

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
OCTOBER 19, 1995**

The Legislature convened at 4:07 P.M. with a call to order by the Chair, Arthur J. Shafer. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll: Present - 18, Absent - 1 (Mrs. Hudak)

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. Miller moved, seconded by Mr. Pasquale that the minutes of the September 21, 1995 Regular Session, the October 2, 1995 Special Session and the October 2, 1995 Regular Session be approved as prepared and presented by the Clerk. **Carried.** Ayes-18, Absent-1 (Hudak)

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 B. Mather, D. Lindsey, M. Whalen to Broome County Fire Advisory Board.
- 2.Copy of 1996 Broome County Budget Message and Proposed 6-year Capital Plan.

PRESENTATION OF COMMUNICATIONS, NOTICES & REPORTS:

COMMUNICATIONS:

- 1.Broome Community College: Budget Transfers and Above Minimum Hires (July and August 1995).
- 2.Department of Audit and Control: Payroll Audits (General Services, Security, Highway and Machinery including Fleet, Public Health, Sheriff's Department Law Enforcement Academy).
- 3.1994 Annual Report: Department of Social Services.
- 4.Board of Elections: Official results of 1995 Primary Election in Broome Co.
- 5.Office of the New York State Comptroller: Report of Examination (fiscal affairs of Broome County).
- 6.1996 Broome Medicaid Budget Projection.
- 7.Department of Public Works: 1995 Annual Report to the Department of Transportation.

REPORTS:

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1. Bond Anticipation Note Certificate dated September 20, 1995.
2. Letter from John M. Kunzman (Pine Valley Campground) suggesting increase to camping fees at County Parks.
3. Minutes from:
 - a. Willow Point Nursing Facility
 - b. Broome-Tioga-Tompkins Private Industry Council
 - c. Association of Towns and Villages
 - d. Cornell Cooperative Extension
 - e. Public Library
 - f. Environmental Management Council
 - g. Soil and Water Conservation District
 - h. EMC's Natural Resources Committee
 - i. Safety and Security Committee (County Office Building)
 - j. Board of Ethics
 - k. Industrial Development Agency (minutes and other information)
4. Resolutions from:
 - a. Town of Nanticoke (Directing Broome County to pay Sales Tax directly to Town).
 - b. Putnam County (Memorializing State Legislature to require Health Insurance Benefits for Lyme Disease Treatment).
5. Letter from State Department of Agriculture and Markets acknowledging receipt of required materials (Agricultural District #3).
6. Letters encouraging building a drag strip near Edwin A. Link field.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Arthur J. Shafer:

1. Appointing James L. Holley as voting representative for Patrick F. O'Day, Community and Social Services Committee, October 10, 1995.
2. Appointing the following as voting representatives for John E. Cahill: William H. Miller, Personnel Committee and Jane R. Sweet, Environment Committee, October 11, 1995.

The Legislature joined the Broome County Soil & Water Conservation District in recognizing the community spirit, the talent and the state award given to Ms. Jamie Gentile of Kirkwood, NY and Ms. Jessica Lynn Ely of Endicott. Both students had entered the 'Ronny Raindrop Coloring Contest' at the NYS Fair and were first place winners in their respective age group.

Mr. Cahill moved, seconded by Mr. Whalen to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the Journal of Proceedings and to publish pertinent portions of said reports as may be directed by the Chair. **Carried.** Ayes-18, Absent-1 (Hudak)

Several resolutions were taken out of order, however, for the sake of clarity, all resolutions are presented in numerical order. Mr. Lindsey and Mr. Pasquale were designated by the Chair as participants in the 'short roll call' for the session. Mr. Howard seconded the preferred agenda.

Prior to consideration of resolutions, Mr. Augostini moved, seconded by Mr. Whalen that the Legislature **override** the County Executive's Veto of Permanent **RESOLUTION # 95-393: RESOLUTION REQUIRING THAT ALL FUTURE EMPLOYEES OF BROOME COUNTY BE RESIDENTS OF BROOME COUNTY.**

This resolution had been vetoed by the county Executive on September 28, 1995, following passage by the Legislature on September 21, 1995.

FROM THE COUNTY CHARTER: § A207. Veto. [Amended 8-16-1977 by LL No. 5-1977] The County Legislature, within forty-five (45) days after its return to the Clerk, may, by a three-fifths vote of the whole number of its members (12 votes), override such veto. Only one (1) vote shall be had to override such veto, which shall be taken by roll call and entered in the journal.

Mr. Cahill moved, seconded by Mr. Schofield to **call the question** on the veto override vote. The call of the question **carried.** Ayes-18, Absent-1 (Hudak)
The override **lost**, requiring 12 votes to be successful.
Ayes-10 Augostini, Cahill, Howard, Hull, Lindsey, Mather, O'Day, Sweet, Whalen & Shafer
Nays-8 Burger, Coffey, Holley, Kavulich, Miller, Pasquale, Schofield & Wike
Absent-1 Hudak

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 439

by HEALTH SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FREDERICK JOHNSON, D.D.S., FOR DENTAL SUPERVISION AND

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SCREENING SERVICES IN CONNECTION WITH THE BROOME COUNTY HEALTH DEPARTMENT DENTAL SEALANT GRANT PROJECT FOR 1995 THROUGH 1996.

WHEREAS, this County Legislature, by Resolution 94-37, authorized an agreement with Frederick Johnson, D.D.S., for dental supervision, direction of dental hygienist, and screening services for the Broome County Health Department Dental Sealant Project Grant for the period October 1, 1994 through September 30, 1995 at a cost of \$270 per month, total cost not to exceed \$2,700.00 for the term of the agreement, and

WHEREAS, it is desired to renew said agreement for the period November 6, 1995 through September 30, 1996 in order to provide dental supervision, direction of dental hygienist, and screening services for the Broome County Health Department Dental Sealant Grant operated during the school year for children of low socio-economic status, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Frederick Johnson, D.D.S., Broome Community College Dental Hygiene Clinic, PO Box 1077, Binghamton, New York 13902 for dental supervision, direction of dental hygienist, and screening services in connection with the Broome County Health Department Dental Sealant Project grant for the period November 6, 1995 through September 30, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Dr. Johnson \$270.00 per month for 10 months of the school year, total cost not to exceed \$2,700.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480210.4715.102000 (Other Health and Medical 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, Absent-1 (Hudak)

RESOLUTION NO. 440

by TRANSPORTATION AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENT WITH USAIR FOR STORAGE SPACE AT THE BINGHAMTON REGIONAL AIRPORT ON AN ANNUAL BASIS.

WHEREAS, the Department of Aviation requests authorization for an agreement

with USAir for the storage of snow and support equipment at Binghamton Regional Airport with revenue to the County of \$5,291.00 per year, and

WHEREAS, said agreement will provide revenue to Broome County, and the Airport has space available for lease, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with USAir, Crystal Park Four, 2345 Crystal Drive, Arlington, Virginia, 22227, for approximately 1,100 square feet of storage space for the storage of snow and support equipment in the Binghamton Regional Airport airport freight building, and be it

FURTHER RESOLVED, that in consideration of said storage space, USAir shall pay Broome County \$5,291.00 per year, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 210112.0120.207000 (Freight Building Rental), and be it

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

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

RESOLUTION NO. 441

by TRANSPORTATION COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN EASEMENT WITH NEW YORK STATE ELECTRIC AND GAS CORPORATION AT THE BINGHAMTON REGIONAL AIRPORT.

WHEREAS, the Department of Aviation requests authorization to grant an agreement to New York State Electric and Gas Corporation for the purpose of relocating an existing guying wire in order to facilitate construction of a fire access road near Runway 34 at the Binghamton Regional Airport, at no cost to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the granting of a guying easement to New York State Electric and Gas Corporation, 4425 Old Vestal Road, P.O. Box 3607, Binghamton, New York, 13902, at no cost to Broome County, and be it

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

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

RESOLUTION NO. 442

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

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENT WITH ATLANTIC WEST SERVICES, INC. FOR PURCHASE OF CUSTOMIZED AS/400 SOFTWARE FOR THE HOME HEALTH SERVICES DIVISION OF THE HEALTH DEPARTMENT FOR 1995 THROUGH 1996.

WHEREAS, the Director of the Division of Computer Services requests authorization for an agreement with Atlantic West Services, Inc., for the purchase of customized AS/400 software for the Home Health Services Division of the Health Department for the period November 1, 1995, through December 31, 1996, at a cost not to exceed \$70,000.00, and

WHEREAS, said services include a patient management system, scheduling module, and Electronic Claims for Medicaid and Medicare modules, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Atlantic West Services, Inc., One Highland Square, 20 Highland Park Drive, Uniontown, Pennsylvania, 15401, for purchase of customized AS/400 software for the Home Health Services Division of the Health Department, for the period November 1, 1995, through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$70,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4359.501303 (Computer Software & Supplies), 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, Absent-1 (Hudak)

RESOLUTION NO. 443

by PUBLIC WORKS AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENT WITH SWK PAVEMENT ENGINEERING, INC., FOR PAVEMENT STRUCTURE TESTING ON OLD VESTAL ROAD IN THE TOWN OF VESTAL FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1995.

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with SWK Pavement Engineering, Inc., for nondestructive testing of the pavement structure on Old Vestal Road, between Route 434 and Route 201 in the Town of Vestal, at a cost not to exceed \$3,908.39, for 1995, and

WHEREAS, such testing will determine the condition of the existing pavement, sub-base and sub-grade in order to recommend alternative rehabilitation measures for this portion of the road, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with SWK Pavement Engineering, Inc., P.O. Box 211, Millington, New Jersey, 07946, for nondestructive testing of the pavement structure on Old Vestal Road between Route 434 and Route 201 in the Town of Vestal, for the period from October 20, 1995, through December 19, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,908.39 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035030.2013.501294 (Roads), 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, Absent-1 (Hudak)

RESOLUTION NO. 444

by PUBLIC WORKS AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH O'BRIEN & GERE TECHNICAL SERVICES, INC., FOR THE DEPARTMENT OF PUBLIC WORKS FOR ADDITIONAL TECHNICAL SERVICES FOR BROOME COUNTY HIGHWAY GARAGE SEWER UPGRADE FOR 1995 AND 1996.

WHEREAS, this County Legislature, by Resolution 240 of 1994, authorized an agreement with OBG Technical Services, Inc., for professional services in connection

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with the Highway Garage Sewage Upgrade Project for the period June 1, 1994, through August 1, 1995, at a cost not to exceed \$120,024.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement for additional work necessary for extra design, inspection and administration services relating to the existing contract and for groundwater monitoring wells now required by the United States Environmental Protection Agency, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with O'Brien & Gere Technical Services, Inc., 441 Commerce Road, Vestal, New York, 13850, for additional professional services for the Broome County Highway Garage Sewage Upgrade Project for the period August 1, 1995, through May 30, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$85,409.00, total amount under said Agreement not to exceed \$205,433.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035121.4746.501317 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 240 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, Absent-1 (Hudak)

RESOLUTION NO. 445

by PUBLIC WORKS AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC., FOR CONSULTANT ENGINEERING SERVICES FOR WILLOW POINT NURSING FACILITY ASBESTOS REMOVAL FOR 1995 AND 1996.

WHEREAS, this County Legislature, by Resolution 239 of 1995, authorized an amendment of an agreement with O'Brien & Gere Engineers, Inc., for consultant engineering services for Willow Point Nursing Facility's Asbestos Removal, at a total

cost not to exceed \$240,035.00, for a term ending on September 30, 1995, and

WHEREAS, it is necessary to authorize an amendment of said agreement for professional services necessary for another phase of asbestos remediation of the facility, including site analysis, design development, construction documents, bidding, and air monitoring assistance (Phase III, Part A), and to extend the term of the agreement, and

WHEREAS, the total cost of Phase III, Part A, is \$53,137.00, and

WHEREAS, an estimated amount of \$20,000.00 is available from funds previously authorized for said agreement for Phases I and II, and

WHEREAS, an additional amount of \$33,137.00 is required to be authorized for Phase III, Part A, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York, 13850, for engineering consulting services in connection with Willow Point Nursing Facility Asbestos Removal, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$33,137.00, total compensation not to exceed \$273,172.00, and be it

FURTHER RESOLVED, the time for completion of said contract shall be revised from September 30, 1995, to June 30, 1996, and be it

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

FURTHER RESOLVED, that Resolution 239 of 1995, 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, Absent-1 (Hudak)

RESOLUTION NO. 446

by PUBLIC WORKS AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CLOUGH, HARBOUR & ASSOCIATES FOR THE DEPARTMENT OF PUBLIC WORKS FOR BUILDING PERMIT REVIEW AND PERMIT INSPECTION SERVICES FOR 1995 AND 1996.

