
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, APRIL 22, 1999**

The Legislature convened at 4:03pm 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-18, Absent-1 (Kavulich).

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

Ms. Hudak moved, seconded by Mr. Mather, that the minutes of the March 18, 1999 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Kavulich).

Mr. Schofield noted that the committee minutes for meetings held from March 12 through April 15, 1999 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. Burger and seconded by Mr. Miller. **Carried**, Ayes-18, Nays-0, Absent-1 (Kavulich).

ANNOUNCEMENTS FROM THE CHAIR

Chairman Schofield announced that due to other community events, the time of the May 20, 1999 meeting scheduled for 7:00pm will be changed to 4:00pm and the time for the June 17, 1999 meeting scheduled for 4:00pm will be changed to 7:00pm.

REPORT OF SPECIAL COMMITTEES

As a member of STERPDB, Mr. Burger moved, seconded by Mr. Shafer, to suspend the rules for the following advisory resolution. **Carried**, Ayes-18, Nays-0, Absent-1 (Kavulich).

RESOLUTION NO. 210

By Hon. Chris W. Burger

Seconded by Mr. Shafer

RESOLUTION ENDORSING THE RE-DESIGNATION OF NYS ROUTE 17 AS INTERSTATE 86 AND URGING ELECTED OFFICIALS TO CONTINUE TO URGE THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO COMPLETE DESIGNATION OF THIS INTERSTATE AT THE EARLIEST POSSIBLE TIME

WHEREAS, the Congress of the United States, as part of the adoption of the Transportation Efficiency Act for the 21st Century (TEA-21), authorized designation of NYS Route 17 from its interchange with Interstate 90 near Erie, Pennsylvania to its interchange with Interstate 87 near Harriman, New York to be a new Interstate 86, and

WHEREAS, a significant portion of this road, from Binghamton westward has been developed to interstate standards since 1968 as part of Appalachian Highway Corridor "T" (the "Southern Tier Expressway"), and that the portions to the east of Binghamton had previously been developed largely to similar standards as part of the "Quickway" through the Catskills, and

WHEREAS, it is estimated that 90% of this highway is currently built to interstate highway standards, or the standards of existing interstate highways in New York and other states, with remaining at-grade intersections in Chemung and Broome Counties already programmed for elimination, and

WHEREAS, remaining work to complete the grade separated, restricted access, directional lane separated highway expected of interstate highways involves elimination of at grade intersections in Delaware and Sullivan Counties, and

WHEREAS, there was sufficient new funding made available within Transportation Efficiency Act for the 21st Century (TEA-21) to address these major improvements required so as to avoid any negative impacts on or competition with the programming of other Federally aided highway improvements within the State, and

WHEREAS, while it is recognized that in addition to these elements there is a need to improve interchange geometry at certain locations, improve the configuration of some curves, and provide climbing lanes in mountainous areas are needed to bring the entire roadway up to current interstate highway standards, said improvements need not delay designation, and

WHEREAS, Senators Moynahan and Schumer, and Congressmen Hinchey and Houghton have recently expressed concern that there may be unnecessary delays in the full designation of Interstate 86 which could mitigate against the positive economic impact intended by this designation, now, therefore, be it

RESOLVED, that the Broome County Legislature whole-heartily endorses the re-designation of NYS Route 17 as Interstate 86, and be it

FURTHER RESOLVED, that this Legislature requests that Joseph Boardman, Commissioner of Transportation of The State of New York take such actions as may be appropriate to assure the full designation of Interstate 86 be accomplished at the earliest possible time so that the Southern Tier may fully realize the positive economic impacts of said designation, and be it

RESOLVED, that this Legislature stands against any cuts in State highway funding that would jeopardized the prompt completion of said re-designation, and be it

RESOLVED, that a copy of this Resolution be sent to Senator Daniel P. Moynihan, Senator Charles E. Schumer, Representative Maurice Hinchey, Governor George E. Pataki, State Senator Thomas W. Libous, Assemblyman Jay J. Dinga, Assemblyman Robert J. Warner and Commissioner Joseph Boardman urging all to take a proactive role in assuring the full designation of Interstate 86 be accomplished at the earliest possible time.

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

1. Nominating 5 persons to membership on Criminal Justice Advisory Board
2. Nominating 4 persons to membership on Central Library Board of Trustees
3. Appointing Robert M. O'Leary as Public Defender, effective March 1, 1999
4. Appointing Nancy Olmstead-Berger as Personnel Officer, effective April 19, 1999.
5. Executive Order 1-1999 (No Smoking Policy)

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. Petitions: None

B. Communications:

1. 1999 Budget:
 - a. Town of Union
 - b. Town of Vestal
2. Minutes from:
 - a. Emergency Medical Services Advisory Board
 - b. Soil and Water Conservation District
 - c. Binghamton Regional Airport (Progress Meetings No. 3, 4, 5)
 - d. EMC Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
 - e. Nanticoke Landfill Citizens Advisory Committee
 - f. Landfill Citizens Advisory Committee
3. Community Health Assessment (1999-2004)
4. Proposed Study of Solid Waste System Options for Broome County (Draft)
5. Town of Chenango (Legal Notice Order calling for Public Hearing to establish Water District No. 4) April 5, 1999, 7:30 P.M.
6. Resolution from:
 - a. Putnam County (Opposing 1999 Executive Budget Proposal to eliminate mail-in renewals to local DMV offices).

