

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Young and Paniccia, 22 Riverside Drive, Binghamton, New York 13905 to represent the County Executive in this legal action, and be it

FURTHER RESOLVED, that in consideration of said services the County shall pay the contractor \$135.00 per hour for partners; and \$115.00 per hour for associates; \$70.00 per hour for paralegals plus reasonable and necessary costs and disbursements, total amount not to exceed \$10,000, and be it

FURTHER RESOLVED, that a contract, approved as to form by the County Attorney and executed by the County Executive, is hereby authorized for said employment, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 0390005.4736.101000 (Legal Charges and Fees) except to the extent payments would not be authorized pursuant to Public Officers Law Section 18, and be it

FURTHER RESOLVED, that the contracts will be effective January 2, 1996.

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

Ayes-14, Nays-3 (Coffey, Kavulich & Pasquale), Absent-2 (Cahill & Whalen)

The resolution **carried**.

Ayes-15, Nays-2 (Coffey & Kavulich), Absent-2 (Cahill & Whalen)

Mr. Augostini moved, seconded by Mr. Pasquale to **adjourn**, at 5:08 P.M.

The adjournment **carried**. Ayes-17, Absent-2 (Cahill & Whalen)

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
JANUARY 18, 1996**

The Legislature convened at 4:00 P.M. with a call to order by the Acting Chair, Louis P. Augostini. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll:

Present-17, Absent-2 (Mr. Lindsey & Mr. Shafer)

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

The minutes of the Regular Session of December 28, 1995 and the Special Session of January 8, 1996, as prepared and presented by the Clerk, were **approved** by voice vote.

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 8 persons to membership on the CASA Advisory Board.
- 2.Nominating J. Brooker, C. Wenzinger, Jr. and J. Richardson to membership on Airport Advisory Board.
- 3.Nominating 21 persons to membership on Fire Advisory Board.
- 4.Declaration of Public Emergency (Steam Line Failure-Justice Building).

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

COMMUNICATIONS:

- 1.Minutes from:

- a. Willow Point Nursing Facility
 - b. Cornell Cooperative Extension
 - c. Broome-Tioga-Tompkins Private Industry Council
 - d. Soil and Water Conservation District
 - e. Environmental Management Council
 - f. Local Early Intervention Coordinating Council
 - g. Industrial Development Agency (minutes and various materials)
2. Real Property Tax Service: "Certificates of Withdrawal" (1992 In Rem Foreclosure).

NOTICES:

Notice of Claim: Liberty Mutual Insurance Company, as Subrogee of Beverly A. Vanabs (Airport Parking Gate)

Notice of Mechanic's Lien (Telecommunications Analysis Group, Inc.- Public Safety Facility)

REPORTS:

1. Department of Audit & Control: Audits of Public Health Clinic, Office for Aging (Mental Health Outreach and Legal Assistance Grant Programs).

Mr. Cahill moved, seconded by Mr. Holley, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1996 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.

Carried. Ayes-17, Absent-2 (Lindsey & Shafer)

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

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION of
(December 28, 1995)

RESOLUTION NO. 626 OF 1995 held over by Mr. O'Day
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT
WITH J.J. SHEEHAN ADJUSTERS, INC. FOR
INVESTIGATIVE AND ADJUSTMENT SERVICES FOR THE
OFFICE OF RISK AND INSURANCE FOR 1996**

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 677 OF 1995 heldover by Mr. Shafer
**RESOLUTION ADOPTING LOCAL LAW INTRO NO. 24, 1995
ENTITLED "A LOCAL LAW TRANSFERRING THE
DEPARTMENT OF PUBLIC WORKS DIVISIONS OF
BUILDINGS AND GROUNDS HEREINAFTER "FACILITIES
MANAGEMENT" TO THE DEPARTMENT OF FACILITIES
MANAGEMENT AND DEPARTMENT OF HIGHWAYS, AND
ESTABLISHING A DEPARTMENT OF SECURITY AND
ESTABLISHING A DEPARTMENT OF HIGHWAYS AND
AMENDING THE UNIFORM FIRE PREVENTION AND
BUILDING CODE"**

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 2

by HEALTH SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT
WITH MULTIPLE PARKING SERVICES FOR THE
DEPARTMENT OF MENTAL HEALTH FOR 1996.**

WHEREAS, this County Legislature, by Resolution 33 of 1995,

authorized renewal of an agreement with Multiple Parking Services for provision of parking spaces for employees of the Mental Health Department for 1995 at a cost of \$950.00 per month, total cost not to exceed \$11,400.00, 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 Multiple Parking Services, State Street Ramp, P.O. Box 1569, Binghamton, New York, 13902 for the provision of parking spaces for employees of the Mental Health Department 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 Contractor \$950.00 per month, total cost not to exceed \$11,400.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4461.101000 (Mileage and Parking Local), 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 Mrs. Sweet

RESOLUTION NO. 3

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTH DEPARTMENT IMMUNIZATION ACTION PLAN CONSORTIUM V GRANT FOR CHILDHOOD

IMMUNIZATION AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996.

