
**BROOME COUNTY LEGISLATURE
SPECIAL SESSION
FEBRUARY 24, 1999**

The Legislature convened at 4:05pm with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-19, Absent-0.

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a prayer offered by Ms. Wanda Hudak.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

Chairman Schofield introduced County Executive Kraham who then gave the State of the County Address.

INTRODUCTION

Chairman Schofield, Majority Leader Howard, Minority Leader Pasquale, respected members of the Legislature and Distinguished Guests.

For the past two years, I've stood before you at this podium to announce that the state of Broome County was strong and getting stronger every day.

I'm happy to report again this year that our great County is continuing to move in a very positive direction. Our employees, our departments, our economy, our community, and our prospects for the future, are very, very strong.

In my first State of the County Address in 1997, I expressed a desire to turn "obstacles into opportunities", and last year I gave you numerous examples of how "cooperation" at all levels of government, particularly within our own Broome County organization, were helping us to achieve that goal.

The theme of "cooperation" is certainly still applicable today, but this year I'd like to expand on that concept and talk about something that's come to be known around here as the "Three C's".....cooperation, communication and common sense.

These are the core principles that we strive to adhere to every day.....to incorporate into everything we do. Whenever I speak to new County employees at an orientation session, meet with department heads, host an employee luncheon, or discuss a project with a vendor, customer or constituent, I invariably stress the need to adhere to these three simple concepts.

I'm proud to say that in most cases, people appreciate the idea of the "Three C's". They like it's simplicity and recognize that when used together, cooperation, communication and common sense can truly make a difference in how government operates, and in the lives of the people it serves.

In that regard, I'd like to publicly express my deep respect and gratitude for our dedicated workforce of Broome County employees.

During the past two years, County employees have endured radical changes in the way County government is managed and administered, and they've taken these changes in stride. They've found that the door to my office is always open to them, and that I take their requests, suggestions and complaints very seriously. Many employees are even starting to emulate my style of brainstorming toward better ideas and more effective solutions.

"Out of quantity comes quality" is a style that I've adhered to for many years, and I've learned that being a good listener is usually more important than being a slick, polished speaker or a domineering manager.

Our success starts with suggestions from County employees at all levels.....account clerks and laborers and caseworkerspeople who are on the front lines every day and have the common sense to identify the need to change something and the courage to communicate their ideas.

As you know, the Broome County Charter requires that the County Executive report to the Legislature about the activities of the various County departments during the preceding fiscal year. As the "State of the County" Message has developed over the years, it's also become a format to mention various projects and policy initiatives that are on the drawing board for the future. I don't intend to depart from that historical format today.

However, before I tell you about all the great things that have been accomplished in County government during the past two years, and before I tell you about our ambitious plans for the next two years and beyond, I need to make one very important point.

This speech isn't about what my administration has done or what Jeff Kraham has done personally, it's about what we have done and what we have accomplished together. It's about this Legislature giving my staff and our dedicated, creative and hard-working County workforce the tools that are necessary to get the job done. All our valiant efforts and best-laid plans would be meaningless without the support and approval of this Broome County Legislature.

I've been accused from time to time of pushing too hard for certain things, of having an agenda that's too aggressive or timetables that seem unrealistic or unfair. I'll admit that this may even have caused skepticism in some of you and anger in others. But whatever cause I'm championing or initiative I'm pushing for, you can rest assured that I truly believe it's in the best interest of the people of Broome County.

Despite having our differences along the way, I'm very proud of the groundwork we've laid together for a more responsive, efficient and cost effective County government. I pledge to continue working toward better communication and cooperation with this Legislature in the months and years ahead.

And I thank you for your assistance, and applaud you for your indulgence, your flexibility and your leadership.

Economic Development & Jobs

During the past two years, we've cut taxes by over 8%, and reduced spending by \$6.2 million dollars.

Again this year, I promise to do everything in my power to continue holding the line on taxes and spending for the taxpayers of Broome County. By keeping taxes steadily declining, we continue to make Broome County an even more desirable place to locate or expand a business.

And we've held our position at the very top of communities from across New York State and the nation who are enjoying a strong resurgence in job growth and economic development. As the result of our decreasing tax levy and our highly skilled and motivated workforce, we're getting more and more inquiries from companies who want to relocate or expand their business into Broome County.

An excellent example of this interest and enthusiasm is the recent announcement that American International Insurance Company, one of the largest insurance companies in the world, will establish a call center in the Vestal Plaza and create more than 500 customer service jobs for our community.

