, Houston, Texas 77060 whereby the Division of Home Health Services will be a participating provider of home health services and the Broome County Health Department Division of Home Health Services will receive a fee for services rendered for the period April 1, 1998 through and including March 31, 1999, and be it

FURTHER RESOLVED, that the Director of Public Health is authorized to approve any and all rate changes as warranted for the term of this agreement, and be it

FURTHER RESOLVED, such reimbursements shall be credited to budget line Various.0070.various (Fee for Service), and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 135

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING ACCEPTANCE OF FAMILY INDEPENDENCE PROGRAM GRANT FOR CASE MANAGEMENT SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD MAY 1, 1998 THROUGH AND INCLUDING DECEMBER 31, 1999, AND AUTHORIZING AN AGREEMENT WITH UNITED HEALTH SERVICES TO IMPLEMENT AND ADMINISTER SAID PROGRAM

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Family Independence Program Grant from the New York State Office of Temporary and Disability Assistance in the amount of \$275,000 for the period May 1, 1998 through and including December 31, 1999, and

WHEREAS, said grant program provides case management services for families that receive Temporary Aid to Needy Families (TANF) with alcohol and substance abuse problems, and

WHEREAS, the Commissioner of Mental Health requests authorization for an agreement with United Health Services for implementation of said program for the above time period, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$275,000 from the New York State Office of Temporary and Disability Assistance to establish the Family Independence Program for the period May 1, 1998 through and including December 31, 1999, 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 \$275,000 for the period May 1, 1998 through and including December 31, 1999, and be it

FURTHER RESOLVED, that this County Legislature authorizes an agreement with United Health Services, 10-42 Mitchell Avenue, Binghamton, New York 13903 for administration of said 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, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 136

By Health Services and Finance Committees

Seconded by Mr. Hull

RESOLUTION REVISING THE MILEAGE REIMBURSEMENT RATE FOR HEALTH DEPARTMENT DIVISION OF CHILD DEVELOPMENT HANDICAPPED CHILDRENS PROGRAM

WHEREAS, this County Legislature, by Resolution 62 of 1997, authorized a revision in the mileage reimbursement rate for the Health Department Division of Child Development Handicapped Childrens Program to a flat rate of \$12.50 for each day a parent or legal guardian transports their child to/from service providers providing services in accordance with the Handicapped Childrens Program, and

WHEREAS, it is desired at this time to revise the mileage reimbursement rate to change from a \$12.50 flat per diem payment to an IRS mileage reimbursement as a reasonable and fair means to reimburse parental expense for transporting their children in the Early Intervention and Pre-K program consistent with State Education Law and Public Health Law, now, therefore, be it

RESOLVED, that this County Legislature hereby revises the mileage reimbursement rate for the Health Department Division of Child Development Early Intervention and Pre-K Programs to the current IRS authorized mileage reimbursement rate for parents who transport their own children, and be it

FURTHER RESOLVED, that the payments above authorized shall be made from budget lines 480202.4465.101000 (Non-employee travel, hotel and meals) and 480285.4465.101000 (Non-employee travel, hotel and meals), 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.

Ms. Sweet moved, seconded by Mr. Pasquale, to insert the following paragraph as the second FURTHER RESOLVED: "FURTHER RESOLVED, that this rate change shall be effective immediately provided that these parents who agreed to transport their own children to and/or from any program or therapy session authorized by the child's Individualized Family Service Plan or Individualized Education Program at the flat per diem payment shall continue to receive such rate until the expiration of the child's current Individualized Family Service Plan or Individualized

Education Program, and be it". Mr. Hull moved to call the question, seconded by Ms. Hudak. Motion to call the question failed, Ayes-9 (Burger, Coffey, Howard, Hudak, Hull, Kolba, Miller, Pasquale, Whalen), Nays-8 (Brunza, Harbachuk, Kavulich, Mather, Shafer, Sweet, Wike, Schofield), Absent-2 (Lindsey, O'Day). No vote taken on amendment.
Held over 'under the rules' by Mr. Shafer.

RESOLUTION NO. 137

By Health Services and Finance Committees Seconded by Mr. Brunza
RESOLUTION AUTHORIZING RENEWAL OF COMMUNITY-BASED DIABETES SERVICES PROGRAM GRANT FOR DIABETES DETECTION AND EDUCATION SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR JULY 1, 1998 THROUGH AND INCLUDING JUNE 30, 1999

WHEREAS, this County Legislature, by Resolution 365 of 1997, as amended by Resolution 113 of 1998, authorized and approved the Community-Based Diabetes Services Program Grant in the amount of \$10,000 for the period September 1, 1997 through June 30, 1998, and

WHEREAS, said grant program provides community-based diabetes detection and education services programming, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1998 through and including June 30, 1999 in the amount of \$10,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,000 from the Diabetes Control Program, New York State Department of Health, Corning Tower, Empire State Plaza, Albany, New York 12237, for the period July 1, 1998 through and including June 30, 1999, 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 \$10,000 for the period July 1, 1998 through and including June 30, 1999, 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 138

By Health Services and Finance Committees Seconded by Mr. Brunza
RESOLUTION AUTHORIZING AGREEMENT WITH NY-PENN HEALTH SYSTEMS AGENCY, FOR IMPLEMENTATION OF AN HIV PREVENTION PROGRAM FOR THE HEALTH DEPARTMENT FOR 1998