WHEREAS, this County Legislature, by Resolution 39 of 1995, authorized and approved the Health Department Immunization Action Plan Consortium V Grant, formerly known as the Immunization Initiative Program Grant for calendar year 1995 and adopted a program budget in connection therewith in the amount of \$25,300.00, and

WHEREAS, said program grant is intended to increase public understanding for the need for immunizations for infants and toddlers and provide additional clinics for immunizations, and

WHEREAS, it is desired to renew said program grant for calendar year 1996 in the amount of \$25,300, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$25,300.00 from the New York State Department of Health for the Health Department Immunization Action Plan Consortium V Grant for calendar year 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 \$25,300.00, and be it

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

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 4

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

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING REVISION OF THE HEALTH
DEPARTMENT DENTAL SEALANT GRANT AND ADOPTING
A REVISED PROGRAM BUDGET IN CONNECTION
THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 405 of 1995, authorized the Health Department Dental Sealant Grant Program for the period October 1, 1995 through September 30, 1996, and adopted a program budget in connection therewith in the total amount of \$46,000.00, and

WHEREAS, this grant promotes good oral hygiene to Broome County school children by providing dental exams, cleanings, education and sealants, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Department Dental Sealant Grant for the period October 1, 1995 through September 30, 1996, in the total amount of \$46,000.00, 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 \$46,000.00 for the period October 1, 1995 through September 30, 1996, and be it

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FURTHER RESOLVED, that Resolution 405 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-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 5

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LOURDES HOSPITAL FOR LABORATORY SERVICES FOR THE HEALTH DEPARTMENT SEXUALLY TRANSMITTED DISEASE CLINIC AND EMPLOYEE HEALTH SERVICES FOR CALENDAR YEAR 1996.

WHEREAS, this County Legislature, by Resolution 20 of 1995, authorized an agreement with Lourdes Hospital for laboratory services for the Health Department Sexually Transmitted Disease Clinic and Employee Health Services for calendar year 1995 at a cost not to exceed \$15,711.00, and

WHEREAS, said services are necessary for the diagnosis of

sexually transmitted infections and diseases and for the testing for immunity to measles and rubella for Employee Health Services, and

WHEREAS, it is desired at this time to renew said agreement for calendar year 1996 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York, 13905, for laboratory services, including a technician at the Health Department, for the Health Department Sexually Transmitted Diseases Clinic and Employee Health Services for calendar year 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Lourdes Hospital the rates as indicated on the attached Exhibit "A", total cost not to exceed \$20,787.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480228.4703.101XXX (lab services), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 6

by PERSONNEL, TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF AVIATION.

RESOLVED, that in accordance with a request from the Department of Aviation, as contained in PCR# 96-65, this County Legislature hereby authorizes the **change of union status** of two (2)

part-time Parking Attendant positions at budget line C210203.1500, minimum salary \$\$4.25/hour (\$8,288/annual), Grade N/A, Union Code 52 (Extra Help Employees) to two (2) part-time Parking Attendant positions at budget line C210203.1500, minimum salary \$6.7169/hour (\$13,098/annual), Grade 06, Union Code 08 (CSEA), effective January 1, 1996,

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 7

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WATER STREET ASSOCIATES FOR LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF MENTAL HEALTH FOR 1996.

WHEREAS, this County Legislature, by Resolution 31 of 1995, authorized an agreement with Water Street Associates for the lease of office space at 168 Water Street, Binghamton for calendar year 1995, at a cost not to exceed \$9,100, and

WHEREAS, said lease is necessary to provide office space for administration of the Mentally Ill Chemical Abuser-Intensive Case Management Grant Program of the Department of Mental Health, and

WHEREAS, the Department of Mental Health requests that the renewal agreement contain a clause permitting the County to terminate said lease upon 30 days notice, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Water Street Associates, 168 Water Street, Binghamton, New York, 13901, for the lease of 1160 square feet of fourth floor office space at 168 Water Street, Binghamton, New York, for the period January 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that the renewal agreement shall contain a clause permitting the County to terminate said lease upon 30 days notice, and be it

FURTHER RESOLVED, that the Lessor shall also provide, at its cost, the use of ten parking spaces at the All Right Parking Ramp on Water Street, Binghamton for the use of employees of the Department of Mental Health, and be it

FURTHER RESOLVED, that in consideration of said lease, the County shall pay the Lessor an amount not to exceed \$9,100 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 470096.4422.104XXX and 47XXXX.4422.104XXX (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 Mrs. Sweet.

RESOLUTION NO. 8

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF MENTAL HEALTH/PROBATION JUVENILE JUSTICE PROJECT GRANT FROM THE NEW YORK STATE DIVISION FOR YOUTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996.

WHEREAS, this County Legislature, by Resolution 231 of 1995, authorized and approved the Mental Health/Probation Juvenile Justice Grant and adopted a program budget in the amount of \$25,000 for the period September 1, 1995 through December 31, 1995, and

WHEREAS, said grant program provides for closer working relationships between the Probation Department and the Mental Health

Clinic staff and will facilitate diversion of children who are in need of mental health and/or alcohol and substance abuse services by linking them to these services at the earliest opportunity while such children are under the supervision of the Probation Department, and

WHEREAS, it is desired to renew said grant program for the period January 1, 1996 through December 31, 1996, in the amount of \$60,000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$60,000 from the New York State Division for Youth for the period January 1, 1996 through December 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 \$60,000 for the period January 1, 1996 through December 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.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 9

by FINANCE and PERSONNEL COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING A LABOR AGREEMENT WITH AFSCME LOCAL 1883 FOR JANUARY 1, 1996 THROUGH DECEMBER 31, 1998.

WHEREAS, the County of Broome, under the provisions of the Civil Service Law (Taylor Law), has heretofore recognized AFSCME Local 1883 as an employee organization for those certain Broome County employees represented by said union, and

WHEREAS, this County Legislature, by Resolution No. 63 of 1994, authorized a written agreement with AFSCME Local 1883 setting forth the terms and conditions of employment for those employees represented by said union for the period January 1, 1993 through December 31, 1995, and

WHEREAS, a tentative agreement has been reached with AFSCME Local 1883 for the period January 1, 1996 through December 31, 1998, and

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

RESOLVED, that this County Legislature hereby authorizes an agreement with AFSCME Local 1883, setting forth the terms and conditions of employment for those employees represented by said union, for the period January 1, 1996 through December 31, 1998, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 1993 to 1995 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 implement the intent and purpose of this Resolution.