When AIG first showed interest in the area, local officials began working with developers to assemble an incentive package that would solidify the company's expansion into Broome County. To supplement the capital and training incentives offered by New York State, and the various real estate and utility cost reductions, Broome County government was able to provide AIG with \$150,000 in Economic Development Incentive Funds. This State Legislative funding, secured for Broome County by Senator Tom Libous, was the final piece in a cooperative effort to mobilize our local economic development leaders and entice AIG to link its future to ours.

Fortunately, this isn't an isolated incident. Companies and businesses too numerous to mention have decided to expand or locate in Broome County during the past year.

Some exciting recent examples include the multi-million dollar expansion plans of Walmart and Barnes & Noble Book Store, which both plan to effectively double in size and create hundreds of new jobs in Broome County.

At the other end of the County, Maines Paper and Foods has made an enormous investment in the future of Broome County, and Putnam Publishing, Artisan Laminators, Willow Run Foods, Phillips Foundry and Triple Cities Metal Finishing are also in the process of ambitious expansion plans.

And, of course, the long-awaited Cracker Barrel Country Store will stage its grand opening this coming Monday at the new "Gardens" Development on Upper Front Street, creating more than 150 jobs.

A new Hoyt Cinemas Theater Complex and a Fairfield Inn by Marriott will join Cracker Barrel at the "Gardens" Development site in the very near future.

Planning for Success

In light of these and the many other exciting success stories that are emerging across Broome County, we need to find better and more creative ways to foster economic development and job creation.

As a county government, we must do whatever we can to help facilitate this rapid growth and accommodate the expansion needs of our new and existing companies. To this end, it is imperative that we bolster our County Planning Department and utilize its growing pool of planning expertise to attract and assist businesses and create more jobs.

In my 1999 *Budget Message*, I recommended creating a new "chief planner" position in the Planning Department. Thankfully, you in the Legislature agreed, and the position was included in this year's budget.

As I stated at budget time, this new position will play a pivotal role in networking with the Broome Chamber, New York State's Empire Development Group, the EDA, Partnership 2000, and all the economic development engines in our community.

Also, the chief planner will place particular emphasis on the following three areas which are critically important to stable economic growth and development in Broome County:

1. Studying the feasibility of a countywide sewer district;
2. Establishing a countywide "enterprise zone"; and
3. Developing the framework for a countywide comprehensive planning initiative.

Sewer District

With all the increased industrial growth in Broome County, and a failing sewage treatment system that's already exceeding its capacity, it's time to get serious about forming a countywide sewer district.

That's why I've identified \$97,000 dollars in the Planning Department's budget to initiate a full-blown feasibility study. We need to get together with those municipalities who are currently responsible for sewage treatment services, and coordinate with all the municipalities throughout Broome County, to see how we can be most helpful to them, and to the business and residential community.

"Enterprise Zone 2000"

"Enterprise Zone 2000" is a concept that I also introduced in my 1999 *Budget Message*, and again it was contingent on adding staff to the Planning Department.

My vision for "Enterprise Zone 2000" is to establish a countywide Economic Opportunity Zone that focuses on those businesses that are not included in the coverage area of the existing state EDZs. In particular, I will work very closely with officials from the towns and villages outside the City of Binghamton and outside those State EDZs to develop incentive packages and local government tax credits to help our smaller businesses flourish and grow.

By concentrating on the smaller businesses in the suburban and rural regions of the County, we can help close the gap of regional incentivization and give everyone a fair chance.

Comprehensive Planning

Comprehensive countywide planning for economic development and industrial expansion was a popular technique back in the 1970's and early 1980's.

But as the economy slowed, particularly in this region, it was no longer practical to formulate planning policy in this fashion. In fact, when I was elected in 1996, we had no Planning Department at all.

Times have changed again. With the explosive growth our region has enjoyed for the past two years, it's time to take a broader look at our use of land and infrastructure in this County. We've got rapid growth. We need to ensure that it's smart growth.

Obviously any one of these items would keep even the most ambitious planner extremely busy, and I'm not suggesting that one new position in the department will be a panacea.

There's also plenty more to do from a planning perspective in Broome County, including the implementation of our plan to run sewer and water lines to the county landfill and studying the development potential for the airport corridor to name just two.

Tornado Relief

Another example of the Planning Department's wide-ranging responsibilities is the recent administration of a Federal Tornado Relief Grant.