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WHEREAS, this County Legislature, by Resolution 615 of 1993, authorized an agreement with Clough, Harbour & Associates for engineering services for project code review, administration and code compliance inspection, at an annual cost not to exceed \$75,000.00 for 1994, and

WHEREAS, said services are necessary to enforce the provisions of Local Law No. 11 of 1992, establishing the procedures for local enforcement of the Uniform Fire Prevention and Building Code, and

WHEREAS, it is desired at this time to renew said agreement for calendar years 1995 and 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Clough, Harbour & Associates for engineering services for project code review, administration and code compliance inspection, for the period January 1, 1995, through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor not to exceed \$75,000.00 per year, total cost not to exceed \$150,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the appropriate capital and operating budget lines for the departments or projects for which the services are required, 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, Absent-1 (Hudak)

RESOLUTION NO. 447

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF BINGHAMTON UNIVERSITY MASTERS DEGREE PROGRAM GRANT FOR 1995 TO 1996.

WHEREAS, this County Legislature, by Resolution 529 of 1994, authorized and approved the Masters Degree/Binghamton University Program grant for the Department of Social Services in the amount of \$42,989 for the period August 23, 1994 through August 22, 1995, and

WHEREAS, said grant program provides for selected Department of Social Services employees to enroll on a part-time basis in the Master of Arts in Public Policy Analysis and Administration (MAPPAA) Program at Binghamton University, and

WHEREAS, said program is funded by State grant funds at no cost to Broome County, and

WHEREAS, it is desired to renew said grant program for the period August 23, 1995 through August 22, 1996, in the amount of \$66,656, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$66,656 from new York State Department of Social Services for the Masters Degree Program at Binghamton University for Department of Social Services employees for the period August 23, 1995 through August 22, 1996, 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 448

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE DEPARTMENT OF SOCIAL SERVICES HOME ENERGY ASSISTANCE PROGRAM (HEAP) AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.

WHEREAS, this County Legislature, by Resolution 471 of 1994, as amended by Resolution 124 of 1995, authorized and approved the Department of Social Services participation in the Home Energy Assistance Program (HEAP) for the period November 1, 1994 through November 15, 1995 and adopted a program budget in the amount of \$2,634,085.00, and

WHEREAS, it is desired to renew said grant program for the period November 1, 1995 through November 15, 1996 in the amount of \$133,470.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$133,470.00 from the New York State Department of Social Services for

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the period November 1, 1995 through November 15, 1996, 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 \$133,470.00 for the period November 1, 1995 through November 15, 1996, 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 449

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF BINGHAMTON UNIVERSITY BACHELOR OF ARTS DEGREE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1995 THROUGH 1996.

WHEREAS, this County Legislature, by Resolution 276 of 1995 authorized the acceptance of a Bachelor of Arts Degree Program Grant in the amount of \$37,332 for the period September 1, 1994 through August 31, 1995, by the Department of Social Services; and

WHEREAS, said grant program provides for selected Department of Social Services employees to enroll on a part-time basis in the Bachelor of Arts in Applied Social Sciences Program at Binghamton University, and

WHEREAS, it is desired to renew said grant program, at no cost to Broome County, for the period September 1, 1995 through August 31, 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$44,826 from New York State Department of Social Services for the Bachelor of Arts Degree Program at Binghamton University for the period September 1, 1995 through August 31, 1996, 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 \$44,826 for the period September 1, 1995 through August 31, 1996, 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.

Mr. Holley moved, seconded by Mr. Kavulich to amend the resolution to change the grant amount from \$44,826 to \$48,288, reflecting an increase in funding from the NYS Department of Social Services.

The amendment **carried**. Ayes-18, Absent-1 (Hudak)

The resolution as amended **carried**. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 450

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF BROOME COMMUNITY COLLEGE DEGREE PROGRAM GRANT FOR 1995 TO 1996.

WHEREAS, this County Legislature, by Resolution 194 of 1995, authorized the Commissioner of Social Services to accept an Associate Degree/Broome Community College Program Grant in the amount of \$36,130 for the period August 23, 1994 through August 22, 1995, and

WHEREAS, said grant program provides for selected Department of Social Services employees to enroll on a part time basis in Broome Community College's Mental Health or Accounting Programs, and

WHEREAS, it is desired to renew said grant program, at no cost to Broome County, for the period August 23, 1995 through August 22, 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$39,659 from New York State Department of Social Services for the

Associates Degree Program at Broome Community College for Department of Social Services employees for the period August 23, 1995 through August 22, 1996, 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 \$39,659 for the period August 23, 1995 through August 22, 1996, 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 451

by HEALTH SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE RESEARCH FOUNDATION, STATE UNIVERSITY OF NEW YORK, FOR THE DEPARTMENT OF MENTAL HEALTH FOR 1995

WHEREAS, this County Legislature, by Resolution 105 of 1994, authorized an agreement with The Research Foundation, State University of New York for continuation of a graduate training program at a cost not to exceed \$14,000, and

WHEREAS, said agreement is sponsored by Broome County to provide graduate psychology students with clinical training in the Broome County community, and

WHEREAS, said agreement expired by its terms on December 31, 1994, and it is desired at this time to renew said agreement for the period September 1, 1995, through December 31, 1995, on substantially similar terms and conditions, with an increase in monthly cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with The Research Foundation, State University of New York, Office of Research and Sponsored Programs, P.O. Box 6000, Binghamton, New York, 13902 for the Department of Mental Health for the period September 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 \$5,345.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for 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, Absent-1 (Hudak)

RESOLUTION NO. 452

by HEALTH SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING PARTICIPATION BY THE WILLOW POINT NURSING FACILITY IN THE NURSING HOME CASE-MIX AND QUALITY DEMONSTRATION MEDICARE PROJECT FOR THE FULL PERIOD OF THE DEMONSTRATION PROJECT.

WHEREAS, the Administrator of the Willow Point Nursing Facility has requested that this County Legislature authorize Willow Point Nursing Facility to participate in the Nursing Home Case-Mix and Quality Demonstration Medicare Project, and

WHEREAS, the purpose of this demonstration is to attempt to improve quality of care, access of services and equity of the Medicare and Medicaid Program, and

WHEREAS, participation in this project is at no cost to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes participation by the Willow Point Nursing Facility in the Nursing Home Case-Mix and Quality Demonstration Medicare Project for a period from June 1, 1995, until completion of the demonstration 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-18, Absent-1 (Hudak)

RESOLUTION NO. 453

by HEALTH AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN INCREASE IN PRIVATE PAY RATES FOR PATIENTS AT WILLOW POINT NURSING FACILITY FOR 1996.

WHEREAS, the Board of Directors of Willow Point Nursing Facility recommends an increase in the private pay daily rate for nursing care at Willow Point Nursing Facility effective January 1, 1996, and

WHEREAS, this County Legislature by Resolution 350 of 1995, authorized an increase in the private pay daily rate and no adjustments have been made since that time, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an incase in the private pay daily rates at Willow Point Nursing Facility from \$145.00 per day and \$155.00 per day to \$160.00 per day effective January 1, 1996, and it is

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 it is

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

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

RESOLUTION NO. 454

by ENVIRONMENT AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JAMES AND MARY STEEN FOR A LEASE OF PROPERTY AT 1161 DUNHAM HILL ROAD, ADJACENT TO THE NANTICOKE LANDFILL FOR 1996.

WHEREAS, this County Legislature, by Resolution 94-484, authorized an agreement with James and Mary Steen to rent property owned by the County of Broome at 1161 Dunham Hill Road at an amount not to exceed \$325.00 per month, and

WHEREAS, said agreement expires by its terms on December 31, 1995, and it is desired at this time to renew said agreement on substantially similar terms and

conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with James and Mary Steen for the lease of real property at 1161 Dunham Hill Road for the period January 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said agreement, the Steen's shall pay the County an amount not to exceed \$325.00 per month for the term of this agreement, and be it

FURTHER RESOLVED, that should the Steen's lease a garage for storage, the rental paid to the County shall be increased by \$25.00 per month for a total rental of \$350.00 per month; and be it

FURTHER RESOLVED, that the payments hereinabove made shall be credited to budget line 230086.0187.206000 (Rental Income), 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, Absent-1 (Hudak)

RESOLUTION NO. 455

by ENVIRONMENT AND FINANCE COMMITTEES
Howard

Seconded by Mr.

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH STEARNS & WHELER ENVIRONMENTAL ENGINEERS AND SCIENTISTS, FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE CONSTRUCTION OF A LEACHATE TREATMENT FACILITY AT THE NANTICOKE LANDFILL.

WHEREAS, this County Legislature, by Resolution 361 of 1994, authorized an agreement with Stearns & Wheeler Environmental Engineers and Scientists for professional engineering services associated with the construction of a leachate treatment facility at the Nanticoke Landfill, at a cost not to exceed \$450,000.00, and,

WHEREAS, this County Legislature, by Resolution 209 of 1995, authorized an amendment to said agreement with Stearns & Wheeler Environmental Engineers and Scientists for construction review services associated with the construction of the Leachate Treatment Facility at the Nanticoke Landfill, at an additional cost of \$300,000.00, for a total contract amount of \$750,000.00, and

WHEREAS, it is necessary to authorize the further amendment of said agreement for the additional professional engineering services associated with the rebid of the general contract for construction of the Leachate Treatment Facility, and

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WHEREAS, the Director of Solid Waste Management has requested authorization for said amendments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheler Environmental Engineers and Scientists, One Remington Park Dr., Cazenovia, NY, 13035, for additional professional engineering services associated with the rebid of the general contract for construction of the Leachate Treatment Facility at the Nanticoke Landfill, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$2,400.00 for a total amount not to exceed under this contract \$752,400.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501282 (Contracted Services), and be it

FURTHER RESOLVED, that Resolutions 361 of 1994 and 209 of 1995, 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, Absent-1 (Hudak)

RESOLUTION NO. 456

by FINANCE COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION MAKING APPROPRIATIONS FOR THE CONDUCT OF THE BROOME COUNTY GOVERNMENT FOR FISCAL YEAR 1996

WHEREAS, this County Legislature, by an accompanying Resolution 95-457 of 1995, has adopted a budget for fiscal year 1996, now, therefore be it

RESOLVED, that the several amounts specified in such budget under the various categories and the various objects of expense in the 1996 tentative budget under the recommended column, unless a specific change or correction has been made in the same, in which case such change or corrected figure shall apply, shall be the amounts appropriated for such items, effective January 1, 1996, and be it

FURTHER RESOLVED, that the budget officer be and he hereby is authorized, empowered and directed to correct any modifications, changes, additions and/or typographic errors not affecting the substance of the budget, and that the budget officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 457

by FINANCE COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION ADOPTING THE BROOME COUNTY BUDGET AND ESTABLISHING RATE OF COMPENSATION FOR NON UNION ADMINISTRATIVE PERSONNEL FOR FISCAL YEAR 1996.

RESOLVED, that the tentative budget of the County of Broome, including the County's 1996 Capital Budget, as corrected and amended to \$235,993,842*; be and it hereby is adopted as the budget for the County of Broome, for the year commencing January 1, 1996 and ending December 31, 1996, and be it

FURTHER RESOLVED, that all non-union Administrative I and Administrative II personnel, will receive a 2.0 percent salary increase, after adjustment for longevity, said 2.0 percent salary increase to be determined by the 1995 base salary to become effective January 1, 1996, and be it

FURTHER RESOLVED, that all non-union Administrative I and Administrative II position minimums shall also be increased 2.0 percent, effective January 1, 1996, said minimums to be as set forth herein, and be it

FURTHER RESOLVED, that the County Historian will receive a salary of \$5,000, to become effective January 1, 1996, and be it

FURTHER RESOLVED, that the budget officer be and he is hereby authorized, empowered, and directed to correct any modifications, changes, additions and/or typographical errors not effecting the substance of the budget and that the budget officer is further directed, after making such corrections, to file same with the Clerk of the County Legislature and to furnish said Clerk with sufficient copies thereof for the members of the County Legislature.