Held over under the 'Rules' by Mrs. Sweet.

RESOLUTION NO. 10

by PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR WILLOW POINT NURSING HOME.

RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-77, this County Legislature hereby authorizes the **creation** of one (1) part-time Program Assistant position at budget line WC160028.1500, minimum salary \$8.2585/hour (\$16,228/annual), Grade 10, Union Code 08 (CSEA), effective January 1, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-76, this County Legislature hereby authorizes the **creation** of one (1) part-time Clerk position at budget line WC160127.1500, minimum salary \$6.7169/hour (\$13,098/annual), Grade 06, Union Code 08 (CSEA), effective January 1, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funding for the aforementioned new positions, as requested by BT# 9606, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160127	1600	204000	Salaries, Temporary	
					\$13,527
	160127	4423	204000	Building, Grounds & Equip	
Dep					\$ 1,856
TO :	160028	1500	204000	Salaries, Part-time	
					\$ 8,114
	160127	1500	204000	Salaries, Part-time	

\$ 7,269

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 11

by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH LEONARD J. ROBILOTTI & ASSOCIATES FOR ARCHITECTURAL AND ENGINEERING SERVICES REQUIRED FOR THE BROOME COUNTY COURTHOUSE DOME RESTORATION PROJECT FOR 1996.

WHEREAS, this County Legislature, by Resolution 327 of 1992, authorized an agreement with Leonard J. Robilotti & Associates for architectural and engineering services required for the Broome County Courthouse Dome Restoration Project, at a cost of \$185,000.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement in order to reimburse the contractor for costs incurred beyond the scope of the contract because of additional asbestos project monitoring and laboratory analysis required and associated with the remediation of additional asbestos encountered during the construction phase of the project, 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 Leonard J. Robilotti & Associates, 1 Commercial Alley, Binghamton, New York, 13901, for architectural and engineering services required for the Broome County Courthouse Dome Restoration Project, for the period ending December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$13,867.50, for total compensation not to exceed \$198,867.50, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035121.4746.501251 (Architectural/Engineering Services), and be it

FURTHER RESOLVED, that Resolution 327 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 12

by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE DeWOLFF PARTNERSHIP, ARCHITECTS, FOR PROFESSIONAL ARCHITECT/ENGINEERING SERVICES FOR THE CENTRAL FOODS EXPANSION PROJECT FOR 1994 THROUGH 1995.

WHEREAS, this County Legislature, by Resolution 323 of 1994, authorized an agreement with The DeWolff Partnership Architects for professional architect/engineering services for the Central Foods Expansion Project for the period 1994 through 1995, at a cost of \$208,525.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to compensate the contractor for additional construction phase services relating to project monitoring and air monitoring associated with asbestos abatement beyond the original scope of the contract, 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 The DeWolff Partnership Architects, St. Paul Place, 151 St. Paul Street, Rochester, New York, 14604, for professional architect/engineering services for the Central Foods Expansion Project for the period ending August 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$6,089.44, for total compensation not to exceed \$214,614.44, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235051.4746.501290 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 323 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-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 13

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING THE AMENDMENT OF THE AGREEMENT WITH JOHN T. RYER, D.V.M., SOUTHSIDE PET HOSPITAL FOR VETERINARIAN SERVICES IN SUPPORT OF THE BROOME COUNTY ANIMAL SHELTER FOR 1995.

WHEREAS, this County Legislature, by Resolutions 94-498 and 95-122, authorized an agreement with John T. Ryer, D.V.M., Southside Pet Hospital, for vaccination and veterinarian services in support of the

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Broome County Animal Shelter for calendar year 1995, at a cost not to exceed \$9,787.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the total contract amount to include the cost of veterinary supplies for the Broome County Shelter, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with John T. Ryer, D.V.M., Southside Pet Hospital, 25 Webster Street, Binghamton, New York 13903 for vaccination and veterinarian services in support of the Broome County Animal Shelter for the calendar year 1995, and be it

FURTHER RESOLVED, that the total amount to be paid to John T. Ryer, D.V.M., Southside Pet Hospital, shall not exceed \$14,187.00 for the term of this agreement, to be paid as follows:

\$9,787.00 from budget line 480160.4742.101000 (Veterinarian Services) and \$4,400.00 from budget line 031476.4349.101000 (Miscellaneous Operational Supplies), and be it

FURTHER RESOLVED, that Resolutions 498 of 1994, and 122 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-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 14

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT

WITH JOHN T. RYER, D.V.M., SOUTHSIDE PET HOSPITAL FOR VETERINARIAN SERVICES IN SUPPORT OF THE BROOME COUNTY ANIMAL SHELTER FOR 1996.

WHEREAS, this County Legislature, by Resolutions 94-498, 95-122, and companion resolution, authorized an agreement with John T. Ryer, D.V.M., Southside Pet Hospital, for vaccination and veterinarian services in support of the Broome County Animal Shelter for calendar year 1995, at a cost of \$14,187.00, and

WHEREAS, said services are necessary for public health and humane treatment of strays and dogs running at large that are housed at the Broome County Dog Shelter, 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, at an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with John T. Ryer, D.V.M., Southside Pet Hospital, 25 Webster Street, Binghamton, New York, 13903, for vaccination and veterinarian services and veterinary supplies at the Broome County Dog Shelter 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 Contractor an amount not to exceed \$15,503.00 for the term of this agreement, to be paid as follows:

\$5,000.00 from budget line 031476.4349.101000 (Miscellaneous Operational Supplies) and

\$10,503.00 from budget line 480160.4742.101000 (Veterinarian Services), and be it

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 15

by FINANCE and PUBLIC WORKS COMMITTEE

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING ABANDONMENT OF HIGHWAY RIGHT OF WAY ON NEW YORK STATE ROUTE 79 IN THE TOWN OF WINDSOR.