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- b. Town of Maine (Proposed Local Law amending Zoning Ordinance-Application regarding premises on Airport Road)

C. Notices: None

D. Reports:

- 1. 1998 Annual Report
 - a. County Clerk
 - b. Department of Public Works
 - c. Law Department
 - d. Division of Solid Waste Management
- 2. Monthly Reports from Broome Community College: Budget Transfers (February 1999); Above Minimum Hires (March 1999).
- 3. Department of Audit & Control: Follow-up of Transit Motor Vehicle Repair Parts Inventory audit; Bank Transfer Testing (July through December 1998).
- 4. ACCORD (Financial Statements, March 31, 1998)

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Legislator Brian K. Mather presented proclamations to Judith Hawkins of 440 VanHook Road, Owego, New York and Heath Strong of 722 Robinson Hill Road, Johnson City, New York. These two Broome Community College Students were nationally recognized by the All-USA Academic Team for their community service, activities, leadership and academic achievements. Each of the 20-member First Team of the All-USA Academic Team receives a \$2,500 cash award for achieving this high honor.

Letters from the Chair, Daniel A. Schofield:

- 1. Appointing the following Legislators, joint meeting of Public Works and Public Safety and Emergency Services Committees, March 29, 1999:
 - a. Patrick F. O'Day, voting representative for Brian K. Mather
 - b. James Holley, voting representative for William H. Miller
 - c. George M. Kolba, Acting Chair for William H. Miller
- 2. Appointing the following Legislators for Wanda Hudak:
 - a. Arlene E. Nannery, Health Services Committee, April 13, 1999
 - b. Thomas A. Hull as Acting Chair and Brian K. Mather as voting representative, Community and Social Services Committee, April 15, 1999
 - c. Brian K. Mather as voting representative, County Administration, Economic Development and Planning Committee, April 15, 1999

Mr. Holley moved, seconded by Mr. Brunza, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1999 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-18, Nays-0, Absent-1 (Kavulich).

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

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 180

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Whalen
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNITED STATES MARSHALS SERVICE FOR HOUSING FEDERAL PRISONERS FOR THE PERIOD JUNE 1, 1999 THROUGH MAY 31, 2000

WHEREAS, this County Legislature, by Resolution 299 of 1998, authorized an agreement with the United States Marshals Service for the period June 1, 1998 through May 31, 1999 for housing federal prisoners, at a cost of \$87 per day per inmate for this service, and

WHEREAS, said agreement expires by its terms on May 31, 1999, and it is desired at this time to renew said agreement for the period June 1, 1999 through May 31, 2000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a renewal of the agreement with the United States Marshals Service, Northern District of New York, 213 Federal Building, 10 Broad Street, Utica, New York 13501 for housing of federal prisoners for the period June 1, 1999 through May 31, 2000, and be it

FURTHER RESOLVED, that the United States Marshals Service shall pay the Broome County Sheriff's Department \$87 per day per prisoner for this 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 (Kavulich).

RESOLUTION NO. 181

By Public Works and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH SHUMAKER CONSULTING ENGINEERING & LAND SURVEYING, P.C. FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR THE PERIOD JULY 23, 1998 THROUGH OCTOBER 31, 1999

WHEREAS, this County Legislature, by Resolution 279 of 1998, authorized an agreement with Shumaker Consulting Engineering & Land Surveying, P.C. for professional services for the period July 23, 1998 through October 31, 1999, at a cost not to exceed \$103,200, and

WHEREAS, it is necessary to amend said agreement to authorize an additional \$6,420 for geotechnical testing and reports for a large fill area on a slope for the Sanitaria Springs Road Reconstruction Project in the Town of Colesville, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Shumaker Consulting Engineering & Land Surveying, P.C., 320 North Jensen Road, Vestal, New York 13850-2132 for professional services for the period July 23, 1998 through October 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$6,420, total amended amount not to exceed \$109,620 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035022.4746.502299 (Engineering & Architectural Services), and be it

FURTHER RESOLVED, that Resolution 279 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-18, Nays-0, Absent-1 (Kavulich).

RESOLUTION NO. 182

By Health Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING ESTABLISHMENT OF NEW AGREEMENTS WITH VARIOUS VENDORS TO PROVIDE SERVICES FOR THE HEALTH DEPARTMENT'S DIVISION OF CHILD DEVELOPMENT EARLY INTERVENTION AND PRESCHOOL EDUCATION PROGRAMS

WHEREAS, this County Legislature, by Resolutions 469 and 470 of 1998, authorized renewals and establishment of new agreements with various vendors for services for the Health Department's Division of Child Development, and

WHEREAS, the Health Department requests authorization for the establishment of new agreements with the various providers as listed on the attached Exhibit "A" for services for the programs for the periods as indicated on Exhibit "A", and

WHEREAS, said services are necessary to provide various services, including itinerant speech, occupational, and physical therapies, special education, medical services (including psychological evaluations, social history, physical examinations, and non-physician evaluation), classroom and personal care aides, service coordination, interpreters, nursing services, counseling, and transportation for the Health Department's Division of Child Development, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment of new agreements with various vendors for services as listed on the attached Exhibit "A" for the Health Department's Division of Child Development for the periods as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that the Contractors shall be paid at the rates set by the New York State Departments of Health and Education as per the attached Exhibits "B" and "C", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480293.4706/4715.101081/101082, total amount not to exceed the budget appropriations, 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 (Kavulich).

