

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
MAY 16, 1996**

The Legislature convened at 4:00 P.M. with a call to order by the Chair, Arthur J. Shafer. The Deputy Clerk, Laurie Tracy, read the fire exit announcement and called the Attendance Roll: Present-18, (Mr. Pasquale arrived at 4:02pm and Ms. Sweet arrived at 4:05pm), Absent-1 (Coffey).

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. Whalen that the minutes of the Regular Session of April 18, 1996, be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Coffey).

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 Lucinda C. Lake to membership on the Central Library Board of Trustees.
- 2.Nominating D. Perez, J. Merry, S. Davis to membership on the Community Services Board.
- 3.Nominating 7 persons to membership on Environmental Management Council Board.
- 4.Public Emergency - water main leak (Day Care Center on BCC Campus).

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

PETITIONS: NONE

COMMUNICATIONS:

- 1.Labor Agreement between:
 - a. County of Broome and CSEA
 - b.County of Broome and BAPA

REGULAR SESSION OF MAY 16, 1996

2. Broome County Salary Schedule

3. Minutes from:

- a. Public Library Board
- b. Emergency Medical Services Board
- c. Cornell Cooperative Extension Board
- d. Local Early Intervention Coordinating Council
- e. Environmental Management Council
- f. EMC Solid Waste Committee
- g. EMC Ad Hoc Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Committee
- h. EMC Natural Resources Committee
- i. Safety and Security Committee
- j. Industrial Development Agency (minutes and other various materials)
- k. Soil and Water Conservation District
- l. Willow Point Nursing Facility

4. City of Binghamton Adopted 1996 Budget

5. Memo from Carlton Sears (Library) regarding the repairs to 78 Exchange St. Facility.

6. Resolutions from:

- a. Wyoming County (Payment of NYS Portion of Reimbursable Funds to PHC Providers Opposed)
- b. EMC Advisory Resolution (Calling for Statewide Ban on Backyard Burning of Municipal Solid Waste)

7. Copy of letter from NYSDEC to Town of Fenton Supervisor regarding the closure of the Town Landfill.

NOTICES: NONE

REPORTS:

1. 1995 Annual Reports:

- a. Real Property Tax Service
- b. Southern Tier East Regional Planning Development Board and Tier Information and Enterprise Resources, Inc.

2. First Quarterly Report of 1996 Sales Tax Collections.

3. Semi-Annual Report of mortgage tax receipts and disbursements (October 1, 1995 through March 31, 1996).

4. Department of Public Works: List of Pending Projects in Broome County.

5. Monthly Reports:

- a. Broome Community College (Above Minimum Hire, Budget Transfers, March 1996)
- b. Department of Social Services (January 1996)

6. Unaudited Comprehensive Annual Financial Report (Year ended December 31, 1995).

7. Center for Governmental Research 1995 Annual Report.

8. Financial Reports:

- a. Broome County Public Library (1995)
- b. Nineveh Public Library of Colesville Township (1995)
- c. Mary L. Wilcox Memorial Library (1994)

ANNOUNCEMENTS FROM THE CHAIR

There was a proclamation presented to Mr. Laurence Feltham by Mr. Pasquale Proclaiming May 29, 1996 through June 2, 1996 as Odyssey of the Mind Recognition Days and Recognizing the Participation of Local Students in the World Finals. A copy of the

proclamation and a Broome County Pin were presented to the participating students of the Amusin' Cruisin'-Division III, Alex Feltham, Collin Antos, Aurelio Guzman, Tim Chadwick, Jodie Nuckols, Mason Dafinee and Eve Piza.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Arthur J. Shafer:

- 1.Appointing Chris W. Burger as voting representative for Brian K. Mather, Transportation Committee, April 18, 1996.
- 2.Appointing William H. Miller as voting representative for James L. Holley, Health Services Committee, May 7, 1996.
- 3.Appointing Patrick F. O'Day as voting representative for James L. Holley, Public Works Committee, May 7, 1996.
- 4.Appointing Louis P. Augostini to Chair the Public Works Committee for Thomas A. Hull, May 7, 1996.
- 5.Appointing William H. Miller as voting representative for Thomas A. Hull, Personnel Committee, May 8, 1996.
- 6.Appointing Jane R. Sweet as voting representative for Patrick F. O'Day, Environment Committee, May 8, 1996.

Mr. Cahill moved, seconded by Mr. Whalen, 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-18, Nays-0, Absent-1 (Coffey).

Several resolutions were taken out of order, however, for the sake of clarity, all resolutions are presented in numerical order.

Mr. Whalen and Mr. Wike were designated by the Chair as participants in the 'short roll call' for the session.

Mr. Howard seconded the preferred agenda.

RESOLUTION RECALLED FROM A PRIOR SESSION

Mr. Howard made a motion to recall for amendment Resolution No. 171 which was passed at the April 18, 1996 session. Mr. Pasquale seconded the motion. Motion to recall **carried**, Ayes-18, Nays-0, Absent-1 (Coffey).

Mr. Howard moved to amend the resolution (as shown below). Mr. Pasquale seconded the motion. (Bracketed material to be removed, bolded material to be inserted.)

RESOLUTION NO. 171

RESOLUTION AUTHORIZING REVISION OF OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT TITLE IIC PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994[5] THROUGH 1997[8].

WHEREAS, this County Legislature, by Resolutions **222 of 1994 and 169 of 1996** [201 and 469 of 1995], authorized the Office of Employment and Training JTPA Title IIC Program Grant for the period July 1, 1994[5] through June 30, 1997[8], and adopted a program budget in connection therewith in the total amount of **\$405,346** [\$104,435], 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 Office of Employment and Training JTPA Title IIC Program Grant for the period July 1, 1994[5] through June 30, 1997[8], in the total amount of **\$556,627** [\$255,716], 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 **\$556,627** [\$255,716] for the period July 1, 1994[5] through June 30, 1997[8], and be it

FURTHER RESOLVED, that Resolutions **222 of 1994 and 169 of 1996** [201 and 469 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.

Amendment **carried**, Ayes-18, Nays-0, Absent-1 (Coffey). Resolution as amended **carried**, Ayes-18, Nays-0, Absent-1 (Coffey).

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION OF APRIL 18, 1996

RESOLUTION NO. 180 held over by Mr. Holley.
by ENVIRONMENT and FINANCE COMMITTEES

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TOWNS OF BARKER, NANTICOKE AND MAINE FOR A HOST COMMUNITY AGREEMENT WITH RESPECT TO LANDFILL OPERATIONS.

Mr. Miller called the question, seconded by Mr. Cahill. The call of the question **carried**. The resolution **carried**, Ayes-17, Nays-1 (Pasquale), Absent-1 (Coffey).

RESOLUTION NO. 181 held over by Mr. O'Day.

by COMMUNITY AND SOCIAL SERVICES and FINANCE COMMITTEES

RESOLUTION AUTHORIZING AGREEMENT WITH THE UNITED STATES DEPARTMENT OF VETERAN'S AFFAIRS AND THE SUNY HEALTH SCIENCE CENTER TO OPEN A VETERAN'S CLINIC IN BROOME COUNTY.

Mr. Augustini moved a prefiled amendment, seconded by Mr. Wike. The **amendment carried**, Ayes-18, Nay-0, Absent-1 (Coffey). Shown below is the amended version of Resolution No. 181.

RESOLUTION AUTHORIZING AGREEMENT WITH THE UNITED STATES DEPARTMENT OF VETERAN'S AFFAIRS TO OPEN A VETERAN'S CLINIC IN BROOME COUNTY.

WHEREAS, the United States Department of Veteran's Affairs (VA) Hospital in Syracuse, New York, is willing to open a clinic in Broome County, and

WHEREAS, the VA Clinic will create approximately 14 jobs with an annual payroll of

\$1.25 million per year, and

WHEREAS, Broome County Department of Social Services and Veterans Services will collaborate to refer veterans receiving medicaid to the VA Clinic, resulting in reduced medicaid expenditures, and

WHEREAS, Broome County will agree to provide the clinic space to the VA at County expense for the period July 1, 1996 through December 31, 1998, and

WHEREAS, the opening of this clinic will result in savings to the County over the term of this agreement, now, therefore, be it

RESOLVED, that this County Legislature authorizes an agreement with the United States Department of Veteran's Affairs, Syracuse, New York, to open a clinic in Broome County to treat eligible veterans on the following terms and conditions:

- a) Broome County will lease the office space for the clinic and then sublease it to the VA contingent on an opinion from the County Attorney that such an arrangement is legal and does not conflict with existing laws,
- b) The first 30 months of the lease will be at no cost to the VA, thereafter the lease cost will be paid by the VA for the remaining years of the lease agreement,
- c) The site for the clinic will be a downtown City of Binghamton location or on the main bus line and selected jointly by the representatives of the VA and the County Legislature,
- d) Broome County Veterans Service Agency will provide referrals and services to the VA Clinic,

and be it further

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.

Resolution as amended **carried**, Ayes-18, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 182 held over by Mrs. Coffey & Mr. O'Day.

by COMMUNITY AND SOCIAL SERVICES COMMITTEE

RESOLUTION AUTHORIZING AGREEMENT WITH J.M.I. PARTNERSHIP FOR OFFICE AND CLINIC SPACE FOR THE VETERAN'S SERVICE AGENCY.

After polling the members of the Community & Social Services Committee, Ms. Hudak withdrew Resolution No. 182.

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 186

by The HONORABLE THOMAS A. HULL

RESOLUTION ENDORSING THE RECOMMENDATION OF THE CENTER FOR GOVERNMENTAL RESEARCH THAT THE NUMBER OF CO. LEGISLATORS BE REDUCED FROM NINETEEN (19) TO FIFTEEN (15).