WHEREAS, the Department of Public Works requests that this County Legislature authorize the abandonment of the highway right of way on New York State Route 79 in the Town of Windsor, as indicated on the annexed Exhibit "A", and

WHEREAS, the Department of Public Works has determined that the highway right of way is no longer needed for County purposes and recommends that any and all rights to said right of way be abandoned by Broome County, and

WHEREAS, the prospective purchaser of said property which contains the highway right of way, Lewis H. Worrada, has agreed to pay the County \$500.00 for said abandonment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the abandonment of any and all rights to the highway right of way located on New York State Route 79 in the Town of Windsor, more particularly described on the annexed Exhibit "A", and be it

FURTHER RESOLVED, that in consideration of said abandonment, Lewis H. Worrada, P.O. Box 67, Windsor, New York, 13865, shall pay the County an amount not to exceed \$500.00, and be it

FURTHER RESOLVED, that the payments hereinabove made shall be credited to budget line 030106.0212.301000 (Sales of Real Property), and be it

FURTHER RESOLVED, that the County Executive or his duly

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 16

by FINANCE and PUBLIC WORKS COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AMENDING RESOLUTION 259 OF 1993 AUTHORIZING TWO AGREEMENTS WITH MRB GROUP, P.C., FOR THE DEPARTMENT OF PUBLIC WORKS FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR THE RENOVATION OF THE GEORGE HARVEY JUSTICE BUILDING.

WHEREAS, this County Legislature by Resolution 259 of 1993 authorized two agreements with MRB Group, P.C., for the Department of Public Works for professional architectural and engineering services for the renovation of the George Harvey Justice Building, and

WHEREAS, one of those agreements involved final design and construction related services at a cost not to exceed \$1,052,393.00, and

WHEREAS, said Resolution 259 of 1993 authorized payments for said agreement from budget line 035121.4746.501252 (Engineering & Architectural Services), relating to 1992 Capital Project Z-86-George Harvey Justice Building Renovations, and

WHEREAS, said Capital Project Z-86 was subsequently deleted and incorporated into 1993 Capital Project F-432A-George Harvey Justice Building Renovations, and

WHEREAS, the Commissioner of Public Works recommends that this Legislature amend Resolution 259 of 1993 to authorize payments from the proper budget line for 1993 Capital Project F-432A, now, therefore, be it

RESOLVED, that this County Legislature hereby amends Resolution 259 of 1993 to change the first "Further Resolved" paragraph from:

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 035121.4746.501223, 035121.4746.501214, and 035121.4746.501252 (Engineering & Architectural Services), and be it

to: FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 035121.4746.501223, 035121.4746.501214, and 035121.4746.501279 (Engineering & Architectural Services),

and be it

FURTHER RESOLVED, that Resolution 259 of 1993, 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-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 17

by PUBLIC WORKS, TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AGREEMENT WITH O'BRIEN & GERE ENGINEERS FOR CONSULTANT ENGINEERING

SERVICES FOR PREPARATION OF A SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN FOR THE TRANSIT GARAGE FUEL FARM FOR 1996.

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with O'Brien & Gere Engineers for consultant engineering services for preparation of a Spill Prevention Control and Countermeasures Plan for the Transit Garage Fuel Farm, at a cost of \$6,000, and

WHEREAS, New York State Department of Environmental Conservation requires that all new above-ground tank facilities have a Spill Prevention Control and Countermeasures Plan, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with O'Brien & Gere Engineers, 441 Commerce Road, Vestal, New York, 13850, for consultant engineering services for preparation of a Spill Prevention Control and Countermeasures Plan for the Transit Garage Fuel Farm for the period January 1, 1996 through June 30, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,000 for the period January 1, 1996 through June 30, 1996, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 225011.4746.501307 (Engineering and Architectural Services), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 18

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GTL, INCORPORATED AND PROJECT HEAR FOR PERSONAL EMERGENCY RESPONSE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1996.

WHEREAS, New York State Law mandates the Personal Emergency Response System (PERS) pursuant to Social Services Law for certain eligible medical assistance recipients, and

WHEREAS, the cost of medical assistance expenditures for personal care services have rapidly increased and PERS will allow Broome County Department of Social Services to reduce or eliminate the number of hours authorized for home care workers who are in a client's home solely for the purpose of monitoring the client's health and safety, and

WHEREAS, Broome County Department of Social Services is authorized to enter into an agreement for the provision of PERS for which reimbursement is available, and

WHEREAS, this County Legislature, by Resolution 94-687 duly adopted on December 30, 1994, authorized an agreement with GTL, Incorporated and Project HEAR for provision of Personal Emergency Response Services for the period January 1, 1995 through December 31, 1995, and

WHEREAS, GTL, Incorporated, and Project HEAR are ready, willing and able to provide Personal Emergency Response Services for eligible Broome County medical assistance recipients, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with GTL, Incorporated, 1421A Arnot Road, Horseheads, New York, 14845, and with Project HEAR, 229-231 State Street, Binghamton, New York, 13905, for Personal Emergency Response

Services in connection with the Department of Social Services' medical assistance program 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 GTL, Incorporated, \$30.00 per installation of each PERS unit and \$24.00 per month per unit monitoring fee; and shall pay Project HEAR \$35.00 per installation of each PERS unit and \$25.00 per month per unit monitoring fee, subject to revision and approval of New York State for 1996 rates, total cost not to exceed \$3,604.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the requested rates and services may continue through 1997 until such a time as a new rate is approved by New York State should said rates be revised, and be it

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

FURTHER RESOLVED, that the Commissioner of Broome County Department of Social Services shall have the discretion to authorize CASA or other agencies or individuals to act as the designee or representative for the Broome County Department of Social Services for any or all of the local department's functions in this program, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 19

by ENVIRONMENT and FINANCE COMMITTEES

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Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CLARK PATTERSON MOSSEIN FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 180 of 1994, authorized an agreement with Clark Patterson Mossein for professional engineering services in relation to the landfill siting process, at a cost of \$1,035,000, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include professional engineering services for the preparation of a combined landfill siting, construction and compost facility environmental impact statement, and

WHEREAS, the Director of Solid Waste Management 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 Clark Patterson Mossein, 186 North Water Street, Rochester, New York, 14604, for professional engineering services in relation to the preparation of a combined Landfill Siting, Construction and Compost Facility Environmental Impact Statement for the period December 31, 1995 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$280,000 (total contract amount \$1,315,000), and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 235036.4746.501200 (Engineering and Architectural Services) and 235036.4746.501298 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 180 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.