RESOLUTION NO. 183

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON A PARCEL IN THE TOWN OF CHENANGO

WHEREAS, it is necessary to clear the tax records of the following parcels of real property by virtue of the reasons stated below, now, therefore, be it

RESOLVED, that taxes will be cancelled on the following parcel of real property:

1. Town of Chenango, parcel 095.19-1-6, owner Broome County, amount to be cancelled \$306.22, because it is a County-owned parcel and wholly exempt,

and be it

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

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

RESOLUTION NO. 184

By Public Safety & Emergency Services Committee

Seconded by Mr. Whalen

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>
Hon. David E. Harder 263 State Line Road Binghamton, NY 13903	New Appointment 12/31/99
Douglas G. Stento 32 Rosedale Drive Binghamton, NY 13905	New Appointment 12/31/00
Joan M. Good 265 Vivian Lane Vestal, NY 13850	New Appointment 12/31/00
Lynne M. Giacobbe 2661 Grandview Place Endicott, NY 13760	New Appointment 12/31/00

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-18, Nays-0, Absent-1 (Kavulich).

RESOLUTION NO. 185

By Health Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SAFEGUARD BIO MED SERVICES, INC. FOR MEDICAL WASTE DISPOSAL FOR WILLOW POINT NURSING HOME FOR THE PERIOD APRIL 1, 1999 THROUGH MARCH 31, 2000

WHEREAS, the Broome County Board of Acquisition and Contract, at a meeting of April 15, 1998, authorized renewal of the agreement with Safeguard Bio Med Services, Inc. for pick-up and disposal of medical waste for Willow Point Nursing Home for the period April 1, 1998 through March 31, 1999 at an amount not to exceed \$2,500, and

WHEREAS, said agreement expired by its terms on March 31, 1999 and it is desired at this time to renew said agreement for the period April 1, 1999 through March 31, 2000 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Safeguard Bio Med Services, Inc., 116 Chestnut Street, Oneonta, New York 13820-2411 for medical waste disposal for Willow Point Nursing Home for the period April 1, 1999 through March 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,600 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160127.4429.204000 (Building and Grounds 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-18, Nays-0, Absent-1 (Kavulich).

RESOLUTION NO. 186

By Finance, Public Safety & Emergency Services and Personnel Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AGREEMENT WITH THE CITY OF BINGHAMTON FOR THE CONSOLIDATION OF DISPATCH AND RELATED SERVICES

WHEREAS, this County Legislature, by Resolution 22 of 1997, authorized an agreement with the City of Binghamton for the consolidation of dispatch and related operations, for implementation on or before July 1, 1997, and

WHEREAS, such an agreement was not entered into, and

WHEREAS, the Director of Emergency Services recommends that an agreement for such purpose now be authorized without the inclusion of certain provisions set forth in Resolution 22 of 1997, namely subparagraphs 4, 5 and 6 of the first Resolved paragraph, and

WHEREAS, the Director of Emergency Services further recommends that the target date for implementation be changed to July 1, 1999, and

WHEREAS, such consolidation of functions would further the goals of increasing efficiency and streamlining municipal services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the City of Binghamton for the consolidation of County E-911, emergency dispatch, and certain related functions with similar operations of the City of Binghamton, such agreement to include the following:

1. The County shall assume responsibility for police and fire dispatch for the City of Binghamton, in addition to the County's existing E-911 and emergency dispatch operations.
2. The County will become the employer of up to 12 dispatchers now employed by the City of Binghamton.
3. Such individuals will be hired for the position of Emergency Services Dispatcher and shall be paid not less than the salary paid to them by the City of Binghamton as to the effective date of the said agreement.
4. The County shall update the communications capability of the City through 911 revenues as they become available.

and be it

FURTHER RESOLVED, that the County shall cooperate in implementing the foregoing consolidation promptly with a goal of full implementation by July 1, 1999, and be it

FURTHER RESOLVED, that this resolution is contingent upon an agreement between the City and County whereby the City agrees to be responsible for any actions or proceedings brought in connection with the City emergency dispatch employees to be hired by the County during their period of employment with the City and to indemnify and defend the County in the event the County is made a party to the action or proceeding, 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 (Kavulich).

RESOLUTION NO. 187

By County Administration, Economic Development and Planning Committee

Seconded by Mr. Whalen

RESOLUTION PROCLAIMING THE WEEK OF MAY 15 – MAY 22, 1999 AS WALK 'N' ROLL WEEK IN BROOME COUNTY, NY

WHEREAS, the month of May is known nationally as Bike Month, and

WHEREAS, the Environmental Management Council, the Binghamton Metropolitan Transportation Study, and the Broome County Health Department will co-sponsor a local celebration entitled "Walk 'n' Roll 1999", beginning May 15th and ending May 22nd, and

WHEREAS, the goal of this event is to promote cycling, walking, and other non-motorized forms of transportation in Broome and Tioga Counties as safe, environmentally friendly, and healthy alternatives to motor vehicles, and

WHEREAS, the EMC's and the Binghamton Metropolitan Transportation Study's (BMTS) joint Advisory Committee on Alternative Transportation fully supports the celebration of Walk 'n' Roll 1999, now be it

RESOLVED, that the Broome County Legislature hereby officially proclaims the third week of May as Walk 'n' Roll 1999 in Broome County, New York.