Working with the affected municipalities, all 128 damage claims were reviewed and prioritized by the Department according to HUD guidelines, and a fair and equitable distribution mechanism was established. More than 128 damage claims were submitted, for a total of over \$1.5 million dollars. To date, the planning department has issued checks for \$596,000 dollars of the \$600,000 dollar grant.

It's obvious that the department has it's hands full. So don't be surprised if I request even further enhancements to the Planning Department in the next year or so. But for now, the added chief planner position will allow Commissioner Jim Hackett to restructure the department and refocus its attention and efforts on economic development and job creation.

Workforce Development Center

As Broome County continues to be the beneficiary of numerous job openings and opportunities, for individuals with all levels of education, experience and expertise, we must prepare our workforce to adapt to the needs of prospective employers.

By developing innovative education and job training programs, we can fill the many vacancies that are present right now in this County and the increasing number that are projected for the foreseeable future.

In the next several months, I'll formally propose the creation of a Workforce Development Center that will physically and programmatically combine our Office of Employment and Training (OET) and the County Self-Sufficiency Center.

The concept is to create a one-stop job placement center for displaced workers and for individuals who are on public assistance and are willing and able to make the transition to work. A place where all the resources are at the individual's fingertips, and the ability to build skills, learn how to interview, or do specialized vocational training are all under one roof.

This joint "welfare to work" and "job replacement" center will combine expertise from various levels of government, and will include the private sector as well toward helping people secure and maintain jobs in Broome County. We'll draw on Broome County's rich reservoir of training and job placement expertise by partnering with the State Department of Labor, BOCES, VESID and Broome Community College.

What we're proposing will be a groundbreaking program, the first of its kind anywhere in New York State, and one that I'm confident other counties will want to follow. Under the leadership of Deputy County Executive Tom Hoke, who has done extensive research including visits to similar centers in other states, and our outstanding OET Director John Flynn, I'm confident this initiative will work.

Airport Renovation

Continuing on the theme of economic development, I'm pleased to report that the official "Wall Smashing" Ceremony for the Terminal Renovation Project at our airport took place last Thursday.

The ceremony signified the conclusion of a long and complex planning and fundraising process and the commencement of an exciting and aggressive construction schedule. As those of you who attended the ceremony already know, this \$13.6 million dollar renovation will be paid for with 47% Federal funding, 46% State funding, and 7% Airport Enterprise funding. If you're doing the math in your head, that does indeed add up to 100%, which means the share of local taxpayer dollars that will be used to pay for this project is exactly zero percent, with not a single penny of long-term debt to be incurred.

Of course this is due almost entirely to the herculean efforts of Senator Tom Libous and Governor George Pataki, who each weighed-in with \$3 million dollars.....and Senator Alfonse D'amato, who secured an amazing \$4.8 million dollars in federal funding for the project. I'm told that a funding package like this is unprecedented in the history of renovating or building airports anywhere in the United States, a fact that I'm personally very proud of.

I'm also very proud of the tremendous efforts by our Aviation Commissioner, Carl Olson and his deputy, Carl Beardsley. While former Aviation Commissioner Bill Shea was certainly the pitchman for this project from the very beginning, the "two Carls" have certainly been the tacticians.

I'd like to thank the entire Aviation staff, our Engineering Department, the Legislature's Transportation Committee, the Airport Advisory Board, Rick Lutovsky and the Chamber, and our own Bill Barber for their hard work and diligence on this project.

When I first began to push for this project during my campaign in 1996, I argued that a new terminal would attract new carriers and inevitably improve airline service to our region....."if you build it, they will come". Many skeptics said it would never happen and my chief detractors said even if it did happen, it would be a waste of time and money.

So it gives me great pleasure to announce that in less than one month, Trans International Express Airlines will begin air service to New York City's JFK Airport, with round-trip service three time per day, and at an extremely reasonable rate.

We haven't even built it yet and they're starting to come!

Quality of Life

Libraries, the Park, the Arena and the College

Another means to attracting would-be County residents, workers and businesses is to improve the quality of life or cultural amenities and creature comforts of our community. In this regard, we've moved forward with several initiatives that will undoubtedly make our community more attractive to prospective residents and make our own hometown crowd happy as well.

Libraries

After a long and arduous process, demolition to make way for our new Broome County Central Library on Upper Court Street is currently in progress. We're very optimistic about the prospect of occupying the new state-of-the-art library facility by the end of this year.

We negotiated an excellent deal for the taxpayers of Broome County while securing a first-rate library for the entire community to utilize. And we know for a fact that a good library system is one of the critical factors prospective residents and businesses consider when looking at a county or community.