Held over under the 'Rules' by Mr. Schofield

RESOLUTION NO. 20

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TRANSCOR AMERICA, INCORPORATED, FOR TRANSPORT OF FUGITIVES FROM JUSTICE BACK TO BROOME COUNTY FOR THE SHERIFF'S DEPARTMENT FOR 1996.

WHEREAS, the Sheriff's Department requests authorization for an agreement with Transcor America, Incorporated, for transport of fugitives from justice back to Broome County for calendar year 1996, at a cost not to exceed \$30,000.00, and

WHEREAS, said services are necessary to transport fugitives from justice back to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Transcor America, Incorporated, 1510 Fort Negley Boulevard, Nashville, Tennessee, 37224, for transport of fugitives from justice back to Broome County 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 Contractor an amount not to exceed \$30,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4465.101000 (Non-employee travel, hotel and meals), and be it

FURTHER RESOLVED, that the County Executive or his duly

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 21

by FINANCE COMMITTEE

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING THE USE OF BROOME COUNTY'S SELF INSURANCE WORKERS' COMPENSATION RESERVE FUND TO COVER UNANTICIPATED CLAIMS BY INCREASING THE 1995 COUNTY BUDGET.

WHEREAS, pursuant to Section 69 of the Workers' Compensation Law, the County Legislature may authorize the use of the Workers' Compensation Reserve Fund to cover unanticipated claims, and

WHEREAS, the Manager of Risk and Insurance recommends the recognition of claims that were not previously anticipated, and that the amount of said claims total \$250,000.00, and

WHEREAS, it is appropriate to recognize said claims in the budget year in which the claims accrue, and

WHEREAS, the Manager of Risk and Insurance recommends the use of reserves currently available in Broome County's Self Insured Workers' Compensation Plan to cover said unanticipated claims, which accrued in 1995, now, therefore, be it

RESOLVED, to provide for said unanticipated claims, this County Legislature hereby authorizes the use of Broome County's Self Insured Workers' Compensation Plan Reserve Fund, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the recognition of unanticipated claims totaling \$250,000.00, and be it

FURTHER RESOLVED, that the Commissioner of Finance is authorized to increase appropriations from the Reserve Fund by an amount not to exceed \$250,000.00, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the increase of appropriations and revenue in the 1995 county budget for the Workers' Compensation Plan by an amount not to exceed \$250,000.00, and be it

FURTHER RESOLVED, that the Manager of Risk and Insurance, the Director of Budget & Research, and the Commissioner of Finance are hereby authorized to prepare and to execute the necessary budgetary and accounting entries required to carry out the intent and purposes of this resolution.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 22

by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AGREEMENT WITH DELTA ENGINEERS, P.C., FOR SUPPLEMENTAL STRUCTURAL BRIDGE ENGINEERING SERVICES FOR THE HIGHWAY DEPARTMENT FOR 1996.

WHEREAS, the Superintendent of Highways requests authorization for an agreement with Delta Engineers, P.C., for supplemental structural bridge engineering services for calendar year 1996, pursuant to the rate schedule attached hereto as Exhibit "A", total cost not to exceed \$45,000.00, and

WHEREAS, said services are necessary to provide structural engineering on some projects, in particular those related to structural analysis of NYSDOT-issued flags, and

WHEREAS, this County Legislature desires to waive the normal procurement process for engineering services, now, therefore, be it

RESOLVED, that this County Legislature hereby waives the normal procurement process for engineering services and authorizes an agreement with Delta Engineers, P.C., 164 Court Street, Binghamton, New York, 13901, for supplemental structural bridge engineering services, for the period January 1, 1996 through December 31, 1996, and

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be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor per the rate schedule attached hereto as Exhibit "A", total cost not to exceed \$45,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 080010.4746.301000 (Engineering and Architectural Services), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 23

by PERSONNEL and FINANCE COMMITTEES

Secoded by Mr. Whalen

RESOLUTION AUTHORIZING PHILLIP WOLCOTT TO CARRY OVER VACATION TIME.

WHEREAS, the employment contract between County of Broome and the Broome County Unit of the Civil Service Employees Association, Inc., currently in effect provides that an employee may not carry over more than ten (10) days of vacation beyond the end of a year, and

WHEREAS, Phillip Wolcott, Assistant Engineer, as of the end of 1995 had 14.5 hours more than ten (10) days of accrued vacation time, and

WHEREAS, Phillip Wolcott at the end of 1995 was engaged in completing the Vertical Security Project in the Courthouse and in order

to complete said Project by the year-end deadline, upon the request of the Office of Court Administration and the Deputy Commissioner of Public Works-Buildings and Grounds, Phillip Wolcott did not use the 14.5 hours of vacation time that could not be carried over under said Employment Contract, and

WHEREAS, the Commissioner of Public Works requests that Phillip Wolcott be allowed to carryover 14.5 hours of vacation time in addition to the ten (10) days that are allowed under said Employment Contract, now, therefore, be it

RESOLVED, that this County Legislature, notwithstanding the provisions of Article 20 of the Employment Contract between County of Broome and the Broome County Unit of the Civil Service Employees Association, Inc., hereby authorizes Phillip Wolcott, Assistant Engineer (Employee No. 20419) to carryover 14.5 hours of vacation time in addition to the ten (10) days allowed by said employment contract, and be it

FURTHER RESOLVED, that the Personnel Officer or his duly authorized representative is hereby empowered to take such action and execute such documents as may be necessary to implement the intent and purpose of this Resolution.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 24

by FINANCE COMMITTEE

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AGREEMENT WITH KPMG PEAT MARWICK, LLP, FOR AUDITING SERVICES OF FINANCIAL ACCOUNTS FOR YEARS ENDING 1995, 1996, AND 1997.

