

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
FEBRUARY 16, 1995**

The Legislature convened at 4:05 P.M. with a call to order by the Chair, Arthur J. Shafer. The Clerk, Richard R. Blythe, read the fire exit announcement and then called the Attendance Roll: Present - 19

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

Mr. Augostini moved, seconded by Mr. Whalen that the minutes of the January 26, 1995 Regular Session be approved as prepared and presented by the Clerk.
Carried.

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

Letters from the County Executive, Timothy M. Grippen:

- 1.Nominating R. Holbert, J. Pittelli, B. Fawcett to membership on Consumer Services Advisory Board.
- 2.Nominating 5 persons to membership on Office for Aging Advisory Council.
- 3.Nominating J. Woodruff, A. Boice to membership on Broome County Nursing Facility Board of Directors.
- 4.Nominating 11 persons to membership on Broome County Arena Board of Directors.

PRESENTATION OF COMMUNICATIONS, NOTICES & REPORTS:

COMMUNICATIONS:

- 1.Resolution from: Town of Union (Implementation of Tourist/Traveler Oriented Business Directional Signing Program).
- 2.Minutes from:
 - a. Emergency Medical Services Advisory Board
 - b.Environmental Management Council
 - c. Natural Resources Committee
 - d. Willow Point Nursing Facility Board
 - e.Soil and Water Conservation District
 - f.Association of Towns and Villages
- 3.Copy of letter to the County Attorney from Commissioners of Election regarding election chargebacks to municipalities.
- 4.Broome County Industrial Development Agency: Various materials including

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minutes of meetings, recommendations of 1995 officers, etc.).

- 5.1995 Adopted Broome County Budget and Six Year Capital Improvement Program (1995-2000).

NOTICES: Notice of Claim (Dana Fiene - County Jail)

REPORTS:

- 1.1994 Annual Reports:
 - a. Real Property Tax Service
 - b. PROBE, Inc.
- 2.Quarterly Report (Pending Projects) from Department of Public Works.
- 3.1994 Salary Schedule (Executive, Legislative and Administrative Positions in New York State Counties.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Arthur J. Shafer:

- 1.Appointing James L. Holley as voting representative for Brian K. Mather, Transportation Committee, February 6, 1995.
- 2.Appointing Margaret M. Coffey as voting representative for Andrew Kavulich, Public Safety and Emergency Services and Transportation Committees, February 6, 1995.
- 3.Appointing Margaret M. Coffey as voting representative for Mark R. Whalen, County Administration, Economic Development and Planning Committee, February 8, 1995.
- 4.Appointments to 1995 Ad Hoc Committees (Budget Items, Litigation, Charter and Administrative Code).
- 5.Selection of Honorable Mark R. Whalen as Minority Leader.
- 6.Appointing Margaret M. Coffey as voting representative for Andrew Kavulich, Personnel Committee, February 8, 1995.
- 7.Appointing Vincent A. Pasquale as voting representative for Mark R. Whalen, Finance Committee, February 9, 1995.
- 8.Selection of Honorable Louis P. Augostini as Majority Leader.

Mr. Cahill moved, seconded by Mr. Pasquale to receive and file the above noted reports and to authorize the Clerk to publish pertinent portions in the Journal of Proceedings. **Carried.**

Several resolutions were taken out of order, however, for the sake of clarity, all resolutions are presented in numerical order. The preferred agenda was presented and

seconded by Mr. Howard.

The following resolutions that were held over from the previous session of January 26, 1995 were again presented for consideration:

RESOLUTION NO. 24 heldover by Mrs. Sweet

AUTHORIZING REVISION OF THE HEALTH DEPT. COMPREHENSIVE TRAFFIC SAFETY PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995

Carried.

RESOLUTION NO. 26 heldover by Mr. Mather

AUTHORIZING ACCEPTANCE OF NEW YORK STATE OFFICE OF MENTAL HEALTH FLEX TEAM REINVESTMENT PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 AND AUTHORIZING RENEWAL OF AN AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY FOR FLEX TEAM REINVESTMENT SERVICES TO THE MENTALLY ILL FOR 1995

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

RESOLUTION NO. 27 heldover by Mr. Mather

AUTHORIZING RENEWAL OF NEW YORK STATE OFFICE OF MENTAL HEALTH AGING OUT ICM REINVESTMENT GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 AND AUTHORIZING RENEWAL OF AN AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY FOR AGING OUT ICM REINVESTMENT SERVICES TO THE MENTALLY ILL FOR 1995

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

RESOLUTION NO. 28 heldover by Mr. Mather

AUTHORIZING RENEWAL OF NEW YORK OFFICE OF MENTAL HEALTH MULTICULTURAL INITIATIVE REINVESTMENT PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 AND AUTHORIZING RENEWAL OF AGREEMENT

WITH MENTAL HEALTH ASSOCIATION IN BROOME COUNTY, INC. FOR MULTICULTURAL INITIATIVE REINVESTMENT SERVICES TO THE MENTALLY ILL FOR 1995

Lost. Ayes-4 (Coffey, Mather, Pasquale & Whalen), Nays-15

RESOLUTION NO. 31 heldover by Mrs. Hudak

AUTHORIZING AGREEMENT WITH WATER STREET ASSOCIATES FOR LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF MENTAL HEALTH FOR 1995

Mrs. Hudak moved, seconded by Mr. Mather that the resolution be amended to reflect a renegotiation of the lease without the ten parking spaces. Mr. O'Day requested permission to abstain as he has a business relationship with the parking ramp authority in question. The chair granted permission to abstain.

Mr. Pasquale moved, seconded by Mr. Augostini to **call the question.** The call of the question **carried.** Ayes-18, Nays-0, Abstaining-1 (O'Day)

The amendment **lost.** Ayes-3 (Burger, Hudak & Wike), Nays-15, Abstaining-1 (O'Day)

The resolution **carried.**

Ayes-14, Nays-4 (Cahill, Holley, Hudak & Wike), Abstaining-1 (O'Day)

RESOLUTION NO. 51 heldover by Mrs. Hudak

AUTHORIZING ACCEPTANCE OF CONTINUING DAY TREATMENT PROGRAM GRANT FOR DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 AND AUTHORIZING AN AGREEMENT WITH CATHOLIC CHARITIES OF BROOME CO. FOR CONTINUING DAY TREATMENT PROGRAM SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 1994

Carried.

RESOLUTION NO. 57 heldover by Mrs. Hudak

AUTHORIZING RENEWAL OF MENTAL HEALTH SYSTEMS EVALUATION GRANT FROM N.Y.S. OFFICE OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR

1995

Carried. Ayes-18, Nays-1 (Hudak)

RESOLUTION NO. 58 heldover by Mr. Schofield

AUTHORIZING RENEWAL OF AN AGREEMENT WITH CENTER FOR GOVERNMENTAL RESEARCH FOR EVALUATION SERVICES FOR 1995

Carried.

Ayes-13 Augustini, Burger, Cahill, Coffey, Howard, Hull, Kavulich, Miller, O'Day, Pasquale, Schofield, Whalen & Shafer

Nays-6 Holley, Hudak, Lindsey, Mather, Sweet & Wike

RESOLUTION NO. 59 heldover by Mr. Schofield

AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF PUBLIC WORKS/SECURITY

Carried.

RESOLUTION NO. 60

by TRANSPORTATION AND FINANCE COMMITTEES

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC TRANSPORTATION TO APPLY FOR FEDERAL SECTION 18 OPERATING ASSISTANCE AWARD FOR BC COUNTRY FOR 1995

WHEREAS, the Department of Public Transportation has submitted a request for a grant of funds to the New York State Department of Transportation and the United States Department of Transportation, pursuant to Section 18 of the Urban Mass Transportation Act of 1964, as amended, for a project to provide public mass transportation service on a continuing basis for the operation of BC Country, a curb-to-curb, dial a ride transportation service provided for residents of the non-urbanized portion of Broome County for 1995, and

WHEREAS, the Department of Public Transportation and the State of New York have entered into a continuing agreement for a ten year period which authorizes the undertaking of the Project and payment of the Federal Share, identified as State contract C002353, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the submission of the grant application for funds from the United States Department of Transportation pursuant to Section 18 of the Urban Mass Transportation Act of 1964, and be it

FURTHER RESOLVED, that the County Executive is authorized to act on behalf

of Broome County to sign the annual grant application and to progress and complete the above-named project, and be it

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

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

RESOLUTION NO. 61

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF THE MENTALLY ILL CHEMICAL ABUSER (MICA) INTENSIVE CASE MANAGEMENT GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.

WHEREAS, this County Legislature, by Resolution 17 of 1994, authorized and approved a Mentally Ill Chemical Abuser (MICA) Project Grant and adopted a program budget in connection therewith in the amount of \$152,900 for January 1, 1994 through December 31, 1994, and

WHEREAS, this County Legislature by Resolution 264 of 1994, authorized and approved a MICA Expansion Project Grant and adopted a program budget in connection therewith in the amount of \$50,000.00 for the period July 1, 1994 through June 30, 1995, and

WHEREAS, said grant programs provided for a Mentally Ill Chemical Abuser Program and a MICA Expansion Project through the Broome County Department of Mental Health Services, and

WHEREAS, it is desired to accept a combined Mentally Ill Chemical Abuser (MICA) Intensive Case Management Program grant for 1995 in the amount of \$209,100.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$209,100.00 from the period from January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$217,284.00 for the period January 1, 1995 through December 31, 1995, and be it

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

implement the intent and purpose of this Resolution, and be it

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

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

Carried.