ADMINISTRATIVE I

	1995	1996
<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>
7	\$14,540	\$14,831
8	15,234	15,539
9	15,969	16,288
10	16,743	17,078
11	17,558	17,909

ADMINISTRATIVE II

	1995	1996
<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>
A	\$23,947	\$24,426
B	26,152	26,675
C	28,358	28,925
D	30,562	31,173
E	32,766	33,421

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12	18,420	18,788	F	34,971	35,670
13	19,329	19,716	G	37,176	37,920
14	20,288	20,694	H	39,380	40,168
15	21,297	21,723	H (40)	41,884	42,722
16	22,364	22,811	I	41,585	42,417
17	23,490	23,960	J	43,791	44,667
18	24,678	25,172	K	45,995	46,915
19	25,929	26,448	K (40)	48,935	49,914
20	26,252	27,797	L	50,405	51,413
20 (40)	27,029	29,610	M	53,285	54,351
21	28,646	29,219	M-1	53,823	54,899
21 (40)	30,521	31,131	N	58,432	59,601
22	30,119	30,721	O	65,499	66,809
22 (40)	32,096	32,738	P	79,632	81,224
23	31,668	32,301			
24	33,306	33,972	MISCELLANEOUS OFFICIALS		
24 (40)	35,505	36,215			
25	35,034	35,735	County Historian	\$5,000	
26	36,859	37,596			
27	38,778	39,554	*Note: Budget Amount added		
28	40,805	41,621	per Budget Office Memo		
29	42,947	43,806	of 12/18/1995 RRB		

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 458

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF THE CHILD ABUSE PREVENTION AND EDUCATION ONGOING GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH.

WHEREAS, this County Legislature, by Resolution 105 of 1989, as amended by Resolution 240 and 504 of 1990, 202 of 1991, 39 and 308 of 1992, 172 and 483 of 1993, 114 and 493 of 1994, and 195 and 283 of 1995, authorized the continued participation by the Youth Bureau in the Child Abuse Prevention and Education Ongoing Grant Program and adopted a program budget in connection therewith in the

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total amount of \$79,296.88, 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 Child Abuse Prevention and Education Ongoing Grant Program in the total amount of \$81,624.88, 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 \$81,624.88, and be it

FURTHER RESOLVED, that Resolution 105 of 1989, as amended by Resolution 240 and 504 of 1990, 202 of 1991, 39 and 308 of 1992, 172 and 483 of 1993, 114 and 493 of 1994, and 195 and 283 of 1995, 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 459

by EDUCATION, CULTURE & RECREATION AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH ARAMARK/STEVENS, INC., FOR FOOD SERVICE CONCESSION AT THE FORUM FOR 1995 AND 1996.

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with ARAMARK/Stevens, Inc., for exclusive right to sell and serve food, beverages, souvenirs or other items at the Broome County Forum during events at the rate of 10 1/2 percent of the gross receipts for all sales, for the period October 1, 1995, through September 30, 1996, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes an agreement with ARAMARK/Stevens, Inc., Broome County Veterans Memorial Arena, 1 Stuart Street, Binghamton, New York, 13901, for the exclusive right to sell and serve food, beverages, souvenirs or other items at the Broome County Forum for the period October 1, 1995, through September 30, 1996, and be it

FURTHER RESOLVED, that ARAMARK/Stevens, Inc., shall pay the County of Broome at the rate of 10 1/2 percent of the gross receipts for all sales in the Forum to be paid by ARAMARK/Stevens, Inc., to the County of Broome, said payment to be due on the 15th day of the month following such sales, for the term of this agreement, and be it

FURTHER RESOLVED, that the revenue from said agreement shall be credited to budget line 650010.0160.101000 (Concessions), 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, Absent-1 (Hudak)

RESOLUTION NO. 460

by PERSONNEL AND HEALTH SERVICES COMMITTEES

Seconded by Mr. Augustini

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR DEPARTMENTS OF PERSONNEL AND THE DRUG AWARENESS CENTER.

RESOLVED, that in accordance with a request from the Department of Personnel, as proposed in the 1996 Budget, as contained in PCR# 95-327, this County Legislature hereby authorizes the **change** of one (1) full-time Senior Personnel Associate position at budget line A400002.1000, minimum salary \$24,678, Grade 18, Union Code 09 (Admin), to one (1) full-time Personnel Associate Trainee position at budget line A400002.1000, minimum salary \$20,288, Grade 14, Union Code 09 (Admin), effective November 1, 1995, and be it

RESOLVED, that in accordance with a request from the Drug Awareness Center, as contained in PCR# 95-326, this County Legislature hereby authorizes the **change** of one (1) full-time Prevention Services Program Coordinator position at budget line GA470062.1000, minimum salary \$21,208, Grade 15, Union Code 04 (CSEA), to one (1) full-time Prevention Services Specialist position at budget line GA470062.1000, minimum salary \$20,105, Grade 14, Union Code 04 (CSEA), effective October 1, 1995.

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

RESOLUTION NO. 461

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEE Seconded by
Mr. Howard

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

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Brian K. Mather 301 Vandervort Avenue Vestal, New York 13850	12/31/95
David L. Lindsey 12 Mulberry Street Binghamton, New York 13901	12/31/95
Mark R. Whalen 11 The Arena Binghamton, New York 13903	12/31/95

and

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

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

Mr. Whalen, with the concurrence of the County Executive moved, seconded by Mr. Augustini to substitute the name of Legislator Andrew Kavulich of 261 N. Baldwin Street, Johnson City, NY 13790 for Mark Whalen. **Carried.** Ayes-18, Absent-1

The resolution as amended **carried.** Ayes-18, Absent-1

RESOLUTION NO. 462

by HEALTH SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH SUNY HEALTH

SCIENCE CENTER FOR THE HEALTH DEPARTMENT DIVISION OF CHILD DEVELOPMENT EARLY INTERVENTION PROGRAM FOR INDEPENDENT EVALUATIONS FOR 1995 THROUGH 1996.

WHEREAS, the Health Department Division of Child Development Early Intervention Program requests authorization for an agreement with SUNY Health Science Center for independent evaluations for the period October 1, 1995, through December 31, 1996, at state mandated rates, and

WHEREAS, said services are necessary to determine what services, if any, are required for eligible Broome County children, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with SUNY Health Science Center, University Hospital, 750 East Adam Street, Syracuse, New York, 13210, for independent evaluations for the Health Department Division of Child Development Early Intervention Program clients, for the period October 1, 1995, through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the SUNY Health Science Center state mandated rate, total amount not to exceed the budgetary amount for the budget years indicated, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480202.4701.101000 (Medical and Physical Exams), 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, Absent-1 (Hudak)

RESOLUTION NO. 463

by PUBLIC SAFETY & EMERGENCY SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BROOME COUNTY COUNCIL ON ALCOHOLISM FOR EDUCATION PROGRAM SERVICES FOR THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM FOR 1996.

WHEREAS, this County Legislature, by Resolution 94-560 of 1994, authorized an agreement with the Broome County Council on Alcoholism for STOP-DWI education program services for calendar year 1995 at a cost not to exceed \$25,000.00, and

WHEREAS, said agreement provides alcohol and highway traffic safety education program services for schools, private industries and the general public, and

WHEREAS, said agreement expires by its terms on December 31, 1995, and it is desired at this time to renew said agreement for calendar year 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Broome County Council on Alcoholism, 25 Main Street, Binghamton, New York, 13905, for alcohol and highway traffic safety education program services for schools, private industries, and general public for the period January 1, 1996, through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Broome County Council on Alcoholism, total amount not to exceed \$25,000.00 for calendar year 1996, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 820001.4457.101051 (Reserve for Programs), and be it

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

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 464

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION ADOPTING THE 1996 SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM PLAN.

WHEREAS, this County Legislature by Resolution 522 of 1981 established the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program pursuant to New York State Vehicle and Traffic Law, and

WHEREAS, this County Legislature by Resolution 94-559 of 1994 approved and adopted the 1995 Comprehensive Plan for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program, and

WHEREAS, the Broome County STOP-DWI Program has prepared a comprehensive plan for submission to the New York State Commissioner of Motor Vehicles for the Broome County STOP-DWI Program for 1996, a copy of said plan having been filed with the Clerk of this Legislature, and

WHEREAS, the Broome County STOP-DWI Advisory Board has reviewed this

plan, agrees and endorses the recommendations and strategies contained therein and request this County Legislature to approve and adopt accordingly, now, therefore, be it

RESOLVED, this County Legislature hereby approves and adopts the 1996 Comprehensive Plan for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program, a copy of which has been filed with the Clerk of this 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.

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 465

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING,
PERSONNEL

AND FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION ADOPTING THE OFFICE OF EMPLOYMENT AND
TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA)
ADMINISTRATIVE BUDGET FOR 1995 THROUGH 1998.**

WHEREAS, this County Legislature, by Resolution 94-639 of 1994, authorized and approved the Office of Employment and Training Job Training Partnership Act (JTPA) administrative budget in the amount of \$551,294.00 for the period July 1, 1994 through June 30, 1997, and

WHEREAS, it is desired to adopt this administrative budget for the period July 1, 1995 through June 30, 1998 in the amount of \$610,293.00, now, therefore, be it

RESOLVED, that this County Legislature hereby adopts the Office of Employment and Training Job Training Partnership Act (JTPA) administrative budget for the period July 1, 1995 through June 30, 1998 attached hereto as Exhibit A, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 466

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING
AND FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING REVISION OF THE OFFICE OF
EMPLOYMENT AND TRAINING GOVERNOR'S TITLE III NEEDS-DISC
10% NEEDS PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET
IN CONNECTION THEREWITH FOR 1995 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 94-222 of 1994, authorized the Office of Employment and Training Title III NEEDS-Disc. Program for the period July 1, 1994 through June 30, 1997, in the amount of \$717,219.00, and

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

RESOLVED, that this County Legislature hereby authorizes the revisions of the Office of Employment and Training Title III NEEDS-Disc. Program for the period July 1, 1994 through June 30, 1997, in the total amount of \$817,219.00, 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 \$817,219.00 for the period July 1, 1994 through June 30, 1997, and be it

FURTHER RESOLVED, that Resolution 94-222 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 467

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING
AND FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS
FOR JOB TRAINING SERVICES FOR THE OFFICE OF EMPLOYMENT
AND TRAINING FOR 1995 AND 1996.**

WHEREAS, the Office of Employment and Training requests authorization for agreements with various vendors for job training services for the period July 1, 1995 through June 30, 1996, at the posted tuition rates for said vendors, and

WHEREAS, said agreements are necessary in order to allow eligible persons to acquire job training to support re-training and re-employment efforts and,

WHEREAS, the various vendors have been reviewed and approved as training and educational providers by the Employment and Training Offices of the Counties of Broome, Tioga and Tompkins, and the Broome-Tioga-Tompkins Private Industry Council, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the various vendors as listed on the attached Exhibit "A" for job training services for the period July 1, 1995 through June 30, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the vendors the posted fees as listed in the vendors' catalogs, the total amount not to exceed budgeted appropriations, and be it

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

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

RESOLUTION NO. 468

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING
AND FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING REVISION OF THE OFFICE OF
EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT
(JTPA) TITLE III EDWAA PROGRAM AND ADOPTING A REVISED**

PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 95-201 of 1995, authorized the Office of Employment and Training Job Training Partnership Act (JTPA) Title III EDWAA Program for the period July 1, 1995 through June 30, 1998, and adopted a program budget in connection therewith in the total amount of \$878,184.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office of Employment and Training Job Training Partnership Act (JTPA) Title III EDWAA Program for the period July 1, 1995 through June 30, 1998, in the total amount of \$832,479.00, 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 \$832,479.00 for the period July 1, 1995 through June 30, 1998, and be it

FURTHER RESOLVED, that Resolution 95-201 of 1995, 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 469

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING,
PERSONNEL

AND FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING REVISION OF THE OFFICE OF
EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT**

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(JTPA) TITLE IIC PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 95-201 of 1995, authorized the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIC Program for the period July 1, 1995 through June 30, 1998, and adopted a program budget in connection therewith in the total amount of \$493,585.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIC Program for the period July 1, 1995 through June 30, 1998, in the total amount of \$104,435.00, 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 \$104,435.00 for the period July 1, 1995 through June 30, 1998, and be it

FURTHER RESOLVED, that Resolution 95-201 of 1995, 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 470

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF THE OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA 77% ADULT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH

1998.