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

RESOLUTION NO. 188

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN AGREEMENT WITH MEL MANASSE AND SON AUCTIONEERS FOR AUCTION SERVICES WITH REGARDS TO REAL PROPERTY TAX AUCTION

WHEREAS, Broome County acquires title to various properties through tax foreclosure proceedings under Article 11 of the Real Property Tax Law, and

WHEREAS, said properties are then sold at public auction to the highest bidder, and

WHEREAS, the Director of Real Property Tax Services has requested authorization to enter into an agreement with an auctioneer to conduct the 1999 auction, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mel Manasse and Son Auctioneers, 2924 US Rt. 11, PO Box 738, Whitney Point, New York 13862 for auctioneer services at the County's 1999 Real Property Tax Auction, and be it

FURTHER RESOLVED, that in consideration of said services, the vendor shall receive a commission of 5% of the successful bid price which will be paid by the successful bidder, 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 (Kavulich).

RESOLUTION NO. 189

By Finance and Public Works Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE ESTATE OF GERMAINE DIETERLE FOR THE PURCHASE OF REAL PROPERTY IN THE TOWNS OF NANTICOKE AND BARKER

WHEREAS, the Deputy Director of the Division of Solid Waste Management requests authorization for an agreement with the estate of Germaine Dieterle for the purchase of real property located at 1197 and 1225 Dunham Hill Road in the Towns of Barker and Nanticoke, respectively, at a cost not to exceed \$65,000 plus closing costs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the estate of Germaine Dieterle, 1225 Dunham Road, Nanticoke New York, 13905 for the purchase of property located at 1197 and 1225 Dunham Hill Road, Towns of Barker and Nanticoke, respectively, Tax Map Nos. 054.03-1-4 and 053.04-1-16 at a cost not to exceed \$65,000, plus closing costs, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235044.2001.502269 (Original Acquisition), and be it

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

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

RESOLUTION NO. 190

By Public Works and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE VILLAGE OF JOHNSON CITY FOR THE LEASE OF TWO USED RECYCLING BODIES FOR THE COLLECTION OF RECYCLABLES WITHIN THE VILLAGE OF JOHNSON CITY

WHEREAS, this County Legislature, by Resolution 221 of 1989, as amended by Resolution 332 of 1995, authorized an agreement with the Village of Johnson City for the lease of recycling bodies by the Village of Johnson City for the collection of recyclables, and

WHEREAS, said agreement expires by its terms on June 4, 1999 and it is desired at this time to renew said agreement for the period June 4, 1999 through July 19, 2001 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with the Village of Johnson City, 243 Main Street, Johnson City, New York 13790 for the lease of recycling bodies by the Village of Johnson City for the collection of recyclables within the Village of Johnson City for the term June 4, 1999 through July 19, 2001, 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 (Kavulich).

RESOLUTION NO. 191

By Transportation Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT OF LEASE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE BINGHAMTON REGIONAL AIRPORT

WHEREAS, this County Legislature, by Resolution 512 of 1992, authorized an agreement with the Federal Aviation Administration for lease of space at the Binghamton Regional Airport at a cost of \$54,412.93 per year, and

WHEREAS, it is necessary to authorize the amendment of said agreement to transfer the inspection, testing, operations and maintenance responsibilities for the existing fire alarm system from the FAA to the County, and

WHEREAS, the Commissioner of Aviation has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Federal Aviation Administration, Department of Transportation, Eastern Region, Fitzgerald Federal Building, JFK Airport, Jamaica, New York 11430 to transfer the inspection, testing, operations and maintenance responsibilities for the existing fire alarm system from the FAA to the County, and be it

FURTHER RESOLVED, that Resolution 512 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 192

By Finance, Personnel and Health Services Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING THE BUDGET TRANSFER AND PERSONNEL CHANGE REQUEST FOR THE HEALTH DEPARTMENT

RESOLVED, that in accordance with a request from the Director of Health in order to transfer funds to utilize unexpended funds in the HIV/AIDS Training Grant as requested by BF#001460 and 0001461, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds: (see PCR 99-206)

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104214	Salaries, Full Time	9,034
	480301	8010	104214	State Retirement	433
	480301	8030	104214	Social Security	872
	480301	8040	104214	Workers' Compensation	186
	480301	8050	104214	Life Insurance	11
	480301	8060	104214	Health Insurance	968
	480301	8063	104214	Disability Insurance	58
	480301	8070	104214	Unemployment Insurance	91
TO:	480301	4319	104214	Office Supplies	615
	480301	4346	104214	Training and Education	4,302
	480301	4359	104214	Computer Supplies	480
	480301	4458	104214	Other Program Expenses	5,000
	480301	4614	104214	Other Chargeback Expenses	256
	480301	4617	104214	Duplic & Printing	400
	480301	4618	104214	Office Supplies Chargeback	600

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#99-206, this County Legislature hereby authorizes the abolishment of (1) HIV Program Representative position, Full Time, at budget line 480301.1000.104214, salary \$21,861, Union CSEA, effective date 4/23/99.