RESOLUTION NO. 62

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF N.Y.S. PUBLIC HEALTH STATE AID FOR 1994.

WHEREAS, this County Legislature by Resolution 94-41, authorized the acceptance of New York State Public Health State Aid for 1993, and

WHEREAS, pursuant to New York State Public Health Law §606, Broome County submitted an application for State aid for 1994 and this application was approved by the New York State Department of Health, as per the attached Exhibit "A", and

WHEREAS, it is desired at this time to accept New York State Public Health State Aid for 1994, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the New York State Public Health State Aid as per the attached Exhibit "A", and be it

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

Carried.

RESOLUTION NO. 63

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENTS WITH VARIOUS SERVICE PROVIDERS FOR BREAST AND CERVICAL CANCER

CLINICAL, SCREENING, AND DIAGNOSTIC SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER EDUCATION AND DETECTION PROGRAM FOR 1994 AND 1995.

WHEREAS, this County Legislature, by Resolution 340 of 1994, authorized agreements with various service providers for breast and cervical cancer clinical, screening, and diagnostic services at various sites around the Southern Tier for the Health Department Breast and Cervical Cancer Education and Detection Program for the period July 1, 1994 through June 30, 1995, at a total amount not to exceed \$146,985.00, and

WHEREAS, it is necessary at this time to authorize the amendment of said agreements to include excisional and core biopsy services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreements with the various service providers on the attached Exhibit A for breast and cervical cancer clinical, screening, and diagnostic services, including excisional and core biopsy services, for the Health Department Breast and Cervical Cancer Education and Detection Program for the period July 1, 1994 through June 30, 1995 at a total cost not to exceed \$146,985.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480251.4707.102834 (Medical and Hospital Services), and be it

FURTHER RESOLVED, that Resolution 340 of 1994, 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.

RESOLUTION NO. 64

by COMMUNITY & SOCIAL SERVICES, PERSONNEL & FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 130 of 1994, authorized the continued participation by the Office for Aging in the Supplemental Nutrition

Assistance Program (SNAP) for the period April 1, 1994 through March 31, 1995 and adopted a program budget in connection therewith in the total amount of \$189,950, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Supplemental Nutrition Assistance Program (SNAP) for the period April 1, 1994 through March 31, 1995 in the total amount of \$196,505, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$196,505 for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that Resolution 130 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 65

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

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF WEATHERIZATION REFERRAL AND PACKAGING (WRAP) PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 383 of 1994, authorized the continued participation by the Office for Aging in the Weatherization Referral and Packaging (WRAP) Program for the period of July 1, 1994 through December 31, 1995

and adopted a program budget in connection therewith in the total amount of \$24,596.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Weatherization Referral and Packaging (WRAP) for the period July 1, 1994 through December 31, 1995 in the total amount of \$68,927.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$68,927.00 for the period July 1, 1994 through December 31, 1995, and be it

FURTHER RESOLVED, that Resolution 383 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 66

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING CAREGIVER RESOURCE CENTER PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 132 of 1994, authorized the continued participation by the Office for Aging in the Caregiver Resource Center Program for the period of April 1, 1994 through March 31, 1995 and adopted a program budget in connection therewith in the total amount of \$20,000.00, and

WHEREAS, it is necessary at this time to revise said program to reflect an change in the allocation of the grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging CareGiver Resource Center Program for the period April 1, 1994 through March 31, 1995 in the total amount of \$20,000.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$20,000.00 for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that Resolution 132 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 67

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF EXPANDED IN-HOME SERVICES FOR ELDERLY PROGRAM (EISEP) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 127 of 1994, authorized the continued participation by the Office for Aging in the Expanded In-Home Services for Elderly Program (EISEP) for the period of April 1, 1994 through March 31, 1995 and adopted a program budget in connection therewith in the total amount of \$457,799.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Expanded In-Home Services for Elderly Program (EISEP) for the period of April 1,

1994 through March 31, 1995 in the total amount of \$455,355.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$455,355.00 for the period of April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that Resolution 127 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 68

by COMMUNITY & SOCIAL SERVICE, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING COMMUNITY SERVICES FOR THE ELDERLY PROGRAM (CSE) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 133 of 1994, authorized the continued participation by the Office for Aging in the Office for Aging Community Services for the Elderly Program (CSE) for the period of April 1, 1994 through March 31, 1995 and adopted a program budget in connection therewith in the total amount of \$320,843.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Community Services for the Elderly Program (CSE) for the period of

April 1, 1994 through March 31, 1995 in the total amount of \$305,912.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$305,912.00 for the period of April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that Resolution 133 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 69

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CHILDREN'S HOME OF WYOMING CONFERENCE FOR NON-SECURE DETENTION FOR 1995 AND AMENDING THE FEES CHARGED TO OTHER GOVERNMENTAL ENTITIES FOR HOUSING JUVENILES AT HASKINS NON-SECURE DETENTION FACILITY.

WHEREAS, this County Legislature, by Resolution 5 of 1994, authorized an agreement with the Children's Home of Wyoming Conference for non-secure detention at Haskins for court ordered persons in need of supervision and juvenile delinquents at a cost not to exceed \$340,250.00 for calendar year 1994, and

WHEREAS, said agreement expired by its terms on December 31, 1994, and it is desired at this time to renew said agreement for calendar year 1995 on substantially similar terms and conditions, with an increase in cost, and

WHEREAS, this County Legislature, by Resolution 275 of 1989, authorized a rate of \$128.80 per bed to be charged to other New York State Counties or the New York State Division for Youth for housing of juveniles at Haskins Non-Secure Detention Facility; and

WHEREAS, it is requested that the rate per bed at Haskins non-secure Detention

Facility for entities other than Broome County be increased to \$150.00 per bed per day; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York, 13901 for non-secure detention at Haskins for court ordered persons in need of supervision and juvenile delinquents for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$354,514.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670117.4581.103000 (Foster Care NS DET [Haskins]), and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes a rate of \$150.00 per bed per day to be charged to other New York State Counties or the New York State Division For Youth for housing of juveniles at the Haskins Non-Secure Detention Facility for the term of this agreement; 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. Hudak moved, seconded by Mr. Miller to **table** the resolution. The resolution was **tabled** as follows: Ayes-15, Nays-4 (Coffey, Kavulich, Pasquale & Whalen)

RESOLUTION NO. 70

by COMMUNITY & SOCIAL SERVICES, EDUCATION, CULTURE & RECREATION AND FINANCE COMMITTEES Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION FOR L.I.F.E. PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1995.

WHEREAS, this County Legislature, by Resolution 8 of 1994, authorized an agreement with Cornell Cooperative Extension for a program which provides parent education and training to high needs families and focuses on teaching and building skills and includes child care and transportation for calendar year 1994, at a cost not to exceed \$18,367.00, and

WHEREAS, said agreement expired by its terms on December 31, 1994, and it is desired at this time to renew said agreement for calendar year 1995 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 Cornell Cooperative Extension, 840 Front Street, Binghamton, New York, 13905, for the L.I.F.E. Program for the Department of Social Services for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$19,196.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Carried.

RESOLUTION NO. 71

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CHILDREN'S HOME OF WYOMING CONFERENCE FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES THERAPEUTIC AFTER-SCHOOL PROGRAM FOR 1995.

WHEREAS, this County Legislature, by Resolution 6 of 1994, authorized an agreement with the Children's Home of Wyoming Conference for counseling services in connection with the Department of Social Services Therapeutic After-School Program at a cost not to exceed \$335,752.00 for calendar year 1994, and

WHEREAS, said agreement expired by its terms on December 31, 1994, and it is desired at this time to renew said agreement for calendar year 1995 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 the Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York, 13901-1696 for intensive counseling services in connection with the Department of Social Services Therapeutic After-School Program for persons in need of supervision for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$408,660.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

Heldover by Mr. Schofield.

RESOLUTION NO. 72

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC SOCIAL SERVICES OF BROOME COUNTY, INC. FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES ADOLESCENT PREVENTIVE SERVICES FOR 1995.

WHEREAS, this County Legislature, by Resolution 7 of 1994, authorized an agreement with Catholic Social Services of Broome County, Inc. for intensive counseling in connection with the Department of Social Services Adolescent Preventive Services at a cost not to exceed \$252,309.00 for calendar year 1994, and

WHEREAS, said agreement expired by its terms on December 31, 1994, and it is desired at this time to renew said agreement for calendar year 1995 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 Catholic Social Services of Broome County, Inc., 232 Main Street, Binghamton, New York, 13905, for counseling services in connection with the Department of Social Services Adolescent Preventive Services for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$259,878.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

Mr. Hudak moved, seconded by Mr. Lindsey to change the contract amount from \$259,878 to \$252,309 (reflecting 1994 funding level).