WHEREAS, this Co. Legislature, by Resolution 95-201 of 1995, authorized the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIA 77% Adult Program for the period July 1, 1995 through June 30, 1998, and adopted a program budget in connection therewith in the total amount of \$865,705.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIA 77% Adult Program for the period July 1, 1995 through June 30, 1998, in the total amount of \$818,103.00, 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 \$818,103.00 for the period July 1, 1995 through June 30, 1998, and be it

FURTHER RESOLVED, that Resolution 95-201 of 1995, 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 471

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING
AND FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING REVISION OF THE OFFICE OF
EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT
(JTPA) TITLE III WA-DISC PROGRAM AND ADOPTING A REVISED
PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH**

REGULAR SESSION OF OCTOBER 19, 1995

1997.

WHEREAS, this County Legislature, by Resolution 94-243 of 1994, authorized the Office of Employment and Training Job Training Partnership Act (JTPA) Title III WA-Disc. Program for the period July 1, 1994 through June 30, 1995, and adopted a program budget in connection therewith in the total amount of \$500,000.00, and

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

RESOLVED, that this County Legislature hereby authorizes the revisions of the Office of Employment and Training Job Training Partnership Act (JTPA) Title III WA-Disc. Program for the period July 1, 1994 through June 30, 1997, in the total amount of \$700,000.00, 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 \$700,000.00 for the period July 1, 1994 through June 30, 1997, and be it

FURTHER RESOLVED, that Resolution 94-243 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 472

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING
AND FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING REVISION OF THE OFFICE OF
EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT
(JTPA) TITLE IIA 5% OLDER WORKER PROGRAM AND ADOPTING A**

REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 95-201 of 1995, authorized the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIA 5% Older Worker Program for the period July 1, 1995 through June 30, 1998, and adopted a program budget in connection therewith in the total amount of \$52,188.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIA 5% Older Worker Program for the period July 1, 1995 through June 30, 1998, in the total amount of \$49,318.00, 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 \$49,318.00 for the period July 1, 1995 through June 30, 1998, and be it

FURTHER RESOLVED, that Resolution 95-201 of 1995, 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 473

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF THE OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA 8% EDUCATION COORDINATION PROGRAM AND

REGULAR SESSION OF OCTOBER 19, 1995

ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 95-36 of 1995, authorized the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIA 8% Education Coordination Program for the period July 1, 1994 through June 30, 1997, and adopted a program budget in connection therewith in the total amount of \$91,336.00, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in grant appropriations and a change in the grant term, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIA 8% Education Coordination Program for the period July 1, 1995 through June 30, 1998, in the total amount of \$65,524.00, 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 \$65,524.00 for the period July 1, 1995 through June 30, 1998, and be it

FURTHER RESOLVED, that Resolution 95-36 of 1995, 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 474

by ENVIRONMENT COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENT WITH THE CASTLE CREEK FIRE COMPANY TO INDEMNIFY THE COUNTY OF BROOME FROM AND AGAINST ANY AND ALL DAMAGES AND CLAIMS WHICH MAY ARISE

FROM THE FIRE COMPANY USE OF COUNTY PROPERTY FOR FIRE TRAINING.

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with Castle Creek Fire Company to indemnify the County of Broome for and against damages and claims which may arise from the fire company's use of county owned property for a fire training exercise, and

WHEREAS, the fire company proposes to burn structures located on county owned property at 1166 Dunham Hill Road, and

WHEREAS, this training exercise will include burning the abandoned structures on this property, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Castle Creek Fire Company, Inc., Castle Creek, New York, 13744, to indemnify the County of Broome from and against any and all damages and claims which may arise from the Fire Company's use of County owned property at 1166 Dunham Hill Road for a fire training exercise, 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, Absent-1 (Hudak)

RESOLUTION NO. 475

by FINANCE COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION APPROVING THE 1996-2001 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 1996 Capital Budget and the 1996-2001 Capital Improvement Program as accompanying the tentative budget for 1996, and as corrected and amended is hereby approved and adopted as the 1996 Capital Budget and 1996-2001 Capital Improvement Program for the County of Broome, and be it

FURTHER RESOLVED, that the Budget Officer be and hereby is authorized, empowered, and directed to correct any modification, changes, additions, and/or typographical errors not effecting the substance of the capital budget and capital program, and that the budget officer is further directed, after making such corrections, to file the same with the clerk of the County Legislature and to furnish said clerk with sufficient copies thereof for the members of the County Legislature.

Held over under the 'Rules' by Mr. Shafer

RESOLUTION NO. 476

by PERSONNEL AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING PAYMENT OF ACCUMULATED VACATION TIME TO EARLY RETIREES.

WHEREAS, current County policy provides for the payment of accumulated vacation time when employees leave County employment, said vacation time to be paid based upon their pay rate at the time of termination, and

WHEREAS, as a result of the 1995 Early Retirement Incentive Program and requirements thereof, two department heads; Richard Beam, former Commissioner of Transportation, and William Kenville, former Director of Probation, took voluntary demotions to deputy positions prior to retirement, and

WHEREAS, it is requested that this County Legislature authorize the County to pay both Mr. Beam and Mr. Kenville for accumulated vacation at the salary in effect for their Commissioner's and Director's position at the time they took the voluntary demotions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the payments for accumulated vacation time to be calculated at the pay rates for their former Commissioner and Director's position at the time of their voluntary demotion, to Richard Beam, former Commissioner of Transportation, and William Kenville, former Director of Probation, 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, as may be necessary to implement the intent and purpose of this Resolution.

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

RESOLUTION NO. 477

by FINANCE, PUBLIC WORKS AND EDUCATION, CULTURE & RECREATION COMMITTEES

Seconded by Mr. Holley

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF HIGHWAY AND LIBRARY.

RESOLVED, that in accordance with a request from the Highway Department, in order to provide funds for increased hours needed to cover for Leave of Absence, as requested by BT# 8365, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

Index	Sub-	Project
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	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	030148	1000	302000	Salaries, Full-Time	\$1,000
TO :	030148	1910	302000	Out of Title Pay	\$1,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Library, in order to provide funds for increased hours for part-time help needed to fill in for full-time vacancies, as requested by BT# 8091, 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:	841007	1000	304000	Salaries, Full-Time	\$9,000
	842005	1500	304000	Salaries, Part-Time	400
TO :	841007	1500	304000	Salaries, Part-Time	\$9,000
	842005	1600	304000	Salaries, Temporary	400

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

RESOLUTION NO. 478

by PERSONNEL COMMITTEE

Seconded by Mr. Hull

RESOLUTION AMENDING PERSONNEL RULES FOR BROOME COUNTY ADMINISTRATIVE PERSONNEL.

WHEREAS, this County Legislature, by Resolution 220 of 1977 as thereafter amended, adopted certain personnel rules for administrative personnel, and

WHEREAS, the Personnel Officer and Risk Manager has proposed amendments to such rules, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the personnel rules for administrative personnel annexed hereto as Exhibit A, and be it

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

FURTHER RESOLVED, that the revisions and amendments hereunder shall be effective January 1, 1996.

PERSONNEL RULES FOR ADMINISTRATIVE PERSONNEL - COUNTY OF BROOME

REVISION - JANUARY 1, 1996

ARTICLE 1	PURPOSE
ARTICLE 2	RIGHTS OF EMPLOYEES
ARTICLE 3	APPLICABLE LAW
ARTICLE 4	COMPENSATION
ARTICLE 5	PARKING FEE
ARTICLE 6	HIRING NEW EMPLOYEES
ARTICLE 7	PROMOTIONS
ARTICLE 8	WORK SCHEDULE
ARTICLE 9	HOLIDAYS
ARTICLE 10	VACATIONS
ARTICLE 11	SICK LEAVE
ARTICLE 12	BEREAVEMENT LEAVE
ARTICLE 13	LONGEVITY SERVICE PAY
ARTICLE 14	LEAVE OF ABSENCE WITHOUT PAY
ARTICLE 15	MILITARY LEAVE OF ABSENCE
ARTICLE 16	HEALTH INSURANCE
ARTICLE 17	LIFE INSURANCE
ARTICLE 18	PENSIONS
ARTICLE 19	EMPLOYEES ENGAGING IN OTHER TRANSACTIONS AND DUTIES
ARTICLE 20	LEAVE FOR SUBPOENAED APPEARANCES AND JURY ATTENDANCE
ARTICLE 21	ENTITLEMENT OF PART-TIME EMPLOYEES TO COUNTY-PAID BENEFITS

ARTICLE 1 - PURPOSE

1.The general purpose of these Rules is to set forth the terms and conditions of employment for those employees listed in the Administrative I and Administrative II salary schedules published annually by the Department of Personnel.

ARTICLE 2 - RIGHTS OF EMPLOYEES

1.Nothing in these Rules shall be construed to deprive personnel covered by these rules of their rights under the Public Employees Relations Act of the State of New York.

2. Adherent to the principle that duties and obligations come with rights and privileges, all employees covered by these rules are expected as a part of their duties to protect the interests of the County and the community, to conserve the property and to give service of the highest quality.

ARTICLE 3 - APPLICABLE LAW

1. If any provision of this document is, or shall at any time hereafter, be held contrary to law by a court of competent jurisdiction, then such a provision shall not be applicable, performed or enforced, except to the extent permitted by law.
2. If any provision of this document is, or shall at any time thereafter, be contrary to law, all remaining provisions shall continue in effect.

ARTICLE 4 - COMPENSATION

1. Employees covered under these Rules shall be compensated annually, as approved by the Broome County Legislature and reflected in the salary schedules published annually by the Department of Personnel. **The amount of increases shall be based upon the average of the increases negotiated with the Civil Service Employees Association (CSEA) and the Broome Administrative and Professional Association (BAPA).**
2. Employees covered by these Rules shall be paid on a bi-weekly schedule.
3. Performance Increments for Administrative I Employees
 - a) Each full-time employee who is below the maximum salary for their grade shall receive a performance increment of 3% on the anniversary date in title, provided that he has received a satisfactory performance evaluation. However, no employee shall receive more than one performance increment in a twelve (12) month period. For the purposes of this salary Plan, the term "anniversary date in title" (current title or grade) shall mean the day upon which the employee assumed the duties and responsibilities of a particular title, whether on a temporary, provisional, probationary basis, unless the assumption of the particular title is in the same pay grade as the employee's previous title as reflected in the records of the Department of Personnel.

- b)Each unsatisfactory performance evaluation shall be accompanied by counseling, along with appropriate documentation which shall be transmitted to the employee during the course of the twelve (12) month period preceding the anniversary date in title.
- c)Each employee who receives an unsatisfactory performance evaluation may utilize the following procedure:
1. Upon written request from the employee within thirty (30) days after receipt of an unsatisfactory performance evaluation, the department head and the employee shall meet as soon as possible to review the said performance evaluation. Within ten (10) days after the said meeting, the department head shall provide to the employee a written determination which shall either affirm or reverse the said performance evaluation and state the reasons therefor.
 - c)2. Upon written request from the employee within ten (10) days after receipt of a determination affirming the unsatisfactory performance evaluation, the Personnel Officer and the employee shall meet as soon as practicable to review the said performance evaluation. Within ten (10) days after the said meeting, the Personnel Officer shall provide to the employee a written decision which shall either affirm or reverse the said performance evaluation and state the reasons therefor.
 3. Upon written request from the employee within ten (10) days after receipt of a decision from the Personnel Officer affirming the unsatisfactory performance evaluation, the County Executive or designee and the employee shall meet as soon as practicable to review the said performance evaluation. The County Executive or designee shall consider the unsatisfactory performance evaluation, the determination of the department head, the decision of the Personnel Officer and such other materials submitted by the parties, including oral testimony, which he deems relevant to the inquiry. The burden of proving unsatisfactory performance shall be upon the County. Within thirty (30) days after the said meeting the County Executive or designee shall issue the parties a final and binding award which shall either affirm or reverse the said performance evaluation and state the reasons therefor.