WHEREAS, the Center for Governmental Research (CGR), has made a recommendation that the number of County Legislators be reduced from nineteen (19) to fifteen (15), and

WHEREAS, such a reduction would result in an approximate savings of \$70,744 as follows:

4 Legislator salaries 4 x \$10,000	\$40,000
4 Legislator health benefits 4 x \$2,876 avg	11,504
4 Legislator social security 4 x \$765 avg	3,060
4 Legislator travel allowance 4 x \$370 avg	1,480
4 Legislator mileage allowance 4 x \$213 avg	852
4 Legislator NYS retirement 4 x \$340 avg	<u>1,360</u>

SUBTOTAL	\$58,256
Reduction of 1 part-time Legislative clerk	12,000
Reduction of clerk health benefits	<u>1,500</u>

TOTAL SAVINGS \$71,756

and

WHEREAS, according to the CGR report, "each of Broome's 19 legislators now represents an average of 11,166 persons, based on 1990 Census data. By comparison, the average number of persons per legislator in the 19 Charter Counties in New York is 20,257 (17,260 if we remove Nassau, which has only 6 legislators to represent almost 1.3 million

people). Of the 18 Charter Counties other than Broome, nine have more people per legislator and nine have fewer. Of the eight Charter Counties closest in size to Broome, four are above and four are below Broome in population-to-legislator ratio. (Orange, Onondaga, Rockland and Schenectady have higher ratios, i.e., each legislator in those counties represents more people than the average legislator in Broome)", and

WHEREAS, if Broome's population were to remain constant by year 2000, and we were to reduce the number of legislators to 15, each legislator would represent 14,143 people, well below the average for the 19 Charter Counties in New York. Predictions are that Broome will lose from 5,000 to 10,000 in population by year 2000, and

WHEREAS, such a reduction, as stated by CGR, "would enable some slight blending of districts to more effectively merge urban, suburban, and rural concerns to encourage less parochial and more countywide perspectives to flourish in Legislative votes on issues", and

WHEREAS, this Broome County Legislature has reduced costs and property taxes by downsizing many departments and enlisting the support of department leaders and workers to work smarter and do more with less. This legislature now has the opportunity to participate in downsizing its own area of government without sacrificing quality representation of the people, now, therefore, be it

RESOLVED, that this County Legislature hereby endorses and approves the recommendation of CGR that the number of County Legislators be reduced from nineteen (19) to fifteen (15), and be it

FURTHER RESOLVED, that this County Legislature further states that such reduction should become effective upon completion of the next Decennial Census and subsequent adoption of a local law amending the Charter which contains a reapportionment plan.

At the request of Mr. Hull, this resolution was **withdrawn**.

RESOLUTION NO. 187

by The HONORABLE THOMAS A. HULL

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 7, 1996, ENTITLED: "A LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE CENTER FOR GOVERNMENTAL RESEARCH."

WHEREAS, according to CGR, "approximately 30% of 700 resolutions processed in 1994, more than 200 involved either professional services contracts worth between \$2,500 and \$10,000 (or as noted, in a few cases even less than \$2,500), routine revisions to existing grants or programs, involving minor transfers of funds involving Personal Services lines-but not involving changes in the total appropriations for the affected units of government", and

WHEREAS, "few recommendations from departments or the administration about contracts, grants, transfers of small amounts of funds, etc., are ever changed by the legislature, and few final decisions in the future are likely to be any different in reality than if the approval were delegated directly to the County Executive", and

WHEREAS, "many counties set their professional services contract limits higher than \$2,500, authorizing the County Executive to execute the contracts without Legislative approval, as long as the amount is within budgeted appropriations previously approved by the Legislature", and

WHEREAS, CGR reviewed eight sample comparison counties of similar size and with elected County Executive forms of government; of these, five set higher limits; in two, the legislature becomes involved only when the amount of the contract exceeds \$5,000; in a third \$7,500; in the other two, the legislature must approve the contracts only if the amount exceeds \$50,000 and \$100,000 respectively", and

WHEREAS, approximately 10% of all Broome resolutions involved professional service contracts between \$2,500 and \$10,000, and

WHEREAS, CGR is convinced that implementation of the following charter amendments "would lead to a substantial reduction in the number of resolutions coming before the legislature each year...and that there would be a significant complementary positive impact on other institutions within County Government, because less time would need to be spent within the Law Department and in various other line departments in drafting and defending resolutions, and in processing the resolutions and Annual Proceedings within the Legislative Clerk's office", and WHEREAS, "we expect that the implementation of these recommendations will help free up considerable time of the Legislature and its committees for more intensive involvement in addressing substantive issues affecting the future of the County", now, therefore, be it

RESOLVED, that Local Law Intro. No. 7, 1996, entitled: "A Local Law Amending the Broome County Charter and Administrative Code in Conformance with the Recommendations of the Center for Governmental Research," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule, and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 7, 1996

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

Section 1. Section C203(N) of the Broome County Charter shall be amended to read as follows:

§C203(N) To award all contracts for professional services where the amount involved exceeds [two thousand five hundred dollars (\$2,500.00)] ten thousand dollars (\$10,000.00).

Section 2. Section A1202 of the Broome County Administrative Code shall be amended to read as follows:

A1202 Approval of Professional Services Contracts.

The Board of Acquisition and Contract shall award all contracts for professional services involving expenditures of [two thousand five hundred dollars (\$2,500.00)] ten

thousand dollars (\$10,000.00) or less.

Section 3. Article XII of the Broome County Administrative Code shall be amended to add a new Section A1207 to read as follows:

§A1207. Lease of Real Property

The Board of Acquisition and Contract shall be authorized to approve leases of real property for terms not to exceed five years where the expenditures under said lease shall not exceed Fifty Thousand Dollars (\$50,000.00) per annum.

Section 4. Section A1201 of the Broome County Administrative Code shall be amended to read as follows:

§A1201. **Board created; organization and procedures.**

There shall be a Board of Acquisition and Contract which shall consist of the County Executive, the Commissioner of Public Works and the Chairman of the County Legislature or their designees. The Board of Acquisition and contract shall have all the powers and duties in relation to the acquisition of real property and the approval and execution of contracts as are set forth in §§A1202, A1203, A1204, A1205 [and], A1206 and A1207 of this Article.

The Board of Acquisition and Contract shall meet at the call of the County Executive, who shall serve as Chairman of such Board. All meetings of the Board of Acquisition and Contract shall be open to the public, and the Board shall be required to keep written minutes of its proceedings, which shall be available to public inspection at all reasonable times.

The Board of Acquisition and Contract shall adopt rules of procedure for the conduct of its meetings and shall establish its regular meeting dates.

The Board of Acquisition and Contract shall have and exercise all powers and duties conferred or imposed upon it by the Charter and this Code. The members of such Board shall receive no additional salary or compensation for their services, but shall, within the appropriations provided therefor, be entitled to actual and necessary disbursements and expenses in performing the duties of their office.

The Board of Acquisition and Contract may make recommendations to the County Legislature relative to the operations of the Board and County contracts.

Section 5. Section C610 of the Broome County Charter shall be amended to read as follows:

§C610. Appropriations; reduction and transfer after budget adoption.

If, at any time during the fiscal year, it appears that the revenues available will be insufficient

to meet the amounts appropriated, the County Executive shall report to the County Legislature without delay the estimated amount of the deficit, remedial action taken by him and his recommendations as to further action. The County Legislature shall take such action as it deems necessary to prevent or minimize any deficit. For that purpose, it may, by resolution, reduce one (1) or more appropriations; but no appropriation for debt service may be reduced, and no appropriation may be reduced by more than the unencumbered balance thereof or below any amount required by law to be appropriated. The Legislature may also, if it so desires, borrow temporarily pursuant to the Local Finance Law in any amount not greater than such deficit for that purpose.

The County Executive may, at any time during the fiscal year, transfer part or all of any unencumbered appropriation balance between classifications of expenditures within the same administrative unit, provided that prior approval by resolution of the County Legislature shall be required if the proposed transfer would affect any [salary rate or] individual salary or fringe benefit line total in an amount which would exceed two thousand five hundred dollars (\$2,500.00) and further provided that prior approval by resolution of the County Legislature shall be required if the proposed transfer would affect the total appropriations for the Broome County Veterans Memorial Arena or the Broome County Performing Arts Theater (The Forum). If the County Executive so requests in writing, the County Legislature, by resolution effective immediately, may transfer part or all of any unencumbered appropriation balance from one county administrative unit to another, or a contingent fund to any administrative unit; provided, however, that no such transfer shall be made from appropriations for debt service, and no appropriation may be reduced below any amount required by law to appropriated.

The County Executive may at any time during the fiscal year transfer part or all of any appropriation in a grant budget subject to approved grant limits, provided that prior approval of the County Legislature shall be required should the transfer modify any grant budget line by fifteen percent (15%) or greater. For transfers within grant budgets not requiring legislative approval, the County Executive shall notify the County Legislature of such transfer within 30 days of his or her approval of the transfer.

Section 6. Section A609 of the Broome County Administrative Code shall be amended to read as follows:

§A609. Transfers.

The County Executive may, at any time during the fiscal year, transfer part or all of any unencumbered appropriation balance between classifications of expenditures

within the same administrative unit, provided that prior approval by resolution of the County Legislature shall be required if the proposed transfer would affect any [salary rate or] salary line total in an amount which would exceed two thousand five hundred dollars (\$2,500.00) and further provided that prior approval by resolution of the County Legislature shall be required if the proposed transfer would affect the total appropriations for the Broome County Veterans Memorial Arena or the Broome County Performing Arts Theater (The Forum).

If the County Executive so requests in writing, the County Legislature, by resolution effective immediately, may transfer part or all of any unencumbered appropriation balance from one county administrative unit to another, or a contingent fund to any administrative unit; provided, however, that no such transfer shall be made from appropriations for debt service, and no appropriation may be reduced below any amount required by law to appropriated.

The County Executive may at any time during the fiscal year transfer part or all of any appropriations in a grant budget subject to approved grant limits, provided that prior approval by the County Legislature shall be required should the transfer modify any grant budget line by fifteen percent (15%) or greater. For transfers within grant budgets not requiring legislative approval, the County Executive shall notify the County Legislature of such transfers within 30 days of his or her approval of the transfer.

Section 7. Section C606 of the Broome County Charter is hereby amended to read as follows:

§C606. Public hearing.

Not later than the [20th] sixth day of October, the Clerk of the County Legislature shall cause to be published in the official newspapers and such other newspapers as may be designated by the County Legislature a notice of the place and time, not less than seven (7) days after such publication nor later than the [first day

of November] 16th day of October, at which time the County Legislature will hold a public hearing on the proposed budget, the capital program, the budget message submitted by the County Executive and any report, if submitted, by the County Legislature or a committee designated by that body.