The amendment **carried**.

Ayes-14, Nays-5 (Coffey, Hull, Kavulich, Pasquale & Whalen)

The resolution as amended **carried**.

RESOLUTION NO. 73

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR HOMEMAKER AND PARENT AIDE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1995.

WHEREAS, this County Legislature, by Resolution 2 of 1994, authorized an agreement with the Family and Children's Society of Broome, Inc. for homemaker and parent aide services for the Department of Social Services at a cost not to exceed \$220,330.00 for the period January 1, 1994 through December 31, 1994, and

WHEREAS, said agreement expired by its terms on December 31, 1994, and it is desired at this time to renew said agreement for calendar year 1995 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 the Family and Children's Society of Broome County, Inc., for homemaker and parent aide services for the Department of Social Services for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$220,330.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of Services), and be it

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

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

Following passage (later in the meeting), Mrs. Coffey moved, seconded by Mr. Augustini to **recall** Resolution # 73 for the purpose of offering an amendment. The recall **carried**. Ayes-18, Nays-0, Absent-1 (Whalen)

Mr. Coffey moved, seconded by Mr. Kavulich that the contract referenced in the resolution be amended from \$220,330 to \$291,000.

Mr. Lindsey moved, seconded by Mr. Pasquale to **call the question** on the amendment.

The call of the question **carried**. Ayes-17, Nays-1 (Howard), Absent-1 (Whalen)

The amendment **lost**.

Ayes-5 Coffey, Holley, Kavulich, O'Day & Schofield
Nays-13 Augustini, Burger, Cahill, Howard, Hudak, Hull, Lindsey, Mather, Miller,
Pasquale, Sweet, Wike & Shafer
Absent-1 Whalen

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

RESOLUTION NO. 74

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES SEXUAL ABUSE PROJECT FOR 1995.

WHEREAS, this County Legislature, by Resolution 4 of 1994, authorized an agreement with the Family and Children's Society of Broome County, Inc., for services in connection with the Department of Social Services Sexual Abuse Project at a cost not to exceed \$302,268.00 for calendar year 1994, and

WHEREAS, said agreement expired by its terms on December 31, 1994, and it is desired at this time to renew said agreement for calendar year 1995 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 the Family and Children's Society, Inc, 257 Main Street, Binghamton, New York, 13905, for assessment and treatment, counseling services to families and children in connection with the Department of Social Services Sexual Abuse Project for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$385,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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.

Mr. Hudak moved, seconded by Mr. Miller to change the contract amount from \$385,000 to \$302,268 (reflecting 1994 funding level).

The amendment **lost**.

Ayes-7 Augustini, Hudak, Miller, Schofield, Sweet, Wike & Shafer
Nays-12 Burger, Cahill, Coffey, Holley, Howard, Hull, Kavulich, Lindsey, Mather,
O'Day, Pasquale & Whalen

The resolution **carried**. Ayes-17, Nays-0, Absent-2 (O'Day & Wike)

RESOLUTION NO. 75

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH SOS SHELTER, INC., FOR PROVISION OF NON-RESIDENTIAL SERVICES TO VICTIMS OF DOMESTIC VIOLENCE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1995.

WHEREAS, this County Legislature, by Resolution 1 of 1994 authorized an agreement with SOS Shelter, Inc., for provision of non-residential services to victims of domestic violence for calendar year 1994, at a cost not to exceed \$61,000, and

WHEREAS, said agreement expires by its terms on December 31, 1994, and it is desired at this time to renew said agreement 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 said agreement with SOS Shelter, Inc., PO Box 393, Endicott, NY, 13760, for the provision of non-residential services to victims of domestic violence, for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$68,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made

from budget line 670067.4561.103000 (Purchase of Services), and be it

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

Carried.

RESOLUTION NO. 76

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES MARYWOOD MASTERS OF SOCIAL WORK GRANT PROJECT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994.

WHEREAS, this County Legislature, by Resolution 11 of 1994, authorized and approved a grant agreement with the New York State Department of Social Services for the Masters of Social Work Project whereby promising caseworkers were selected for enrollment in Marywood College of Social Work, Masters of Social Work Program, and adopted a program budget in the amount of \$76,371.00 in connection therewith for the period July 1, 1993 through June 30, 1994, and

WHEREAS, the program offers specialized training in children and youth services focusing on adoption, foster care and permanency planning, and

WHEREAS, it is desired to renew said program for the period July 1, 1994 through December 31, 1994, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continued operation of the Broome County Department of Social Services Marywood College Masters of Social Work Project for the period July 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes receipt of grant funds attached herein as Exhibit "A" and approves and adopts a program budget in the amount of \$48,303.00, 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, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to extend the terms of the grant agreement for the

purpose of expending any unexpended grant funds, and be it

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

Carried.

RESOLUTION NO. 77

by PUBLIC WORKS, HEALTH SERVICES, and FINANCE COMMITTEES

Seconded by Mr. Mather

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH JENNINGS ENVIRONMENTAL MANAGEMENT, INC. FOR AIR QUALITY MONITORING SERVICES FOR THE WILLOW POINT NURSING FACILITY ASBESTOS REMEDIATION PROJECT FOR 1994 AND 1995.

WHEREAS, this County Legislature, by Resolution 186 of 1994, authorized an agreement with Jennings Environmental Management, Inc., for air quality monitoring services for the Willow Point Nursing Facility Asbestos Remediation Project, at a cost of \$75,762.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect changes and/or clarifications of the requirements of air sampling and analysis under State of New York Department of Labor Industrial Code Rule 56 and to reflect a modification in the variance which was submitted to the State of New York for the project, and to extend the term of the contract until August 31, 1995, 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 Jennings Environmental Management, Inc., P. O. Box 831, Binghamton, New York, 13902, for Willow Point Nursing Facility Asbestos Remediation Project for the period May 1, 1994 through August 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$38,740.00, the total amount for the contract not to exceed \$114,502.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160267.4746.501256 (Architectural/ Engineering Services), and be it

FURTHER RESOLVED, that Resolution 186 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized

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

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

RESOLUTION NO. 78

by PUBLIC WORKS COMMITTEES

Seconded by Mr. Howard

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BROOME COUNTY NEW HIGHWAY GARAGE MAINTENANCE FACILITY, PROJECT NO. BG 9404 AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to construct a new highway garage maintenance facility near the existing highway garage building in Chenango Bridge for vehicle maintenance operations and to include office space and parts storage rooms, and

WHEREAS, it has been determined that such project is subject to the requirements of the State Environmental Quality Review Act (SEQRA), and it is therefore necessary to initiate procedures with respect thereto, and

WHEREAS, this County Legislature has determined that it is the agency with the broadest governmental powers for investigation of the impact of the proposed action and has the greatest capability for providing the most thorough environmental assessment of the project, and

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Broome County New Highway Garage Maintenance Facility, and

WHEREAS, the Broome County New Highway Garage Maintenance Facility Project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of a proposed Broome County New Highway Garage Maintenance Facility, and be it

FURTHER RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the Broome County New Highway Garage Maintenance Facility will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the

"Negative Declaration" annexed hereto as Exhibit "A".

Heldover under the 'Rules' by Mr. Burger.

RESOLUTION NO. 79

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING
and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH
IBM CORP. FOR COMPUTER HARDWARE MAINTENANCE INCLUDING
"SSA" (SYSTEM SERVICES AVAILABILITY) FOR 1995.**

WHEREAS, this County Legislature, by Resolution 479 of 1994, authorized an agreement with IBM Corp. for computer hardware maintenance including "SSA" (System Services Availability), for 1995 at a cost of \$65,270.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement in order to provide for expiration of extended warranties of Public Safety and County Clerk imaging system equipment, and

WHEREAS, the Division of Computer Services 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 IBM Corp., 100 Clinton Square, Rochester, New York, 14604 for computer hardware maintenance including "SSA" (System Services Availability) for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$95,270.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4514.101000 (Hardware 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.

RESOLUTION NO. 80

by FINANCE COMMITTEE

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON TAX
ROLLS FOR 1995.**

WHEREAS, an application for Correction of Errors on Tax Rolls for 1995 have been duly filed with the Director of Real Property Tax Service for the County of

Broome, and

WHEREAS, the Director of Real Property Tax Service has filed a report pursuant to Section 556-b of the Real Property Tax Law and certain claimed errors have been determined to exist which should be corrected, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the applications for correction and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in accordance with the list attached hereto as Exhibit "A", pursuant to Section 556-b of the Real Property Tax Law, and be it

FURTHER RESOLVED, that there shall be refunded to the appropriate tax payers any excess taxes paid with respect to said corrections, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to transmit a copy of this resolution and a copy of the approved applications to each tax officer having jurisdiction of the respective tax rolls and the State Department of Audit and Control.

Carried.

RESOLUTION NO. 81

by PERSONNEL COMMITTEE

Seconded by Mr. Howard

RESOLUTION REQUESTING THE STATE OF NEW YORK TO AMEND SECTION 61 OF THE CIVIL SERVICE LAW WITH RESPECT TO APPOINTMENTS FROM ELIGIBLE LISTS.