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

RESOLUTION NO. 193

By Personnel and Public Safety & Emergency Services Committees Seconded by Mr. Whalen
RESOLUTION CONFIRMING APPOINTMENT OF ROBERT M. O'LEARY AS PUBLIC DEFENDER

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article XXII, Section 2201 of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, Robert M. O'Leary as Public Defender for a five year term beginning March 1, 1999 at an annual salary of \$93,406, and

WHEREAS, it is desired in accordance with the provisions of Article XXII, Section 2201 of the Broome County Charter and Code to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXII, Section 2201 of the Broome County Charter and Code, does hereby confirm the appointment of Robert M. O'Leary, residing at 4620 Duke Drive, Vestal, New York 13850, as Public Defender for a five year term beginning March 1, 1999 at an annual salary of \$93,406 in accordance with his appointment by the County Executive.

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

RESOLUTION NO. 194

By Education, Culture & Recreation Committee Seconded by Mr. Whalen
RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY CENTRAL LIBRARY BOARD OF TRUSTEES

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 221 of 1984, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Central Library Board of Trustees for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Karen Peckham 204 Powderhouse Rd.	Reappointment 12/31/03

Vestal, NY 13850

Sonja Waldron
P. O. Box 324
Windsor, NY 13865

Reappointment
12/31/03

Barbara Nestor
1408 Broad St.
Endicott, NY 13865

Reappointment
12/31/03

Patricia Chivers
2 Vincent Ct.
Binghamton, NY 13905
(Replaces Joan Purtell)

New Appointment
12/01/01

and

WHEREAS, it is desired at this time, in accordance with the provisions of Resolution 221 of 1984, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 221 of 1984, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Central Library Board of Trustees in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 195

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

RESOLUTION AUTHORIZING REVISION OF THE BROOME COUNTY OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) GRANTS FOR THE PERIOD JULY 1, 1997 THROUGH JUNE 30, 2000

WHEREAS, this County Legislature, by Resolution 235 of 1997, authorized and approved renewal of various Job Training Partnership Act (JTPA) grants from New York State Department of Labor for the Office of Employment and Training for the Broome County Office of Employment & Training and adopted program budgets in connection therewith for the period July 1, 1997 through June 30, 2000, and

WHEREAS, it is necessary at this time to revise said grants to reflect a transfer of funds among various programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the revision of the Broome County Office of Employment and Training JTPA Program grants for the period July 1, 1997 through June 30, 2000, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budgets annexed as Exhibit "A", and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative are hereby authorized (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-18, Nays-0, Absent-1 (Kavulich).

RESOLUTION NO. 196

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

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID MANAGED CARE (MAX) PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES FOR PERIOD APRIL 1, 1999 THROUGH MARCH 31, 2000

WHEREAS, this County Legislature, by Resolution 406 of 1998, authorized the continued participation by the Department of Social Services in the Medicaid Managed Care (MAX) program for the period April 1, 1998 through March 31, 1999, and adopted a program budget therewith in the total amount of \$113,806, and

WHEREAS, it is desired to renew said program for the period April 1, 1999 through March 31, 2000 in the amount of \$113,806, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a renewal of the Medicaid Managed Care (MAX) Program for the Department of Social Services for the period April 1, 1999 through March 31, 2000 in the total amount of \$113,806, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the program budget annexed hereto as Exhibit "A" in the total amount of \$113,806 for the period April 1, 1999 through March 31, 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 are hereby authorized (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-18, Nays-0, Absent-1 (Kavulich).

RESOLUTION NO. 197

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN AGREEMENT WITH IKON OFFICE SOLUTIONS AND WITH EBE OFFICESOURCE, INC. FOR THE LEASE OF COPY MACHINES

WHEREAS, the Director of Purchasing at the request of the Division of Solid Waste Management and the Chemical Dependency Services Unit has reviewed quotations and bids for a lease agreement for copy machines, and

WHEREAS, the Director of Purchasing on behalf of the Division of Solid Waste Management, having received quotations, the tabulations therefor being attached hereto as Exhibit "A", requests authorization for a lease agreement with IKON Office Solutions for a copy machine for a five year period beginning on or about May 1, 1999, and

WHEREAS, the Director of Purchasing on behalf of the Chemical Dependency Services Unit, having received competitive "bids," requests authorization for a lease agreement with EBE Officesource, Inc. for a copy machine for a five year period beginning on or about July 1, 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby approves a lease agreement with IKON Office Solutions, 21 South Washington Street, Binghamton, NY 13903, for the lease of a copy

machine (including the trade in of a Canon NP6221) at \$65.90 per month including an overage rate of .0089 in excess of 2,000 copies per month, for a five year period which shall start on or about May 1, 1999 or the date of delivery and set-up of said machine, and be it,

FURTHER RESOLVED, that this County Legislature hereby approves a lease agreement with EBE Officesource, Inc., 68-70 Travis Avenue, Binghamton, NY 13904, for the lease of a copy machine at \$128.65 per month including an overage rate of .0049 in excess of 5,000 copies per month, for a five year period which shall start on July 1, 1999 which shall be the date of delivery and set-up of said machine, and be it,

FURTHER RESOLVED, that payments for the leases hereinabove authorized shall be made from Solid Waste budget line 230086.4518.206000 (Copy Machine Rentals) and Chemical Dependency Services Unit budget line 470021.4518.101000 (Copy Machine Rentals), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreement, 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 (Kavulich).