Section 8.Subdivisions (B), (C), (D), and (E) of Section C607 of the Broome County Charter are hereby amended to read as follows:

(B)If the budget, as submitted by the County Executive, is adopted by resolution of the County Legislature with no changes, such budget shall be deemed to have been adopted without any further action by the County Executive. If, however, the budget as passed by the County Legislature contains any changes, the same shall be presented by the Clerk of the County Legislature to the County Executive not later than the [15th] first day of November for his examination and consideration. If the County Executive approves all the changes, he shall affix his signature to a statement thereof and return the budget, together with such statement, to the Clerk of the County Legislature, and the budget, including the changes as part thereof, shall then be deemed to be adopted.

(C)If the budget, with any changes, is not returned by the County Executive to the Clerk of the County Legislature with his objections on or before the [19th] fifth day of November, it shall be deemed adopted.

(D)If the County Executive objects to any one (1) or more of the changes, he shall append to the budget a statement of the changes to which he objects, setting forth his reasons therefor, and shall, not later than the [19th] fifth day of November, return the budget with his objections to the Clerk of the County Legislature, who shall present the same to the County Legislature at a meeting to be held not later than the [25th] 11th day of November. The County Legislature shall thereupon enter the objections upon its journal and proceed to reconsider the changes to which objection is made by the County Executive. If, upon such reconsideration, three-fifths (3/5)

of the whole number of members of the County Legislature vote to approve such changes, or any of them, the budget, with the changes so approved, together with any changes not so objected to by the County Executive, shall be deemed adopted. If the Legislature fails to act on or to override such objections by said three-fifths vote on or before the [27th] 13th day of November, the objections shall become final and deemed adopted without the changes objected to by the County Executive.

(E)If a budget has not been adopted as herein provided on or before the [27th] 13th day of November, then the proposed budget as submitted by the County Executive, plus all changes as to which he has failed to object shall be the budget for the ensuing fiscal year.

Section 9. §C608 of the Broome County Administrative Code shall be amended to read as follows:

§A608. Budget controls.

(A)No county officer, employee, administrative unit or other authorized agency as defined in § A603(a) of this Code shall, during a fiscal year, expend or contract to expend any money or incur any liability or enter into any contract which, by its terms, involves the expenditure of money for any of the purposes for which provision is made in the budget in excess of the amounts appropriated for such fiscal year or for any other purpose, except as otherwise provided in this Code, the Charter or the Local Finance Law. The unexpended balance of each appropriation, less the commitments outstanding at the close of the fiscal year for which it was made, shall lapse at the close of such fiscal year and shall be deemed as revenue for the purpose of preparing, during the following fiscal year, the tentative budget for the ensuing fiscal year pursuant to § A604(C)(2) of this Article, and in this respect no assignment of a requisition number, line item or a request by letter or other means to the Comptroller or any other county officer from any administrative unit for the purpose of holding over after

the close of such fiscal year any unencumbered balance, or part thereof, of any appropriation shall be construed to be a commitment or the encumbering of any such appropriation, provided that nothing herein contained shall be construed to require the lapsing of appropriations which may or are required to be made for an indefinite period or which include state refunds, allocations or grants applicable to said appropriations pursuant to any other provision of law, and provided, further, that nothing herein shall be construed to prevent the making of appropriations or contracts for the construction of permanent public improvements or works not to be completed during the fiscal year, or the acquisition of property therefor, or the establishment of bond or capital accounts, sinking funds or reserve funds, and each such appropriation, account or fund shall continue in full force until the purpose for which it was made shall have been accomplished or shall have been abandoned by a two-thirds vote of the County Legislature. Any contract, verbal or written, made in violation of this section shall be null and void.

(B)The County Executive shall maintain control at all times over the expenditures of each administrative unit, officer, employee and financial activity of the county in accordance with the provisions of the Charter and this Code.

(C)Notwithstanding the provisions of subparagraph (A) departments within the General Fund of the County may request the reappropriation in the current fiscal year of up to twenty-five percent (25%) of the audited unexpended balance of each appropriation, less commitments outstanding at the close of the fiscal year for which it was made and less unrealized revenues which were budgeted in the fiscal year for which it was made. Reappropriation pursuant to this subsection shall be approved in the same manner as Budget Transfers pursuant to §609 of the Broome County Charter and §609 of this Administrative Code except that all reappropriations require the prior approval of the County Legislature.

Section 10.Section A1602 of the Broome County Administrative Code is hereby amended to

read as follows:

§A1602. Powers and Duties.

The Personnel Officer shall have and exercise all the powers and duties heretofore or hereafter lawfully granted or imposed by the Charter, this Code, Local Law, ordinance or resolution of the County Legislature, order or direction of the County Executive or by any applicable provisions of any act of the State Legislature not inconsistent with the Charter or the Code. The Personnel Officer shall have the authority to approve all title changes not affecting the grade or function of the position.

Section 11. This Local Law shall take effect upon the approval of the voters at a referendum to be held at the next general election in accordance with the Municipal Home Rule Law.

Note: Material in [brackets] deleted.
Material underlined added.

At the request of Mr. Hull, this resolution was **withdrawn**.

RESOLUTION NO. 188

by TRANSPORTATION and FINANCE COMMITTEES Seconded by Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION GRANT FOR THE NORTH AND WEST APRON REHABILITATION/TAXIWAY CONSTRUCTION PHASE II FOR THE DEPARTMENT OF AVIATION.

WHEREAS, the Department of Aviation requests authorization to accept a Federal Aviation Administration Program Grant for the Binghamton Regional Airport, North and West Apron Rehabilitation (Construction) at the Binghamton Regional Airport in the amount of \$1,509,494.00, and

WHEREAS, said grant will provide reconstruction/rehabilitation of the North and West Aprons at Binghamton Regional Airport including pavement rehabilitation on both aprons as well as installation of a new de-icing station at the north apron and related drainage and miscellaneous work, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,509,494.00 from the Federal Aviation Administration for the North and West Apron Rehabilitation (Construction) at the Binghamton Regional Airport, 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

Mr. Cahill moved to amend this resolution, seconded by Mr. Pasquale, changing the amount of the grant to \$1,096,903. **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Coffey).

Resolution as amended **carried**, Ayes-18, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 189

by TRANSPORTATION and FINANCE COMMITTEES Seconded by Mr. Howard
RESOLUTION AUTHORIZING AGREEMENT WITH McFARLAND-JOHNSON ENGINEERS, INC., FOR CONSTRUCTION INSPECTION SERVICES FOR THE BINGHAMTON REGIONAL AIRPORT NORTH AND WEST APRON PAVEMENT REHABILITATION PROJECT.

WHEREAS, the Department of Aviation requests authorization for an agreement with McFarland-Johnson Engineers, Inc., for construction inspection services for the Binghamton Regional Airport North and West Apron Pavement Rehabilitation Project at a cost not to exceed \$88,907.00, and

WHEREAS, said services are necessary in connection with the Federal Aviation Administration grant for rehabilitation of the North and West Apron pavement at the Binghamton Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson Engineers, Inc., 171 Front Street, P.O. Box 1980, Binghamton, New York, 13902, for construction inspection services for the North and West Apron Pavement Rehabilitation Project at the Binghamton Regional Airport, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$88,907.00 for the term of this agreement, and be it

FURTHER RESOLVED, that this authorization is contingent upon Broome County receiving a Federal Aviation Administration Grant as payment for the aforementioned agreement, and be it

FURTHER RESOLVED, the payments hereinabove authorized shall be made from budget line 211029.4746.502258 (Engineering & 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-18, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 190

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT
& PLANNING and FINANCE COMMITTEES Seconded by Mr. Howard

**RESOLUTION AUTHORIZING AGREEMENT WITH JULIE LYNNE BISHOP,
R.D., FOR DIETICIAN CONSULTANT SERVICES FOR BROOME COUNTY
CENTRAL FOODS FOR 1996.**

WHEREAS, the Director of Central Foods requests authorization for an agreement with Julie Lynne Bishop, R.D., for dietician consultant services at the Broome County Correctional Facility for 1996, at a cost not to exceed \$5,250.00, and

WHEREAS, said services are necessary to provide dietician consultant services at the Broome County Correctional Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Julie Lynne Bishop, R.D., 915 Jeanette Road, Endicott, New York, 13760, for dietician consultant services, for the period May 16, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$25.00 per hour, total amount not to exceed \$5,250.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230045.4741.251000 (Dietary Services), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized

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

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

RESOLUTION NO. 191

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MICHAEL W. SCHAFFER FOR CONSULTANT SERVICES TO YESCAP FOR THE ADSIP PEER LEADERSHIP PROGRAM FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 334 of 1995, authorized an agreement with Michael W. Schaffer for consultant services to YESCAP for ADSIP Peer Leadership Program in an amount not to exceed \$5,000.00, and

WHEREAS, said agreement has expired and it is desired at this time to renew said agreement for the period April 1, 1996 through March 31, 1997, 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 Michael W. Schaffer, 3623 Country Club Road, Endwell, New York, 13760, for consultant services to YESCAP for the ADSIP Peer Leadership Program for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$25.00 per hour, an amount not to exceed \$7,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470146.4747.104027 (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, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 192

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENT WITH HOLLY SENSENIG, MSW, TO SERVE AS FACILITY LIAISON BETWEEN DRUG AWARENESS CENTER AND MAXIMUS, INC., FOR 1996 THROUGH 1998.

WHEREAS, the Director of the Drug Awareness Center requests authorization for an agreement with Holly Sensenig, MSW, to serve as facility liaison between the Drug Awareness Center and Maximus, Inc., for the term February 13, 1996 through September 24, 1998, at a cost not to exceed \$20.00 per hour, and

WHEREAS, said services are necessary to provide facility liaison and/or field case management services under the Maximus, Inc., contract which provides case management for SSI recipients who have a drug and/or alcohol abuse and treatment history, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Holly Sensenig, MSW, 19 Beacon Street, Binghamton, New York, 13901, to act as facility liaison, for the period February 13, 1996 through September 24, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at a rate of \$20.00 per hour, total amount not to exceed \$5,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470021.4449.101000 (Other Operational Expense), and be it

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

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

RESOLUTION NO. 193

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

Seconded by Mr. Howard

RESOLUTION AUTHORIZING REVISION OF FEDERAL FORFEITURE PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 AND 1996.

