

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
JANUARY 30, 1997**

The Legislature convened at 4:58 P.M. with a call to order by the Chair, Daniel A. Schofield.

The Clerk, Richard R. Blythe, called the Attendance Roll: Present-19

Mr. Pasquale moved, seconded by Mr. Shafer that the minutes of the Organizational Session of January 8, 1997, be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the week of January 20, 1997 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. Pasquale and seconded by Mr. Miller. **Carried.**

**ANNOUNCEMENTS FROM THE CHAIR**

A card from President Lincoln, appointing John Lloyd Broome to active duty in 1861, and in the possession of the Legislative Clerk, has been preserved and framed. Mr. Schofield asked that it be passed around the chambers and that the County Administration Committee consider where to display it. (Also see The 1919 Journal of Proceedings of the Broome County Board of Supervisors, page 63)

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

**PRESENTATION OF PETITIONS, COMMUNICATIONS,**

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**NOTICES & REPORTS:**

**PETITIONS:** NONE

**COMMUNICATIONS:**

1. Minutes from:
  - a. Willow Point Nursing Facility
  - b. Soil and Water Conservation District
  - c. Cornell Cooperative Extension
  - d. Association of Towns and Villages
  - e. Local Early Intervention Coordinating Council
  - f. EMC's Natural Resources Committee
  - g. Environmental Management Council
  - h. EMC Ad Hoc Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
  - i. Industrial Development Agency (minutes and various materials)
2. List of Localities taking part in one week Sales and Use Tax Exemption.
3. Resolution from Yates County (Requesting State to increase rate of reimbursement for Parole Violation Assigned Counsel).
4. Letter from Commissioner of Public Works, David M. Donoghue, appointing William Sczesny to position of Deputy Commissioner, Buildings and Grounds.
5. 1997 Town of Conklin Budget.
6. Department of Finance: Copy of Schedule of Real Property Taxes (by Town) levied by Legislature for 1997.

**NOTICES:** NONE

**REPORTS:**

1. 1996 Sales Tax Collections (Fourth Quarter).
2. Monthly Reports: Broome Community College (Budget Transfers and Above Minimum Hires, November and December 1996).

3. Department of Audit and Control:
  - a. Payroll Audit (Office for Aging)
  - b. Audit-Parking Concession (Aviation Department)
  - c. Letter advising that Security Division has not instituted corrective measures with regard to payments to temporary employees.
4. Quarterly Report - Department of Public Works.
5. 1996 Annual Report - Purchasing Division

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE**

Letters from the Chair, Daniel A. Schofield:

1. Designating Patrick F. O'Day as voting representative for Jane R. Sweet, Inter-Governmental Relations Committee, January 20, 1997.
2. Designating William H. Miller as voting representative for Patrick F. O'Day, Education, Culture and Recreation Committee, January 21, 1997.
3. Proclaiming January 19, 1997 as a Remembrance Day of the January 1996 Flood.

Mr. Brunza moved, seconded by Mr. Shafer, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1997 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.

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

Mr. Howard and Mr. Pasquale were designated as participants in the 'Short Roll Call.'

**RESOLUTIONS HELD OVER FROM PREVIOUS SESSION OF JANUARY 8, 1997**

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**RESOLUTION NO. 10** (held over by Mr. Whalen)

by Hon. Daniel A. Schofield

**RESOLUTION CONFIRMING APPOINTMENT OF MICHAEL F. ASWAD AS DIRECTOR OF EMERGENCY SERVICES/FIRE COORDINATOR.**

Mr. Shafer moved, seconded by Mr. Wike to **call the question** on the resolution. The call of the question **carried**. Ayes-17, Nays-2 (Pasquale & Whalen)

The resolution **carried**.

**RESOLUTION NO. 11** (held over by Mr. Whalen)

by Hon. Daniel A. Schofield

**RESOLUTION CONFIRMING APPOINTMENT OF JEROME Z. KNEBEL AS COMMISSIONER OF FINANCE.**

Mr. Shafer moved, seconded by Mr. Wike to **call the question** on the resolution.

The call of the question **carried**.

The resolution **carried**.

**RESOLUTION NO. 12** (held over by Mr. Whalen)

by Hon. Daniel A. Schofield

**RESOLUTION CONFIRMING APPOINTMENT OF WILLIAM BARBER AS COMMISSIONER OF PARKS AND RECREATION.**

Mr. Shafer moved, seconded by Mr. Wike to **call the question** on the resolution.