WHEREAS, Broome County has previously contracted with Price Waterhouse (with sub-contracted hours to Piaker & Lyons, a local firm)

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for auditing services, and

WHEREAS, said agreement expired, in accordance with its terms, on December 31, 1995, and

WHEREAS, after considering proposals submitted by six accounting firms in response to an RFP, the Comptroller, with the concurrence of the Commissioner of Finance, recommends that a contract for auditing services for the years ending December 31, 1995, December 31, 1996, and December 31, 1997, be awarded to KPMG Peat Marwick (with sub-contracted hours to Piaker & Lyons, a local firm), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with KPMG Peat Marwick, 74 North Pearl Street, Albany, New York, 12207-2704, for auditing services of financial accounts for the years ending December 31, 1995, December 31, 1996, and December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$97,500 for 1995; \$102,000 for 1996; and \$106,500 for 1997, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from Audit and Control, budget line 360008.4722.101000 (Audit Fees) and charged back in part to various County Departments based upon the records of time spent by the contractor, but within the limits of the budget, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 25

by TRANSPORTATION COMMITTEE

Seconded by Mr. Whalen

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY AIRPORT ADVISORY BOARD.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution 195 of 1987, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Airport Advisory Board for the terms indicated:

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
James D. Brooker 33 Ritchie Road Binghamton, New York 13901	December 31, 1998
Carl J. Wenzinger, Jr. Bunn Hill Road Vestal, New York 13850	December 31, 1998
John Richardson, Jr. 1130 Arnold Drive Endicott, New York 13760	December 31, 1998

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 195 of 1987, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 195 of 1987, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Airport Advisory Board in accordance with their appointment by the County Executive.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 26

by COMMUNITY & SOCIAL SERVICES COMMITTEE

Seconded by Mr. Whalen

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY COMMUNITY ALTERNATIVES SYSTEMS AGENCY "CASA" ADVISORY BOARD.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution 70 of 1984, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Community Alternatives Systems Agency "CASA" Advisory Board for the terms indicated:

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
Donna Rider 6 Westwood Court Binghamton, New York 13905	December 31, 1998
Nellie Kochenash 1145 Ford Road Vestal, New York 13850	December 31, 1998
Neil Hall, M.D. 129 Wilson Hill Road Binghamton, New York 13905	December 31, 1998
Diane Bartholomew 2312 Acorn Drive Vestal, New York 13850	December 31, 1998
Linda Baker 116 Grand Boulevard Binghamton, New York 13905	December 31, 1996

indicated:

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
George Seltzer 32 N Parsons Whitney Point, New York 13862	December 31, 1996
Elwyn Eaton P.O. Box 68 Castle Creek, New York 13744	December 31, 1996
Clarence Rogers 32 Main Street Harpursville, New York 13787	December 31, 1996
Robert Spicer P.O. Box 101 Killawog, New York 13794	December 31, 1996
Martin Tillapaugh 232 Stella Ireland Road Binghamton, New York 13905	December 31, 1996
Fred Canniff 18 Sandy Brook Lane Castle Creek, New York 13744	December 31, 1996
David Rickard 24 Riverview Road Kirkwood, New York 13795	December 31, 1996
Irving Soden 113 Baker Road	December 31, 1996

RESOLUTION NO. 28

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Miller

RESOLUTION AUTHORIZING THE BRANDYWINE WATERSHED TO BE NAMED THE WITTMAN DAM.

WHEREAS, the County of Broome has completed the Brandywine Creek Watershed project for flood prevention, and

WHEREAS, this project is on land located in the Town of Dickinson originally owned by the Wittman family since 1914, and

WHEREAS, the Broome County Executive requests this County Legislature authorize the Brandywine Watershed to be named the Wittman Dam in honor of the Wittman family, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Brandywine Watershed located in the Town of Dickinson to be named the Wittman Dam, 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 this resolution shall take effect immediately.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 29

by FINANCE, HEALTH SERVICES, EDUCATION, CULTURE & RECREATION, and PERSONNEL COMMITTEES

Seconded by Mr. Cahill

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF MENTAL HEALTH (DRUG AWARENESS), HEALTH, LIBRARY, PERSONNEL, AND

WILLOW POINT NURSING HOME, FOR 1995 FISCAL YEAR.