REGULAR SESSION OF MAY 16, 1996

WHEREAS, this County Legislature, by Resolution 671 of 1994, authorized the Office of the District Attorney Federal Forfeiture Program for calendar year 1995 and adopted a program budget in the amount of \$55,642.27 for the period ending December 31, 1995, and

WHEREAS, said grant program is ongoing and utilizes money and property seized in connection with criminal forfeiture proceedings for law enforcement purposes, and

WHEREAS, it is desired to revise said grant program by authorizing the acceptance of additional money from the Federal Government and extend said program through calendar year 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of an additional \$8,046.00 from the United States Treasury Federal Forfeiture Program for the period January 1, 1995 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 \$63,688.27 for the period January 1, 1995 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-18, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 194

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Howard

RESOLUTION AUTHORIZING AN AGREEMENT WITH DELAWARE COUNTY ASSOCIATION FOR RETARDED CHILDREN FOR THE HEALTH DEPT. DIVISION OF CHILD DEVELOPMENT FOR 1995 THROUGH 1996.

WHEREAS, the Health Department Division of Child Development requests

authorization for an agreement with the Delaware County Association for Retarded Children for therapy services for Health Department patients for the period November 16, 1995 through December 31, 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Delaware County Association for Retarded Children, Rural Route 1, Box 67A, Walton, New York, 13856, for therapy services for the Health Department Division of Child Development patients for the period November 16, 1995 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor the state mandated rates for therapy services for the term of this agreement, total cost not to exceed the budgeted appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480202.4709.1010000 (Center Based Services); 480202.4716.101000 (Home Based Services); and 480285.4706.101000 (Rehab. & Therapy Services); and be it

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

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

RESOLUTION NO. 195

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT BREAST AND CERVICAL CANCER EDUCATION AND DETECTION GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolutions 233 and 600 of 1995, authorized and approved the Health Department Breast and Cervical Cancer Detection and Education Grant and adopted a program budget in connection therewith in the amount of \$166,906.00 for the period July 1, 1995 through June 30, 1996, and

WHEREAS, said grant program provides breast and cervical screening, diagnostic and treatment services for financially eligible women; and

WHEREAS, it is desired to renew said grant program for the period July 1, 1996 through June 30, 1997, in the amount of \$161,539.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$161,539.00 from the New York State Department of Health for the Health Department Breast and Cervical Cancer Detection and Education Program for the period July 1, 1996 through June 30, 1997, 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 \$161,539.00, 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-18, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 196

by FINANCE and PUBLIC WORKS COMMITTEES Seconded by Mr. Kavulich

RESOLUTION AMENDING THE 1996 CAPITAL IMPROVEMENT PROGRAMS.

WHEREAS, this County Legislature by Resolution 475 of 1995 approved capital project D-25A Bridge Reconstruction/Rehabilitation, and

WHEREAS, the New York Department of Transportation has proposed an agreement for the replacement of BIN 3349950, Old Route 17, CR 18, over Occanum Creek, Town of Windsor for execution and local share funding, therefore be it

RESOLVED, that the 1996 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Project Code</u>	<u>Project Title</u>	<u>Code</u>	<u>FAMIS Start</u>	<u>Year Use</u>	<u>Period Probable</u>
D-25A	Bridge Reconstruction/Rehabilitation		501324	1996	20

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$830,000	\$0	\$0	\$830,000	\$830,000	\$0

Project

Description: Rehabilitate or replace bridges to address deficiencies: #3349540, a 41-foot span carrying County Route 86 over Crocker Creek in the Town of Maine, built in 1940, currently has the fifth lowest deficiency rating; #3349950, a 37-foot span carrying County Route 28 over Occanum Creek in the Town of Windsor, built in 1935, has the third lowest deficiency rating; #3349590, a 46-foot span carrying Kenyon Road over Nanticoke Creek in the Town of Nanticoke, built in 1968, has the twenty-fourth lowest deficiency rating; and #3349140, 43-foot span carrying County Route 153 over Kattel Creek in the Town of Chenango, built in 1956, has the twentieth lowest deficiency rating. Complete within the fiscal year and with no impact upon the operating budget. In-house design.

TO:

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS Code</u>	<u>Year Start</u>	<u>Period Probable</u>
D-25A	Bridge/Reconstruction/Rehabilitation	501324	1996	20

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$830,000	\$0	\$250,000	\$580,000	\$830,000	\$0

Project

Description: Rehabilitate or replace bridges to address deficiencies: 3349540, a 41-foot span carrying County Route 86 over Crocker Creek in the Town of Maine, built in 1940, it currently has the fifth lowest deficiency rating; 3349590, a 46-foot span carrying County Route over Nanticoke Creek in the Town of Nanticoke, built in 1968, it currently has the twenty fourth lowest deficiency rating; and 3349140, 43-foot span carrying County Route 153 over Kattel Creek in the

Town of Chenango, built in 1956, it currently has the twentieth lowest deficiency rating. Complete within the fiscal year and with no impact upon the operating budget. In-house design.

Replace BIN 3349950, carrying County Route 28 over Occanum Creek in the Town of Windsor, built in 1935, it currently has the third lowest deficiency rating. Complete within 3 years. New York State Department of Transportation Design.

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

RESOLUTION NO. 197

by PUBLIC WORKS and FINANCE COMMITTEES Seconded by Mr. Howard

RESOLUTION AUTHORIZING THE COUNTY OF BROOME TO PARTICIPATE TO THE EXTENT OF 100% OF THE NON-FEDERAL SHARE IN THE COST OF A FEDERAL AID PROJECT (1996 CAPITAL IMPROVEMENT PROGRAM D-25A, COUNTY ROAD 28) NOT ON THE STATE HIGHWAY SYSTEM ADMINISTERED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION.

WHEREAS, a project for County Road 28 over Occanum Creek, Town of Windsor, Broome County, P.I.N. 9751.99, funded for in Title 23 U.S. Code, as amended, calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Broome desires to advance the above project by making a commitment of 100% of the non-Federal share of the costs of Preliminary Engineering and R.O.W. Incidentals, now, therefore, be it

RESOLVED, that the Broome County Legislature hereby authorizes the County of Broome to pay 100% of the non-Federal share of the cost of Preliminary Engineering and Right-of-Way Incidentals work for the subject project or portions of the subject project that are not on the State Highway System, and be it

FURTHER RESOLVED, that the County shall pay an amount not to exceed \$53,200.00 to cover the cost of participation in the above phase of the project, and the County of Broome is hereby authorized and directed to deposit such sum with the State Comptroller prior to the award of the contract, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from budget line 035014.2013.501312 (Roads), and be it

FURTHER RESOLVED, that the County Executive of the County of Broome or his duly authorized representative is hereby authorized to execute all necessary agreements on behalf of the County of Broome with the New York State Department of Transportation approving of the above subject project and providing for the municipality's participation in the cost of the local share of the subject project, and be it

FURTHER RESOLVED, that a copy of this resolution be filed with the New York State Commissioner of Transportation, it being understood that upon completion of the above project, the Commissioner shall transmit to the Superintendent of Highways a

statement showing the actual costs and expenses of such work and shall notify the County of Broome of the amount, if any, to be returned to the County of Broome.

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

RESOLUTION NO. 198

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING,
PERSONNEL and FINANCE COMMITTEES Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING ACCEPTANCE OF BROOME COUNTY CLERK
MOTOR VEHICLE ENFORCEMENT GRANT FROM THE NEW YORK
DEPARTMENT OF MOTOR VEHICLE AND ADOPTING A PROGRAM BUDGET
IN CONNECTION THEREWITH FOR 1996.**

WHEREAS, the County Clerk requests authorization to accept a Motor Vehicle Enforcement Grant from the New York State Department of Motor Vehicle in the amount of \$30,735.00 for the period January 1, 1996 through December 31, 1996, and

WHEREAS, said grant program provides enforcement transaction services for the Broome County Clerk Department of Motor Vehicles, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$30,735.00 from New York State Department of Motor Vehicles for the Broome County Clerk Motor Vehicle Enforcement Grant program 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 \$30,735.00 for the period January 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes all part-time positions of the Broome County Clerk Motor Vehicle division to increase their hours to 39 maximum bi-weekly hours, 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-1 (Coffey), Abstain-1 (Cahill).

RESOLUTION NO. 199

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT

& PLANNING, PERSONNEL and FINANCE COMMITTEES
**Seconded by Mr. Howard
RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY
OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP
ACT (JTPA) GRANTS AND ADOPTING PROGRAM BUDGETS IN
CONNECTION THEREWITH FOR 1996 THROUGH 1999.**

WHEREAS, this County Legislature, by Resolutions 201 and 470 of 1995, authorized and approved the acceptance of various Job Training Partnership Act (JTPA) grants from New York State Department of Labor for the Office of Employment and Training and adopted program budgets in connection therewith, and

WHEREAS, said grant programs provide for various work force development and training programs for the Counties of Broome, Tioga and Tompkins, and

WHEREAS, said grant programs also provide for the pass through funds for same work

force development and training programs in the County of Tioga and County of Tompkins, and

WHEREAS, it is desired to renew said grant programs for the time periods stated in Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the amounts listed in Exhibit "A" from New York Department of Labor for the Broome County Office of Employment and Training JTPA Program for the periods stated in Exhibit "A", and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budgets annexed as Exhibits "B", "C", "D", "E", "F", and "G", 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. Howard moved, seconded by Mr. Pasquale, that a Exhibit H be replaced by a corrected one prepared by Ms. Stark. **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Coffey). Resolution as amended **carried**, Ayes-18, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 200

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT

& PLANNING and FINANCE COMMITTEES Seconded by Mr. Howard

RESOLUTION ADOPTING THE OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) ADMINISTRATIVE BUDGET FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 465 of 1995, authorized and

approved the Office of Employment and Training Job Training Partnership Act (JTPA) administrative budget in the amount of \$610,293.00 for the period July 1, 1995 through June 30, 1998, and

WHEREAS, it is desired to adopt the administrative budget for the period July 1, 1996 through June 30, 1999, in the amount of \$575,472.00, 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, 1996 through June 30, 1999, in the amount of \$575,472.00, which budget is 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, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 201