WHEREAS, the Director of Public Health requests authorization for an agreement with NY-Penn Health Systems Agency for implementation of an HIV Prevention Program for the period January 1, 1998 through and including December 31, 1998, at a cost not to exceed \$7,500, and

WHEREAS, said services are necessary to facilitate coalition building, consensus development, program evaluation and develop an implementation strategy for HIV prevention, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with NY-Penn Health Systems Agency, 84 Court Street, Suite 300, Binghamton, New York 13901 for implementation of an HIV Prevention Program for the period January 1, 1998 through and including December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.various.104XXX (various), and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 139

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING ACCEPTANCE OF HIV PREVENTION NEEDS FOR YOUNG PEOPLE GRANT FOR THE HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1998

WHEREAS, the requests authorization to accept a HIV Prevention Needs for Young People Grant from the New York State Department of Health AIDS Institute in the amount of \$15,000 for the period January 1, 1998 through and including December 31, 1998, and

WHEREAS, said grant program will assist the Health Department in studying HIV Prevention Education material by providing funds for purchasing curriculum materials, training instructors and evaluating the program for effectiveness, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,000 from the New York State Department of Health AIDS Institute, Division of HIV Prevention ESP, Coming Tower, Albany, New York 12237 for the period January 1, 1998 through and including December 31, 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 \$15,000 for the period January 1, 1998 through and including December 31, 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 140

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENTS WITH VARIOUS HEALTH CARE PROVIDERS FOR BREAST AND CERVICAL CANCER SCREENING, DIAGNOSIS AND

RELATED TREATMENT SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION EDUCATION PROGRAM FOR JULY 1, 1997 THROUGH AND INCLUDING JUNE 30, 1998

WHEREAS, this County Legislature, by Resolution 195 of 1997, authorized agreements with various health care providers for breast and cervical cancer screening, diagnosis and related treatment services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1997 through and including June 30, 1998, at the rates set forth by the New York State Comprehensive Breast and Cervical Cancer Screening and Early Detection Program, and

WHEREAS, it is necessary to authorize the amendment of said agreement to substitute the revised fee schedule attached hereto as Exhibit "A" for the previous schedule, and

WHEREAS, the Director of Public Health 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 agreements with various health care providers for breast and cervical cancer screening, diagnosis and related treatment services for the Health Department Breast and Cervical Cancer Detection and Education Program for the period July 1, 1997 through and including June 30, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors the amounts as set forth on Exhibit "A", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4707.104127 (Medical and Hospital Services), and be it

FURTHER RESOLVED, that Resolution 195 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 141

By Health Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH DR. STEPHEN DYGERT FOR BREAST AND CERVICAL CANCER SCREENING, DIAGNOSIS AND RELATED TREATMENT SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION EDUCATION PROGRAM FOR APRIL 16, 1998 THROUGH AND INCLUDING JUNE 30, 1998

WHEREAS, the Director of Public Health requests authorization for an agreement with Dr. Stephen Dygert 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 April 16, 1998 through and including June 30, 1998, at a cost not to exceed the rates set by the New York State Comprehensive Breast and Cervical Cancer Screening and Early Detection Program Reimbursement Schedule as per the attached Exhibit "A", and

WHEREAS, said services are necessary to provide breast and cervical cancer early detection for the Health Department Breast and Cervical Cancer Detection Education Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Dr. Stephen Dygert, P. O. Box 25, Evergreen Avenue, Afton, New York 13730, 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 April 16, 1998 through and including June 30, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed the rates set by the New York State Comprehensive Breast

and Cervical Cancer Screening and Early Detection Program Reimbursement Schedule as per the attached Exhibit "A" for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4707.104127 (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, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 142

By Public Safety & Emergency Services Committee

Seconded by Mr. Brunza

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FIRE ADVISORY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article XIX of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Fire Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
George Seltzer 32 N. Parsons Rd. Whitney Point, NY 13862	Reappointment Term Expires 12/31/98
Elwyn Eaton P. O. Box 68 Castle Creek, NY 13744	Reappointment Term Expires 12/31/98
Clarence Rogers 32 Main St. Harpurville, NY 13787	Reappointment Term Expires 12/31/98
Fred Durfee 810 Martin St. Endicott, NY 13760	New Appointment Term Expires 12/31/98
Fred Canniff 18 Sandy Brook Lane Castle Creek, NY 13744	Reappointment Term Expires 12/31/98
David Rickard 24 Riverview Rd. Kirkwood, NY 13795	Reappointment Term Expires 12/31/98
James Mitrowitz 217 Dorman Rd. Binghamton, NY 13901	Reappointment Term Expires 12/31/98
Martin Tillapaugh 232 Stella Ireland Rd. Binghamton, NY 13905	Reappointment Term Expires 12/31/98