RESOLUTION NO. 198

By Transportation and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE U.S. CUSTOMS SERVICE FOR THE DEPARTMENT OF AVIATION

WHEREAS, this County Legislature, by Resolution 504 of 1996, authorized an agreement with the U.S. Customs Service for an office at the Binghamton Regional Airport, and

WHEREAS, it is necessary to authorize the amendment of said agreement to expand the geographic boundary of service to include the Elmira/Corning Regional Airport, and

WHEREAS, the Commissioner of Aviation has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the U.S. Customs Service, 1301 Constitution Avenue, NW, Washington, DC 20229 to expand the geographic boundary of service to include the Elmira/Corning Regional Airport, and be it

FURTHER RESOLVED, that Resolution 504 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 199

By Health Services and Finance Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH LOURDES HOSPITAL FOR HOME HEALTH SERVICES FOR THE HEALTH DEPARTMENT

WHEREAS, this County Legislature, by Resolution 471 of 1998, authorized an amendment to the agreement with Lourdes Hospital for a hospital coordinator for the certified home health agency program to increase the amount payable and extend the term through June 30, 1999, and

WHEREAS, it is necessary to amend said agreement to include new services at the rates attached hereto as Exhibit "A" and to extend the term of the contract through September 30, 1999, 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 a revision to the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York 13905 for various home health

services as per the attached Exhibit "A" and to extend the agreement through September 30, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rates as per the attached Exhibit "A", total amount for the contract term not to exceed \$350,000, and as of September 30, 1999, personnel providing the services will become employees of Lourdes Hospital, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480319/480004/480061.4711/4457.101043/101000 (Nursing Services and Subcontracted Program Expense), and be it

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

Mrs. Sweet moved, seconded by Mr. Mather, that a FURTHER RESOLVED paragraph be inserted immediately following the first FURTHER RESOLVED that reads "FURTHER RESOLVED that all services provided by Broome County during the transition period be payable to Broome County, and be it". **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Kavulich).

Mr. Whalen moved, seconded by Mr. Wike, to remove from the first FURTHER RESOLVED paragraph "and as of September 30, 1999, personnel providing the services will become employees of Lourdes Hospital.". **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Kavulich). The **resolution as amended carried**, Ayes-18, Nays-0, Absent-1 (Kavulich).

RESOLUTION NO. 200

By Personnel Committee

Seconded by Mr. Whalen

RESOLUTION CONFIRMING APPOINTMENT OF NANCY OLMSTEAD-BERGER AS PERSONNEL OFFICER

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article XVI, Section 1602 of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, Nancy Olmstead-Berger as Personnel Officer, for a six year term effective April 19, 1999, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XVI, Section 1602 of the Broome County Charter to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XVI, Section 1602 of the Broome County Charter, does hereby confirm the appointment of Nancy Olmstead-Berger, 813 Annabelle Street, Vestal, New York 13850 as Personnel Officer at a minimum annual salary of \$53,708 (Grade G) in accordance with her appointment by the County Executive.

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

RESOLUTION NO. 201

By Health Services and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AGREEMENT WITH QS TECHNOLOGIES, INC., FOR SOFTWARE TRAINING FOR THE HEALTH DEPARTMENT CLINICS DIVISION

WHEREAS, the Director of Public Health requests authorization for an agreement with QS Technologies, Inc. for software training for the period April 12, 1999 through April 16, 1999, at a cost not to exceed \$7,224, and

WHEREAS, said services are necessary to train all employees on new software purchased from this company, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with QS Technologies, Inc., Suite 1106 NationsBank Plaza, Greenville, South Carolina 29602 for

software training for the Health Department Clinics Division for the period April 12, 1999 through April 16, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,224 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4463.101058 (Education and Training), and be it

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

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

RESOLUTION NO. 202

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

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH AMERICAN HEALTH CARE SOFTWARE ENTERPRISES, INC., FOR SOFTWARE MAINTENANCE/SUPPORT FOR WILLOW POINT NURSING HOME FOR THE PERIOD JANUARY 1, 1999 THROUGH JUNE 30, 1999

WHEREAS, this County Legislature, by Resolution 503 of 1997, authorized renewal of an agreement with American Health Care Software Enterprises, Inc., for software maintenance/support at Willow Point Nursing Home at a cost of \$7,700 for calendar year 1998, and

WHEREAS, said agreement expired by its terms on December 31, 1998, and it is desired at this time to renew said agreement for the period January 1, 1999 through June 30, 1999, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with American Health Care Software Enterprises, Inc., 137 Iroquois Avenue, Essex Junction, Vermont, 05452, for software maintenance/support at Willow Point Nursing Home for the period January 1, 1999 through June 30, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,850 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4513.204000 (Software Maintenance), 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 (Kavulich).