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE PHYSICAL ACTIVITY INITIATIVE FOR SENIOR CITIZENS PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 519 of 1995, authorized and approved the Office for Aging Physical Activity Initiative for Senior Citizens Program Grant and adopted a program budget in the amount of \$3,784.00, and

WHEREAS, said grant program provides for the formation of walking clubs and

provision of training for seniors to lead physical activity programs for senior citizens, and

WHEREAS, it is desired to renew said grant program for the Office for Aging in the amount of \$2,500.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,500.00 from New York State Department of Health for the period July 1, 1996 through June 30, 1997, 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 \$2,500.00 for the period July 1, 1996 through June 30, 1997, 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, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 202

by FINANCE COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE BINGHAMTON CITY SCHOOL DISTRICT AND THE JOHNSON CITY SCHOOL DISTRICT FOR THE PURCHASE OF PRESCRIPTION DRUG BENEFITS FROM PCS HEALTH SYSTEMS, INC. FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 312 of 1995, authorized an agreement with the Binghamton City School District and Johnson City School District for prescription drug benefits for their eligible employees, retirees, survivors, and COBRA, and

WHEREAS, said agreement expires by its terms on June 30, 1996, and it is desired at this time to renew said agreement for the period July 1, 1996 through June 30, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the County of Broome, the Binghamton City School District, the Johnson City School District and PCS Health Systems, Inc., for prescription drug benefits for eligible employees, retirees, survivors and COBRA members of the three municipal corporations for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that said contract with PCS Health Systems, Inc., will be at the rate of \$.50 per paid claim, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized

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

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

RESOLUTION NO. 203

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF MEDICAID OUTSTATIONED WORKER GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 333 of 1994, authorized and approved the Medicaid Outstationed Worker Program Grant from Lourdes Hospital and New York State Department of Social Services and adopted a program budget in the amount of \$30,190.00 for August 1, 1994 through July 31, 1995, and

WHEREAS, said grant program provides for a staff person to conduct Medicaid Assistance eligibility activities and process Medicaid applications at Lourdes

Hospital, enhancing the County's ability to service indigent County residents in need of assistance while hospitalized, and

WHEREAS, it is desired to renew said grant program for the period March 16, 1996 through March 31, 1997, in the amount of \$32,689.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$16,344.00 from New York State Department of Social Services and \$16,345.00 from Lourdes Hospital for the Medicaid Outstationed Worker Grant for the Department of Social Services for the period March 16, 1996 through March 31, 1997, 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 \$32,689.00 for the period March 16, 1996 through March 31, 1997, 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, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 204

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF SERVICES AND TRAINING RESOURCES FOR INDIVIDUALS IN VOCATIONAL EDUCATION (STRIVE) PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997, AND AUTHORIZING AN AGREEMENT WITH BROOME COMMUNITY COLLEGE FOR SERVICES IN CONNECTION THEREWITH.

WHEREAS, this County Legislature, by Resolution 307 of 1995, authorized and approved the Services and Training Resources for Individuals in Vocational Education (STRIVE) Program Grant in the amount of \$45,866.00 for the period July 1, 1995 through June 30, 1996, and

WHEREAS, said grant program provides eligible recipients of Aid to Dependent Children to achieve economic independence by successfully completing vocationally oriented associate degree programs for the purpose of entering into long-term stable employment in their field of study, and

WHEREAS, said grant program expires by its terms on June 30, 1996, and it is desired to renew said grant for the period July 1, 1996 through June 30, 1997, in the amount of \$52,472.00, and

WHEREAS, it is requested that the agreement for contract services with Broome Community College to provide programs for the individuals in this STRIVE Program be renewed for this same period, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$39,354.00 from the United States Department of Health & Human Services and \$13,118.00 from the New York State Department of Social Services for the period July 1, 1996 through June 30, 1997, 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 \$52,472.00 for the period July 1, 1996 through June 30, 1997, 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, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 205

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

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID MANAGED CARE (MAX) PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 115 OF 1992, as amended by Resolution 55 of 1993, 187 of 1994, and 127 of 1995, authorized the continued participation by the Department of Social Services in the Medicaid Managed Care (MAX) Program for the period April 1, 1992 through March 31, 1996, and adopted a program budget in connection therewith in the total amount of \$297,174, and

WHEREAS, it is desired to renew said program for the period April 1, 1996 through March 31, 1997, in the amount of \$17,576, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a renewal of the Medicaid Managed Care (MAX) Program for the Department of Social Services for the period April 1, 1996 through March 31, 1997, in the total amount of \$17,576, 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 \$17,576 for the period April 1, 1996 through March 31, 1997, 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, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 206

by ENVIRONMENT and FINANCE COMMITTEES seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENT WITH STEARNS & WHELER, LLC, FOR PROFESSIONAL ENGINEERING SERVICES IN REGARD TO THE NANTICOKE LANDFILL.

WHEREAS, the Division of Solid Waste Management has requested authorization to enter into an agreement with Stearns & Wheler, LLC, for professional engineering services to review groundwater monitoring at the Nanticoke Landfill with a goal of recommending to the New York State Department of Environmental Conservation the possible elimination and/or reduction in the number of wells tested and the frequency of such tests, and

WHEREAS, such reductions in groundwater monitoring will result in a substantial reduction in costs to the County over the long term, and

WHEREAS, the State is encouraging landfill owners to seek appropriate reductions in such post-closure monitoring, and

WHEREAS, to obtain such a variance there must be supporting information which clearly identifies landfill contamination in the groundwater, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York, 13035, for professional engineering services to review the groundwater monitoring plan and make recommendations as to the possible elimination and/or reduction in the number of wells tested and the frequency of such tests at the Nanticoke Landfill, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$16,000.00 for the six-month term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4449.206000 (Other Operational Expenses), and be it

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

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

RESOLUTION NO. 207

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING RENEWAL OF THE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT FOR THE BROOME COUNTY STOP-DWI PROGRAM CHRIS THATER MEMORIAL CRITERIUM FOR 1996.

WHEREAS, this County Legislature, by Resolution 182 of 1995, authorized the acceptance of a Governors Traffic Safety Committee Grant for the Broome County STOP-DWI Chris Thater Memorial Criterium in the amount of \$8,000.00 for the period January 1, 1995 through December 31, 1995, and

WHEREAS, said grant supports the Broome County STOP-DWI Program Chris Thater Memorial Criterium, a bike race which is held each September to promote a drunk driving and substance abuse traffic safety message in the community and encourage the use of bicycle helmets by cyclists of all ages, and

WHEREAS, it is desired at this time to renew this grant for calendar year 1996 in the amount of \$15,500.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$7,500.00 from the State of New York's Governor's Traffic Safety Committee for the Broome County STOP-DWI Program Chris Thater Memorial Criterium 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 \$15,500.00 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 provided that said budget transfers do not affect a personnel line. **Carried**, Ayes-18, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 208

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Howard
RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A "SISTER/BROTHER" RELATIONSHIP BETWEEN THE WILLOW POINT NURSING FACILITY AND THE SALVATION ARMY SENIOR CENTER, MOSCOW, RUSSIA.

WHEREAS, the Administration of the Willow Point Nursing Facility requests authorization to establish a "sister/brother" relationship with the Salvation Army Senior Center, Moscow, Russia, and

WHEREAS, the purpose of the establishment of this relationship is to foster a social relationship between the residents of Willow Point and the senior citizens involved in the program at the Salvation Army Center in Moscow, Russia, and

WHEREAS, the Resident Council & Activities Committee of Willow Point will coordinate the project and the residents of Willow Point will contribute miscellaneous items of need to send to the Salvation Army in Moscow, Russia, such as yarn, thread, soap, vitamins, etc., and the Administrator will pay all shipping expenses in connection herewith, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment of a "sister/brother" relationship between the Willow Point Nursing Facility and the Salvation Army Senior Center, Moscow, Russia, and be it

FURTHER RESOLVED, that the residents of Willow Point shall provide miscellaneous items of need to senior citizens involved in the program at the Senior Center in Moscow, Russia, at no cost to the 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, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 209

by HEALTH SERVICES and FINANCE COMMITTEES seconded by Mr. Howard
RESOLUTION AUTHORIZING ACCEPTANCE BY WILLOW POINT NURSING FACILITY OF A NORFOLK ISLAND PINE TREE AND NU-SKIN SKIN CARE PRODUCTS.

WHEREAS, the Administrator of Willow Point Nursing Facility requests authorization to accept one Norfolk Island pine tree valued at \$200.00 and Nu-Skin skin care products valued at \$1,155.79 at no cost to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of one Norfolk Island pine tree valued at \$200.00 from Mr. and Mrs. Edward Golebiewski, at no cost to the County, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,155.79 worth of Nu-Skin skin care products from Wen-Chia Rosencrance, and be it

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

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

RESOLUTION NO. 210

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES Seconded by Mr. Howard

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

WHEREAS, this County Legislature, by Resolution 105 of 1989, as amended by Resolutions 240 and 504 of 1990, 202 of 1991, 39 and 308 of 1992, 172 and 483 of 1993, 114 and 493 of 1994, 195, 283 and 458 of 1995, and 38 of 1996, authorized the continued participation in the Ongoing Child Abuse Prevention and Education Grant Program and adopted a program budget in connection therewith in the total amount of \$83,257.38, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Ongoing Child Abuse Prevention and Education Grant program in the total amount of \$84,938.82, 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 \$84,938.82, and be it

FURTHER RESOLVED, that Resolution 105 of 1989, as amended by Resolutions 240 and 504 of 1990, 202 of 1991, 39 and 308 of 1992, 172 and 483 of 1993, 114 and 493 of 1994, 195, 283 and 458 of 1995, and 36 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

RESOLUTION NO. 211

by PERSONNEL, EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION APPROVING THE OFFERING OF A RETIREMENT INCENTIVE TO ELIGIBLE EMPLOYEES AT BROOME COMMUNITY COLLEGE.