In conjunction with the siting and agreement on our new Central Library, the 1999 County budget also marked the start of a new funding mechanism for our local municipal libraries. A much more fair and equitable process of local funding is now in place that holds the towns harmless and the county responsible for the cost of non-residents users.

Otsiningo Park

We're currently in the process of applying for State Economic Development grant monies to expand Otsiningo Park and dramatically enhance the appearance and functionality of the Broome County Veterans' Memorial Arena.

At Otsiningo Park, the most heavily utilized park in Broome County, we plan to double the length of the existing 1.3 mile walking, biking and running trail that's used by some 1.5 million people every year. The new, wider trail will connect to the Town of Chenango's Riverfront Park, which will become the northeast entrance of Otsiningo.

In addition, with financial assistance from the State, we'll enhance the existing soccer fields and build new regulation fields at both ends of the park that are suitable for tournament play.

Finally, new picnic pavilions and parking areas will be constructed, and signage along the trail itself will be incorporated into the Finch Hollow Nature Education Program. The total project cost is estimated at about \$571,000 dollars, and we hope to secure about \$300,000 in State funds and another \$125,000 dollars from a special DEC Local Polluter Penalty Fund.

Construction on the trail extension phase of the project will begin this spring by the Parks Department and DPW.

The Arena

Another exciting project that's ready to jump from the drawing board is an \$808,000 dollar enhancement package for the Broome County Veterans' Memorial Arena.

Again, we're attempting to secure about \$700,000 dollars in state grant money to replace the Arena's exterior siding, install new electronic messaging centers, bring the Arena's stage into ADA compliance, and purchase a carpet for indoor soccer games and a new parquet basketball floor.

Our structural and business analysis found that it's impossible to add enough new seats to our venue to make it worthwhile and functional for a community of our size. So, by improving the existing building and accentuating its positive attributes, we know we can bring in more shows and entertainment and provide an even better forum for community activities.

Again, this great element of our Broome County Parks System is showpiece for our community and an attraction for those interested in it.

Broome Community College

After lending unprecedented financial support to our nationally renowned community college, last week this Legislative body approved the capital funding for a new Student Center. This important investment is just more proof that my administration and this County Legislature are serious about improving educational opportunities for our young people and for our entire community.

Public Safety

There's a new Sheriff in town, a new Justice Building & video arraignments, too.

In order to continue enticing new jobs and businesses into Broome County, we must keep our streets safe and our crime rate as low as possible. To that end I'd like to congratulate and welcome our new Broome County Sheriff, Dave Harder, to his new position and wish him the very best of luck.

The Sheriff is out of town and couldn't be here today, but I want to publicly pledge my support to him. I hope to work closely with the Sheriff and his department in order to forge a good and positive relationship from the very start.

Dave is brimming with great new ideas, and we've already begun to collaborate on several issues pertaining to law enforcement. He's begun to tackle the perplexing overtime problem at the Public Safety Facility, and he's already making significant progress. Within the next month, I'll be requesting that the State Commission of Corrections send a team into our jail to help the Sheriff and his staff find solutions to this ongoing challenge.

With our new \$10.5 million dollar Justice Building being completed ahead of schedule and under budget, Sheriff Harder and his staff have already started coordinating with our Security Division to prepare the building for occupancy this May.

Sheriff Harder and I have had several meetings during the past month to discuss the implementation plan for video arraignments. As the result of our efforts, it appears that we can do it for about 70% less than the \$150,000 dollar cost that was originally proposed. Once this technology is in place, it should further contribute to solving the overtime problems at the jail.

911 Consolidation

We're continuing our moves toward 911 Dispatching Consolidation with the City of Binghamton scheduled to come on-line by the end of this year. In the next several weeks, I'll be appointing a special "Ad Hoc Committee on 911 Consolidation" to discuss issues and concerns that the remaining municipalities have about joining the County dispatch system.

Other County Government Success Stories

There are countless success stories that occur in all County departments on a daily basis, from the implementation of a simple, common sense change in someone's work routine, to a major programmatic overhaul that affects an entire County department or multiple departments.

Health Department Consolidation

One such example of a major overhaul is our plan to physically consolidate all the divisions of our Health Department under one roof and to transfer our Certified Home Health Agency, or CHHA, to Lourdes Hospital.

The transfer, and ultimately the co-location of Lourdes' new CHHA with our Health Department, is the first step toward more public/private partnerships in the future.

This transition will not only change the way the department functions internally, but it will also improve its method of service delivery to the community and save taxpayers hundreds of thousands of dollars per year.

