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**BROOME COUNTY LEGISLATURE  
SPECIAL SESSION  
THURSDAY, FEBRUARY 22, 2001**

The Legislature convened at 5:03 p.m. 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 Legislator Hudak.

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 64**

By Public Works and Finance Committees

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CAMP DRESSER & MCKEE FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1996-2001**

WHEREAS, this County Legislature, by Resolution 232 of 1996, as amended by Resolutions 407 and 654 of 1997, and Resolutions 16 and 95 of 2000, authorized an agreement with Camp Dresser & McKee for professional engineering services associated with the Landfill Gas Production Investigation at the Nanticoke Landfill for the Division of Solid Waste Management at a cost of \$172,400, for the period July 1, 1996 through December 31, 2000, and

WHEREAS, said agreement provides professional engineering services associated with the landfill gas production investigation at the Nanticoke Sanitary Landfill, including final design of gas well installations and gas collection/flair systems, design of an electricity generation facility, submission of pollutant emission forms to the State, services associated with the electrical interconnection with Broome Energy (Meridian) and New York State Electric & Gas Corporation, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term through December 31, 2001 at an additional cost of \$404,000 for general consulting to complete NYSDEC and Clean Air Act forms, final design of the power line from the Landfill to the Airport and the interconnection with the New York State Electric & Gas system, and design of a power line from the Airport to the Public Safety Facility, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Camp Dresser & McKee, 6661 Kirkville Road, East Syracuse, New York 13057, for an amount not to exceed \$404,000 for professional engineering services to provide general consulting to complete NYSDEC and Clean Air Act forms, final design of the power line from the Landfill to the Airport and the interconnection with the New York State Electric & Gas system, and design of a power line from the Airport to the Public Safety Facility for the Division of Solid Waste Management and to extend the term to December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$404,000 for the period January 1, 2001 through December 31, 2001, total amount not to exceed \$576,400 for the term of the agreement, and be it

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

FURTHER RESOLVED, that Resolution 232 of 1996, as amended by Resolutions 407 and 654 of 1997, and Resolutions 16 and 95 of 2000, 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

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

**Held over 'under the rules'** by Mr. Howard.

### **RESOLUTION NO. 65**

By Public Works and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH STRATEGIC POWER MANAGEMENT, LLC., FOR CONSULTING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 2000-2001**

WHEREAS, this County Legislature, by Resolution 103 of 2000, authorized an agreement with Strategic Power Management, LLC., for consulting services for the Division of Solid Waste Management at a cost \$18,000 (including out of pocket expenses), for January 1, 2000 through December 31, 2000, and

WHEREAS, said agreement provides consultant services to assist the County in determining the feasibility of using the power generated in County facilities and/or selling it to NYSEG or a power marketer and the feasibility of doubling the generating capacity of the landfill generator, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term to June 30, 2001 at no additional cost to the County, and

WHEREAS, the Commissioner 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 Strategic Power Management, LLC, 51 Greenwich Avenue, Goshen, New York 10924, extending the term to January 1, 2000 through June 30, 2001 at no additional cost to the County, for consulting services for the Division of Solid Waste Management, and be it

FURTHER RESOLVED, that Resolution 103 of 2000, 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.

**Held over 'under the rules'** by Mr. Howard.

### **RESOLUTION NO. 66**

By Public Works and Finance Committees

Seconded by Mr. Shafer

#### **RESOLUTION AUTHORIZING THE FILING OF A PETITION TO THE PUBLIC SERVICE COMMISSION SEEKING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY IN CONNECTION WITH SUPPLYING THE AIRPORT, BROOME COMMUNITY COLLEGE AND THE PUBLIC SAFETY FACILITY WITH ELECTRICITY FROM THE GAS GENERATION PLANT AT THE NANTICOKE LANDFILL AND RETAINING THE SERVICES OF STRATEGIC POWER MANAGEMENT, INC. TO PREPARE THE PETITION**

WHEREAS, this County Legislature, by Resolution Number 103 of 2000, authorized an agreement with Strategic Power Management, LLC, for consulting services to evaluate the feasibility of expanding the electricity generating facility at the Nanticoke Landfill and transmitting electricity generated at the facility to the Binghamton Regional Airport, Broome Community College and the Public Safety Facility, and

WHEREAS, the consultant has issued his report and has recommended expanding the generating facility and constructing transmission lines and interconnects to serve the electricity needs of the Binghamton Regional Airport, Broome Community College and the Public Safety Facility, and

WHEREAS, prior to actual design and construction a Certificate of Public Convenience and Necessity with light handed regulation must be obtained from the New York State Public Service Commission, and

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WHEREAS, Strategic Power Management, Inc. has submitted a proposal for serving as a consultant and preparing the petition for the required certificate at a cost not to exceed \$11,850.00, and

WHEREAS, the Commissioner of Public Works has recommended that the consultant be retained to prepare the petition, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes the preparation and filing of a petition to the Public Service Commission for a Certificate of Public Convenience and Necessity with light regulation allowing Broome County to construct, own and operate the electric facilities necessary to transmit electricity from the Nanticoke Landfill waste to energy project to the Binghamton Regional Airport, interconnect with NYSEG and also transmit electricity to Broome Community College and the Public Safety Facility, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Strategic Power Management, Inc., P.O. Box 248, East Norwich, NY 11732 for consulting services in connection with the preparation and filing of said Certificate of Public Convenience and Necessity for the period from February 1, 2001 through March 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services the County shall pay the contractor an amount not to exceed \$11,850.00 for the term of this agreement, and be it

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

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

**Held over 'under the rules'** by Mr. Pasquale.

Mr. Burger made a motion to adjourn, seconded by Mr. Kolba. **Motion to adjourn carried.** The meeting was adjourned at 5:06 p.m.

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