RESOLVED, that in accordance with a request from the Department of Mental Health (Drug Awareness), in order to provide funds maximize state reimbursement, as requested by BT# 9052 , 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	470021	4513	101000	Software Maintenance	
					\$1,000
	470021	8010	101000	State Retirement	
					\$1,481
	470021	8030	101000	Social Security	\$
832					
	470021	8060	101000	Health Insurance	\$
732					
	470021	8063	101000	Disability Insurance	\$
788					
TO :	470021	4319	101000	Office Supplies	
					\$2,000
	470021	4359	101000	Computer Software	
					\$1,500
	470021	4363	101000	Med/Lab Supplies	\$
581					
	470021	4609	101000	Data Processing Chargeback	
					\$ 752

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds for overtime, as requested by BT# 9584, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u> <u>Title</u>	<u>Amount</u>
FROM:	480293	1000	101000 Salaries, Full-time	
				\$ 350

TO :	480293	1700	101000 Salaries, Overtime	
				\$ 350

and be it

FURTHER RESOLVED, that in accordance with a request from the Library, in order to provide funding for temporary salaries resulting from full-time vacancies, as requested by BT# 8103 , this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u> <u>Title</u>	<u>Amount</u>
FROM:	842005	1000	304000 Salaries, Full-time	
				\$1,000
	842005	8030	304000 Social Security	
				\$1,500
	841007	4609	304000 Computer Service Chargeback	
				\$ 250
	841007	8070	304000 Unemployment Insurance	
				\$2,850
TO :	842005	1600	304000 Salaries, Temporary	
				\$1,000
	842005	8060	304000 Health Insurance	
				\$1,500
	842005	8070	304000 Unemployment Insurance	
				\$2,850
	841007	4448	304000 Advertising	\$

250

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Personnel, in order to provide funds for temporary salaries, as requested by BT# 8307, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u> <u>Title</u>	<u>Amount</u>
FROM:	400002	1700	101000 Salaries, Overtime	
	\$ 300			

TO :	400002	1600	101000 Salaries, Temporary	
	\$ 300			

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for overexpended personnel lines, as requested by BT# 9813, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u> <u>Title</u>	<u>Amount</u>
FROM:	160028	1000	204000 Salaries, Full-time	
	\$4,500			
	160077	4411	204000 Postage and Freight	
	\$ 40			
	160085	4901	204000 Nursing Services - LPN	
	\$1,000			
	160119	2310	204000 Kitchen & Dining Room	
Expense	\$ 500			

TO : 160028 1500 204000 Salaries, Part-time
 \$2,000
 160028 8060 204000 Health Insurance
 \$2,500
 160077 8050 204000 Life Insurance
 \$ 40
 160085 8050 204000 Life Insurance
 \$1,000
 160119 8050 204000 Life Insurance
 \$ 500

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for overexpended personnel lines, as requested by BT# 9816 , 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160085	4900	204000	Nursing Services - RN	\$
					4,500
	160085	1000	204000	Salaries, Full-time	
					\$11,960
TO :	160127	1600	204000	Salaries, Temporary	
					\$ 1,500
	160127	1700	204000	Salaries, Overtime	
					\$ 3,000
	160127	8030	204000	Social Security	\$
800					
	160127	8050	204000	Life Insurance	
					\$ 30
	160127	8060	204000	Health Insurance	\$

4,000
 160176 8050 204000 Life Insurance
 \$ 30
 160176 8060 204000 Health Insurance \$
 7,000
 160184 8050 204000 Life Insurance
 \$ 100

and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funding to overexpended personnel lines, as requested by BT# 9615, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>
				<u>Amount</u>
FROM:	160101	4331	204000	Food and Beverage
				\$ 801
	160127	1000	204000	Salaries, Full-time
				\$1,600
	160143	1000	204000	Salaries, Full-time
				\$1,300
	160010	8040	204000	Workers' Compensation
				\$ 32
TO :	160101	8040	204000	Workers' Compensation
				\$ 773
	160101	8050	204000	Life Insurance
				\$ 28
	160127	1500	204000	Salaries, Part-time
				\$1,600
	160143	1700	204000	Salaries, Overtime
				\$1,300
	160234	8040	204000	Workers' Compensation
				\$ 32

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for overexpended personnel lines, as requested by BT# 9620, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	160085	1900	204000	Salaries, Shift	Differential	\$35,567
	160085	1950	204000	Salaries, Adjustments		\$15,000
	160085	1000	204000	Salaries, Full-time		\$70,000
	160010	8040	204000	Workers' Compensation		\$ 204
	160028	8040	204000	Workers' Compensation		\$ 1,398
	160036	8040	204000	Workers' Compensation		\$ 81
	160119	8040	204000	Workers' Compensation		\$ 813
TO :	160085	1500	204000	Salaries, Part-time		\$90,000
	160085	1700	204000	Salaries, Overtime		\$30,567
	160085	8040	204000	Workers' Compensation		\$ 2,496

and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funds for overexpended personnel lines, as requested by BT# 9612, 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>Code</u>	<u>object</u>	<u>Code</u> <u>Title</u>	<u>Amount</u>
FROM:	160028	1700	204000 Salaries, Overtime	
				\$ 564
	160010	8040	204000 Workers' Compensation	
				\$ 668
	160077	1000	204000 Salaries, Full-time	
				\$5,000
	160077	4434	204000 Medical, Hospital & Lab	
				\$6,693
	160077	4346	204000 Training and Education	
				\$ 233
	160077	4359	204000 Computer Software	
				\$ 930
TO :	160028	1500	204000 Salaries, Part-time	
				\$ 564
	160077	8040	204000 Workers' Compensation	
				\$ 668
	160077	1500	204000 Salaries, Part-time	
				\$5,000
	160077	8060	204000 Health Insurance	
				\$7,856

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 30

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING AND FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 2, 1996, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 185 OF

THE BROOME COUNTY LOCAL LAWS, TAXATION."

RESOLVED, that Local Law Intro. No. 2, 1996, entitled: "A LOCAL LAW AMENDING CHAPTER 185 OF THE BROOME COUNTY LOCAL LAWS, TAXATION." be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 2, 1996

A LOCAL LAW AMENDING CHAPTER 185 OF THE BROOME COUNTY LOCAL LAWS, TAXATION."

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

SECTION 1. Chapter 185 of the Broome County Local Laws is hereby amended to read as follows:

ARTICLE IV

Senior Citizens Tax Exemption

185-32 **Qualifications.**

(E) Any person otherwise qualifying under this article shall not be denied the exemption under this article if he/she becomes sixty-five years of age after the appropriate taxable status date and on or before December thirty-first of the same year.