WHEREAS, pursuant to Section 61 of the Civil Service law municipalities are mandated to hire from the top three individuals on an eligible list, and

WHEREAS, the New York State Personnel Officer's Association has recommended the law be changed to a "rule of ten" to enable all governments to have the flexibility to hire the best people they can from eligible lists, and

WHEREAS, only three States in the United States currently require selections from the top three individuals on an eligible list, and

WHEREAS, in the last 25 years 27 states have amended their civil service laws to move away from the "rule of three", and

WHEREAS, this change would only apply to open competitive examinations and not promotional examinations, and

WHEREAS, this amendment would provide the best possible selection procedures under a civil service merit system to the governments and tax payers of New York State, now, therefore, be it

RESOLVED, that Broome County requests the State of New York to amend Section 61 of the Civil Service Law and adopt a "rule of 10" thereby permitting

municipalities to hire from the top ten individuals on an eligible list, and be it

FURTHER RESOLVED, that copies of this Resolution forwarded to Governor George Pataki, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, Senator Thomas Libous, Assemblyman Robert Warner and Assemblyman Jay Dinga.

Mrs. Coffey moved, seconded by Mr. Kavulich to amend the resolution to reflect a 'Rule of Five' instead of a 'Rule of 10.'

Mr. Wike moved, seconded by Mr. Pasquale to **call the question** on the amendment. The call of the question **carried**.

Following the call of the question and prior to a vote on the amendment, Mrs. Coffey with the consent of Mr. Kavulich, **withdrew** her amendment.

The resolution as presented **carried**.

RESOLUTION NO. 82

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

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF THE LONG TERM CARE SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 284 of 1994, authorized the acceptance of a Long Term Care Services Program Grant in the amount of \$42,170.00 for the period April 1, 1994 through October 31, 1995, and

WHEREAS, this grant program was to be operated by Broome County CASA, and

WHEREAS, the Department of Social Services and Broome County CASA have agreed that it is necessary to revise said agreement as it would be more efficient to have the accounting and administration oversight of this program transferred to Broome County CASA; now, therefore, be it

RESOLVED, that this County Legislature hereby approves the transfer of the program budget annexed hereto as Exhibit "A" from the Department of Social Services to Broome County CASA; and be it

FURTHER RESOLVED, that Resolution 284 of 1994, to the extent consistent

herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 83

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENTS WITH VARIOUS VENDORS FOR PERSONAL CARE SERVICES IN CONNECTION WITH SOCIAL SERVICES MEDICAID PROGRAM FOR 1994 AND AUTHORIZATION OF CONTINUATION OF RATES FOR 1995 AND 1996.

WHEREAS, this County Legislature, by Resolution 332 of 1994, authorized agreements with various vendors for personal care services furnished to Medicaid recipients and established the New York State reimbursement rates for 1992, 1993 through 1994, and authorized continuation of the 1994 rates through calendar year 1995, pending New York State approval, and

WHEREAS, it is necessary to amend said agreements to include newly approved New York State reimbursement rates for 1994 and to authorize continuation of these 1994 rates for calendar years 1995 and 1996, pending New York State approval, now, therefore, be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal and revision of the agreement with Stafcare of New York, d/b/a Americare, 138 Court Street, Binghamton, New York, 13901, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1994 through December 31,

1994:

	1994 hourly rates
Level II	13.10
Shared Aide I	13.44
Shared Aide II	13.43
Nursing Supervision	45.89
Shared Aide Level I (1/4 hour)	3.36
Shared Aide Level II (1/4 hour)	3.36

and these rates to continue for calendar years 1995 and 1996, pending New York State approval, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal and revision of the agreement with Olsten Kimberly Quality Care, 30 W. State Street, Binghamton, New York, 13901, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1994 through December 31, 1994:

Level I	\$ 13.60
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and these rates to continue for calendar years 1995 and 1996, pending New York State approval, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal and revision of the agreement with Stafkings Healthcare, P. O. Box 1015, Binghamton, New York, 13902, for personal care services for eligible Medicaid recipients at the following rates for the period January 1, 1994 through December 31, 1994:

	1994 hourly rates
Level I	\$ 12.78
Level II	12.78
Level II Hard to Serve	14.24
Shared Aide II	14.06
Shared Aide II (1/4 hour)	3.52
Nursing Supervision Visit	25.93

and these rates to continue for calendar years 1995 and 1996, pending New York State approval, and be it

FURTHER RESOLVED, that Resolution 332 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized

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

Carried.

RESOLUTION NO. 84

by FINANCE COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH COOPERS & LYBRAND, L.L.P. FOR CONSULTING SERVICES FOR THE BROOME COUNTY HEALTH CARE PLAN FOR 1995 AND 1996.

WHEREAS, this County Legislature, by Resolution 150A of 1994, authorized an agreement with Coopers & Lybrand L.L.P. for Broome County Health Care Plan consulting services at a cost of \$18,500.00, and

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 at an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Coopers & Lybrand L.L.P., One Lincoln Center, Syracuse, New York, 13202 for Broome County Health Care Plan consulting services for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$21,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050047.4724.601000 (Actuarial Consultants), 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.

RESOLUTION NO. 85

by FINANCE COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH COOPERS AND LYBRAND L.L.P. FOR CONSULTING SERVICES FOR THE WORKERS' COMPENSATION PLAN FOR 1995 AND 1996.

WHEREAS, this County Legislature, by Resolution 150B of 1994, authorized an

agreement with Coopers & Lybrand L.L.P. for consulting services for the workers' compensation plan for the period April 1, 1994 through March 31, 1995 at a cost of \$3,500.00, and

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Coopers & Lybrand L.L.P., One Lincoln Center, Syracuse, New York, 13202 for consulting services for the workers' compensation plan for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050013.4724.602000 (Actuarial Consultants), 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.

RESOLUTION NO. 86

by ENVIRONMENT COMMITTEE

Seconded by Mr. Howard

RESOLUTION ACCEPTING AS COMPLETE THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR PROPOSED HAZARDOUS WASTE COLLECTION FACILITY, ESTABLISHING A TIME TABLE FOR THE STATE ENVIRONMENTAL QUALITY REVIEW ACT PUBLIC COMMENT PHASE, AND ASSIGNING TASK AND DUTIES IN CONNECTION THEREWITH.

WHEREAS, the Broome County Legislature pursuant to Resolution 94-549, has heretofore designated itself to act as lead agency for the proposed hazardous waste collection facility, and

WHEREAS, pursuant to Resolution 94-684, this Legislature has adopted a scope of issues with respect to the environmental review for said hazardous waste collection facility, and

WHEREAS, the Broome County Division of Solid Waste Management has submitted a proposed draft supplemental environmental impact statement, and this

Legislature has reviewed said document for its adherence to the scope of issues set forth in Resolution 94-684, and its compliance with the requirements of SEQRA and 6 NYCRR § 617.14, and

WHEREAS, this Legislature has determined that said document is complete in scope and content, fulfills the requirements of the aforesaid statute and regulation, and is adequate for public review, circulation, and comment, and

WHEREAS, a public hearing could aid this Legislatures decision making process by providing a forum for, and an efficient mechanism for the collection of public comment, and

WHEREAS, it is desired at this time to initiate the public comment phase of the SEQRA process, to establish a time table for certain events in connection therewith, and to assign various tasks and duties in connection therewith, now, therefore, be it

RESOLVED, that this Legislature hereby determines that the proposed draft supplemental environmental impact statement for the hazardous waste collection facility project is complete in scope and content and adequate for public review, and directs the same be circulated for public review and comment as provided in 6 NYCRR part 617, and be it

FURTHER RESOLVED, that this Legislature hereby fixes the public comment period on this draft environmental impact statement to commence immediately and to conclude on March 31, 1995, and be it

FURTHER RESOLVED, that all written comments on the draft supplemental environmental impact statement shall be filed with the clerk of the Broome County Legislature, 6th floor, Edwin L. Crawford County Office Building, Government Plaza, Box 1766, Binghamton, New York 13902 and the clerk of the Legislature shall maintain a file of all such comments and transmit them to this Legislature, and be it

FURTHER RESOLVED, that this Legislature determines that based on the aforesaid factors and those set forth in 6 NYCRR §617.8(d), a public hearing on the draft environmental impact statement should be held, and be it

FURTHER RESOLVED, that said public hearing shall be held at the Legislative session commencing at 4:00 p.m. to be held on March 16, 1995, and be it

FURTHER RESOLVED, that the public hearing shall be held in the Legislative chambers, 6th floor, Edwin L. Crawford County Office Building, Government Plaza, PO Box 1766, Binghamton, New York 13901, and be it

FURTHER RESOLVED, that the chairman of the Legislature shall preside over the public hearing and shall make all necessary arrangements for said hearing, including having transcripts thereof, prepared and transmitted to this Legislature, and be it

FURTHER RESOLVED, that the chairman of the Legislature, in cooperation with the Department of Law, and the Division of Solid Waste Management; is hereby

directed to prepare and file a "Notice of Completion and Hearing," as provided in 6 NYCRR §617.10(c) and (e), and file and make available copies of the draft supplemental environmental impact statement, as provided in 6 NYCRR §617.10(d), and be it

FURTHER RESOLVED, that the Division of Solid Waste Management shall coordinate the preparation of the final supplemental environmental impact statement (FSEIS), and in connection therewith shall together with the Department of Law prepare a proposed statement of SEQRA findings and decision for this Legislatures consideration.