Irving Soden 113 Baker Rd. Windsor, NY 13865	Reappointment Term Expires 12/31/98
Robert Brady 3114 Andover Rd. Endwell, NY 13760	Reappointment Term Expires 12/31/98
George Ruck 2728 Country Club Rd. Endwell, NY 13760	Reappointment Term Expires 12/31/98
Peter Scarantino 3370 Jackson Rd. Binghamton, NY 13903	Reappointment Term Expires 12/31/98
Wesley Tyler 2127 New York Route 26 Endicott, NY 13760	Reappointment Term Expires 12/31/98
Robert Kocan 457 Bevier St. Binghamton, NY 13904	Reappointment Term Expires 12/31/98
Joan Bennett P. O. Box 1131 241 Bevier St. Binghamton, NY 13902	New Appointment Term Expires 12/31/98
Ellwyn Van Vorce 839 Park Ave. Binghamton, NY 13903	Reappointment Term Expires 12/31/98
Alice Fiacco 3605 Royal Rd. Endwell, NY 13760	Reappointment Term Expires 12/31/98
Wayne Sherwood Mountain Trailer Park 269 Kattelville Rd. Binghamton, NY 13901	Reappointment Term Expires 12/31/98
David Lindsey 12 Mulberry St. Binghamton, NY 13901	New Appointment Term Expires 12/31/98
Brian Mather 301 Vandervort Ave. Vestal, NY 13850	New Appointment Term Expires 12/31/98
Brian Brunza 249 Wyok Road Johnson City, NY 13790	New Appointment Term Expires 12/31/98

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XIX of the Broome County Charter and Code, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XIX of the Broome County Charter and Code, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Fire Advisory Board in accordance with their appointment by the County Executive.

Mr. Brunza moved, seconded by Mr. Miller, that Andrew Kavulich, 261 N. Baldwin Street, Johnson City, NY 13790, be substituted for his own appointment to this board. The County Executive, Mr. Kraham, was in concurrence with this substitution.

Amendment carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

Resolution as amended carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 143

Community & Social Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING CANCELLATION OF OFFICE FOR AGING UNCOLLECTIBLE REPLACEMENTS FOR BOUNCED CHECKS FOR THE MEALS ON WHEELS PROGRAM FOR 1995 THROUGH 1997

WHEREAS, the Fiscal Services Administrator of the Office for Aging has advised that for the calendar years 1995, 1996 and 1997, certain amounts owed to the Meals on Wheels Program currently remain unpaid and uncollected, and

WHEREAS, repeated efforts have been made to collect these accounts but have been unsuccessful, either because the individuals cannot be located or because the costs involved in bringing suit would greatly outweigh the potential recovery, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation and charge-off of the Office for Aging uncollectible replacements for bounced checks for the Meals on Wheels Program for 1995 through 1997 for the individuals per the attached Exhibit "A", and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 144

By Community & Social Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AN INCREASE OF PETTY CASH FUNDS FOR CERTAIN OFFICE FOR AGING SENIOR COMMUNITY CENTERS

WHEREAS, certain Office for Aging Senior Community Centers currently have petty cash funds which are inadequate for their current needs, and

WHEREAS, the department head has requested increases as per the attached Exhibit "A" for said petty cash funds at certain Senior Community Centers in order to have funds sufficient to meet their daily needs, and

WHEREAS, the Commissioner of Finance has determined that the petty cash funds at said Centers should be increased as per the attached Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby approves and increases the petty cash funds at select Office for Aging Senior Community Centers as per the attached Exhibit "A", and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 145

By Public Works and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INC., FOR PROFESSIONAL LABORATORY SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR THE PERIOD APRIL 16, 1998 THROUGH AND INCLUDING APRIL 15, 2000

WHEREAS, the Deputy Director of the Division of Solid Waste Management requests authorization for an agreement with Buck Environmental Laboratories, Inc. for professional laboratory services for the period April 16, 1998 through and including April 15, 2000, at a cost not to exceed \$16,335 (with the County share at \$8,162.50), and

WHEREAS, GAF Corporation will pay 50% of the cost of this contract, and

WHEREAS, said services are necessary to comply with regulations from the United States Environmental Protection Agency and the New York State Department of Environmental Conservation for interim monitoring services at the Colesville Landfill pending the final outcome of the Focused Feasibility Study and adoption of a final monitoring program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Buck Environmental Laboratories, Inc., 3845 Route 11 South, Cortland, New York 13045, for professional laboratory services for the period April 16, 1998 through and including April 15, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County and GAF Corporation shall pay the Contractor an amount not to exceed \$16,335 (with \$8,162.50 as the County share) for the term of this agreement, and be it

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

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

Carried, Ayes-17, Nay-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 146

By Finance and Public Safety & Emergency Services Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WATER STREET ASSOCIATES FOR LEASE OF SPACE TO PROBATION DEPARTMENT FOR A SATELLITE OFFICE

WHEREAS, this County Legislature, by Resolution 104 of 1993, authorized renewal of a five year lease agreement with Water Street Associates for lease of space to the Probation Department for a satellite office at a cost of \$8.00 per square foot with yearly increases, and

WHEREAS, said agreement expires by its terms on March 31, 1998, and it is desired at this time to renew said agreement for the period April 1, 1998 through and including March 31, 2003 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Water Street Associates, 168 Water Street, Suite 5R, Binghamton, New York 13901 for lease of space to the Probation Department for a satellite office the period April 1, 1998 through and including March 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9.27 per square foot, for the period April 1, 1998 through and including March 31, 1999, the cost shall increase 3% for the period April 1, 1999 through and including March 31, 2000, and thereafter the cost shall increase at a rate of 4% each year for the period April 1, 2000 through and including March 31, 2003 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 280099.4422.101000 (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-17, Nays-0, Absent-2 (Lindsey, O'Day).**