Workers' Compensation and Welfare Fraud

Two other areas that have produced significant savings to Broome County taxpayers are the Workers' Compensation Program and Broome Security's Welfare Fraud Investigation Unit. Both of these areas are truly County government success stories.

Thanks to the diligence of our Risk Manager, Mary Lou Conrow, Broome County's workers' compensation costs were reduced by more than a million dollars in 1998. This is in spite of the fact that the County's total number of claims has remained constant with previous years. Mary Lou's aggressive implementation of a Light Duty Program has reduced the number of "lost time days" from 7,854 in 1996 to 1,547 in 1998.

Similarly, in 1998 Broome Security's "Case Integrity Unit" produced 249 arrests and saved Broome County taxpayers a record \$1.4 million dollars through its Fraud Prevention Program. This program serves as a real deterrent to those who abuse the welfare system, and it helps reduce our welfare rolls by catching and prosecuting the cheaters, preserving resources for the truly needy.

RESOLUTION NO. 120 (held over by Mr. Brunza)

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH MERIDIAN RESOURCES, LLC FOR WORK AT THE NANTICOKE LANDFILL

Mr. Hull moved to call the question, seconded by Mr. Wike. **Call of the question failed**, Ayes-9 (Holley, Hudak, Hull, Kolba, Miller, Nannery, Sweet, Wike, Schofield, Nays-9 (Brunza, Burger, Howard, Kavulich, Lupardo, Mather, O'Day, Pasquale, Shafer), Absent-1 (Whalen). Mr. Brunza moved to table, seconded by Mr. Pasquale. **Motion to table failed**, Ayes-6 (Brunza, Burger, Holley, Kavulich, Lupardo, Pasquale), Nays-12 (Howard, Hudak, Hull, Kolba, Mather, Miller, Nannery, O'Day, Shafer, Sweet, Wike, Schofield), Absent-1 (Whalen). **Resolution as presented carried**, Ayes-17, Nays-1 (Brunza), Absent-1 (Whalen).

RESOLUTIONS INTRODUCED AT THIS SESSION

The resolution authorizing a labor agreement with Civil Service Employees Association (CSEA) for January 1, 1999 through December 31, 2002 which appeared on the Special Session Agenda as #1-121 was not acted upon as it was deferred in the Personnel Committee meeting prior to session. The remaining resolutions were renumbered accordingly.

RESOLUTION NO. 121

By Finance Committee

Seconded by Ms. Sweet

RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE REJECT THE 1999-2000 EXECUTIVE BUDGET ELIMINATION OF ENHANCED REIMBURSEMENT TO COUNTIES WHICH PLACE MEDICAID RECIPIENTS IN MANAGED CARE

WHEREAS, included within New York State's proposed 1999-2000 Executive Budget is the elimination of State payment of enhanced reimbursement to counties which place Medicaid recipients in Managed Care, and

WHEREAS, under the proposed 1999-2000 Executive Budget the 6.175 percent enhanced reimbursement provided to counties would be eliminated beginning on April 1, 1999, and

WHEREAS, the State has estimated that counties would lose in excess of \$34 million on a State fiscal year basis, and

WHEREAS, New York State's current payment of enhanced reimbursement to counties was implemented as part of a compromise that provided county fiscal relief for Medicaid related long term and managed care costs, and

WHEREAS, if adopted by the New York State Legislature, the 1999-2000 Executive Budget's elimination of enhanced reimbursement payment would deprive county governments of revenue and result in additional costs for said governments and as a result force greater taxation of county property owners, and

WHEREAS, the 1999-2000 Executive Budget's elimination of enhanced reimbursement parallels the proposed Medicaid funding cuts of \$322 million for long term care providers, reductions that would adversely affect public nursing homes throughout the State, and

WHEREAS, County governments, in comparison to State government, have a much smaller taxation base with which to cover revenue elimination costs derived from mandates imposed on counties by New York State government, now, therefore, be it

RESOLVED, that the Broome County Legislature strongly opposes the proposed elimination of enhanced reimbursement to counties which place Medicaid recipients in Managed Care, and be it

FURTHER RESOLVED, that the Broome County Legislature requests the members of the New York State Legislature reject the 1999-2000 Executive Budget elimination of such enhanced reimbursement to counties, and be it

FURTHER RESOLVED, that a copy of this resolution be sent to the Honorable George Pataki, Governor; Honorable Joseph Bruno, Majority Leader of the Senate; Honorable Sheldon

Silver, Speaker of the Assembly; Honorable Thomas Libous, State Senator; Honorable Robert Warner, Member of the Assembly; and Honorable Jay Dinga, Member of the Assembly.
Carried, Ayes-18, Nays-0, Absent-1 (Whalen).