Carried.

RESOLUTION NO. 87

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING
and FINANCE COMMITTEES

Seconded by Mr. Wike

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 2, 1995, ENTITLED,
"A LOCAL LAW AMENDING LOCAL LAW NO. 7 OF 1980, AS AMENDED,
GRANTING PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION
FOR CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-
FIVE YEARS OF AGE OR OVER."**

RESOLVED, that Local Law Intro. No. 2, 1995, entitled, "A Local Law Amending Local Law No. 7 of 1980, as amended, granting partial exemption from Real Property Taxation for certain persons with limited income who are sixty-five years of age or over," be and the same hereby is adopted and approved in accordance with the applicable laws pertaining thereto.

LOCAL LAW INTRO. NO. 2 OF 1995

A LOCAL LAW AMENDING LOCAL LAW NO. 7 OF 1980, AS AMENDED,
GRANTING PARTIAL EXEMPTION FROM REAL PROPERTY
TAXATION FOR CERTAIN PERSONS WITH LIMITED INCOME
WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER.

BE IT ENACTED, by the County Legislature of the County of Broome, as follows:

SECTION 1. Local Law No. 7 of 1980, as amended by Local Law No. 8 of 1983,

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Local Law No. 6 of 1984, Local Law No. 6 of 1988, Local Law No. 10 of 1990, and Local Law No. 14 of 1991, hereby is amended and changed as follows:

A. To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption does not exceed [Fifteen Thousand Dollars (\$15,000)] Seventeen Thousand Five Hundred Dollars (\$17,500) such real property shall be exempt fifty percent (50%) of the assessed valuation thereof. Income tax year shall mean the twelve month period for which the owner or owners file a Federal personal income tax return, or if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of [Fifteen Thousand Dollars (\$15,000)] Seventeen Thousand Five Hundred Dollars (\$17,500). Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary on earnings and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

B. To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption exceeds [Fifteen Thousand Dollars (\$15,000)] Seventeen Thousand Five Hundred Dollars (\$17,500), but is less than [Fifteen Thousand Six Hundred Dollars (\$15,600)] Eighteen Thousand Five Hundred Dollars (\$18,500), such real property shall be exempt from real property taxation by the County of Broome to the extent of forty-five percent (45%) of the assessed valuation thereof. Income tax year shall mean the twelve month period for which the owner or owners file a Federal personal income tax return, or if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income must be less than the sum of [Fifteen Thousand Six Hundred Dollars (\$15,600)] Eighteen Thousand Five Hundred Dollars (\$18,500). Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net

rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

C. To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption equals [Fifteen Thousand Six Hundred Dollars (\$15,600)] Eighteen Thousand Five Hundred Dollars (\$18,500) or more but is less than [Sixteen Thousand Two Hundred Dollars (\$16,200)] Nineteen Thousand Five Hundred Dollars (\$19,500), such real property shall be exempt from real property taxation by the County of Broome to the extent of forty percent (40%) of the assessed valuation thereof. Income tax year shall mean the twelve month period for which the owner or owners file a Federal personal income tax return, or if no return is filed, the calendar year.

Where title

is vested in either the husband or wife, their combined income must be less than the sum of [Sixteen Thousand Two Hundred Dollars (\$16,200)] Nineteen Thousand Five Hundred Dollars (\$19,500). Such income shall include social security and retirement benefits, interest dividends, total gain from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

D. To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption equals [Sixteen Thousand Two Hundred Dollars (\$16,200)] Nineteen Thousand Five Hundred Dollars (\$19,500) or more but is less than [Sixteen Thousand Eight Hundred Dollars (\$16,800)] Twenty Thousand Five Hundred Dollars (\$20,500), such real property shall be exempt from real property taxation by the County of Broome to the extent of thirty-five percent (35%) of the assessed valuation thereof. Income tax year shall mean the twelve month period for which the owner or owners file a Federal personal income tax return, or if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income must be less than the sum of [Sixteen

Thousand Eight Hundred Dollars (\$16,800)] Twenty Thousand Five Hundred Dollars (\$20,500). Such income shall include social security and retirement benefits, interest dividends, total gain from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

E. To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption equals [Sixteen Thousand Eight Hundred Dollars (\$16,800)] Twenty Thousand Five Hundred Dollars (\$20,500) or more but is less than [Seventeen Thousand Four Hundred Dollars (\$17,400)] Twenty-One Thousand Four Hundred Dollars (\$21,400), such real property shall be exempt from real property taxation by the County of Broome to the extent of thirty percent (30%) of the assessed valuation thereof. Income tax year shall mean the twelve month period for which the owner or owners file a Federal personal income tax return, or if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income must be less than the sum of [Seventeen Thousand Four Hundred Dollars (\$17,400)] Twenty-One Thousand Four Hundred Dollars (\$21,400). Such income shall include social security and retirement benefits, interest dividends, total gain from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

F. To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption equals [Seventeen Thousand Four Hundred Dollars (\$17,400)] Twenty-One Thousand Four Hundred Dollars (\$21,400) or more but is less than [Eighteen Thousand Dollars (\$18,000)] Twenty-Two Thousand Three Hundred Dollars (\$22,300), such real property shall be exempt from real property taxation by the County of Broome to the extent of twenty-five percent (25%) of the assessed valuation thereof. Income tax year shall mean the twelve month period for which the owner or owners file a Federal personal income tax return, or if no return is filed, the calendar year. Where title is vested in either

the husband or wife, their combined income must be less than the sum of [Eighteen Thousand Dollars (\$18,000)] Twenty-Two Thousand Three Hundred Dollars (\$22,300). Such income shall include social security and retirement benefits, interest dividends, total gain from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

G. To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption equals [Eighteen Thousand Dollars (\$18,000)] Twenty-Two Thousand Three Hundred Dollars (\$22,300) or more but is less than [Eighteen Thousand Six Hundred Dollars (\$18,600)] Twenty-Three Thousand Two Hundred Dollars (\$23,200), such real property shall be exempt from real property taxation by the County of Broome to the extent of twenty percent (20%) of the assessed valuation thereof. Income tax year shall mean the twelve month period for which the owner or owners file a Federal personal income tax return, or if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income must be less than the sum of [Eighteen Thousand Six Hundred Dollars (\$18,600)] Twenty-Three Thousand Two Hundred Dollars (\$23,200). Such income shall include social security and retirement benefits, interest dividends, total gain from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

H. To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption equals [Eighteen Thousand Six Hundred Dollars (\$18,600)] Twenty-Three Thousand Two Hundred Dollars (\$23,200) or more but is less than [Nineteen Thousand Two Hundred Dollars (\$19,200)] Twenty-Four Thousand One Hundred Dollars (\$24,100), such real property shall be exempt from real property taxation by the County of Broome to the extent of fifteen percent (15%) of the assessed valuation thereof. Income tax year shall mean the twelve month period for which the owner or owners file a Federal

personal income tax return, or if no return is filed, the calendar year.

Where title is vested in either the husband or wife, their combined income must be less than the sum of [Nineteen Thousand Two Hundred Dollars (\$19,200)] Twenty-Four Thousand One Hundred Dollars (\$24,100). Such income shall include social security and retirement benefits, interest dividends, total gain from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

I. To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption equals [Nineteen Thousand Two Hundred Dollars (\$19,200)] Twenty-Four Thousand One Hundred Dollars (\$24,100) or more but is less than [Nineteen Thousand Eight Hundred Dollars (\$19,800)] Twenty-Five Thousand Dollars (\$25,000), such real property shall be exempt from real property taxation by the County of Broome to the extent of ten percent (10%) of the assessed valuation thereof. Income tax year shall mean the twelve month period for which the owner or owners file a Federal personal income tax return, or if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income must be less than the sum of [Nineteen Thousand Eight Hundred Dollars (\$19,800)] Twenty-Five Thousand Dollars (\$25,000). Such income shall include social security and retirement benefits, interest dividends, total gain from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

J. No exemption be granted for real property taxes levied by the County of Broome for the year commencing January 1, 1995 and ending December 31, 1995, and for years subsequent thereto, if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceed the sum of [Nineteen Thousand Eight Hundred Dollars (\$19,800)] Twenty-Five Thousand Dollars (\$25,000). Income tax year shall mean the twelve month period

for which the owner or owners file a Federal income tax return, or if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of [Nineteen Thousand Eight Hundred Dollars (\$19,800)] Twenty-Five Thousand Dollars (\$25,000). Such income shall include social security and retirement benefits, interest dividends, total gain from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

SECTION 2. This local law shall become effective following a public hearing to be held in the manner provided by law.

Key: Material underlined is added Material in [brackets] is deleted

Held over under the 'Rules' by Mr. Schofield.