RESOLUTION NO. 147

By Public Safety & Emergency Services, Personnel and Finance Committees
Seconded by Mr. Brunza

RESOLUTION AUTHORIZING ACCEPTANCE OF MOTOR VEHICLE THEFT AND INSURANCE FRAUD PREVENTION PROGRAM GRANT FOR THE SHERIFF'S DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR JANUARY 6, 1998 THROUGH AND INCLUDING JANUARY 5, 1999

WHEREAS, the Sheriff's Department requests authorization to accept a Motor Vehicle Theft and Insurance Fraud Prevention Program Grant from the New York State Division of Criminal Justice Services in the amount of \$18,000 for the period January 6, 1998 through and including January 5, 1999, and

WHEREAS, said grant program provides for overtime given to teach training classes on motor vehicle theft and insurance fraud prevention, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$18,000 from the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 for the period January 6, 1998 through and including January 5, 1999, 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 \$18,000 for the period January 6, 1998 through and including January 5, 1999, 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 148

By Public Safety & Emergency Services, County Administration, Economic Development & Planning and Finance Committees
Seconded by Mr. Brunza

RESOLUTION AUTHORIZING ACCEPTANCE OF LOCAL LAW ENFORCEMENT BLOCK GRANT FOR PURCHASE OF LAW ENFORCEMENT EQUIPMENT FOR THE SHERIFF'S DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR OCTOBER 1, 1997 THROUGH AND INCLUDING SEPTEMBER 30, 1999

WHEREAS, the Sheriff's Department requests authorization to accept a Local Law Enforcement Block Grant from the United States Department of Justice in the amount of \$10,550 for the period October 1, 1997 through and including September 30, 1999, and

WHEREAS, said grant program provides funds to purchase equipment utilized in law enforcement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,550 from the United States Department of Justice, Office of Justice Programs, Bureau of

Justice Assistance, Washington, D.C. 20531 for the purchase of equipment to be utilized in law enforcement for the period October 1, 1997 through and including September 30, 1999, 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 \$11,722 for the period October 1, 1997 through and including September 30, 1999, 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 149

By Public Works and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING INTERMUNICIPAL COOPERATION AGREEMENT AMONG VARIOUS BROOME COUNTY LOCAL GOVERNMENTS FOR SHARED HIGHWAY SERVICES FOR THE PERIOD MAY 1, 1998 THROUGH AND INCLUDING DECEMBER 31, 2001

WHEREAS, the Commissioner of Public Works requests authorization for an intermunicipal cooperation agreement among various Broome County local governments for shared highway services for the period May 1, 1998 through and including December 31, 2001, at no cost to the County, and

WHEREAS, said agreement will expand opportunities to share resources with other local municipalities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal cooperation agreement among various Broome County local governments for shared highway services for the period May 1, 1998 through and including December 31, 2001, 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 150

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING REVISION OF OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA 5% INCENTIVE GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR JULY 1, 1995 THROUGH AND INCLUDING JUNE 30, 1998

WHEREAS, this County Legislature, by Resolution 327 of 1996, authorized the continued participation by the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIA 5% Incentive Grant Program for the period July 1, 1995 through June 30, 1998 and adopted a program budget in connection therewith in the total amount of \$38,436, 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 Office of Employment and Training Job Training Partnership Act (JTPA) Title IIA 5% Incentive Grant Program for the period July 1, 1995 through and including June 30, 1998 in the total amount of \$70,289, 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 \$70,289 for the period July 1, 1995 through and including June 30, 1998, and be it

FURTHER RESOLVED, that Resolution 327 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 empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 151

By County Administration, Economic Development & Planning and Finance Committees
Seconded by Mr. Brunza

RESOLUTION AUTHORIZING REVISION OF OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA 5% INCENTIVE GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR JULY 1, 1996 THROUGH AND INCLUDING JUNE 30, 1999

WHEREAS, this County Legislature, by Resolution 202 of 1997, authorized the continued participation by the Office of Employment and Training in the Job Training Partnership Act (JTPA) Title IIA 5% Incentive Grant Program for the period July 1, 1996 through and including June 30, 1999 and adopted a program budget in connection therewith in the total amount of \$32,802, 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 Office of Employment and Training Job Training Partnership Act (JTPA) Title IIA 5% Incentive Grant Program for the period July 1, 1996 through and including June 30, 1999 in the total amount of \$62,488, 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 \$62,488 for the period July 1, 1996 through and including June 30, 1999, and be it

FURTHER RESOLVED, that Resolution 202 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 empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 152

By Health Services Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING DESIGNATION OF WILLOW POINT NURSING HOME AS THE OFFICIAL NAME OF THE COUNTY NURSING FACILITY

WHEREAS, the Administrator of Willow Point Nursing Facility requests authorization to designate Willow Point Nursing Home as the official name of the facility, and

WHEREAS, said Resolution is necessary in order to clarify that Willow Point shall be referred to in all capacities and for all purposes by one name, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the designation of Willow Point Nursing Home as the official name for said facility, and be it

FURTHER RESOLVED, that the facility shall, in all capacities, use the name Willow Point Nursing Home, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 153