WHEREAS, the Broome County College Board of Trustees elected to offer the retirement incentive program authorized by Chapter 30 of the Laws of 1996 to its employees who are members of the New York State Teachers' Retirement System or New York State and Local Employees Retirement System or the Optional Retirement Program, and

WHEREAS, the County must adopt a resolution approving the incentive before it can become effective, now, therefore, be it

RESOLVED, that this County Legislature does hereby approve of Broome Community College providing the benefits of the 1996 Retirement Incentive Program pursuant to Chapter 30 of the Laws of 1996 to employees who are members of the New York State Teachers' Retirement System or New York State and Local Employees' Retirement System or the Optional Retirement Program and who retire with an effective date of retirement during the 57 day open period beginning on May 24, 1996, and ending July 19, 1996, and who are otherwise eligible to participate in such programs, and be it

FURTHER RESOLVED, a certified copy of this Resolution shall be filed within seven (7) days with each retirement system.

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

RESOLUTION NO. 212

by FINANCE, PUBLIC WORKS and TRANSPORTATION COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AMENDING THE 1993, 1995 AND 1996 CAPITAL BUDGETS.

WHEREAS, this County Legislature by Resolutions previously authorized various capital projects in the 1993, 1995 and 1996 Capital Budgets to repair facilities or replace equipment at the Binghamton Regional Airport contingent upon award of federal and state funding, and

WHEREAS, there have been changes in federal and state funding as well as changes in the capital needs of the Binghamton Regional Airport, now, therefore, be it

RESOLVED, that a water system improvement project as authorized in the 1993 Capital Budget by Resolution 92-524 and as changed by Resolutions 92-155 and 93-293 is hereby amended to complete improvements to the system and to improve water quality as follows:

FROM:				Period
Project	Project	FAMIS	Year	Probable
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>
C-168	Water System Improvements	502223	1993	10

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$150,000	\$ 0	\$95,000	\$55,000	\$ 0	\$ 55,000

Project Description: Remove and replace certain defective buried water valves with in the system, replace the electrical system at each of the three (3) well houses, rehabilitation of the brick well house No. 1, and clean the services lines by poly-pigging method. Will be completed during 1996. Will reduce maintenance cost of system.

TO:				Period
Project	Project	FAMIS	Year	Probable
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>
C-168	Water System Improvements	502223	1993	10

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$170,203	\$ 0	\$95,000	\$75,203	\$ 0	\$75,203

Project Description: Remove and replace certain defective buried water valves within the system, replace the electrical system at each of the three (3) well houses, rehabillitee brick well house No. 1, and clean both the water storage tank and the services lines by "poly-pigging" method. Will be completed during 1996. Will reduce maintenance cost of system.

and, be it

FURTHER RESOLVED, that in order to provide funding, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds by BT #10760:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>		<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	
FROM:	900084	4752	101000	Contingent Account	\$20,203
TO :	930024	9004	101000	Transfer to Capital Fund	\$20,203

and be it

FURTHER RESOLVED, that a project to purchase various pieces of equipment as authorized in the 1995 Capital Budget by Resolution 94-454 is hereby deleted as follows:

DELETE:

					Period
Project	Project		FAMIS	Year	Probable
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>	
C-271	Aviation Equipment Replacement		502246	1995	15

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$465,000	\$378,000	\$23,250	\$63,750	\$0	\$87,000

Project Description: Replace a snow vehicle with a multi-purpose sweeper and plow vehicle to enhance snow and ice removal. Local share provided by the Passenger Facility Charge (PFC). Complete within the fiscal period and with no stated impact upon operating budget. Approval contingent upon federal and state authorizing matching funds.

and be it

FURTHER RESOLVED, that a project to purchase various pieces of equipment as authorized in the 1996 Capital Budget by Resolution 95-475 is hereby amended to reflect changes in federal and state aid and the needs of the department as follows:

FROM:

					Period
Project	Project		FAMIS	Year	Probable
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>	
C-271	Aviation Equipment Replacement		502260	1996	15

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$275,000	\$247,500	\$13,750	\$13,750	\$0	\$27,500

Project Description: Replace equipment, including: snow vehicle with a multi-purpose sweeper and plow vehicle to enhance snow and ice removal; sweeper unit used to remove foreign object debris (FOD) and to wet-vac deicing/anti-ice product from aircraft pavement surfaces; and in compliance with the American Disabilities Act, a Disabled Passenger Lift (DPL) to assist passengers with mobility impairments enplaning/deplaning. Local share provided by the Passenger Facility Charge. Complete within the fiscal period and with no stated impact upon operating budget. Approval contingent upon federal and state authorizing matching funds.

TO:				Period	
Project	Project		FAMIS	Year	Probable
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>	
C-271	Aviation Equipment Replacement	502260	1996		15

Project	<u>Distribution of Costs:</u>		<u>County Sources:</u>		
<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$437,500	\$31,500	\$126,750		\$279,250	\$0
	\$279,250				

Project Description: Replace equipment, including: snow vehicle with a multi-purpose sweeper and plow unit to enhance snow and ice removal; rubber-tire front-end loader unit; and in compliance with the American Disabilities Act, a Disabled Passenger Lift (DPL) unit to assist passengers with mobility impairments enplaning/deplaning. Local share provided by the Passenger Facility Charge (PFC). Complete within the fiscal period and with no stated impact upon operating budget. Approval contingent upon federal and state authorizing matching funds.

and, be it

FURTHER RESOLVED, that an apron/taxiway renovation project as authorized in the 1996 Capital Budget by Resolution 95-475 is hereby amended due to a reduction of federal funds as follows:

FROM:				Period	
Project	Project		FAMIS	Year	Probable

<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>	<u>Use</u>
C-128A	GA Apron/Taxiway Construction Phase II	502258	1996	10

<u>Project</u>	<u>Distribution of Costs: County Sources:</u>				
<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$2,150,000	\$1,935,000	\$107,500	\$107,500	\$0	\$215,000*

Project Description: Construction phase of North and West Aprons rehabilitates surfaces through overlay, bonding/grounding of fixtures and sub-grade, and drainage/deicing improvements to comply with Federal Aviation regulations Part 139 and reduce safety hazards to aircraft and personnel. Local share provided by Passenger Facility Charge. Complete within the fiscal period and with no stated impact upon operating budget. Approval contingent upon federal and state authorizing funds.

*Local financing provided by Passenger Facility Charges

TO:

Project Code	Project Title	FAMIS Code	Year Start	Period Probable
C-128A	GA Apron/Taxiway Construction Phase II	502258	1996	10

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$1,642,216	\$1,477,994	\$82,111	\$82,111	\$0	\$82,111

Project Description: Construction phase of North and West Aprons rehabilitates surfaces through overlay, bonding/grounding of fixtures and sub-grade, and drainage/deicing improvements to comply with Federal Aviation regulations Part 139 and reduce safety hazards to aircraft and personnel. Local share provided by Passenger Facility Charge. Complete within the fiscal period and with no stated impact upon operating budget. Approval contingent upon federal and state authorizing funds.

and, be it

FURTHER RESOLVED, the 1996 Capital Budget is hereby amended to add a project renovating hangars to use awarded state funds and to make necessary repairs as follows:

CREATE:

Project Code	Project Title	FAMIS Code	Year Start	Period Probable
C-268	Hangars Renovations	502XXX	1996	5

Project Distribution of Costs: County Sources:

<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$200,000	\$0	\$200,000	\$0	\$0	\$200,000

Project Description: Renovate Hangars #1, 2 and 3 to include painting, roof and door repairs and other miscellaneous work as necessary. Complete within the fiscal period. No stated impact upon operating budget.

Carried by roll call vote, Ayes-18, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 213

by TRANSPORTATION and FINANCE COMMITTEES Seconded by Mr. Howard
**RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC
TRANSPORTATION TO APPLY FOR FEDERAL SECTION 18 OPERATING
ASSISTANCE AWARD FOR BC COUNTRY FOR 1996.**

WHEREAS, the Department of Public Transportation has submitted a request for a grant of funds to the New York State Department of Transportation and the United States Department of Transportation, pursuant to Section 18 of the Urban Mass Transportation Act of 1964, as amended, for a project to provide public mass transportation service on a continuing basis for the operation of BC Country, a curb-to-curb, dial a ride transportation service provided for residents of the non-urbanized portion of Broome County for 1996, and

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

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

FURTHER RESOLVED, that the County Executive is authorized to act on behalf of Broome County to sign the annual grant application and to progress and complete the above-named project, and be it

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

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

RESOLUTION NO. 214

by TRANSPORTATION and FINANCE COMMITTEES Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENT WITH BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION TO PROVIDE FREE TRANSPORTATION FOR SUMMER FUN PROGRAMS FOR 1996.

WHEREAS, this County Legislature, by Resolution 261 of 1995, authorized the Department of Public Transportation to provide free transportation for Summer Fun Program for 1995, hosted by various municipalities within Broome County, and

WHEREAS, the Summer Fun programs provide summer outdoor recreational activities, including field trips, for its participants, and

WHEREAS, it is desired at this time to provide free transportation for such programs in all municipalities hosting said programs during off peak hours on existing fixed routes with no additional costs other than the normal costs of operating such routes for 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Department of Public Transportation to provide free transportation for Summer Fun programs hosted by various municipalities within Broome County during off peak hours, on existing fixed routes for 1996.

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

RESOLUTION NO. 215

by TRANSPORTATION and FINANCE COMMITTEES seconded by Mr. Howard
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH STATE UNIVERSITY OF NEW YORK AT BINGHAMTON FOR BUS TRANSPORTATION OF BINGHAMTON UNIVERSITY STUDENTS FOR 1996 THROUGH 1999.

WHEREAS, this County Legislature, by Resolution 330 of 1993, authorized an agreement with State University of New York at Binghamton to furnish bus transportation for Binghamton University students during the 1993/1994, 1994/1995, and 1995/1996 academic years, and

WHEREAS, said agreement expires by its terms at the end of the academic year 1995/1996, and it is desired at this time to renew said agreement on substantially similar terms and conditions, with an increase in revenue to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with State University of New York at Binghamton for bus transportation for Binghamton University students as follows:

1. The term of the agreement shall be for the academic years 1996/1997, 1997/1998, and 1998/1999, beginning in Summer and ending in Spring each year. The dates for the commencement and expiration of each academic year shall be established by Binghamton University officials and the Department of Transportation.
2. Students may board the bus by showing a validated Binghamton University identification card.
3. Payment to Broome County for services rendered shall be as follows:

<u>Academic Year</u>	<u>Formula</u>
Summer 1996/Spring 1997	\$252,000
Summer 1997/Spring 1998	1996/1997 amount + CPI (Max CPI = 3.5)
Summer 1998/Spring 1999	1997/1998 amount + CPI (Max CPI = 4.0)

and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 220004.0094.203000 (SUNY O.C.C. Contract), and be it

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

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

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

RESOLUTION NO. 216

by FINANCE COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING THE SALE OF THE FORMER CHENANGO BRIDGE NURSING HOME TO JOSEPH M. PAOLETTI, JR., JOSEPH M. PAOLETTI, III, AND STEVEN A. PAOLETTI.