RESOLUTION NO. 88

by FINANCE AND COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION IN SUPPORT OF THE OMNIBUS AMENDMENT TO STATE LAW TO ALLOW FLEXIBILITY TO COUNTIES IN THE IMPOSITION TO SALES AND USE TAXES.

WHEREAS, New York State Counties have been placed under severe fiscal pressure due to the growth of state mandates such as Medicaid, Welfare, and pre-school programs for children with disabilities, and

WHEREAS, County lawmakers have little control over their budgets and even with consolidation and local cost cutting measures the tremendous rate of growth of these mandated programs have left few alternatives, and

WHEREAS, many counties have looked to sales tax rate increases to offset massive real property tax increases, and

WHEREAS, 21 counties to date have been forced to seek special State legislation to allow them to increase their sales tax rates above the current three (3) percent statutory ceiling, and

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WHEREAS, in 20 of these counties the authorization to impose a sales tax rate of above three (3) percent will expire in calendar year 1995, and

WHEREAS, counties have found it increasingly difficult to have this issue addressed by the State Legislature on a case by case basis, and

WHEREAS, the New York State Association of Counties (NYSAC) has recommended that all counties support an Omnibus amendment to State Law which will empower all counties to increase or decrease sales tax rates above three (3) percent, and

WHEREAS, such an Omnibus action would reduce waste and redundancy in local government effort and State response for now and in the future, and

WHEREAS, Broome County believes that it should have "Home Rule" authority to let these fiscal decisions be made at the local level and not be subject to the "gauntlet" of State legislative approval, and now, therefore, be it

RESOLVED, that Broome County supports the efforts of the New York State Association of Counties to seek an Omnibus amendment to the State Tax Law on behalf of all counties in New York which will empower them to have the flexibility to consider sales tax rate increases or decreases above three (3) percent, based upon local law or resolution, and be it

FURTHER RESOLVED, that it is the specific intent of this resolution that all counties which currently have authority to increase sales tax rates above three (3) percent be allowed to continue that authority in the same manner as currently provided for in State Law for a period of time as determined by said county, and be it

FURTHER RESOLVED, that any county who does not currently have authority to increase their sales tax over three (3) percent be allowed to do so by local law, or resolution, and be it

FURTHER RESOLVED, that Broome County supports an amendment to Section 1210 of the State Tax Law as follows:

"NOTWITHSTANDING any other provision of law, any county currently authorized and empowered to adopt a sales tax in excess of three (3) percent as provided for herein, may by local law or resolution, re-impose and distribute said amounts in the same manner as currently provided for by law for a period of time as said local law, or resolution may provide.

ANY county not previously authorized and empowered to impose a sales tax up to four (4) percent is hereby authorized and empowered to adopt a local law, or resolution to increase its sales tax in increments of one-quarter percent up to a maximum of four (4) percent.

NOTWITHSTANDING the foregoing, any county may by local law or resolution reduce their sales tax by increments of one-quarter percent", and be it

FURTHER RESOLVED, that Broome County does hereby request that the State

of New York amend Section 1210 of the New York State Tax Law as provided above, and be it

FURTHER RESOLVED, that Broome County supports amendment to any current State Law which may be required to give full force and effect to this resolution and the specified amendment to Section 1210 of the State Tax Law, and be it

FURTHER RESOLVED, that certified copies of this resolution be sent to the New York State Association of Counties, the Governor, and the State Legislature.

Heldover under the 'Rules' by Mr. Schofield.

RESOLUTION NO. 89

by TRANSPORTATION AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FROM NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR UNDERGROUND STORAGE TANK REMEDIATION.

WHEREAS, the New York State Department of Transportation has advised Broome County that \$15,000 is available to fund a portion of the cost of remediation of leaking underground storage tanks at the transit facility on Old Mill Road, Town of Vestal, and

WHEREAS, authorization of this County Legislature is necessary in order to enter into a grant agreement with New York State, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,000 from the New York State Department of Transportation for underground storage tank remediation (PIN 9820.31), and be it

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

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

Carried.

RESOLUTION NO. 90

by TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr.

Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FROM NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR REPLACEMENT COST OF SEVENTEEN BUSES.

WHEREAS, the New York State Department of Transportation has advised Broome County that \$391,000 is available to fund a portion of the cost of replacing seventeen buses for the Broome County Public Transportation Department and

WHEREAS, authorization is necessary in order to enter into a grant agreement with New York State, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$391,000 from the New York State Department of Transportation for the replacement of seventeen buses (PIN 9820.30), and be it

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

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

Carried.

RESOLUTION NO. 91

by FINANCE, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, HEALTH SERVICES, PUBLIC WORKS, AND PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING TRANSFER OF 1994 FUNDS FOR THE DEPARTMENTS OF COUNTY CLERK/DMV, WILLOW POINT NURSING FACILITY, PERSONNEL, HEALTH, PUBLIC WORKS, EMERGENCY SERVICES, LAW AND ELECTIONS.

RESOLVED, that in accordance with a request from the Department of County Clerk/DMV, in order to provide disbursement of health insurance benefits to various miscellaneous accounts as none of the part-time employees paid by the 826 grant chose a health insurance benefit, as requested by BT# 4661, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	300053	8060	102826	Health Insurance	\$7,860
TO :	300053	4311	102826	Books & Subscriptions	\$ 200
	300053	4319	102826	Office Supplies	3,000
	300053	2850	102826	Computer Equipment	4,000

300053 4462 102826 Travel 660

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, in order to provide funds for increased part-time, overtime, and temporary nursing services due to unfilled full-time positions as requested by BT# 8240, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	160085	1000	204000	Salaries, Full-Time	\$14,060
TO :	160028	1000	204000	Salaries, Full-Time	\$ 2,650
	160010	1700	204000	Salaries, Overtime	120
	160028	1500	204000	Salaries, Part-Time	300
	160028	1700	204000	Salaries, Overtime	470
	160036	1000	204000	Salaries, Full-Time	750
	160077	1000	204000	Salaries, Full-Time	8,810
	160077	1500	204000	Salaries, Part-Time	190
	160085	4901	204000	Nursing Services, LPN	600
	160150	1000	204000	Salaries, Full-Time	170

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, in order to provide funds for appropriations for overexpended lines, as requested by BT# 8241 and BT# 8242, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	160085	8040	204000	Workers Compensation	460
	160085	8070	204000	Unemployment Insurance	1,800
	160085	8060	204000	Health Insurance	3,600
	160085	8030	204000	Social Security	620
TO :	160226	8040	204000	Workers Compensation	40
	160036	8040	204000	Workers Compensation	40
	160317	8040	204000	Workers Compensation	10
	160184	8040	204000	Workers Compensation	170
	160176	8040	204000	Workers Compensation	100

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160077	8040	204000	Workers Compensation	100
160127	8070	204000	Unemployment Insurance	1,800
160234	8060	204000	Health Insurance	800
160010	8060	204000	Health Insurance	1,200
160184	8060	204000	Health Insurance	1,600
160010	8030	204000	Social Security	100
160036	8030	204000	Social Security	20
160077	8030	204000	Social Security	500

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Personnel, in order to provide funds for October, November and December telephone charges and temporary and part-time salaries due to full-time vacancies, as requested by BT# 8589, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	400002	1000	101000	Salaries, Full-Time	\$6,467
TO :	400002	4606	101000	Telephone Account	\$ 700
	400002	1600	101000	Salaries - Temporary	\$ 787
	480002	1500	101000	Salaries - Part-time	4,980

and be it

FURTHER RESOLVED, that in accordance with a request from Department of Health, in order to provide funds for expenses associated with the search for a new Health Director, part-time salaries due to full-time vacancies, and lease-related expenses, as requested by BT# 7865 and BT# 7866, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	480012	1000	101000	Salaries, Full-Time	\$15,000
	480012	1500	101000	Salaries, Part-Time	3,630
	480046	2110	101000	Office Machines	671
TO :	480012	4311	101000	Books and Subscriptions	\$ 117
	480012	4418	101000	Dues and Memberships	96
	480012	4448	101000	Advertising and Promo.	2,319
	480012	4462	101000	Travel, Hotel, Meals	208
	480012	4465	101000	Non-Employee Travel	1,512
	480046	1500	101000	Salaries, Part-Time	1,011

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480046	4347	101000	Gas, Oil	50
480046	4359	101000	Computer Software	245
480046	4419	101000	General Office	178
480046	4427	101000	Electric Current	6,000
480046	4428	101000	Taxes	7,000
480046	4429	101000	Bldg. and Grounds	550
480046	4466	101000	Advisory Board Expense	15

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Public Works/Building and Grounds, in order to provide funds for coverage out of normal hours, as requested by BT# 7980, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	030031	1910	101000	Out of Title Pay	\$ 350
	030031	1700	101000	Salaries, Overtime	\$ 300