The call of the question **carried.**

The resolution **carried.**

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 22**

by FINANCE, PUBLIC SAFETY AND EMERGENCY SERVICES  
and PERSONNEL COMMITTEES

Seconded by Mr. Shafer

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE  
CITY OF BINGHAMTON FOR THE CONSOLIDATION OF  
DISPATCH AND RELATED OPERATIONS**

WHEREAS, the Director of Emergency Services recommends the consolidation of the County's E-911, emergency dispatch, and certain related functions with similar operations of the City of Binghamton, and

WHEREAS, such consolidation would further the goals of increasing efficiency and streamlining municipal services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the City of Binghamton for the consolidation of County E-911, emergency dispatch, and certain related functions with similar operations of the City of Binghamton, such agreement to include the following:

- 1.The County shall assume responsibility for police and fire dispatch for the City of Binghamton, in addition to the County's existing E-911 and emergency dispatch operations.
- 2.The County will become the employer of up to 12 dispatchers now employed by the City of Binghamton.
- 3.Such individuals will be hired for the position of Emergency Services Dispatcher and shall be paid not less than the salary paid to them by the City of Binghamton as of the effective date

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of the said agreement.

4. During the first year of employment of such individuals, the City shall reimburse the County the full amount of the salary and benefits of such individuals. During the second year, the City shall reimburse the County 90% of the cost of such salary and benefits and in each succeeding year the City shall reimburse the County 10% less of such cost, so that in the eleventh year and thereafter, the County shall receive no reimbursement for such cost.
5. The County shall assume the responsibility for maintaining the City's police and fire records on the County Public Safety Computer System, which will be accessed by the City from terminals in the City Office Building.
6. The City shall be responsible for all costs associated with the installation and purchase of equipment necessary to link the City to the County Public Safety Computer System including:
  - a. Purchase and installation of modems, terminals, and printer;
  - b. Purchase, installation and maintenance of the necessary controller.
  - c. Lease and installation of the appropriate data line between the City and the County Computer System located at the Public Safety Facility.
  - d. Conversion of the City's Master Name Files.
  - e. Training, support and travel expenses charged by the County's vendor (New World Systems) to enable the City

to utilize and operate within the County Computer System.

7. The County shall update the communications capability of the City through 911 revenues as they become available.

and be it

FURTHER RESOLVED, that the County shall cooperate in implementing the foregoing consolidation promptly with a goal of full implementation by April 1, 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.

Mr. Pasquale moved, seconded by Mr. Kavulich that an additional Further Resolved paragraph be inserted into the resolution, pertaining to indemnification of the County by the City, as follows:

"FURTHER RESOLVED, that this resolution is contingent upon a memorandum of understanding between the City and County whereby the City agrees to be responsible for any actions or proceedings brought in connection with the City emergency dispatch employees to be hired by the County during their period of employment with the City and to indemnify and defend the County in the event the County is made a party to the action or proceeding, and be it,"

The amendment **carried**.

The resolution as amended was **held over** under the 'Rules' by Mr. Augustini.

**RESOLUTION NO. 23**

by COMMUNITY & SOCIAL SERVICES, COUNTY

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ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING  
and FINANCE COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING REVISION 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 205 of 1996, authorized the continued participation by the Department of Social Services in the Medicaid Managed Care (MAX) Program for the period April 1, 1996 through March 31, 1997, and adopted a program budget in connection therewith in the total amount of \$17,576, and

WHEREAS, it is desired to revise said program to provide for an increase in appropriations for the period April 1, 1996 through March 31, 1997, in the amount of \$82,898.70, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision 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 \$82,898.70, 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 \$82,898.70 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.**

**RESOLUTION NO. 24**

by FINANCE and COMMUNITY & SOCIAL SERVICES COMMITTEES..... Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENT OF SOCIAL SERVICES**

RESOLVED, that in accordance with a request from the Department of Social Services in order to provide funds to employ a temporary maintenance worker due to a medical leave, as requested by BT#190, 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:	670018	1000	103000	Salaries Full Time	
					\$1,800
TO:	670018	1600	103000	Salaries Temporary	
					\$1,800

**Carried.**

**RESOLUTION NO. 25**

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT COMMUNITY TRAFFIC SAFETY PROGRAM**

**AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.**

WHEREAS, this County Legislature, by Resolutions 375 of 1995, and 99 of 1996, authorized and approved the Health Department Community Traffic Safety Program and adopted a program budget in connection therewith in the amount of \$32,273.00 for the period March 1, 1996 through February 28, 1997, and

WHEREAS, said grant program supports local programs which reduce morbidity and mortality associated with traffic related accidents, and

WHEREAS, it is desired to renew said grant program for the period March 1, 1997 through February 28, 1998, in the amount of \$33,642.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$33,642.00 from the Governor's Traffic Safety Committee, NYS Department of Motor Vehicles for the Health Department Comprehensive Traffic Safety Program for the period March 1, 1997 through February 28, 1998, 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 \$33,642.00 for the period March 1, 1997 through February 28, 1998, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget

transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

**Carried.**

**RESOLUTION NO. 26**

by HEALTH SERVICES and FINANCE COMMITTEES seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AGREEMENT WITH TWIN TIER CARE FOR AIDE SERVICES FOR THE HEALTH DEPARTMENT HOME HEALTH SERVICES DIVISION FOR 1997.**

WHEREAS, the Health Department Home Health Services Division requests authorization for an agreement with Twin Tier Care for home health aide, personal care aide and homemaker/housekeeper services for the period February 1, 1997 through December 31, 1997 at various rates, total cost not to exceed budgeted amount with all costs reimbursed by Medicare and Medicaid, and

WHEREAS, said agreement is desired in order to provide aide services to eligible patients of the Health Department Home Health Services Division, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Twin Tier Care, PO Box 765, 159 Front Street, Binghamton, New York 13902, for home health aide, person care aide and homemaker/housekeeper services, for the Health Department Home Health Services Division patients for the period February 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor the amounts as listed on the attached Exhibit A for the term of this agreement, total cost not to exceed the budgeted amounts, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480004.4705.101200 (Personal Care Aide Services), 480061.4710.101050 (Home Health Aid),

480004.4710.101050 (Home Health Aid) and 480004.4715.101201 (Other Health and Medical Services), and be it

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

**Carried.**

**RESOLUTION NO. 27**

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR BROOME COUNTY DEPARTMENT HOME HEALTH SERVICES DIVISION PATIENTS FOR 1997.**

WHEREAS, this County Legislature, by Resolutions 442 of 1996, authorized agreements with various vendors for various services for Broome County Health Department Home Health Services Division patients for calendar year 1997, and

WHEREAS, and it is desired at this time to revise the agreement with Susquehanna Nursing Home for the therapy services as listed on the attached Exhibit A for calendar year 1997, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the revision of the agreement with Susquehanna Nursing Home, 282 Riverside Drive, Johnson City, New York 13790 for the therapy services as listed on the attached Exhibit A for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors at the rates and from the budget lines indicated on the attached Exhibit "A", such amounts to be paid directly by Medicaid, total cost not to exceed legal appropriations, and be it

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

**EXHIBIT A**

<u>THERAPY</u>	<u>RATE</u>	<u>BUDGET LINES</u>
Occupational Therapy	\$60.00 per visit	480061.4706.101046 480004.4706.101046

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Occupational Therapy Aide 480061.4706.101046	\$42.00 per visit	
		480004.4706.101046
Speech Therapy 480061.4706.101047	\$60.00 per visit	
		480004.4706.101047
Medical Social Work 480061.4706.101048	\$55.00 per visit	
	\$25.00 per hour for case conference	480004.4706.101048

Rates noted in agreement:

<u>THERAPY</u>	<u>RATE</u>
Physical Therapy	\$60.00 per visit
Physical Therapy Assistant	\$42.00 per visit
Speech Pathology	\$60.00 per visit
Occupational Therapy	\$60.00 per visit
Occupational Therapy Assistant	\$42.00 per visit
Medical Social Work	\$55.00 per visit
	\$25.00 per hour Case Conference
Home Health Aide	\$12.00 per hour or \$22.00 per two hour visit
Personal Care Aide	\$11.50 per hour
Homemaker	\$11.50 per hour

Plus time-and-one-half for selected holidays.