WHEREAS, Real Property Tax Services requests this Legislature to authorize the sale of the former Chenango Bridge Nursing Home to Joseph M. Paoletti, Jr., Joseph M. Paoletti, III, and Steven A. Paoletti for the sum of \$27,500.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the sale of the former Chenango Bridge Nursing Home to Joseph M. Paoletti, Jr., Joseph M. Paoletti, III, and Steven A. Paoletti, 81 Terrace Drive, Binghamton, New York, 13905, for the amount of \$27,500.00, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be credited to budget line 340000.0212.101000 (Sales of Real Property), and be it

FURTHER RESOLVED, that said sale is contingent upon the following:

1. That as part of the purchase price, Joseph M. Paoletti, Jr., Joseph M. Paoletti, III, and Steven A. Paoletti agree to personally defend and indemnify Broome County on all environmental legal claims that may be made subsequent to the date of sale against the County of Broome arising out of the ownership, use or occupation of said property by the County of Broome during its entire history of said ownership, occupation and use;
2. That said sale shall be further contingent upon the acceptance by Joseph M. Paoletti, Jr., Joseph M. Paoletti, III, and Steven A. Paoletti of a quit claim deed to said property with no warranties or guarantees, 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 by Ms. Sweet.

REGULAR SESSION OF MAY 16, 1996

RESOLUTION NO. 217

by HEALTH SERVICES COMMITTEE Seconded by Mr. Howard

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE
BROOME COUNTY COMMUNITY SERVICES BOARD**

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

<u>NAME</u>	<u>TERM EXPIRING</u>
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David Perez 98 Helen Street Binghamton, New York 13905	12/31/99
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James Merry, Ph.D. 29 Gouverneurs Lane Endicott, New York 13760	12/31/99
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Stephen Davis, Ph.D. 628 Rano Boulevard Vestal, New York 13850 and	12/31/99
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WHEREAS, it is desired at this point in time, in accordance with the provisions of Article VIII of the Broome County Charter Administrative Code, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article VIII of the Broome County Charter and Administrative Code, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Community Services Board in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 218

by ENVIRONMENT COMMITTEE Seconded by Mr. Howard
RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE ENVIRONMENTAL MANAGEMENT COUNCIL.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolutions 277 of 1971, 64 of 1973, 366 of 1976, and 341 of 1980, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Environmental Management Council Board of Directors for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Laura Donovan 518 Central Street Endicott, New York 13760 (Member at Large)	12/31/97

Lynne Theophanis 225 Front Street Vestal, New York 13850 (Member at Large)	12/31/97
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<u>NAME</u>	<u>TERM EXPIRING</u>
Chris Casey 2 Genesee Avenue Binghamton, New York 13903 (High School Rep)	12/31/96

Loretta Giorgio 101 Floral Avenue Johnson City, New York 13790 (BCC Student)	12/31/97
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Robert Page P.O. Box 137	12/31/97
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Conklin, New York 13748
(Town of Conklin CAC)

Marion Percik 12/31/97
29 Orchard Road
Binghamton, New York 13905
(Town of Dickinson CAC)

Charles McElwee 12/31/97
840 Front Street
Binghamton, New York 13905
(Special Rep)
and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolutions 277 of 1971, 64 of 1973, 366 of 1976, and 341 of 1980, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolutions 277 of 1971, 64 of 1973, 366 of 1976 and 341 of 1980, does hereby confirm the appointments of the above-named individuals to membership on the Environmental Management Council Board of Directors in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 219

by EDUCATION, CULTURE & RECREATION COMMITTEESecoded by Mr. Howard
RESOLUTION CONFIRMING APPOINTMENT OF LUCINDA C. LAKE TO MEMBERSHIP ON THE CENTRAL LIBRARY BOARD OF TRUSTEES.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution 221 of 1984, has duly designated and appointed, pending confirmation by this Legislature, Lucinda C. Lake, 31 Avon Road, Binghamton, New York 13905, to membership on the Central Library Board of Trustees, for a term expiring December 31, 1999, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of

Resolution 221 of 1984 to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 221 of 1984, does hereby confirm the appointment of Lucinda C. Lake to membership on the Central Library Board of Trustees in accordance with her appointment by the County Executive.

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

RESOLUTION NO. 220

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Miller

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH PEARIS, RESSEGUIE, KLINE, BARBER & LEBOUS FOR LEGAL SERVICES WITH RESPECT TO PENDING LITIGATION.

WHEREAS, this County Legislature, by Resolution 1 of 1996, authorized an agreement with Pearis, Resseguie, Kline, Barber & Lebus for legal services, at a cost of \$10,000.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the total amount of compensation to an amount not to exceed \$20,000.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Pearis, Resseguie, Kline, Barber & Lebus, Press Building, Binghamton, New York, 13901, for legal services with respect to pending litigation, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$10,000.00 (total contract not to exceed \$20,000.00), and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 390005.4736.101000 (Legal Charges and Fees), and be it

FURTHER RESOLVED, that Resolution 1 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

and purpose of this Resolution.

Carried, Ayes-17, Nays-1 (Kavulich), Absent-1 (Coffey).

RESOLUTION NO. 221

by TRANSPORTATION and FINANCE COMMITTEES
Seconded by Mr. Howard
RESOLUTION AUTHORIZING AGREEMENT WITH RICHARD MILLER FOR WATER OPERATOR SERVICES AT THE BINGHAMTON REGIONAL AIRPORT FOR 1996.

WHEREAS, the Department of Aviation requests authorization for an agreement with Richard Miller for water operator services at the Binghamton Regional Airport for a six-month period during calendar year 1996 at a cost not to exceed \$3,600.00, and

WHEREAS, said services are necessary in order to assist in the water system improvement project at the Binghamton Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Richard Miller, 408 East Wendell Street, Endicott, New York, 13760, for water operator services at the Binghamton Regional Airport for a six-month period during calendar year 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Richard Miller \$600.00 per month, total cost not to exceed \$3,600.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 210203.4747.207000 (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, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 222

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

Seconded by Mr. Howard

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE WILLOW

POINT NURSING HOME AND LIBRARY

RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for a six-month temporary Senior Account Clerk Position until an Admissions Coordinator is hired, as requested by BT# 9893, 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>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	
FROM:	160028	1000	204000	Full-Time Salaries	\$9,695
	160028	8010	204000	State Retirement	\$ 330
	160028	8030	204000	Social Security	\$ 742
	160028	8040	204000	Workers' Compensation	\$ 402
	160028	8063	204000	Disability Insurance	\$ 112
TO :	160010	1600	204000	Salaries, Temporary	\$9,695
	160010	8010	204000	State Retirement	\$ 330
	160010	8030	204000	Social Security	\$ 742
	160010	8040	204000	Workers' Compensation	\$ 402
	160010	8063	204000	Disability Insurance	\$ 112

and be it

FURTHER RESOLVED, that in accordance with a request from the Library, in order to provide funds for temporary part-time positions in Central Library Circulation Department while the full-time Sr. Library Clerk is on unpaid medical leave, as requested by BT# 10000 , 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>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	
FROM:	841007	1000	304000	Full-Time Salaries	\$10,000
TO :	841007	1600	304000	Temporary, Salaries	\$10,000

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

RESOLUTION NO. 223

by FINANCE COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE NEW YORK STATE TAX LAW

WHEREAS, the County Clerk and the Commissioner of Finance have presented their report concerning mortgage tax receipts for the period October 1995 through March 1996, pursuant to Section 261 of the New York State Tax law, and the same has been apportioned to the various municipalities thereto, now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay the Treasurer of the City of Binghamton and to respective supervisors of the 16 towns and villages of Broome County, those accounts listed on Exhibit "A" attached hereto.

EXHIBIT A

1995 Semi-Annual Mortgage Tax Distribution
October, 1994 through April, 1995

DICKINSON	Village of Port Dickinson	\$ 1,889.74	
	Outside	<u>9,991.35</u>	\$ 11,881.09
LISLE	Village of Lisle	255.04	
	Outside	<u>4,598.61</u>	4,853.65
SANFORD	Village of Deposit		693.41
	Outside	<u>7,841.52</u>	8,534.93
TRIANGLE	Village of Whitney Point	1,472.88	
	Outside	<u>6,753.77</u>	8,226.65
UNION	Village of Johnson City	14,990.34	
	Village of Endicott	19,734.46	
	Outside	<u>100,957.48</u>	135,682.28
WINDSOR	Village of Windsor		1,182.91
	Outside	<u>18,331.02</u>	19,513.93
BARKER			10,223.33
BINGHAMTON (TOWN)			19,766.20
CHENANGO			44,494.05
COLESVILLE			10,324.38
CONKLIN			15,736.02
FENTON			17,659.25
KIRKWOOD			20,742.95
MAINE			13,929.84
NANTICOKE			3,405.74
VESTAL			93,640.15

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CITY OF BINGHAMTON	<u>70,440.77</u>
TOTALS.....	<u>\$509,055.21</u>

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

RESOLUTION NO. 224

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND TOWN OF DICKINSON TO OFFER A COMMISSION WITH REGARDS TO THE SALE OF THE "GARDEN PLOTS".