TO :030031 1900 101000 Salaries, Shift Diff. \$ 650

and be it

FURTHER RESOLVED, that in accordance with a request from Department of Public Works/Dog Shelter, in order to provide funds for overtime due to vacancies, as requested by BT# 8275, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	031476	1000	101000	Salaries, Full-Time	\$ 3,000
TO :	031476	1700	101000	Salaries, Overtime	\$ 3,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Public Works/Building and Grounds, in order to provide funds for under-appropriated lines and unanticipated costs associated with opening of the State Office Building, as requested by BT# 8268, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	900084	4752	101000	Contingency Account	\$25,000
TO :	030031	4427	101000	Electric Current	\$12,000
	030049	4323	101000	Building Maint. Supplies	\$13,000

and be it

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FURTHER RESOLVED, that in accordance with a request from the Department of Public Works/Security, in order to provide funds overtime and shift differential due to vacancies, as requested by BT# 8272, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	030080	1500	101000	Salaries, Part-Time	\$ 8,300
TO :	030080	1700	101000	Salaries, Overtime	\$ 8,000
	030080	1900	101000	Salaries, Shift Diff.	\$ 300

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Emergency Services, in order to provide funds for temporary salaries and standby pay due to the large number of weather related emergency situations during 1994, as requested by BT# 5676, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	460006	1000	101000	Salaries, Full-Time	\$ 372
	460006	1700	101000	Salaries, Overtime	1,286
	460006	1900	101000	Salaries, Shift Diff.	506
	460006	2850	101000	Computer Hardware	949
	460006	4419	101000	General Office Expense	1,090
	460006	4449	101000	Other Operating Expense	2,238
	460006	4463	101000	Education and Training	2,354
	460006	8070	101000	Unemployment Insurance	4,005
TO :	460006	1600	101000	Salaries, Temporary	\$12,650
	460006	1930	101000	Standby Pay	150

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Law, in order to provide funds for unanticipated expenses caused by staff turnover, as requested by BT# 8588, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	390005	2120	101000	Office Furniture	\$ 832

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390005	4359	101000	Software and Supplies	50
390005	1600	101000	Salaries, Temporary	1,175
390005	8030	101000	Social Security	1,300

TO :	390005	1500	101000	Salaries, Part-Time	\$ 330
	390005	8040	101000	Workers Compensation	74
	390005	8060	101000	Health Insurance	2,953

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Elections, in order to provide funds for health insurance due to retirement and status changes, and for overtime due to vacancies and staff turnover, as requested by BT# 6726, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	410001	8070	101000	Unemployment Insurance	\$10,302
	410001	1600	101000	Salaries, Temporary	3,691
TO:	410001	8060	101000	Health Insurance	\$10,537
	410001	1700	101000	Salaries, Over-time	3,456

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

RESOLUTION NO. 92

by EDUCATION, CULTURE & RECREATION COMMITTEE

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY VETERANS MEMORIAL ARENA BOARD OF DIRECTORS.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article XXIV, Section 2408 of the Broome County Charter & Code, and Resolution No. 129, adopted May 16, 1972, and amended by Resolution 364, adopted December 19, 1972 and Resolution No. 446, adopted December 30, 1974, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Veterans Memorial Arena Board of Directors for the terms indicated:

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<u>NAME</u>	<u>TERM EXPIRING</u>
Richard C. Lewis 16 Edgebrook Road Binghamton, NY 13903	Reappointment Term expires 12/31/97
Diane Precopio 37 Matthews Street Binghamton, NY 13905	Reappointment Term expires 12/31/97
Joseph Ciotoli 1015 Park Hill Drive Endwell, NY 13760	Reappointment Term expires 12/31/97
John Kuzma 8 West End Avenue Binghamton, NY 13905	Reappointment Term expires 12/31/97
John M. Humphreys, Jr. 1402 Reynolds Court Hawleyton Binghamton, NY 13903	Reappointment Term expires 12/31/97
Anthony J. Quagliata 1208 Vestal Avenue Binghamton, NY 13903	New appointment Term expires 12/31/97
Gerald B. Lynch 17 Arthur Street Binghamton, NY 13905	New appointment Term expires 12/31/97
Joseph Testani 1297 Chenango Street Hillcrest Binghamton, NY 13901	New appointment Term expires 12/31/97
Martin Margherio 32 Lincoln Avenue Binghamton, NY 13905	New appointment Term expires 12/31/97

Joel Thirer 813 Overbrook Drive Vestal, NY 13850	New appointment Term expires 12/31/97
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Sally Hanifin 117 Helen Street Binghamton, NY 13905	New appointment Term expires 12/31/97
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and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XXIV, Section 2408 of the Broome County Charter & Code, and Resolution No. 129, adopted May 16, 1972, and amended by Resolution No. 364, adopted December 19, 1972 and Resolution No. 446, adopted December 30, 1974, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV, Section 2408 of the Broome County Charter & Code, and Resolution No. 129, adopted May 16, 1972, and amended by Resolution No. 364, adopted December 19, 1972 and Resolution No. 446, adopted December 30, 1974, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Veterans Memorial Arena Board of Directors in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 93

by COMMUNITY & SOCIAL SERVICES COMMITTEE

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE OFFICE FOR AGING ADVISORY COUNCIL

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 165, adopted June 5, 1973, and Resolution No. 397, adopted October 15, 1981, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Office for Aging Advisory Council for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Veronica O'Geen 151 Chapin Street Binghamton, NY 13905	Reappointment Term expires 12/31/97

Nancy Kumrow 36 Main Street Binghamton, NY 13901	Reappointment Term expires 12/31/97
William White 13 Bobolink Court Deposit, NY 13754	New appointment Term expires 12/31/97
Lee Sampson 525 Winston Drive Endwell, NY 13760	New appointment Term expires 12/31/97
Esther Sabol 39 Sunrise Drive Binghamton, NY 13905	New appointment Term expires 12/31/97

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 165, adopted June 5, 1973, and Resolution No. 397, adopted October 15, 1981, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 165, adopted June 5, 1973, and Resolution No. 397, adopted October 15, 1981, does hereby confirm the appointments of the above-named individuals to membership on the Office for Aging Advisory Council in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 94

by HEALTH SERVICES COMMITTEE

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY NURSING FACILITY BOARD OF DIRECTORS.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article III of the Broome County Charter and reestablished by Resolution No. 233 (Local Law No. 10), adopted June 22, 1983, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Nursing Facility Board of Directors for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Dr. James Woodruff 28 Clifton Boulevard Binghamton, NY 13903	New appointment Term expires 12/31/97
Anne Boice 200 Rano Boulevard Vestal, NY 13850	New appointment Term expires 12/31/97

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article III of the Broome County Charter and reestablished by Resolution No. 233 (Local Law No. 10), adopted June 22, 1983, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article III of the Broome County Charter and reestablished by Resolution No. 233 (Local Law No. 10), adopted June 22, 1983, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Nursing Facility Board of Directors in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 95

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON CONSUMER SERVICES ADVISORY BOARD.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 340, adopted October 22, 1980, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Consumer Services Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Robert Holbert 129 Academy Street Johnson City, NY 13790	Reappointment Term expires 12/31/95
John Pittelli	Reappointment

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300 Corliss Avenue
Johnson City, NY 13790 Term expires 12/31/95

Beccye Fawcett Reappointment
58 Moore Avenue
Binghamton, NY 13903 Term expires 12/31/95

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 340, adopted October 22, 1980, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 340, adopted October 22, 1980, does hereby confirm the appointments of the above-named individuals to membership on the Consumer Services Advisory Board in accordance with their appointment by the County Executive.

Heldover under the 'Rules' by Mrs. Hudak.

RESOLUTION NO. 96

by FINANCE COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING TRANSFER OF 1995 FUNDS FOR THE DEPARTMENT OF EMERGENCY SERVICES

RESOLVED, that in accordance with a request from the Department of Emergency Services, in order to provide funds for electricity at the former Chenango Bridge Nursing Home for the operation of an Emergency Services relay tower, as requested by BT# 8338, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	900084	4752	101000	Contingent Account	\$ 1,500
TO :	900183	4427	101000	Electric Current	\$1,500

Carried.

RESOLUTION NO. 97

by PERSONNEL, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING AND HEALTH SERVICES COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AMENDMENT TO A PERSONNEL CHANGE AND A PERSONNEL CHANGE REQUEST FOR DEPARTMENTS OF COMPUTER SERVICES AND HEALTH/CLINICS RESPECTIVELY.

RESOLVED, that in accordance with a request from the Department of Computer Services, in order to provide continuous employment for a current employee, this County Legislature hereby authorizes the amendment of Resolution No. 94-679 to change the effective date on PCR # 95-66 from January 3, 1995 to January 1, 1995, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health/Clinics, as contained in PCR# 95-122, this County Legislature hereby authorizes the reclassification of one (1) full-time Receptionist Typist position at budget line A480228.1000, minimum salary \$13,098, Grade 06, Union Code 04 (CSEA) to one (1) full-time Account Clerk Typist position at budget line A480228.1000, minimum salary \$13,820, Grade 07, Union Code 04 (CSEA) effective February 27, 1995.

Carried.

RESOLUTION NO. 98

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF COORDINATED CHILDREN'S SERVICES INITIATIVE GRANT, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC CHARITIES TO FACILITATE THIS PROGRAM FOR 1995.