RESOLUTION NO. 203

By Personnel, Finance, County Administration, Economic Development & Planning, Health Services, Education, Culture & Recreation, Public Safety & Emergency Services and Public Works Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR EMPLOYMENT & TRAINING, HEALTH DEPT, PARKS, PUBLIC DEFENDER, PUBLIC WORKS AND WILLOW POINT NURSING HOME

RESOLVED, that in accordance with a request from the Director of Employment & Training, as contained in PCR#99-202, this County Legislature hereby authorizes the abolishment of (1) Keyboard Specialist position, Full Time, at budget line 720722.1000.308078, minimum salary of \$15,854, Union CSEA, and the creation of (1) Employment & Training Assistant position, Full Time, at budget line 720722.1000.308078, minimum salary of \$16,727, Union CSEA effective date 5/3/99, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#99-223, this County Legislature hereby authorizes the abolishment of (1) Nutritionist, Full Time, at budget line 480301.1000.104241, minimum salary of \$25,669, Union CSEA, and the creation of (1) Nutritionist, Part Time, (with benefits) at budget line 480301.1500.104241, minimum salary of \$25,669 FTE, Union CSEA effective date 4/5/99. and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#99-224, this County Legislature hereby authorizes the abolishment of (1) Senior Account Clerk Typist, Full Time, at budget line 480301.1000.104241, minimum salary of \$16,727, Union CSEA, and the creation of (1) Senior Account Clerk Typist, Part Time, (with benefits) at budget line 480301.1500.104241, minimum salary of \$16,727 FTE, Union CSEA effective date 4/5/99, and be it

FURTHER RESOLVED, that in accordance with a request from the Acting Commissioner of Parks, as contained in PCR#99-193, this County Legislature hereby authorizes the upgrade of (1) Assistant Recreation Facility Manager position, at budget line 542001.1000.101000, minimum salary of \$24,678, Union CSEA, to (1) Assistant Recreation Facility Manager position, at budget line 542001.1000.101000, minimum salary of \$26,035, Union CSEA effective date 2/22/99, and be it

FURTHER RESOLVED, that in accordance with a request from the Public Defender contained in PCR#99-219, this County Legislature hereby authorizes the upgrade of (1) Keyboard Specialist position, at budget line 530006.1000.101000, minimum salary of \$15,854, Union CSEA, to (1) Stenographic Secretary position, at budget line 530006.1000.101000, minimum salary of \$20,772, Union CSEA effective date 5/3/99, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Public Works, as contained in PCR#99-234, this County Legislature hereby authorizes the upgrade of (1) Telecommunications Manager position, at budget line 031468.1000.101000, minimum salary of \$38,250, Union BAPA, to (1) Telecommunications Manager position, at budget line 031468.1000.101000, minimum salary of \$43,607, Union BAPA effective date 4/22/99, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#99-233, this County Legislature hereby authorizes the abolishment of (1) RPN-Nursing Home position, Part Time, at budget line 160085.1500.204000, minimum salary of \$24,891 FTE, Union CSEA, and the creation of (1) Social Work Assistant position, Part Time, at budget line 160184.1000.204000, minimum salary of \$23,361 FTE, Union CSEA effective date 5/3/99.

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

RESOLUTION NO. 204

By Finance and Health Services Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR THE HEALTH DEPARTMENT

RESOLVED, that in accordance with a request from the Director of Health in order to transfer funds to create a temporary Dental Program Coordinator in Dental Sealant Grant as requested in BF#0001478 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104248	Salaries, Full Time	2,686
	480301	4411	104248	Postage & Freight	23
	480301	8010	104248	State Retirement	1,132
	480301	8030	104248	Social Security	206
	480301	8040	104248	Workers' Comp.	40
	480301	8070	104248	Unemployment Ins	104
TO:	480301	4363	104248	Med, Lab, Clinic Sup	17
	480301	4610	104248	Personal Svcs Chargeback	3,661
	480301	4618	104248	Office Supplies & Postage	23

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

RESOLUTION NO. 205

By Finance Committee

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TOWN OF UNION FOR THE REMOVAL OF STRUCTURES AT 10 ACADEMY STREET AND AT 91-93 CORLISS AVENUE, JOHNSON CITY, NEW YORK

WHEREAS, the County acquired, pursuant to its Tax Foreclosure Proceedings, a building and land at 10 Academy Street, Johnson City, New York (Tax Map No. 1-F13-G-708X), and a building and land at 91-93 Corliss Avenue, Johnson City, New York (Tax Map No. 143.65-1-15), and

WHEREAS, the Town of Union is willing to remove the buildings on the properties prior to the County auction, and

WHEREAS, the County would reimburse the Town for the costs of removal of the buildings out of the portion of the bid prices which exceed the amount of outstanding taxes, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Union to remove the building at County acquired property at 10 Academy Street, Johnson City, New York (Tax Map No. 1-F13-G-708X), and the building at County acquired property at 91-93 Corliss Avenue, Johnson City, New York (Tax Map No. 143.65-1-15), and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Town the cost of removal out of the bid prices on the properties at the County auction to the extent said bid prices exceed the outstanding tax liens, 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 (Kavulich).