4.This procedure shall be the sole and exclusive method by which an employee may seek review of an unsatisfactory performance evaluation.

d)Each employee who has been on leave of absence other than military, sabbatical, educational or Workers' Compensation for a cumulative period of more than thirty (30) days during the twelve (12) months immediately preceding the anniversary date in title shall not be eligible to receive a performance increment.

e)For the purpose of administering the salary plan, the employee shall not be given step date credit for the time spent on a leave of absence, except for military leave, educational, and Worker's Compensation leave.

f)Part-time employees working 20 hours or more a week shall be eligible for performance increments as outlined above.

ARTICLE 5 - PARKING FEE

1.The fee for daily twenty-four (24) hour parking, where the County has in existence a paid parking policy, shall be twenty dollars (\$20.00) monthly, or as amended by the County Legislature, payable through payroll deduction.

2.Employees who are required, as a condition of their employment, to furnish an automobile shall be authorized a parking reimbursement of up to seventeen (\$17.00) dollars per month subject to the approval of the County Executive. Said reimbursement will be paid upon presentation of proper receipt for the month's parking.

ARTICLE 6 - HIRING EMPLOYEES

1.Authorized hiring must be at the minimum of the range established for the position unless otherwise authorized by the County Legislature.

2.Employees who leave County employ for any reason except disciplinary discharge and who return to such employ within three (3) calendar years to the same job

may have their salary reinstated, upon approval of the appointing authority. Employees who leave County employ for any reason except disciplinary discharge and who return to such employ within one (1) calendar year to the same job may have their benefits and salary reinstated upon approval of the appointing authority.

This clause shall have no effect on retirement or civil service status. For those reinstated with benefits under this Article who were paid off for their accumulated vacation, shall not receive such vacation again but will be slotted into the vacation schedule in accordance with their seniority minus the time they were not in County employ.

ARTICLE 7 - PROMOTIONS

1. Any employee who is promoted to a position which is in a higher grade level than the position previously held shall be entitled to receive 7% of the new grade added to the present salary, or the minimum of the range of such new grade, whichever is higher, upon assuming the duties of the new position.

ARTICLE 8 - WORK SCHEDULE

1. Employees covered by these Rules, except those covered by the Fair Labor Standards Act shall generally be required to work the normal agency work schedule as assigned. It is to be understood that these personnel are not hourly paid, but rather annual salaried employees. These employees are expected to spend those hours necessary for the successful completion of their assignments.
2. Employees, who are exempt from overtime consideration under the provisions of the Fair Labor Standards Act, are not subject to normal compensatory time consideration.
3. Employees who are subject to overtime consideration under the provisions of the Fair Labor Standards Act, are entitled to overtime or compensatory time, whichever is appropriate for hours worked in excess of 40 hour per week.
4. Any employee appointed to a regular budget line item shall be paid from the first day of appointment.

ARTICLE 9 - HOLIDAYS

1. Listed Holidays: The following days shall be observed as holidays: New Years' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Day after Thanksgiving, and Christmas.

2. Each employee covered by these Rules shall be excused, with pay, from work for five (5) days during the year in lieu of Martin Luther King, Jr's Birthday, Lincoln's Birthday, Washington's Birthday, Columbus Day and Election Day. Either the approval of the County Executive or his/her designee, or the Chairman of the Broome County Legislature whichever is deemed appropriate, shall be obtained. Such time off shall be granted only at such time as the work of the Department will permit. Fractional credit shall not be granted or credited.
Employees shall not carry over their floating holidays into the following calendar year, but shall use their floating holidays during the calendar year during which said holiday(s) were earned.
Employees who leave County service before working the holiday floated, shall have such time deducted from their final paycheck.

3. When one of the above holidays falls on a Saturday, the preceding Friday shall be observed as that holiday. When one of the above holidays falls on a Sunday, the following Monday shall be observed as that holiday.

ARTICLE 10 - VACATIONS

1. a) Employees covered under this Policy shall be entitled to vacation as follows:

After the completion of one (1) years' continuous service - 17 days vacation.
After the completion of two (2) years' continuous service - 17 days vacation.
After the completion of three (3) years' continuous service-18 days vacation.
After the completion of four (4) years' continuous service-19 days vacation.
After the completion of five (5) years' continuous service-20 days vacation.
After the completion of six (6) years' continuous service-21 days vacation.
After the completion of seven (7) years' continuous service-22 days vacation.
After the completion of eight (8) years' continuous service-23 days vacation.
After the completion of nine (9) years' continuous service-24 days vacation.
After the completion of ten (10) years' continuous service-25 days vacation.

Employees will receive their initial vacation entitlement on their first anniversary date. Thereafter employees will receive their annual vacation entitlement on January 1 of each year.

b) Employees covered under this Policy whose initial employment date is on or after May 1, 1988, shall be entitled to vacation as follows:

After the completion of six (6) months of service employees working a 37.5 hour work week shall be entitled to 63.75 hours of vacation (10.625 hours/month). Thereafter vacation shall accrue at the rate of 10.625 hours per month. Employees working a 40 hour work week shall be entitled to 68 hours of vacation (11.33 hours/month). Thereafter vacation shall accrue at the rate of 11.33 hours per month. After the completion of three years of service and each year thereafter until the completion of ten years of service, said employees shall be entitled to one (1) additional day (7.5 hours for 37.5 hour per week employees and 8.0 hours for 40 hour per week employees) of vacation for each year of service starting with the third year of employment. Additional days shall accrue on the employees' employment anniversary date.

2. After one (1) year of continuous service, an employee covered by this Policy shall be entitled to carry over up to seventeen (17) working days (127.5 hours for 37.5 hour employees and 136 hours for 40 hour employees) of accrued vacation, with the approval of the employee's department head and the County Executive or his/her designee. After three (3) years of continuous service, an employee covered by the Policy shall be entitled to carry over up to five (5) weeks or twenty-five (25) working days (187.5 hours for 37.5 hour employees and 200 hours for 40 hour employees) of accrued vacation, with the approval of the employee's department head and the County Executive or his/her designee. Notification of the intent to carry over will be made by December 1.

Employees carrying over the maximum number of vacation days who will lose days may request to sell up to five (5) vacation days back to the County. Such requests must be made by October 1st and require the approval of the employees department head and the County Executive or his/her designee. Payments will be made at the employees current rate of pay (at time of request) and paid prior to the end of the year.

Exceptions to this provision may be granted only upon the explicit authorization of the County Personnel Committee.

3. The employee shall be entitled to additional earned vacation time immediately upon completion of the required number of years of full time service, less those days actually used in the current year.
4. Vacation shall be granted only at such time as the work of the department shall permit. Department heads shall notify the County Executive of their individual vacation plans in advance.
5. So far as practicable, all earned vacation shall be taken prior to any transfer, but where not able to be taken, the employee shall receive any earned vacation in the department transferred to.
6. Vacation time under this policy is not accumulative for any period when the employee is absent without pay.
7. Money for vacation due an employee who resigns or retires (including vacation earned but not yet received) will be paid to the employee. Similarly, the estate or beneficiary of a deceased employee will be paid for any unused vacation time.
8. Any employee covered under this Policy who is discharged for cause shall not be paid for any vacation time.
9. Employees shall accrue vacation based on the number of hours they work per week. (i.e. An employee who regularly works 40 hours a week: 1 accrued vacation day = 8 hours accrued. An employee who regularly works 37.5 hours a week: 1 accrued vacation day = 7.5 hours accrued.) Vacation shall be charged in the amount taken.

ARTICLE 11 - SICK LEAVE

1. Employees covered under these provisions shall be credited with one day's sick leave per month and shall be entitled to accumulate sick leave as hereinafter provided from the time of their employment.
2. A credit for sick leave under this provision shall be allowed at the rate of one (1) working day per month for each month of service. No credit for sick leave under this Article shall be allowed unless the employee shall have been on full pay status

for at least 50% of the working days of the calendar month.

3. Employees may accumulate an unlimited number of sick leave credits.
4. Sick leave with pay may be granted to an employee covered under these Rules when incapacitated or unable to perform the duties of their position by reason of sickness or injury. While sick leave may be used in other instances involving the employee's family, such determination shall be left to the discretion of the County Executive or designee or the Chairman of the Broome County Legislature or designee, whichever is appropriate.
5. When absence is required under this Article, the employee shall report same under procedures established in the department where employed.
6. Before absence for personal illness, including disability related to pregnancy may be charged against accumulated sick leave credits, the department head or the County Executive or the Chairman of the Legislature, whichever is appropriate, may require such proof of illness as may be satisfactory or may require the employee to be examined, at the expense of the County, by a physician designated by the County. In the event of failure to submit proof of illness upon request, or in the event that upon such proof as is submitted or upon the report of medical examination, the County Executive or the Chairman of the Legislature, whichever is appropriate, finds there is no satisfactory evidence of illness sufficient to justify the employee's absence from the performance of his duties, such absence shall be considered as unauthorized leave and shall not be charged against accumulated sick leave credits. Medical certificates, supporting requests for sick leave, shall be forwarded to the Department of Personnel.
7. Abuse or excessive use of sick leave privileges shall be grounds for disciplinary action.
8. Employees shall be credited with sick leave based on the number of hours they work per week. (An employee who regularly works 40 hours a week: 1 sick leave day = 8 hours credited. An employee who regularly works 37.5 hours a week: 1 credited sick leave day = 7.5 hours credited). Sick leave shall be charged in the amount taken.
9. There shall be established a voluntary sick leave bank to be administered by the Broome County Department of Personnel. Those employees subject to these Rules may become members of the bank by donating two of their own

accumulated sick leave days to the bank upon their initial enrollment and one day each year thereafter. **Regular part timers shall donate two (2) 1/2 sick days upon initial enrollment and (1) 1/2 sick day each year thereafter.** Such donation shall be made to the Department of Personnel in January of each year. Membership shall continue each year until the member notifies the Department of Personnel of his voluntary withdrawal, but shall in no case, continue into a new year without a new contribution.

The sick bank shall be a mathematical calculation of sick days contributed to the "bank". The actual payment shall be from the employees own budget line who is on sick bank leave.

In the instance of prolonged illness and upon the approval of the County Executive, Chairman of the Broome County Legislature, and Personnel Officer, of an application with adequate justification, which shall include verification by a physician, a member whose sick leave accumulation has been exhausted, shall be entitled to draw up to one hundred (100) days against the sick leave bank.

Any balance in the sick leave bank remaining on December 31 of each year shall be carried over to the sick leave bank for the following year.

When an employee is drawing paid time from the sick bank all benefits will continue to accrue in accordance with these Rules.

An employee subject to these Rules may make application to the sick bank if they meet all the below listed criteria.

1.An employee is eligible.

2.The application is accompanied by a signed "employee leave certification form." (Physician and employee signatures)

3.The employee has exhausted all paid sick leave.

4.The employee has served a fourteen (14) day waiting period calculated from the onset of the illness/injury (1st day of absence). This waiting period may be satisfied by an combination of paid and unpaid time off.

5.The application is made on the prescribed form.

6.The application shall be first submitted to the appropriate Department Head who will make his/her recommendation and forward it to the Personnel Department.

7.The Personnel Officer or designee shall review the completed application, the recommendation of the department head, and the employee's personnel records, and either recommend or not recommend the usage, and forward the request to the County Executive and Chairman of the Broome County Legislature for approval.

8.Each request for Sick Leave Bank usage shall be considered on an individual basis. Each employee, as a condition of applying for Sick Leave Bank usage, shall authorize the Personnel Department to release to the Executive-Chairman his time records for review in connection with making the determination required herein.

9.An employee who draws the maximum number of days and who has a reoccurrence of the same illness/injury must return to work at least 90 calendar days in order to become eligible a second time for the same illness. A second waiting period would need to be served in the event of reoccurrence.

10.Employees shall be encouraged to apply for New York State Disability Retirement where applicable.

11.The sick bank may grant partial days when an employee is capable of working part-time, and the Department accepts them back to work part-time. (e.g. light duty)

12.Disability which arises from pregnancy and childbirth shall be treated in the exact same manner as any other illness or injury. However, in no case shall the sick bank be used for family sickness or child care purposes.

13.Upon retirement from County employment an employees shall be paid for all credited sick leave which is in excess of that which may be applied to years of service for retirement purposes under New York State

Retirement Law §41j.