SECTION 2. Except as hereinabove amended, Chapter 185 of the 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.

Note: Material underlined is added.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 31

by FINANCE and PUBLIC SAFETY & EMERGENCY SERVICES

COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENT OF DISTRICT ATTORNEY FOR 1996 FISCAL YEAR.

RESOLVED, that in accordance with a request from the District Attorney, in order to correct the 1996 Budget and provide funding for Chief Assistant District Attorney, as requested by BT# 9098 , 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	330001	1000	101000	Salary - Full-time	
					\$5,000
	330001	8010	101000	State Retirement	\$
170					
	330001	8030	101000	Social Security	\$
383					
TO :	330001	9005	101000	Transfer to Grant	
					\$5,553

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 32

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Whalen

RESOLUTION DESIGNATING A NEWSPAPER PUBLISHED WITHIN BROOME COUNTY AS THE OFFICIAL NEWSPAPER FOR THE PUBLICATION OF ALL LAWS, NOTICES, AND OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED.

WHEREAS, County Law Section 214, Subsection 2, requires the annual designation of at least two newspapers published within the County as official newspapers for the publications of all local laws,

notices, and other matters required by law to be published, and

WHEREAS, County Law Section 214, Subsection 2, further states that "if there be but one newspaper having circulation in the County, that newspaper shall be designated", and

WHEREAS, this County Legislature desires to designate the Press & Sun-Bulletin as the official newspaper for the publication of all local laws, notices, and other matters required by law to be published, now, therefore, be it

RESOLVED, that the Press & Sun-Bulletin is hereby designated pursuant to County Law Section 214, as the official newspaper for the publication of all local laws, notices, and other matters required by law to be published.

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

RESOLUTION NO. 33

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES Seconded by Mr. Whalen **RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH NICHOLAS T. SBARRA FOR THE LEASE OF SPACE AT 34 WASHINGTON AVENUE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1996 THROUGH 2000.**

WHEREAS, this County Legislature, by Resolution 95-570, authorized a five-year lease agreement for space for the Department of Social Services at 32-36 Washington Avenue, Endicott, New York, for the period December 1, 1995 through December 31, 2000, and

WHEREAS, said Resolution requires a clause in the Lease Agreement to provide for termination by the County on each anniversary date with notice, and

WHEREAS, good faith negotiations between representatives of the Broome County Department of Social Services and the landlord did not anticipate such a provision, and

WHEREAS, the Agreement negotiated between representatives of the Broome County Department of Social Services and the landlord

provides for termination of the Lease Agreement at any time should the funding sources for the Medical Assistance, Supplemental Security Income, and Food Stamp programs be eliminated or substantially reduced, and

WHEREAS, it is necessary and desirable to amend Resolution 95-570 to authorize a Lease Agreement as negotiated and to eliminate the requirement that County may terminate the Agreement on each anniversary date with notice, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes amendment to Resolution 95-570 to eliminate the requirement that the Lease Agreement shall include a clause that it may be terminated by the County on each anniversary date with notice, and be it

FURTHER RESOLVED, that said Lease Agreement shall provide for termination should funding for the program areas of Medical Assistance, Supplemental Security Income, or Food Stamps be eliminated or reduced by 30 percent, and be it

FURTHER RESOLVED, that Resolution 95-570, 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-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 34

by FINANCE COMMITTEE

Seconded by Mr. Kavulich

RESOLUTION AUTHORIZING THE REMOVAL OF CERTAIN PARCELS FROM THE 1992 IN REM FORECLOSURE.

WHEREAS, the Director of Real Property Tax Services advises that the below-listed parcels are presently on the 1995 foreclosure list, and

WHEREAS, for the reasons hereinafter set forth it is necessary to

authorize the removal of these parcels from the 1992 in rem foreclosure, now, therefore, be it

RESOLVED, that the below-listed parcels should be removed from the 1992 in rem foreclosure:

<u>Town</u>	<u>Parcel</u>	<u>Property Owner</u>	<u>Reason</u>
Town of Maine	10-2-4	Dorothy Corey	Bankruptcy
Town of Union	1-J13-D-2	Michael Sedlacek	Bankruptcy
Town of Conklin	5-32-S6	David & Kathy Wagner	Bankruptcy

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

RESOLUTION NO. 35A

by FINANCE and PERSONNEL COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING A LABOR AGREEMENT WITH THE AMALGAMATED TRANSIT UNION LOCAL 1145 FOR JANUARY 1, 1996 THROUGH DECEMBER 31, 1998.

WHEREAS, the County of Broome, under the provisions of the Civil Service Law (Taylor Law), has heretofore recognized the Amalgamated Transit Union Local 1145 as an employee organization for those certain Broome County employees represented by said union, and

WHEREAS, a tentative agreement has been reached with the Amalgamated Transit Union for the period January 1, 1996 through December 31, 1998, and

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

RESOLVED, that this County Legislature hereby authorizes an agreement with the Amalgamated Transit Union, setting forth the terms

and conditions of employment for those employees represented by said union for the period January 1, 1996 through December 31, 1998, and be it

FURTHER RESOLVED, that the said agreement shall be upon substantially similar terms and conditions as the 1992 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 implement the intent and purpose of this Resolution.

Mr. Schofield moved, seconded by Mr. Augostini, to **call the question** on the resolution. The call of the question **carried** as follows: Ayes-16, Nays-1 (Whalen), Absent-2 (Lindsey & Shafer)

The resolution **carried**. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

Mr. Howard moved, seconded by Mr. Wike, to **adjourn** at 4:30 P.M. The adjournment **carried**. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)