RESOLUTION NO. 122

By Finance Committee

Seconded by Mr. Miller

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING WITH CERASARO ROMA & ROMA LLC TO PURCHASE BUILDING AND PROPERTY IN THE TOWN OF COLESVILLE FOR USE AS A SENIOR CENTER

WHEREAS, in 1996 Broome County was awarded a grant by the United States Department of Housing and Urban Development (HUD) to construct a senior center in the Town of Colesville, and

WHEREAS, a site has been selected and environmental assessments have been made, and

WHEREAS, subsequent to the site selection and environmental actions Ceasaro Roma & Roma LLC took title to the land and are now the legal owners of the premises, and

WHEREAS, Ceasaro Roma & Roma LLC have proposed to construct a building on the site for use as a senior center and in connection therewith have provided plans and specifications, and

WHEREAS, the County Executive has requested authorization to enter into a memorandum of understanding with Cerasaro Roma & Roma LLC whereby the County will purchase the senior center from Cerasaro Roma & Roma LLC upon completion, and after appraisals of the completed building for a purchase price equal to the appraised value not to exceed \$680,000.00, provided HUD will approve the purchase and provide funding, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive to enter into a memorandum of understanding with Cerasaro Roma & Roma LLC whereby the County will, upon completion of the senior center, purchase from them the land located in the Town of Colesville that they own together with the senior center to be constructed thereon according to the plans and specifications submitted with their proposal, and be it

FURTHER RESOLVED, that said purchase is conditioned on complying with the federal real property acquisition requirements consisting of obtaining two independent appraisals and offering to purchase the property for the appraised amount as approved by HUD, and be it

FURTHER RESOLVED, that the purchase price shall be the amount of the HUD approved appraisal not to exceed \$680,000.00, and be it

FURTHER RESOLVED, that said purchase is conditioned upon HUD approval and funding in full, inspection of the building to insure compliance with the proposed plans and specifications, obtaining clear title to the land to be conveyed, construction by Cerasaro Roma & Roma LLC of access roads built to Town of Colesville standards to enable dedication to the Town for future maintenance and construction of parking areas as depicted on the plans and specifications, construction by Cerasaro Roma & Roma LLC of a water supply and waste water disposal system in full compliance with applicable Health Department standards, rules and regulations, and obtaining an easement to use and cross the existing Head Start parking area and land for access purposes, 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 any such memorandum of understanding between Broome County and Cerasaro Roma & Roma LLC shall be deemed executory to the extent of money made available to the County through grants only and not subject to appropriations.

Held over 'under the rules' by Mr. Kavulich.

RESOLUTION NO. 123

By Finance Committees

Seconded by Mr. Miller

RESOLUTION AUTHORIZING AGREEMENT WITH TIE AVIATION, INC. FOR OPERATING RIGHTS, COUNTER SPACE, AND RELATED SERVICES AT THE BINGHAMTON REGIONAL AIRPORT COMMENCING ON MARCH 1, 1999

WHEREAS, the Department of Aviation requests authorization for an agreement with TIE Aviation, Inc. for operating rights, counter space, and related services at the Binghamton Regional Airport commencing on March 1, 1999, and

WHEREAS, Broome County has the capacity to lease space to TIE Aviation, Inc. and said lease will provide revenue to Broome County, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with TIE Aviation, Inc., d/b/a Trans International Express Airlines, P.O. Box 30094, JFK International Airport, Jamaica, New York 11430, for operating rights, counter space and related service at the Binghamton Regional Airport commencing March 1, 1999, and be it

FURTHER RESOLVED, TIE Aviation, Inc., shall be bound by, and shall pay for operating rights, counter space, and related services pursuant to the terms of the Airline Compensatory Agreement as referred to in Resolution 392 of 1990, and be it

FURTHER RESOLVED, that in consideration of said agreement, all revenues received shall be credited to the Airline Use Agreement revenue lines, and be it,

FURTHER RESOLVED, that the County Executive, or his duly authorized representative, is hereby empowered to implement such marketing support and waiving of fees as deemed necessary to help introduce this new 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-18, Nays-0, Absent-1 (Whalen).

Mr. Howard moved to adjourn, seconded by Mr. Wike. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Whalen). Meeting adjourned at 5:40pm.

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