By Public Works Committee

Seconded by Mr. Brunza

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, Daniel A. Schofield, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Resolution 115 of 1944 and Resolution 27 of 1972, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Soil and Water Conservation District for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Kirk Decker 54 School House Road Windsor, NY 13865	December 31, 1999 (filling D. Briggs unexpired term)
John K. Davis 2729 Magnolia Street Endwell, NY 13760	December 31, 1999 (filling R. Leamon unexpired term)

WHEREAS, it is desired at this time, in accordance with the provisions of Resolutions 115 of 1944 and 27 of 1972, to confirm said appointments, now, therefore, be it

environmental audit of the site which revealed the presence of hazardous substances in the groundwater precluding a mortgage of the premises until and unless the environmental problems revealed by the audit are defined and remediated and/or contained pursuant to the New York State Environmental Conservation Law and/or the Federal Environmental Protection Act, and

WHEREAS, Joseph and Carole Belardinelli (pursuant to Resolution 86 of 1996) presently lease the 312 Maple Street property from the County and are desirous of purchasing same if the environmental problems can be addressed making the property mortgageable, and

WHEREAS, the 312 Maple Street property may be considered a "Brownfield" defined as an industrial or commercial site with actual or perceived contamination which prevents the site from being fully utilized, and

WHEREAS, the site is eligible for a "voluntary cleanup program" whereby once the contaminants have been fully identified and contained on site and/or remediated the site may be used for specified purposes and the owner released from further liability within defined parameters, and

WHEREAS, since the site presently is unmarketable and poses a potential hazard, and

WHEREAS, the County, as the owner of the site, has potential environmental liability, and

WHEREAS, a VCP agreement with the New York State Department of Environmental Conservation will allow for investigation of the contamination at the site and the development of a remediation plan which upon completion will permit the sale of the site with the consequent limitation of County liability, and

WHEREAS, it is estimated that the cost of investigation work needed at the site and the development of remediation plans will not exceed \$35,000.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a Voluntary Cleanup Agreement with the New York State Department of Environmental Conservation in connection with 312 Maple Street, Endicott, New York to provide for site investigation and remediation plans at a cost not to exceed \$35,000.00 to be paid for from budget line 900043.4756.10100 (Tax Acquisition Property Expense) (it being understood that the consultant to provide professional services in connection with the site investigation and development of the remediation plan will be selected through the County RFP process), and be it

FURTHER RESOLVED, that if, as a result of the site investigation, remediation costs are estimated to exceed \$2,500.00 no action will be taken without further authorization of this County Legislature, and be it

FURTHER RESOLVED, that in furtherance of this Resolution this County Legislature hereby authorizes the Budget Director, Commissioner of Finance and Comptroller to make the following transfer of funds:

From:	900084.4752.101000 (Contingency)	\$35,000.00
To:	900043.4756.101000 (Tax Acquired Property Expense)	\$35,000.00

and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 156

By Transportation and Finance Committee

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENTAL OF COUNTY-OWNED HOUSE TO PETER O'DONNELL

WHEREAS, pursuant to Resolution 185 of 1997, the County-owned house on the grounds of the Binghamton Regional Airport has been rented to William F. Shea for use by him during his tenure as Commissioner of Aviation, and

WHEREAS, William F. Shea has left the employ of the County, and the county-owned house he leased pursuant to Resolution 185 of 1997 is now available to rent, and

WHEREAS, Carl Olson, the current Commissioner of Aviation is not able to use said house until September 15, 1998, and

WHEREAS, Peter O'Donnell, the Arena Manager, desires to rent said house for the period April 1, 1998 to September 15, 1998, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the rental of the county-owned house on the premises of the Binghamton Regional Airport to Peter O'Donnell for the period April 1, 1998 to September 15, 1998 for the sum of \$325.00 per month (including utilities); said monthly rental to be paid by Pete O'Donnell to the Broome County Commissioner of Finance in advance of the first day of the month provided that the rental for the month of September, 1998 shall be half the monthly rental or \$162.50.

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 157

By Community & Social Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS MANAGED CARE ORGANIZATIONS IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES' MEDICAID MANAGED CARE PROGRAM PURSUANT TO NEW YORK STATE REGULATION FOR THE PERIOD APRIL 1, 1998 THROUGH DECEMBER 31, 2000

WHEREAS, Broome County's Department of Social Services implemented a Medicaid Managed Care Program (MAX) in September 1991, and

WHEREAS, the MAX Program is a voluntary managed care program which provides access to primary care services for nearly 5,600 Public Assistance and Medicaid eligible recipients, with current enrollment of approximately 34% of Broome County's eligible Medicaid recipients, and

WHEREAS, Broome County's Department of Social Services seeks to increase enrollment of Medicaid eligible recipients into managed care programs, and additional managed care programs and provider networks are required to ensure adequate capacity for Broome County's eligible Medicaid population, and

WHEREAS, New York State's Department of Health implemented an endeavor called "The Partnership Plan" which increased Medicaid recipient access to mainstream primary care practices, improved quality of care, and promoted continuity, oversight and management of services to recipients in a cost-effective manner, and

WHEREAS, through a statewide procurement process, New York State's Department of Health and local social services districts selected managed care organizations that demonstrate a willingness to comply fully with established participation standards and submit an acceptable rate offer within New York State Department of Health guidelines, and

WHEREAS, New York State's Department of Health has obtained a federal waiver to implement a mandatory managed care program, with voluntary enrollments under New York State's Partnership Plan commencing April 1, 1996, and