ARTICLE 12 - BEREAVEMENT LEAVE

1. The County recognizes the traumatic experience of bereavement. Employees covered under these Rules may request time off with pay for such period as is necessary in the event of death in the immediate family. Department heads or heads of administrative units shall have the authority to approve such leaves up to three (3) days. Any time requested beyond three (3) days shall require the approval of the County Executive or designee, the Chairman of the Broome County Legislature or designee, whichever is appropriate. In the event of another death in the immediate family, up to three (3) days will be allowed.
2. Immediate family shall include husband, wife, children, step-children, mother, father, step-mother, step-father, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, son-in-law, or daughter-in-law of the employee or any other relative who is an actual member of the employee's household.
3. One day bereavement leave will be allowed to attend the funeral and/or burial of a sister-in-law, brother-in-law, grandparent of employee's spouse or aunt or uncle of employee. Any time requested beyond the one day shall require the approval of the County Executive or designee or the Chairperson of the Broome County Legislature or designee whichever is appropriate.

ARTICLE 13 - LONGEVITY SERVICE PAY

All full-time employees will be paid longevity service adjustments as follows:

- a) Employees shall be eligible for longevity service payments upon the completion of each of the following continuous years of service:

<u>Years</u>	<u>Payment</u>
6 - 9	\$ 350.
10 - 14	600.
15 - 19	800.
20 - 24	1,000.
25 - 30	1,200.
30 - 35	1,400.

- b) Payment shall be made, as close to November 1, of each year as possible. The

payment shall be made in a regular paycheck, and a payroll factor will be used for tax purposes.

c) Payments made in November shall be for the appropriate years of service attained during that calendar, e.g., an employee who completes their tenth year of service in July, 1991 shall be paid \$600 in November of 1991.

d) An employee who separates from County employment prior to their anniversary date shall not receive any longevity payment for that year. e.g., an employee who separates in June 1990 and who completes their 10th year of service in July, 1990 shall not be entitled to any longevity money.

ARTICLE 14 - LEAVE OF ABSENCE WITHOUT PAY

1. Application for Leave of Absence

A leave of absence request must be submitted for any absence over three (3) work days not covered by paid time off. Any unpaid time for three (3) days or less may be approved by the Department Head, County Executive, or Chair of Legislature, whichever is appropriate. If approved the application shall be submitted to the Personnel Department for approval. All leaves in excess of 90 days, (except medical) shall also be submitted to the Personnel Committee for final approval.

2. Medical Leaves

All medical leaves, regardless of duration shall be submitted to the Department Head, County Executive, or Chair of Legislature whichever is appropriate and then to the Personnel Officer for final approval. Medical documentation must be provided before a medical leave will be approved. Documentation is to be supplied on a form provided by the County. Leaves for extended illness shall not commence until all paid leave time is exhausted, except for leaves for Worker's Compensation.

3. Education Leave

Permanent employees may be granted leave of absence without pay for the period of one year for the purpose of acquiring additional education and training that will increase the usefulness and efficiency of the employee in his/her position.

Education leaves with pay are available for employees covered by these Rules who meet the requirements hereinafter set forth. The objective of such leave is to increase each such person's value to the County and to the Department thereof in

which he is employed.

PURPOSE - Educational leave may be granted for planned study and/or formal education.

ELIGIBILITY - Employees who have completed at least two consecutive years of exemplary service within their respective departments or who have completed two consecutive years of such service since their last educational leave, shall be eligible to apply for such leave.

TERMS AND CONDITIONS - Educational leaves may be granted for periods of one academic year at rates not to exceed one-half salary or for period of one-half an academic year at rates not to exceed full salary. Employees on educational leave may, with prior approval of the Personnel Committee of the Broome County Legislature, accept fellowships, grants-in-aid, or earned income to assist in accomplishing the purpose of their leave. In such cases, educational leave salaries shall be adjusted to reflect such income, either prior to or during the period of such leave, so that the total compensation shall not exceed the County salary for the period of educational leave.

APPLICATIONS - Applications for educational leaves shall be submitted to the County Executive or to the Chairman of the Broome County Legislature as far in advance as possible of the requested effective date of such leave, but in no event later than six months in advance, unless such requirement is waived. Each application shall include a statement outlining the program of study to be followed while on leave, indicating any prospective supplementary income, stating that the applicant intends to continue employment with the County for a period of at least two years immediately following the expiration of said educational leave, and further stating that upon return, the applicant shall submit a report of his accomplishments while on such leave.

Applications for educational leave shall contain the following information:

1. The date on which the employee was appointed to his position or the date on which he returned from a previous educational leave.
2. A full statement of the employees previous formal education, including the names of schools of higher learning that he attended, the dates of such

attendance, and the date or degree credit earned.

- 3.A full statement of the employees professional work experience which pertains to his field of specialty with the County, including dates and places of such employment and duties performed.
- 4.Detailed projected plans for the employees use of educational leave time, including statements as to the college to which he has been accepted, courses he intends to study, date of enrollment and duration of such studies.
- 5.A statement as to the estimated cost to the County in granting the proposed leave, showing the applicant's anticipated supplementary income during such leave, and an explanation as to how such estimate is established.
- 6.A statement as to what specific advantage would be gained or what particular need or needs will be fulfilled in the department by granting an educational leave to the applicant.

APPROVAL - If the County Executive or the Chairman of the Broome County Legislature, whichever is appropriate, approves the application, he/she shall forward it together with his/her recommendations to the Personnel Committee of the Legislature.

Final approval of the granting of such educational leaves shall rest with the Broome County Legislature and may be granted as they fall within budget allocations.

DISCONTINUANCE OF STUDIES - In the event an employee on education leave shall discontinue their planned course of study before completion, thereof, the employee must promptly notify the Department of Personnel. If the termination of the course is caused by illness, the employee shall be entitled to sick leave pay for the duration of such illness, or the extent of such benefits he or she has accrued, but otherwise the employee must return to County employment without delay. If he or she fails to notify the Department of Personnel promptly of such termination, the employee shall be deemed derelict in duty to the County, subject to dismissal therefrom and liable for repayment of all salary received from the County after the date

of said discontinuance of the planned course of study prior to completion. In the event the employee is deemed for cause, as stated above, the employee shall be liable for repayment of the full amount of salary paid by the County while on said leave.

RESUMPTION OF DUTIES - Upon accepting an education leave, the recipient shall, in consideration of the salary to be paid during such leave, execute a written instrument to the effect that, in the event the employee should accept other employment and, therefore, fail to resume and fulfill for the two year period the full-time duties with the County, the employee shall repay, within three years from the date of resignation from said County employment, 4 $\frac{1}{4}$ % of the gross amount of his salary paid to him while on such leave for each month and fractional part thereof but not to exceed 100% thereof during which he fails to render full-time service to the County, exclusive of absence for vacation and sick leave, and in the said two year period.

4. Leave to Accept Other County Employment

Leaves of Absence not governed by Civil Service Rules and Procedures shall be discretionary and must be approved by the Department Head and Personnel Officer. Leave of absence shall not be granted to enable an employee to accept appointment to a position in a non-competitive or exempt class except with the approval of the Personnel Officer.

5. Child Care

An employee may request a leave without pay for the purpose of dependent child rearing. This is a discretionary leave and can be requested at the same time leave for extended illness for pregnancy is requested. Such leave may be requested for adoptions, as well.

6. Leave For Other Reasons

Leave of absence without pay for reasons other than those cited in this Article shall be granted only in unusual circumstances, which justify the granting of such leave. For example, leave may be granted for the purpose of caring for a family member who is ill. An employee on an approved leave accepting other employment or becoming self-employed will be considered resigned from Broome County employment.

7. All salaries are based on 260 days per year for the purposes of figuring leave of absence without pay.
8. When an employee is absent without authorized leave for a period of three (3) work days such absence shall be deemed to constitute a resignation, effective on the date of the commencement of such absence. The failure of the employee to return to his/her position within three (3) work days following the expiration of a leave of absence, or extension thereof, shall constitute a resignation which, for purpose of determining eligibility for reinstatement, shall be deemed to be effective as of the date of the commencement of such leave of absence. Nothing herein shall be deemed to excuse the unauthorized absence of an employee of his/her failure to return to his/her position upon the expiration of an authorized leave of absence.
9. Except as may be otherwise provided herein, no fringe benefit authorized by this Agreement shall accrue while an employee is on a leave of absence without pay. Employees on a leave of absence because of a work related injury will not lose time for the purposes of longevity payment.
10. The maximum amount of leave shall be one (1) year, unless the Personnel Committee specifically votes to extend the leave. Any extensions voted by the Personnel Committee shall be at their sole discretion. Extensions must be handled in the same procedure as initial leaves with the submission of appropriate form or forms in a timely fashion.

11. The County shall comply with the terms of the Family & Medical Leave Act when granting or denying leave of absence requests.

ARTICLE 15 - MILITARY LEAVE OF ABSENCE

Military leaves of absence shall be governed by the Military Law.

ARTICLE 16 - HEALTH INSURANCE

1. Employees covered under these Rules shall be offered the opportunity to participate in the Broome County Self-Insurance Health Benefits Program, or any subsequent Plan adopted by the County. The County will pay **90%** of the premium for the employee's coverage and **90%** of the premium for dependent coverage. Premium payments by the employee will be deducted from their bi-weekly payroll. Any questions in regards to the details of this plan should be referred to the Department of Personnel.

2. Effective January 1996 the County will offer a Dental and Vision Program.

- 3. Upon completion of five (5) years of service employees will be vested in the counties health plans. For purposes of this plan, vesting means that individuals covered by these rules are eligible to continue coverage under the plan upon leaving Broome County employment. Individuals choosing to retain coverage must pay the full cost of the plan. Such costs are subject to change annually based on the total cost of the plan. Should the individual discontinue his/her participation in the plan, he/she may not re-enter the plan unless he/she returns to County employment.**

ARTICLE 17 - LIFE INSURANCE

1. Employees covered by these Rules shall be entitled to life insurance coverage for an amount of \$5,000 in the Broome County Group Life Insurance Plan. The County pays the full premium for such group life insurance. Any questions regarding this coverage should be referred to the Department of Personnel.

ARTICLE 18 - PENSIONS

Employees covered under these Rules are entitled to coverage under the Employees Retirement System of the State of New York, subject to the current plan in effect and approved by the Broome County Legislature.

ARTICLE 19 - EMPLOYEES ENGAGING IN OTHER TRANSACTIONS AND DUTIES

1. All employees covered by these rules shall be governed by the Broome County Charter in all matters of other transactions, duties and employment.

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2. Heads of Administrative Units and other management and supervisory personnel, employed on a full-time basis, are prohibited from reimbursable work outside their regular County employment without the annual written consent of the County Executive or the Chairman of the County Legislature, whichever is appropriate. Such written consent shall specify the nature and extent of outside work which the County Executive or the Chairman of the County Legislature permits. Such annual written consents shall be filed with the Clerk of the County Legislature prior to the time that the affected employee commences outside employment.

ARTICLE 20 -

LEAVE FOR SUBPOENAED APPEARANCES AND JURY ATTENDANCE

1. Upon proof of the necessity of jury service or the appearance as a witness pursuant to a subpoena or other order of a court or body, an employee shall be granted a leave with pay, with no charge against leave credits; provided, however, that this section shall not apply to any absence of an employee occasioned by such appearance if he is a party to the proceedings.