RESOLUTION NO. 206

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE JOYCE SMITH MEMORIAL FUND TRUST ACCOUNT FOR THE BROOME COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

WHEREAS, Joyce K. L. Smith was a uniquely effective and energetic volunteer member of the Broome County Environmental Management Council (EMC) from 1977 to 1986, and

WHEREAS, Mrs. Smith served as chairperson of the EMC for four of those years and played an important role in nurturing the organization, and

WHEREAS, Mrs. Smith passed away in January 1999 and her family made provisions for a memorial fund to be created in her name, and

WHEREAS, the staff and volunteer members of the Broome County Environmental Management Council request that the Joyce Smith Memorial Fund Trust Account be established to honor and continue Mrs. Smith's work in the areas of environmental education and policy-making, and

WHEREAS, the Commissioner of Finance concurs with said request, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment of the Joyce Smith Memorial Fund Trust Account for use by the EMC in conducting environmental programs, and be it

FURTHER RESOLVED, that the EMC is hereby authorized to expend said funds in accordance with the provisions of state and local laws and the use of these funds shall be solely

restricted for the purposes of furthering environmental education and improving local environmental quality, and be it

FURTHER RESOLVED, that the Commissioner of Finance, Director of Budget, County Comptroller, and the Broome County EMC are hereby authorized and directed to take any and all necessary steps required to effectuate the intent and purpose of this resolution.

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

RESOLUTION NO. 207

By Public Safety and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AGREEMENT WITH SOCIAL SECURITY ADMINISTRATION FOR REPORTING CERTAIN INFORMATION ABOUT PERSONS CONFINED IN THE BROOME COUNTY CORRECTIONAL FACILITY

WHEREAS, the Broome County Sheriff requests authorization for an agreement with the Social Security Administration whereby in return for the Sheriff providing certain information to the Social Security Administration about persons confined in the Broome County Correctional Facility Broome County will receive incentive payments, and

WHEREAS, said services to be provided by Broome County pursuant to this agreement will not result in any expenditures by Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Social Security Administration whereby the Broome County Sheriff will provide certain information to the Social Security Administration about persons confined in the Broome County Correctional Facility, and be it

FURTHER RESOLVED, that the term of the agreement herein authorized shall be indefinite provided that either party may, on ninety days written notice to the other, terminate the agreement, and be it

FURTHER RESOLVED, that in consideration of said services, the Social Security Administration will pay incentive payments to the County, and be it

FURTHER RESOLVED, that the incentive payments to be received shall be credited to budget line 450023.0604.101000 (Other Federal Aid), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative or the Broome County Sheriff 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 (Kavulich).

RESOLUTION NO. 208

By Finance and Public Works Committees

Seconded by Mr. Miller

RESOLUTION AUTHORIZING ABANDONMENT AND CONVEYANCE OF PROPERTY LOCATED ON COLESVILLE ROAD IN THE TOWN OF KIRKWOOD TO ADJOINING OWNER

WHEREAS, the Department of Public Works requests that this County Legislature authorize the abandonment of any rights to a certain parcel of land located within a highway right-of-way located adjacent to Colesville Road, County Road No. 74, in the Town of Kirkwood, as indicated on Exhibit "A" attached hereto, and

WHEREAS, the Department of Public Works has determined that this parcel of land is no longer needed for County purposes and recommends that any and all rights to this parcel be abandoned to the adjoining property owner, Akel Wholesale Grocery, Inc., and

WHEREAS, said parcel has been appraised by the Real Property Tax Service at \$7,400.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the abandonment of any and all rights to the parcel of land located adjacent to Colesville Road, County Road No. 74, in the Town of Kirkwood, more particularly described on the annexed Exhibit "A," to the adjoining property owner, Akel Wholesale Grocery, Inc., 100 Oakdale Road, Johnson City, NY 13790, in consideration of \$7,400.00, 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-18, Nays-0, Absent-1 (Kavulich).

RESOLUTION NO. 209

By Personnel and County Administration, Economic Development & Planning Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING THE HIRING JOSEPH H. POKARAK AS APPLICATIONS PROGRAM SPECIALIST ABOVE THE MINIMUM SALARY

WHEREAS, the Director of Information Technology has recommended the hiring of Joseph H. Pokorak as Applications Program Specialist at an annual salary of \$40,982 which is 6.1% above the minimum salary of \$38,630, and

WHEREAS, Joseph H. Pokorak is qualified for Applications Program Specialist and has experience and/or education which justify said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Joseph H. Pokorak, 20 Roosevelt Avenue, Binghamton, New York 13901 as Applications Program Specialist, Grade 24 step 2, at an annual salary of \$40,982 at budget line 370007.1000.101000, effective 05-31-99, and be it

FURTHER RESOLVED, that all salary and fringe benefits associated with this position will be reimbursed from 911 revenue.

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

Due to a variety of personal and community events scheduled on August 19, 1999, Mr. Mather moved, seconded by Mr. Wike, to change the Regular Session presently scheduled for Thursday, August 19, 1999 to Wednesday, August 18, 1999 at 4:00pm and that the Clerk be authorized and directed to take appropriate actions to make this change. **Carried**, Ayes-18, Nays-0, Absent-1 (Kavulich).

Mr. Shafer moved to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Kavulich). Meeting adjourned at 5:01pm.

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