WHEREAS, Broome County's Department of Social Services began Partnership Plan enrollments on a voluntary basis effective April 1, 1996, and will begin New York State mandated federally reimbursed categories of Public Assistance and Medicaid to enroll in a mandatory managed plan commencing May 1, 1998, and

WHEREAS, continuation of these agreements are authorized by State and Federal law, including Title XIX of the Social Security Act, Section 1115(a) of the Social Security Act, Social Services Law Sections 364-j and 365, and Article 5, Title II of the Social Services Law of New York, and

WHEREAS, this County Legislature has previously authorized participation in the Partnership Plan by Resolution No. 96-175, duly adopted April 18, 1996, and

WHEREAS, Broome County's Department of Social Services requests authorization to continue agreements effective April 1, 1998 through December 31, 2000, for the provision of full risk, capitated health plans, with managed care plans as approved by New York State's Department of Health and Broome County's Department of Social Services pursuant to New York State's Partnership Plan procurement process, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes execution of contracts with various managed care organizations, in accord with New York State's Partnership Plan procurement process for the period April 1, 1998 through December 31, 2000, and be it

FURTHER RESOLVED, payments made in connection herewith shall be made in accordance with approvals from the New York State Department of Social Services, from budget line 670083.4568.103000 (MMIS Medical Assistance) as authorized by this Legislature by each annual budget, and be it

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

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 158

By Personnel, Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING ACCEPTANCE OF UNITED STATES DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES UNIVERSAL HIRING #2 PROGRAM GRANT FOR THE ADDITION OF LAW ENFORCEMENT PERSONNEL AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR OCTOBER 1, 1997 THROUGH AND INCLUDING SEPTEMBER 30, 2000

WHEREAS, the Broome County Sheriff requests authorization to accept a United States Department of Justice Community Oriented Policing Services Universal Hiring #2 Program Grant in the amount of \$78,095 for the period October 1, 1997 through and including September 30, 2000, and

WHEREAS, said grant program provides funds to add four Sheriff's Deputies to the Sheriff's staff, and

WHEREAS, the County's contribution to said program is \$26,031, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$78,095 from the United States Department of Justice, Office of Community Oriented Policing Services (COPS), Washington, D.C. 20530, for the period October 1, 1997 through and including September 30, 2000, 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 \$104,126, with the County's contribution of \$26,031, for the period October 1, 1997 through and including September 30, 2000, 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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.

Held over "under the rules" by Mr. Whalen.

RESOLUTION NO. 159

By Public Safety & Emergency Services Committee

Seconded by Mr. Brunza

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY
CRIMINAL JUSTICE ADVISORY BOARD**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 61 of 1985, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Criminal Justice Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Thomas J. Madison, Jr. 4 Penny Lane Binghamton, New York 13905	New Appointment Expires 12/31/99
Robert M. O'Leary, Esq. 4620 Duke Road Vestal, New York 13850	Reappointment Expires 12/31/99
Hon. Gerald P. Mollen, Esq. 4209 Emerson Place Binghamton, New York 13903	Reappointment Expires 12/31/99
Hon. Sheriff Geno DeAngelo 50 Second Street Binghamton, New York 13903	Reappointment Expires 12/31/99
Hon. Patrick H. Matthews 4708 Marshall Drive West Vestal, New York 13850	Reappointment Expires 12/31/99
Chief Joseph Lynch 11 Stokes Avenue Binghamton, New York 13905	Reappointment Expires 12/99
Ernest Gagnon Broome County Mental Health Dept. 1 Hawley Street Binghamton, New York 13901	New Appointment Expires 12/31/99
Kay Brundza PROBE 229 State Street Binghamton, New York 13901	New Appointment Expires 12/31/99
Edward Swart 3 Ivan Lane Binghamton, New York 13901	New Appointment Expires 12/31/99
Richard Meltzer P.O. Box 1895 Binghamton, New York 13902	Reappointment Expires 12/31/99

Hon. John T. Hillis
57 Moeller Street
Binghamton, New York 13904

New Appointment
Expires 12/31/99

David L. Lindsey
12 Mulberry Street
Binghamton, New York 13901

Reappointment
Expires 12/31/99

Carl Fenescey
12 Summer Street
Binghamton, New York 13901

New Appointment
Expires 12/31/99

James May
63 Park Street
Binghamton, New York 13905

New Appointment
Expires 12/31/99

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 61 of 1985, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 61 of 1985, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Criminal Justice Advisory Board in accordance with their appointment by the County Executive.

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 160

By Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH UNITED HEALTH SERVICES HOSPITALS, INC. FOR EXTENSION OF AN EMPLOYEE ASSISTANCE PROGRAM FOR APRIL 1998

WHEREAS, this County Legislature, by Resolution 114 of 1998, authorized an amendment to the agreement with United Health Services Hospitals, Inc. for development and implementation of an employee assistance program at a cost not to exceed \$21 per employee plus the Consumer Price Index plus 2% per employee (\$5,250 per month) with an extension through March 31, 1998, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for an extension through April 30, 1998 on the same terms and conditions, and

WHEREAS, the Personnel Officer 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 United Health Services Hospitals, Inc., 20-42 Mitchell Avenue, Binghamton, New York 13903 for extension of an employee assistance program for the period April 1, 1998 through and including April 30, 1998 upon the same terms and conditions with no change in cost, and be it