ARTICLE 21 - ENTITLEMENT OF PART-TIME EMPLOYEES TO COUNTY-PAID BENEFITS

1. Those employees covered by these Rules who work twenty (20) or more hours per week but less than full-time shall be entitled to the following benefits:

a. Vacation

Employees working 20 hours or more per week shall be entitled to vacation as provided in Article 10 except **the percentage worked per week shall be applied to the appropriate schedule. For example, a 37.50 hour employee receives 20 days vacation per year. The 30 hours per week employee would receive 4/5ths of 20 days or 16 days.**

b. Sick Leave

Employees working 20 hours or more per week shall be entitled to sick leave as provided in Article 11 except **the percentage worked per week shall be applied to the calculation per month. The 30 hour per week employee would receive 4/5ths of one day or 6 hours per month.**

c. Longevity

Employees working 20 hours or more per week shall be entitled to longevity as provided in Article 13 except that they **will be paid a percentage of the longevity amount based on the number of hours worked per week.**

d. Health Benefits

Employees working 20 hours or more per week shall be entitled to health benefits as provided in Article 16 except they will pay 50% of the premium rate.

e. Bereavement

Employees working 20 hours or more per week shall be entitled to bereavement as provided in Article 12 and will be paid for the amount of time they would have ordinarily been scheduled.

f. Holidays

Employees working 20 hours or more per week shall be entitled to holidays as provided in Article 9 except they will be paid **based on the percentage of hours worked per week. For example, a 30 hour employee will receive 4/5ths pay for the holiday.**

g.Floating Holidays

Employees working 20 hours or more per week shall be entitled to floating holidays as provided in Article 9 except, the employee will receive credit for the actual number of hours worked on the floating holiday. If the floating holiday falls on the employee's regular day off the employee will receive no pay or credit for that day. If the employee takes off on the actual floating holiday he will receive payment for the number of hours normally worked on that day.

h.Performance Increments

Administrative I employees working 20 hours or more per week shall be entitled to 3% performance increments as provided in Article 4(3).

i.Jury Duty

Employees working 20 hours or more per week shall be entitled to jury duty pay as provided in Article 20 except the employee will receive pay based on the percentage of hours worked per week. For example, a 30 hour employee would receive 4/5ths pay for each day of jury duty.

2. Those employees covered by these Rules who work less than 20 hours per week shall not be entitled to the benefits described herein.

Bold and underlined = new language.

Held over under the 'Rules' by Mr. Schofield

RESOLUTION NO. 479

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING
AND FINANCE COMMITTEES

Seconded by Mr. Pasquale

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH
SEVERAL CONTRACT AGENCIES SUPPORTED BY BROOME COUNTY
FOR 1996.**

WHEREAS, the County has contributed financial support to numerous agencies and organizations involved in various fields of endeavor which benefit, aid or assist with the many needs of the broad spectrum of the Broome County community, and

WHEREAS, these contract agencies which have received or will receive such financial assistance from Broome County include:

- ACCORD A Center for Dispute Resolution
- Broome County Arts Council
- Broome County Convention Bureau
- Broome County Economic Development Alliance
- Broome County Historical Society
- County Library AID (amount as listed on Exhibit A)
- Broome County Soil and Water Conservation District
- Cornell Cooperative Extension Association of Broome County
- Four County Library System
- NYPENN Health Systems Agency
- PROBE
- Southern Tier East Regional Planning Development
- Southern Tier Zoological Society, Inc.

Veterans Support Council; and

WHEREAS, it is the desire of this Legislature to give approval for the execution of the contracts with such agencies, said contracts to be in the general form heretofore used, subject to and conditioned upon the financial allocations made and accounting procedure prescribed by the County Law Department to each respective contract agency in the 1996 Broome County Budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or his duly authorized representative to execute such agreements, approved as to form by the Department of Law, with the aforesaid contract agencies and other contract agencies for which financial provisions and contributions have been authorized by this County Legislature in the 1996 County Budget, and be it

FURTHER RESOLVED, that said contracts shall be in a form similar to those used in prior years for each specific agency and subject to, conditioned upon and limited to the monetary amount and financial formula and funding distribution criteria as set forth herewith and/or as approved in the 1996 County Budget, and to be subject to any necessary approvals required by the State or Federal Government or for any other valid reason which may require the approval of said State or Federal Government, and to be conditioned upon the submission and filing with the Clerk of this Legislature and County Executive a written annual report, detailing the agency's use of these funds received from the County during the previous calendar year, and be it

FURTHER RESOLVED, that any contract which provides for payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released and any contract which provides for two or more periodic payments during the contract term, said annual report shall be filed prior to the release of the second payment provided for by said contract and such payments are further subject to the provisions of Resolutions 262 of 1978 and 243 of 1979.

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

RESOLUTION NO. 480

by ENVIRONMENT COMMITTEE Seconded by Mr. Howard

RESOLUTION DIRECTING THE INITIATION OF THE ENVIRONMENTAL REVIEW OF A PROPOSED AMENDMENT TO CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE AND RENDERING A NEGATIVE DECLARATION WITH RESPECT THERETO.

WHEREAS, this County Legislature has pending before it a proposed amendment to Chapter 179 of the Broome County Charter and Code, as amended, for the purpose of setting tipping fees at the Nanticoke Landfill, and

WHEREAS, the adoption of such an amendment may have an impact on the environment, and

WHEREAS, it is hereby determined that the adoption of such an amendment to the Charter and Code is subject to the requirements of the State Environmental Quality Review Act (SEQRA), and it is therefore necessary to initiate procedures with respect thereto, 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 the proposed amendment to Chapter 179 of the Broome County Charter and Code, which local law would set tipping fees at the Nanticoke Landfill, 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 adoption of the proposed amendment to Section 179 of the Broome County Charter and Code will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts a Negative Declaration annexed hereto as Exhibit "A". **Carried.** Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 481

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING,
ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Pasquale

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 19, 1995, ENTITLED:
"A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY
CHARTER AND CODE, AS AMENDED, MODIFYING CHARGES AT
COUNTY LANDFILLS."**

RESOLVED, that Local Law Intro. No. 19, 1995, entitled: "A Local Law Amending Chapter 179 of the Broome County Charter and Code, as amended, modifying charges at County Landfills," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 19, 1995

A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY
CHARTER AND CODE, AS AMENDED, MODIFYING CHARGES AT
COUNTY LANDFILLS.

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

SECTION 1. Chapter 179 of the Broome County Charter and Code, as amended, modifying charges at county landfills, be and hereby is amended to read as follows:

Section 179-9. Fees and Charges.

1. Commencing January 1, 1996, the following charges will apply at the Nanticoke Landfill.

(a). Vehicle weighed and vehicle load billed at [fifty dollars and ten cents (\$50.10) per ton] forty six dollars and sixty cents (\$46.60) per ton; one dollar (\$1) per ton of said fee shall be dedicated to a fund payable to the host communities of the landfill to be divided forty cents (\$0.40) to the Town of Nanticoke, forty cents (\$0.40) to the Town of Barker and twenty cents (\$0.20) to the Town of Maine [and one dollar (\$1) per ton of said fee shall be dedicated to a fund for property acquisition of those individuals directly impacted by the landfill as determined by the Division and the Legislature].

SECTION 2. Chapter 179 of the Broome County Charter and Code, as amended, modifying charges at county landfills, be and hereby is amended to add a new subsection 179-9(6) to read as follows:

Section 179-9. Fees and Charges.

6. Commencing January 1, 1996, the following charges shall apply at the Hazardous Waste Facility located at the Nanticoke Landfill:

a) Residential waste \$2 per vehicle

b) Commercial waste

1) Bulk waste \$3 per gallon

2) Lab pack waste \$.50 per pound

SECTION 3. Section 179-5(D) is amended to add a new subsection (5) to read as follows:

Section 179-5

(D)(5)An annual permitting fee of \$40.00 per commercial user of the Hazardous Waste Facility shall be charged for the permits at the time the application is processed, or it may be billed.

SECTION 2.Except as hereinabove amended, Chapter 179 of the Broome County Charter and Code, as amended, shall remain in full force and effect.

SECTION 3.This Local Law shall become effective following a public hearing to be held before the County Executive in the manner provided by law.

Matters in [brackets] deleted

Matters underlined added

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

RESOLUTION NO. 482

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

Seconded by Mr. Pasquale

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 20, 1995, ENTITLED:
"A LOCAL LAW AMENDING LOCAL LAW NO. 11, 1989 IMPOSING A
LOCAL SURCHARGE FOR AN ENHANCED EMERGENCY TELEPHONE
SYSTEM."**

RESOLVED, that Local Law Intro. No. 20, 1995, entitled: "A Local Law Amending Local Law No. 11, 1989 Imposing a Local Surcharge for an Enhanced Emergency Telephone System," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 20, 1995

A LOCAL LAW AMENDING LOCAL LAW NO. 11, 1989 IMPOSING A
LOCAL SURCHARGE FOR AN ENHANCED EMERGENCY
TELEPHONE SYSTEM.

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

SECTION 1.Commencing January 1, 1996, section 2 of Local Law No. 11 of 1995 shall be amended as follows:

Section 2. Commencing January 1, [1990] 1996 there shall be imposed on each customer of a service supplier within Broome County a surcharge of [\$.35] \$.30 per access line per month.

SECTION 2. Except as hereinabove amended, Local Law No. 11, 1989 shall remain in full force and effect.

SECTION 3. This Local Law shall take effect upon filing with the Secretary of State. Matters in [brackets] deleted Matters underlined added

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

RESOLUTION NO. 483

by FINANCE COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION LEVYING THE COST OF WORKERS' COMPENSATION FOR CALENDAR YEAR 1996.

WHEREAS, a budget for the operation of the Broome County Self-Insurance Plan for Workers' Compensation for the year 1996 in the amount of \$3,240,037 has been presented and approved by the County Legislature, now, therefore, be it

RESOLVED, that the estimated amounts for costs of the Broome County Self Insurance Plan for Workers' Compensation for the calendar year 1996, as previously established, be apportioned to the county and the towns and villages participating in the fund, and be included by the County Legislature in the next succeeding tax levy and paid to the Commissioner of Finance, and the Commissioner of Finance is hereby authorized to bill the Villages of Endicott, Johnson City, Lisle, Windsor, Whitney Point and Port Dickinson for the amounts apportioned to them, and when the same is collected, deposit said amounts to the Workers' Compensation account as follows:

<u>TOWNS</u>	<u>AMOUNT</u>	<u>VILLAGES</u>	<u>AMOUNT</u>
Barker	\$ 15,789	Endicott	\$ 307,858
Binghamton	64,742	Johnson City	317,094
Chenango	121,036	Lisle	12,701
Colesville	60,755	Port Dickinson	14,918
Conklin	45,300	Whitney Point	13,803
Lisle	26,088	Windsor	8,689
Maine	39,191		
Nanticoke	9,219	Sub-Total/Villages:	\$ 675,063
Sanford	39,990		

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Triangle	15,725	Broome County	\$1,663,299
Vestal	250,250		
Windsor	50,109	TOTAL	\$3,076,557*

Sub-Total/Towns: \$ 738,194

Note: Actual addition is \$1 less
due to 'rounding' off numbers.

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

RESOLUTION NO. 484

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING,
EDUCATION, CULTURE & RECREATION AND FINANCE COMMITTEES

Seconded by Mr. Pasquale

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 21, 1995, ENTITLED:
"A LOCAL LAW AMENDING CHAPTER 158 OF THE BROOME COUNTY
LOCAL LAWS; PARK AND RECREATION AREAS."**

RESOLVED, that Local Law Intro. No. 21, 1995, entitled: "A Local Law
Amending Chapter 158 of the Broome County Local Laws; Park and Recreation
Areas," be and the same hereby is adopted and approved in accordance with the
Broome County Charter and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 21, 1995

A LOCAL LAW AMENDING CHAPTER 158 OF THE BROOME COUNTY
LOCAL LAWS; PARK AND RECREATION AREAS.

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

SECTION 1. Chapter 158 of Broome County Local Laws is hereby amended to read as
follows:

158-4 Fees and Charges.

A.(4) Repealed

A.(5) Senior Citizen parking pass: free. Valid Monday - Friday, excluding
holidays. [sixty-two (62) or older valid upon presentation of New
York State Department of Motor Vehicles driver's license or [New
York State Nondriver] appropriate senior citizen identification card].

(6) A maximum of [five (5)] thirty (30) summer season park passes may be given
away each season at the discretion of the Commissioner of Parks and
Recreation. A maximum of one (1) daily pass per park per day may be
given away from Memorial day to Labor day for Greenwood,
Dorchester, Nathaniel Cole and Otsiningo Parks.

(7) Parking at Otsiningo Park: May 1 to Columbus Day, Monday - Friday: (\$1 per car. Holidays and Weekends: five dollars (\$5.00) per car. Senior citizens free Monday-Friday excluding holidays. Buses and multiple type vehicles free Monday - Friday, excluding holidays.