WHEREAS, pursuant to an agreement entered June 18, 1993, between the County of Broome and the Town of Dickinson, the County designated the Town and Broome County Industrial Development Agency to jointly market the Garden Plots property for development, and

WHEREAS, it has been suggested that this marketing include the Town and County agreeing to offer a commission of five (5%) percent of the net sales price to any licensed broker registering a client in writing with the Broome County IDA that results in the sale of the property, and

WHEREAS, the IDA and the Town have requested a commitment from the County to pay said commission from the proceeds of the sale of the property, now, therefore, be it

RESOLVED, that this County Legislature authorizes an agreement with the Town of Dickinson and Broome County IDA to offer a commission of five (5%) percent of the net sales price of the property commonly known as the "Garden Plots" to any licensed real estate broker registering a client in writing with the Broome County IDA that results in the sale of the property, and be it

FURTHER RESOLVED, that the commission shall be paid from the proceeds of the sale of the 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.

Held over by Mr. Shafer.

RESOLUTION NO. 225

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. O'Day.

RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH ISI ASSOCIATES FOR THE PUBLIC DEFENDER FOR 1996 THROUGH 2000

WHEREAS, this County Legislature, by Resolution 22 of 1991, authorized an agreement with Court and Henry Street Development, Inc., for lease of space at a cost of \$6,426.00 per month for 9,072 square feet, which rate increased four (4%) percent per year, and

WHEREAS, said lease is necessary to provide space for the Broome County Public Defender's Office, and

WHEREAS, Court and Henry Street Development, Inc., had leased the property from ISI Associates, and

WHEREAS, the County is desirous of leasing this property for another five-years directly from ISI Associates, and

WHEREAS, said agreement expires by its terms on March 19, 1996, and it is desired at this time to renew said agreement for the period March 20, 1996 through December 31, 2000, on substantially similar terms and conditions with an increase in cost with additional space, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with ISI Associates, Metrocenter Management Office, 49 Court Street, Binghamton, New York, 13901, for lease of space for the period March 20, 1996 through December 31, 2000, with an option to renew for five additional years, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$9.10 per square foot for 10,133 square feet for a total of \$7,517.51 per month for the period March 20, 1996 through May 31, 1996; \$7,684.19 per month for the period June 1, 1996 through December 31, 1996, to be paid in one lump sum payable upon execution of the lease; \$9.56 per square foot for 11,066 square feet for a total of \$8,815.91 per month for the period January 1, 1997 through December 31, 1997; \$9.85 per square foot for a total of \$9,080.39 per month for the period January 1, 1998 through December 31, 1998; \$10.24 per square foot for a total of \$9,443.60 per month for the period January 1, 1999 through December 31, 1999; and \$10.65 per square foot for a total of \$9,821.34 per month for the

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period January 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 530006.4422.101000 (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.

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

RESOLUTION NO. 226

by FINANCE COMMITTEE

Seconded by Mr. Howard

RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT AWARD FROM THE FEDERAL DEPARTMENT OF TRANSPORTATION FOR GRANT FUNDS FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION FOR 1996

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation programs, and

WHEREAS, the contracts for financial assistance impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program, and

WHEREAS, it is required by the United States Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964, as amended, that the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements promulgated thereunder, and

WHEREAS, it is the goal of the applicant that minority business enterprises be utilized to the fullest extent possible in connection with this project and that definite procedures shall be established and administered to insure that minority businesses shall have the maximum opportunity to participate in construction contracts, supplies, equipment contracts or consultant and other services, and

WHEREAS, this County Legislature, by Resolution 216 of 1995 authorized the acceptance of a grant award from the Federal Transit Administration for 1995 Grant Funds, and

WHEREAS, it is desired at this time to accept similar grant funds for 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,027,278 from the United States Department of Transportation Federal Transit

Administration, and be it

FURTHER RESOLVED, that the funds are to be used as follows: operating assistance for Broome County, January 1, 1996 through December 31, 1996, \$717,019; capital assistance for Broome County, \$273,315; operating assistance for Tioga County, January 1, 1996 through December 31, 1996, \$36,944, 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 provided that said budget transfers do not affect a personnel line, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to furnish such additional information as the United

States Department of Transportation may require in connection with the application for the program of projects and budget, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to set forth and execute affirmative minority business policies in connection with the program of projects and budget procurement needs, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in financing capital and/or operating assistance program of projects and budget.

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

RESOLUTION NO. 227

by COMMUNITY & SOCIAL SERVICES and COUNTY ADMINISTRATION,
ECONOMIC DEVELOPMENT & PLANNING COMMITTEES
Seconded by Mr. Howard
**RESOLUTION REQUESTING SECURITY COMPANIES TO PROVIDE AWARE
(ABUSED WOMEN'S ACTIVE RESPONSE EMERGENCY) SERVICE IN
BROOME COUNTY.**

WHEREAS, it is the desire of the Broome County Legislature to take action to assure that all women threatened with abuse or battery are afforded protection from such harm, and

WHEREAS, there exists a system (AWARE) by which assurance from harm can be provided, and

WHEREAS, use of this system facilitates and accelerates police agency response time to abuse and battery situations, and

WHEREAS, through AWARE, women who have been victims of domestic violence and have obtained an order of protection are issued an easily activated silent alarm device which triggers swift police response, and

WHEREAS, the AWARE system has been successfully implemented and is operating in Cortland, Kings, Onondaga, and Schenectady counties in New York State, and

WHEREAS, there would be no cost to Broome County to implement and utilize the AWARE service, now, therefore, be it

RESOLVED, that the Broome County Legislature encourages and requests security companies to provide AWARE (Abused Women's Active Response Emergency) service in 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, Nays-0, Absent-1 (Coffey).

RESOLUTION NO. 228

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Howard

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

WHEREAS, Arthur J. Shafer, Chair of the Broome County Legislature, pursuant to the powers vested in him by Resolution No. 78 adopted March 4, 1970, Resolution No. 46 adopted February 6, 1979, Resolution No. 223 adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, has duly designated and appointed, pending confirmation by this Legislature, Gary VanNostrand, 38 Laurel Avenue, Binghamton, NY 13905, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 78 adopted March 4, 1970, Resolution No. 46 adopted February 6, 1979, Resolution No. 223 adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 78 adopted March 4, 1970, Resolution No. 46 adopted February 6, 1979, Resolution No. 223 adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, does hereby confirm the appointment of Gary VanNostrand to membership on the Broome County Industrial Development Agency Board of Directors in accordance with his appointment by the Legislative Chair.

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

RESOLUTION NO. 229

by PERSONNEL, FINANCE and HEALTH SERVICES COMMITTEES Seconded by

Mr. Holley

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR MENTAL HEALTH AND AUTHORIZING AGREEMENT FOR FORENSIC PSYCHIATRIC SERVICES.

WHEREAS, the Commissioner of Mental Health has proposed a reorganization plan for the Forensic Unit of the Department of Community Mental Health Services, and

WHEREAS, the reorganization of the Forensic Unit will provide the same level of services to the Public Safety Facility and the local court system in a more efficient and cost effective manner, therefore be it,

RESOLVED, that in accordance with a request from the Commissioner of Mental Health, as contained in PCR# 96-357, this County Legislature hereby authorizes the **change** of one (1) full-time Clinical Social Worker position at budget line A470013.1000, minimum salary \$29,828, Union Code 04 (CSEA), Grade 21 to one (1) full-time Mental Health Program Coordinator position at budget line A470013.1000, minimum salary \$34,344, Union Code 07 (BAPA), Grade 23, effective June 3, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner Mental Health, as contained in PCR# 96-358, this County Legislature hereby authorizes the **creation** of one (1) part-time Keyboard Specialist position (to be housed in the forensic unit) at budget line A470013.1500, minimum salary \$7.5684/hr (\$14,872/annual), Union Code 08 (CSEA), Grade 08, effective June 3, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health, as contained in PCR# 96-356, this County Legislature hereby authorizes the **abolishment** of one (1) full-time Staff Psychiatrist position at budget line A470013.1000, minimum salary N/A, Union Code 01 (Misc), Grade N/A, effective June 3, 1996, and be it

FURTHER RESOLVED, in accordance with said reorganization plan, this County Legislature, hereby authorizes an agreement with United Health Services, Inc., 10-42 Mitchell Avenue, Binghamton, New York, 13903, for forensic psychiatric services for the Department of Community Mental Health Services for the period June 4, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that the individuals who will provide the forensic psychiatric services under said contract with United Health Services, Inc., will be approved by the Commissioner of Mental Health, and be it

FURTHER RESOLVED, that in consideration of said services, the county shall pay the

Contractor \$75.00 per hour, total cost not to exceed \$33,600 for the term of this agreement, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Service), and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Community Mental Health Services, in order to provide funds for contracted psychiatric services as requested by BT# 9823, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	470013	1000	101000	Salaries, Full-time	\$33,600
TO :	470013	4747	101000	Other Fees for Services	\$33,600

and be it

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

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

RESOLUTION NO. 230

by Finance Committee

Seconded by Mr. Cahill and Mr. Whalen

RESOLUTION AUTHORIZING AGREEMENT WITH COMPEAU BEARSCH MANAGEMENT ASSOCIATES OF BINGHAMTON, INC., FOR OFFICE AND CLINIC SPACE FOR A VETERAN'S CLINIC.

WHEREAS, this County Legislature has authorized an agreement with United States Department of Veterans Affairs (VA) to open a veteran's clinic within Broome County, and

WHEREAS, one of the County's responsibilities under the agreement with the VA is to lease clinic and office space to be used by the VA clinic, now, therefore, be it

RESOLVED, that this County Legislature authorizes an agreement with Compeau Bearsch Management Associates of Binghamton, Inc., 41 Chenango Street, Binghamton, New York, 13901, for clinic and office space for the VA clinic at 39-41 Chenango Street,

Binghamton, New York, for the period July 1, 1996 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$64,000 per year for the first two years starting January 1, 1997 through December 31, 1998; \$67,700 per year for the term January 1, 1999 through December 31, 2001; with an optional three year period at \$70,500 per year for the term January 1, 2002 through December 31, 2004, and be it

FURTHER RESOLVED, that payments hereinabove authorized shall be made from budget line 420000.4422.101000 (Building & 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.

Ms. Hudak and Mr. Holly asked counsel if this resolution in conjunction with Resolution No. 181 would only commit the County to 30 months of the lease with the remainder to be subleased to the VA. Mr. Behnke confirmed this information.

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

Mr. Howard moved, seconded by Mr. Augostini, to adjourn at 4:40pm. The adjournment **carried**.