FURTHER RESOLVED, that Resolution 114 of 1998, 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-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 161

By Personnel, Health Services, Public Works, County Administration, Economic Development & Planning and Finance Committees
Seconded by Mr. Brunza

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR WILLOW POINT NURSING HOME AND THE DEPARTMENTS OF CENTRAL FOODS AND PUBLIC WORKS

RESOLVED, that in accordance with a request from the Administrator of WPNH, as contained in PCR#98-277, this County Legislature hereby authorizes the abolishment of (1) Senior Accountant position, Full Time, at budget line 160010.1000.204000, minimum salary \$28,016, grade 18, Union BAPA, and create (1) Accountant (County) position, Full Time, at budget line 160010.1000.204000, minimum salary \$24,329, grade 16, Union CSEA, effective date 4/20/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Acting Director of Central Foods, as contained in PCR#98-258, this County Legislature hereby authorizes the Change of (1) Cook position, Full Time, at budget line 230045.1000.251000, minimum salary \$18,036, grade 3, Union AFSCME, to of (1) Cook position, Full Time, at budget line 230045.1000.251000, minimum salary \$15,854, grade 8, Union CSEA, effective date 1/1/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Public Works, as contained in PCR#98-254, this County Legislature hereby authorizes the Transfer of (1) Facilities Planner position, Full Time, at budget line 030031.1000.101000, minimum salary \$31,798, grade 21, Union CSEA, to budget line 030023.1000.101000, effective date 3/23/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Public Works - Security, as contained in PCR#98-246, this County Legislature hereby authorizes the upgrade of (1) Account Clerk Typist position, Full Time, at budget line 030080.1000.101000, minimum salary \$15,027, grade 7, Union CSEA, to of (1) Keyboard Specialist position, Full Time, at budget line 030080.1000.101000, minimum salary \$16,964, grade 8, Union CSEA, effective date 4/20/98.

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 162

By Personnel, Finance and Public Safety & Emergency Services Committees
Seconded by Mr. Brunza

RESOLUTION AUTHORIZING THE HIRING OF GEOFFREY B. ROSSI AS ASSISTANT DISTRICT ATTORNEY II ABOVE THE MINIMUM SALARY

WHEREAS, the District Attorney has recommended the hiring of Geoffrey B. Rossi as Assistant District Attorney II at an annual salary of \$41,627 which is 9% above the minimum salary of \$38,095, and

WHEREAS, Geoffrey B. Rossi is qualified for Assistant District Attorney II and has experience and/or education which justify said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Geoffrey B. Rossi, as Assistant District Attorney II, Grade 25 step 3, at an annual salary of \$41,627 at budget line 330001.1000.101000, effective April 20, 1998.

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 163

By Finance, Personnel and Public Safety & Emergency Services Committees
Seconded by Mr. Brunza

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE SHERIFF'S DEPARTMENT

RESOLVED, that in accordance with a request from the Sheriff in order to provide funds to cover the County's share for the Cops Universal Hiring Program #2 as requested by BT# 010293, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	450049	1000	101000	Salaries – Full Time	9,114
	450056	1000	101000	Salaries – Full Time	1,671
	450072	1000	101000	Salaries – Full Time	2,415
	450007	1000	101000	Salaries – Full Time	4,860
	450007	1600	101000	Salaries – Temporary	2,310
	450015	1902	101000	207c Disability	5,661
TO:	450080	9005	101000	Transfer to Grant Fund	26,031

Held over "under the rules" by Mr. Whalen.

RESOLUTION NO. 164

Finance, Public Works and Health Services Committees Seconded by Mr. Brunza

RESOLUTION AMENDING THE 1996 CAPITAL IMPROVEMENT PROGRAM

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

FROM Estimated Construction Cost:

<u>Project Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>	
501329	96 WPNH Room Renovations	2,480,000	0	0	2,480,000	
			<u>Year Start</u>	<u>YPU</u>	<u>BOND</u>	<u>Current Revenue</u>
			1996	15	1,520,000	960,000

TO: Estimated Construction Cost:

<u>Project Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>	
501329	96 WPNH Room Renovations	2,480,000	0	0	2,480,000	
			<u>Year Start</u>	<u>YPU</u>	<u>BOND</u>	<u>Current Revenue</u>
			1996	15	0	2,480,000

To utilize the local share for this project that is appropriated in the 1998 budget.

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 165

Public Works, Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING THE TRANSFER OF COURT SECURITY FOR THE UNIFIED COURT SYSTEM FROM THE SHERIFF TO THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SECURITY

WHEREAS, the County is required to provide security for the Broome County Court House and George Harvey Justice Building utilizing civilian court attendants and security officers, and

WHEREAS, the new court facility currently under construction will require additional security services and additional supervision, and

WHEREAS, the Sheriff has provided court security pursuant to the mandates of the Judiciary Law and an agreement between Broome County and the Unified Court System, and

WHEREAS, the Sheriff has moved from the Justice Building to the Public Safety Facility on Front Street and no longer has a physical presence in the Justice Building, and

WHEREAS, the court security personnel no longer are members of the corrections employees bargaining unit, and

WHEREAS, the operations of the Broome County Security Division more closely parallel the court security function, and