B.(4) Seasonal Rate

Upper Lisle: \$600.00

Greenwood-Electric site: \$600, plus \$3.00 per day when site occupied. Greenwood-NonElectric site: \$600

F.(2) Seasonal pass replacement [1.00] \$3.00 per request

R. Repealed.

SECTION 2. Except as hereinabove amended, Chapter 158 of Broome County Local Laws shall remain in full force and effect.

SECTION 3. This local law shall become effective upon filing with the Secretary of State.

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

RESOLUTION NO. 485

by PERSONNEL, PUBLIC SAFETY & EMERGENCY SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Hull

RESOLUTION CONFIRMING APPOINTMENT OF WILLIAM R. BENJAMIN AS BROOME COUNTY DIRECTOR OF PROBATION

WHEREAS, Timothy M. Grippen, Broome County Executive pursuant to the powers vested in him by Broome County Charter and Administrative Code, Article XXIV, Section C2402 and Article XXIV, Section A2402 has duly designated and appointed, pending confirmation by this Legislature, William R. Benjamin, Broome County Director of Probation III, effective December 4, 1995 at an annual salary of \$57,000, and

WHEREAS, it is desired at this time, in accordance with said provisions of the Broome County Charter and Administrative Code to confirm said appointment, and

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WHEREAS, jail overcrowding is a critical issue that requires continual monitoring, evaluation and intervention to assure that appropriate intermediate punishments are implemented to the greatest possible extent, now, therefore, be it

RESOLVED, that the Director of Probation shall be charged with the additional responsibility of monitoring the population of the Broome County Jail and developing and implementing a range of intermediate punishments that will serve as a cost-effective alternative to incarceration, and be it

FURTHER RESOLVED, that this County Legislature, pursuant to the provisions of Broome County Charter and Administrative Code Article XXIV, Section C2402 and Article XXIV, Section A2402 does hereby confirm the appointment of William R. Benjamin, 2100 W. Danby Road, Newfield, New York 14867 as Broome County Director of Probation, effective December 4, 1995, at an annual salary of \$57,000, \$13,209 or 30.16% above the minimum, in accordance with his appointment by the Broome County Executive, and be it

FURTHER RESOLVED, that, notwithstanding the requirements of Resolution 82 of 1989 with respect to residency in Broome County of persons holding certain position titles including Probation Director III, this County Legislature hereby waives such requirement with respect to the appointment and confirmation of William R. Benjamin as Probation Director to the following extent:

The residency requirement is waived until the expiration of NINETY (90) days following the establishment of the eligible list for such position, but in no event shall this waiver extend beyond October 1, 1996.

The appointment may be made on a provisional basis pursuant to the Civil Service Law.

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

RESOLUTION NO. 486

by PERSONNEL and COMMUNITY & SOCIAL SERVICES COMMITTEES

Seconded by Mr. Hull

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF SOCIAL SERVICES.

RESOLVED, that in accordance with a request from the Department of Social Services, this County Legislature hereby authorizes the hiring of one (1) full-time Managed Care Coordinator, Grade 17, Step 5, Union Code 04 (CSEA), at an annual salary of \$29,175 which is 24% above the minimum salary of \$23,607, at budget line MA670034.1000, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Social Services, this County Legislature hereby authorizes the hiring of one (1) full-

time Disability Review Coordinator, Grade 17, Step 5, Union Code 04 (CSEA), at an annual salary of \$29,175 which is 24% above the minimum salary of \$23,607, at budget line MA670034.1000.

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

RESOLUTION NO. 487

by PUBLIC SAFETY & EMERGENCY SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF FUNDING AGREEMENTS WITH THE BROOME COUNTY SHERIFF'S DEPARTMENT AND VARIOUS BROOME COUNTY MUNICIPALITIES FOR THE SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM FOR 1996.

WHEREAS, this County Legislature, by Resolution 94-601 of 1994, authorized agreements with the Broome County Sheriff's Department, City of Binghamton, Town of Vestal, and Villages of Deposit, Endicott and Johnson City, for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Law Enforcement Grant Program in the total amount of \$94,900.00, and

WHEREAS, said agreements are necessary to provide funding to continue local law STOP-DWI enforcement efforts, and

WHEREAS, it is desired at this time to renew said grant and agreements for calendar year 1996 on substantially similar terms and conditions, in the amount of \$95,900.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the funding agreements with the Broome County Sheriff's Department, City of Binghamton, Town of Vestal, and the Villages of Deposit, Endicott, and Johnson City, for the period January 1, 1996, through December 31, 1996, and be it

FURTHER RESOLVED, that funding to the Broome County Sheriff's Department shall not exceed \$12,000.00 for calendar year 1996, and be it

FURTHER RESOLVED, that funding to the City of Binghamton shall not exceed \$19,000.00 for calendar year 1996, and be it

FURTHER RESOLVED, that funding to the Town of Vestal shall not exceed \$19,000.00 for a patrol car and \$5,400.00 for breath testing equipment for calendar year 1996, and be it

FURTHER RESOLVED, that funding to the Village of Deposit shall not exceed \$2,500.00 for calendar year 1996, and be it

FURTHER RESOLVED, that funding to the Village of Endicott shall not exceed

\$19,000.00 for calendar year 1996, and be it

FURTHER RESOLVED, that funding to the Village of Johnson City shall not exceed \$19,000.00 for calendar year 1996, and be it

FURTHER RESOLVED, that the funding hereinabove authorized shall be made from budget line 820001.4457.101051 (Subcontracted Program Expense), 820001.4610.101000 (Personal Services Chargeback), and 820001.2480.101000 (Law Enforcement Equipment), and be it

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

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

RESOLUTION NO. 488

by ENVIRONMENT AND FINANCE COMMITTEES

Seconded by Mr. Lindsey

RESOLUTION AUTHORIZING AGREEMENT WITH JOHN KOWALCHYK FOR LEASE OF PROPERTY AT 1204-1220 DUNHAM HILL ROAD.

WHEREAS, the County purchased property at 1204-1220 Dunham Hill Road which is adjacent to the Nanticoke Landfill, and

WHEREAS, the currently vacant building is scheduled to be renovated into offices to house the Division of Solid Waste Management, and

WHEREAS, John Kowalchyk has proposed to lease a portion of the future office from the County for living space during 1996, and

WHEREAS, the Director of Real Property Tax Service has established a fair market value for the space to be leased of \$190.00 per month, including utilities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with John Kowalchyk for the lease of real property at 1204-1220 Dunham Hill Road for the period November 1, 1995 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said agreement, Mr. Kowalchyk shall pay the County an amount not to exceed \$190.00 per month, including utilities, for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove shall be credited to budget line 230086.0187.206000 (Rental Income), 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-12 Augustini, Burger, Coffey, Howard, Hull, Kavulich, Lindsey, Miller, O'Day, Pasquale, Whalen & Shafer

Nays-6 Cahill, Holley, Mather, Schofield, Sweet & Wike

Absent-1 Hudak

RESOLUTION NO. 489

by PERSONNEL AND FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING A LABOR AGREEMENT WITH LOCAL 2012 SECURITY AND LAW ENFORCEMENT COUNCIL 82 AFL-CIO FOR JANUARY 1, 1994 THROUGH DECEMBER 31, 1996.

WHEREAS, the County of Broome under the provisions of the Civil Service Law (Taylor Law), has heretofore recognized Local 2012 Security and Law Enforcement Council 82 AFL-CIO as an employee organization for those certain Broome County employees represented by said Union, and

WHEREAS, this County Legislature, by Resolution 315 of 1990, authorized a written agreement with Local 2012 setting forth the terms and conditions of employment for those employees represented by said union for the period January 1, 1991 through December 31, 1993, and

WHEREAS, a tentative agreement has been reached with Local 2012 for the period January 1, 1994 through December 31, 1996, and

WHEREAS, it is desired at this time to renew said labor agreement on the terms and conditions set forth in the memo of agreement on file with the Clerk of this Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Local 2012 Security and Law Enforcement Council 82 AFL-CIO setting forth the terms and conditions of employment for those employees represented by said union, for the period January 1, 1994 through December 31, 1996, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 1991 to 1993 written labor agreement with the exception of those changes listed on Exhibit "A" attached hereto, 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

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implement the intent and purpose of this Resolution.

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

RESOLUTION NO. 490

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Hull

RESOLUTION AUTHORIZING LEASE AGREEMENT WITH WATER STREET ASSOCIATES FOR PREMISES AT 168 WATER STREET, CITY OF BINGHAMTON, FOR DRUG AWARENESS CENTER FOR 1996 THROUGH 2000.

WHEREAS, the Department of Mental Health requests authorization for a lease agreement with Water Street Associates for 4,594 square feet on the first floor of 168 Water Street, City of Binghamton, for the Drug Awareness Center for 1996 through 2000, at a cost not to exceed \$31,010.00 per year plus parking and utilities, plus a single payment of \$36,850.00 for renovations, and

WHEREAS, such lease would enable the Drug Awareness Center to vacate its current space on the third and fourth floors of said building and occupy larger quarters on the first floor, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with Water Street Associates, 168 Water Street, Binghamton, New York, 13901, for premises at 168 Water Street, City of Binghamton, for the Drug Awareness Center for the period from January 1, 1996 through December 31, 2000, and be it

FURTHER RESOLVED, that in consideration therefor, the County shall pay the Contractor an amount not to exceed \$31,010.00 per year plus parking and utilities plus a single payment of \$36,850.00 for renovations for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470062.4422.102XXX (Building and Land Rental), and be it

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

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

RESOLUTION NO. 491

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING

COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF DRUG AWARENESS CENTER CLINIC ENHANCEMENT GRANT FOR 1995 AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.

WHEREAS, the Director of Broome County Drug Awareness Center requests authorization to accept a Drug Awareness Center Clinic Enhancement Grant from New York State Office of Alcoholism and Substance Abuse Services in the amount of \$134,970 for the period October 1, 1995 through December 31, 1995, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$134,970 from New York State Office of Alcoholism and Substance Abuse Services for the period October 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 \$134,970 for the period October 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. Ayes-18, Absent-1 (Hudak)

RESOLUTION NO. 492

by COUNTY ADMINISTRATION, PLANNING & ECONOMIC DEVELOPMENT COMMITTEE

Seconded by Mr. Lindsey

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE

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SERVICES FOR THE OPERATION OF A SUBSTANCE ABUSE PROGRAM FOR THE DRUG AWARENESS CENTER FOR 1993, 1994 AND 1995.

WHEREAS, this County Legislature, by Resolution 562 of 1993, authorized an agreement with New York State Office of Alcoholism and Substance Abuse Services for the Substance Abuse Program as administered by the Drug Awareness Center of the Mental Health Clinic for the period January 1, 1994 through December 31, 1994, and accepted aid in the amount of \$211,820, and

WHEREAS, this County Legislature, by Resolution 201 of 1994 authorized the amendment of said agreement to reflect a decrease in State appropriations equal to the reduction in local tax support below the maintenance of effort requirements under the Mental Hygiene Law and authorizing the acceptance of \$160,946 for the period from January 1, 1994 through December 31, 1994, and

WHEREAS, this County Legislature by Resolution 422 of 1994 authorized Amendment No. 1 and Amendment No. 2 to said agreement for continuation of the Drug Awareness Center's Substance Abuse Program for the period January 1, 1993 through December 31, 1994, and authorizing the acceptance of \$374,676 from the New York State Office of Alcoholism and Substance Abuse Services for the operation of a Substance Abuse Program for the period January 1, 1993 through December 31, 1994, and

WHEREAS, the Director of the Drug Awareness Center requests authorization to renew and extend said agreement for the period January 1, 1995 through December 31, 1995, and to authorize acceptance of an additional \$196,669 from the New York State Office of Alcoholism and Substance Abuse Services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes Amendment No. 3 to the agreement with New York State Office of Alcoholism and Substance Abuse Services, 1450 Western Avenue, Albany, New York, 12203-3526, for continuation of the Drug Awareness Center's Substance Abuse Program for the period January 1, 1993 through December 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the acceptance of an additional \$196,669, for a total amount of \$571,345 from the New York State Office of Alcoholism and Substance Abuse Services for the operation of a Substance Abuse Program for the period January 1, 1993 through December 31, 1995, and be it

FURTHER RESOLVED, that Resolutions 562 of 1993, 201 of 1994, and 422 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, Absent-1 (Hudak)

Mr. Augustini moved, seconded by Mr. Pasquale to adjourn at 4:44 P.M.

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