WHEREAS, This County Legislature, by Resolution 80 of 1994, authorized and approved acceptance of a Coordinated Children's Services Initiative Grant in the amount of \$65,000.00 for the period March 1, 1994 through February 28, 1995, and an agreement with Catholic Charities to implement this program, and

WHEREAS, said grant program provides a collaborative system of services designed to reduce the residential placement of children, and

WHEREAS, said grant program is set to expire on February 28, 1995, and

WHEREAS, it is desired to renew said grant program and the agreement with Catholic Charities to facilitate this program for the period March 1, 1995 through September 30, 1995 in the amount of \$42,500.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$42,500.00 from the New York State Office of Mental Health for the period March 1, 1995 through September 30, 1995, and be it

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FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$42,500.00 for the period March 1, 1995 through September 30, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905 for services under the Coordinated Children's Services Initiative Grant project for the period March 1, 1995 through September 30, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$42,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670430.4457.102000 (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, and be it

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

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

Carried.

RESOLUTION NO. 99

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT and PLANNING COMMITTEE

Seconded by Mr. Howard

RESOLUTION REQUESTING THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY RENEGOTIATE ITS LOAN AGREEMENT REGARDING THE FINANCING OF THE BROOME CORPORATE PARK.

WHEREAS, this County Legislature since 1987 has authorized agreements with the Broome County Industrial Development Agency (IDA) to loan funds to the IDA to pay expenses associated with land acquisition and development costs at the Broome Corporate Park, and

WHEREAS, the agreement does not require repayment to the County unless revenues from the sale of land at the Corporate Park exceed park expenses, and

WHEREAS, the County has loaned the IDA to date \$1,332,910 for the development of the Corporate Park, and

WHEREAS, this Legislature would request that the IDA enter into discussions to renegotiate the repayment terms of these loan agreements, now, therefore, be it

RESOLVED, that this County Legislature requests that the IDA enter into discussions with the County to renegotiate the repayment terms of the Broome Corporate Park Financing Loans, and be it

FURTHER RESOLVED, that the Clerk of the Legislature forward a copy of this resolution to the IDA.

Carried.

RESOLUTION NO. 100

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF 1995 DESK DIRECTORIES FOR BROOME COUNTY FROM ELECTRICAL WORKERS, IBEW LOCAL #325 AND PLUMBERS & PIPEFITTERS LOCAL #112

WHEREAS, the Legislative Clerk requests authorization for acceptance of 400 desk directories valued at \$300 from the Electrical Workers, IBEW Local #325, 24 Emma Street, Binghamton, NY 13905 and the Plumbers & Pipefitters Local #112, 11 Griswold Street, Binghamton NY 13904 to be used for the specific purpose of providing reference material to the various departments of Broome County Government and interested citizens, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a gift of 400 Desk Directories values at \$300 for the purpose of providing a reference guide to the various departments of Broome County Government and interested citizens through the Office of the Clerk of the Legislature, 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.

RESOLUTION NO. 101

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

WHEREAS, Arthur J. Shafer, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Resolution No. 78, adopted March 4, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Industrial Development Agency Board of Directors for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>	<u>NAME</u>	<u>TERM EXPIRING</u>
George Akel, Jr. 2165 E. Hamton Road Binghamton, NY 13903	Dec. 31, 1996	Nelson VanAtta 43 Crestmont Road Binghamton, NY 13903	Dec. 31, 1996
Douglas M. McMaster Rudd Road, RD 1, Box 1375 Windsor, NY 13865	Dec. 31, 1996	Lynn L. Sweetland 925 Byford Boulevard Endwell, NY 13760	Dec. 31, 1996
Salvatore J. Alberti 831 Skyline Drive Endwell, NY 13760	Dec. 31, 1996	Sharon Witte 201 Evergreen St.-Apt.72D Vestal, NY 13850	Dec. 31, 1996
Peter N. Hankin 174 Brown Road Vestal, NY 13850	Dec. 31, 1996	Wayne L. Howard Old Route 7 - P.O.Box 9 Port Crane, NY 13833	Dec. 31, 1996

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 78, adopted March 24, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 78, adopted March 24, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, does hereby confirm the appointments of the above-mentioned individuals to membership on the Broome County Industrial Development Agency Board of Directors in accordance with their appointments by the Legislative Chairman.

Heldover under the 'Rules' by Mr. Cahill.

RESOLUTION NO. 102

by ENVIRONMENT COMMITTEE

Seconded by Mr. Howard

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY AGRICULTURAL AND FARM LAND PROTECTION BOARD

WHEREAS, Arthur J. Shafer, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Article 25AAA of the Agriculture and Markets Law, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Agricultural and Farm Land Protection Board:

NAME & ADDRESS

TERM EXPIRES

Dewey A. Decker
123 NYS Route 41
Windsor, NY 13865

December 31, 1998
Active Farmer
(Reappointment/4 yr. term)

Glen S. Winsor
3016 NYS Route 79
Harpurville, NY 13787

December 31, 1998
Active Farmer
(Reappointment/4 yr. term)

William H. Miller
178 Main St.
Windsor, NY 13865
and

December 31, 1998

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article 25AAA of the Agriculture and Markets Law, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article 25AAA of the Agriculture and Markets Law, does hereby confirm the appointment of the above-named individuals to membership on the Broome County Agricultural and Farm Land Protection Board in accordance with their appointment by the Chairman of the Broome County Legislature.

Carried.

RESOLUTION NO. 103

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by PUBLIC SAFETY & EMERGENCY SERVICES, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEES

Seconded by Mr. Howard

RESOLUTION APPROVING AND CONFIRMING THE APPOINTMENT OF GLEN WOOD TO ACCORD, A CENTER FOR DISPUTE RESOLUTION, INC.

WHEREAS, there has been created in Broome County a not-for-profit corporation known as ACCORD, A CENTER FOR DISPUTE RESOLUTION, INC., of which one member of their Board of Directors is appointed by the Chair of the County Legislature, per the provision of Resolution #469 of 1982, and

WHEREAS, the Chair's appointee, Thomas Jablonowski has resigned from said Board of Directors and the Chair has now recommended and appointed Glen Wood, 20 Sunrise, Drive, Binghamton, NY 13905 for the balance of the term set to expire on March 31, 1997, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and confirms the appointment by the Chair of the County Legislature of Glen Wood to membership on the Board of Directors of ACCORD, A CENTER FOR DISPUTE RESOLUTION, INC., for a term expiring on March 31, 1997.

Carried.

RESOLUTION NO. 104

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Hull

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH RUTH DAVIS FOR INTERIM ADMINISTRATOR SERVICES FOR WILLOW POINT NURSING FACILITY FOR 1995.

WHEREAS, this County Legislature by Resolution 694 of 1994, authorized an agreement with Ruth Davis as interim administrator for Willow Point Nursing Facility from January 1, 1995 until March 1, 1995 at a cost of \$50.00 per hour for 30 hours per week; and

WHEREAS, said services are necessary as Section 415.26(A)(3) of Codes, Rules and Regulations of New York State requires that Willow Point Nursing Facility have a licensed nursing home administrator on site for a minimum of 12 hours per week, and

WHEREAS, said agreement expires by its terms on February 28, 1995, and it is desired at this time to renew said agreement until March 20, 1995 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the

agreement with Ruth Davis, 628 Rano Blvd., Vestal, New York 13850, to serve as interim administrator for the Willow Point Nursing Facility until March 30, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$50.00 per hour for 30 hours per week for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160028.4747.204000 (Other Professional Services), and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Facility, in order to provide funds for an interim administrator, as requested by BT# 8721, this County Legislature authorizes the Commissioner of Finance to transfer an amount not to exceed \$19,500.00 from budget line 160028.1000.204000 (Salaries-Full Time) to budget line 160028.4747.204000 (Other Professional Services), and be it

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

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

RESOLUTION NO. 105

by ALL MEMBERS

RESOLUTION OF APPRECIATION FROM BROOME COUNTY TO THE GOVERNOR OF THE STATE OF NEW YORK AND SENATOR THOMAS LIBOUS WITH REGARD TO RELOCATION OF STATE JOBS TO THE VACANT IBM GLENDALE CAMPUS

WHEREAS, Governor George E. Pataki today announced that up to 1500 state jobs will move to the vacant IBM Glendale campus in the Town of Union this fall, and

WHEREAS, the State will purchase approximately 325,000 square feet at the Glendale complex for the purpose of consolidating about three dozen scattered state offices, saving state taxpayers about \$50,000,000 per year, and

WHEREAS, this announcement is extremely good news for Broome County in that the creation of these jobs will assist in the renewal of this community's economy, and

WHEREAS, the Broome County Legislature recognizes the hard work and diligent efforts of State Senator Thomas W. Libous for the promotion of this project, now, therefore, be it

RESOLVED, that the Broome County Legislature formally expresses its appreciation to the Governor, Senator Libous, our State representatives and to the New York State Office of General Services for their recognition of Broome County as the

host community for this governmental consolidation project.

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

Mr. Howard moved, seconded by Mr. Kavulich to adjourn @ 5:54 P.M.

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