WHEREAS, the offices of Broome County Security are across the street from the court facilities and make supervision and back-up more readily available, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the transfer of court security services from the Sheriff to the Department of Public Works Security Division effective April 1, 1998, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff, as contained in PCR#98-271,98-272, 98-273, this County Legislature hereby authorizes, effective April 1, 1998, the abolishment of the following:

No. of Positions	Title	Location	Minimum Salary	Gr.	Union
1	Deputy Sheriff	450007.1000.101000	29,477	NA	AFSME
1	Correction Officer	450007.1000.101000	28,439	NA	AFSME
6	Court Security Officers	450007.1000.101000	19,919	11	CSEA

and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Public Works - Security, as contained in PCR#98-268, 98-269, 98-270, this County Legislature hereby authorizes, effective April 1, 1998, the creation of the Following:

No. of Positions	Title	Location	Minimum Salary	Gr.	Union
1	Admin. Manager of Security Svcs.	031450.1000.101000	36,706	23	Admin I
1	Security Supervisor	031450.1000.101000	29,977	18	BAPA
6	Court Security Officers	031450.1000.101000	19,919	11	CSEA

and be it

FURTHER RESOLVED that in accordance with a request from the Broome County Sheriff and the Deputy Commissioner of Public Works for the Division of Security this County Legislature hereby authorizes the Commissioner of Finance to make necessary transfers of appropriations and Revenue from the Sheriff, Law Enforcement, Unified Courts Index Code 450007 to the Department of Public Works, Security Division, Unified Courts, Index Code 031450 in order to effectuate the intent of this Resolution.

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

RESOLUTION NO. 166

Finance Committee

Seconded by Mr. Brunza

RESOLUTION AMENDING RESOLUTION 641 OF 1995 WHICH AUTHORIZED THE ISSUANCE OF \$5,613,116 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY ALL OR PART OF THE COSTS OF VARIOUS CAPITAL PROJECTS

WHEREAS, this County Legislature, by Resolution 641 of 1995, authorized the issuance of \$5,613,116 serial bonds of the County of Broome to pay the costs of various capital projects in the County of Broome, and

WHEREAS, the County originally requested \$2,010,000 serials bonds for Project W-57, and

WHEREAS, it is necessary at this time to amend said Bond Resolution with regard to said project as set forth below, now, therefore, be it

RESOLVED, by the County Legislature of the County of Broome as follows:

Section 1. The following are the classes of objects or purposes or specific objects or purposes to be financed by the County of Broome, New York, pursuant to this resolution, the

maximum estimated costs thereof, and the subdivisions of Section 11.00(a) of the Local Finance Law and periods of probable usefulness applicable thereto:

<u>Project Code</u>	<u>Project Name/P.P.U/L.F.L. '11.00(a)</u>	<u>Maximum Estimated Cost</u>
F-551	Chenango Bridge Nursing Home Site Demolition, being a specific object or purpose; ten years; subdivision 12(a)	\$ 605,000
G-246A	Highway Reconstruction/Rehabilitation, being a specific object or purpose; fifteen years; subdivision 208	\$ 600,000
D-25A	Reconstruction/Rehabilitation of Bridges, being a class of objects or purposes; twenty years; subdivision 10	\$ 830,000
H-16A	Highway Equipment Replacement, being a class of objects or purposes; ten years; subdivision 28	\$ 300,000
A-352	Construction of Arena Sky-Boxes, being a class of objects or purposes, fifteen years; subdivision 12(a)(2)	\$ 500,000
J-516	Parks Surface Rehabilitation, being a specific object or purpose; five years; subdivision 20(a)	\$ 255,000
M-91	Purchase of Yardwaste Composting Facility Equipment, being a class of objects or purposes; five years; subdivision 32	\$ 750,000
[W-57	WPNF Residents' Rooms Renovations, being a specific object or purpose; fifteen years; subdivision 12(a)(2)	\$2,480,000]
D-333	Reconstruction of Hales Eddy Bridge, being a specific object or purpose; twenty years; subdivision 10	\$ 105,000

Section 2. SEQR DETERMINATION: It is hereby declared to be the intent of this County Legislature that the projects listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act ("SEQR"), to the extent applicable, to ensure that said proposed projects are in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process.

Section 3. (a) The aggregate maximum estimated cost of the aforesaid classes of objects or purposes or specific objects or purposes is [~~\$6,145,000~~] ~~\$3,665,000~~, and the plan for the financing thereof is by the issuance of [~~\$5,613,116~~] ~~\$3,603,116~~ serial bonds of said County,

hereby authorized to be issued therefor, by the appropriation and expenditure of [\$531,884] \$61,884 available funds to be allocated [\$470,000 toward Project W-57, and \$61,884] toward Project M-91.

(b) It is anticipated that \$475,000 will be received from the State government to be allocated \$100,000 toward Project A-352 and \$375,000 toward Project M-91 and, accordingly, the amount of serial bonds herein authorized to be issued for such projects shall be reduced to the extent State funds are received in connection therewith.

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 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 purposes 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 shall take effect upon its approval by the County Executive.

Section 10. In each and every other respect Permanent Resolution 641 of 1995 shall remain unchanged.

Deletions are noted by [brackets]. Additions are noted by underlining.

Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

Mr. Hull moved, seconded by Mr. Howard., to adjourn. Motion to adjourn **carried.** Meeting adjourned at 4:20pm.