**Carried.**

**RESOLUTION NO. 28**

by PUBLIC WORKS, TRANSPORTATION and FINANCE  
COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AMENDMENT OF**

**AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC.,  
FOR CONSULTANT ENGINEERING SERVICES FOR  
REMOVAL OF UNDERGROUND TANKS AT THE BROOME  
COUNTY TRANSIT GARAGE.**

WHEREAS, this County Legislature, by Resolutions 263 and 491 of 1996, authorized an agreement with O'Brien & Gere Engineers, Inc., for consultant engineering services for removal of underground tanks at the Broome County Transit Garage at a cost of \$26,000, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the amount and term to provide for spill remediation and monitoring services as required by the Department of Environmental Conservation Stipulation Agreement, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York, 13850, for consultant engineering services for the period October 1, 1996 through December 1, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$4,500, total amount of contract not to exceed \$30,500, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 225011.4746.501306 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolutions 263 and 491 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.**

**RESOLUTION NO. 29**

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

Seconded by Mr. Howard

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 1 of 1997, ENTITLED "A LOCAL LAW AMENDING LOCAL LAW NO. 4, 1980, AS AMENDED, ESTABLISHING RULES AND REGULATIONS FOR COUNTY PARKS."**

RESOLVED, that Local Law Intro. No. 1 of 1997, entitled "A Local Law amending Local Law No. 4, 1980, as amended, establishing rules and regulations for County Parks," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 1 of 1997

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

SECTION 1. Local Law No. 4, 1980, as amended (Chapter 158 of the Administrative Local Laws), is hereby amended so that the following sections thereof shall read as follows:

158.3 RULES, REGULATIONS AND PROHIBITIONS

...

P. Dogs and Other Animals

...

(3)[Horses are restricted to bridal paths.]

Horseback riding, farm animals and petting zoos are not allowed on park property unless deemed appropriate by the Commissioner of Parks and Recreation in extenuating circumstances.

158.4 FEES AND CHARGES

...

B. Camping

(1)Non-Electric Site;

[Ten dollars (\$10.00) per night]

(a)Upper Lisle: Ten dollars (\$10.00) per night

(b)Greenwood: Twelve dollars (\$12.00) per night

(2)[Electricity at site:

Thirteen dollars (\$13.00) per night]

Electricity at site:

Additional three dollars (\$3.00) per night

(3)Reservation Fee: [Three dollars (\$3.00)] Five dollars (\$5.00)

(4)Seasonal Rate

(a) Upper Lisle: Six hundred dollars (\$600.00)

[(b)Greenwood - Electric site: Six hundred dollars (\$600.00) plus three dollars (\$3.00) per day when site is occupied

(c)Greenwood - Non-electric site: Six hundred dollars (\$600.00)]

...

[E. Garden plot rental

Type

Fee

Per season (plot approximately 25 x 30 feet)

\$ 35.00

Non-Broome County resident

\$100.00]

F. Admission: recreational stating

...

Note No. 3: A maximum of [five (5)] twenty-five (25) individual season passes may be given away each season.

...

H. Cross-country ski rental (includes skis, boots, poles and bindings).

...

(3)A maximum of twenty-five (25) individual season passes may be given away each season.

[I. Swimming lessons: fifteen dollars (\$15) per lesson.]

...

Note No. 6: Seasonal Uniform: Broome County Parks and Recreation Department is authorized to allocate a minimum number of uniforms to those seasonal employees who are required to wear them in order to adequately perform their job duties in a safe and professional manner.

SECTION 2. Except as hereinabove amended, Local Law No. 4, 1980, as amended, shall remain in full force and effect.

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

[Bracketed material is deleted] Underlined material is added.

**Carried.** Ayes-16, Nays-2 (Coffey & Whalen), Absent-1 (Lindsey)

### **RESOLUTION NO. 30**



purpose of this Resolution, and be it

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

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

**Carried.**

**RESOLUTION NO. 31**

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING RENEWAL OF THE DEPARTMENT OF MENTAL HEALTH'S DAY TREATMENT CASEWORKER GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997.**

WHEREAS, this County Legislature, by Resolution 611 of 1995, authorized and approved the Department of Mental Health's Day Treatment Caseworker Grant and adopted a program budget in the amount of \$29,722 for 1996, and

WHEREAS, it is desired to renew said grant for calendar year 1997 in the amount of \$28,000, and to adopt a program budget in the amount of \$30,467 for calendar year 1997, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$28,000 from New York State Office of Mental Health for the Department of Mental Health's Day Treatment Caseworker Grant for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby

approves and adopts a program budget annexed hereto as Exhibit "A" in the total amount of \$30,467 for the period January 1, 1997 through December 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.**

**RESOLUTION NO. 32**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT AND PLANNING and FINANCE COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE TO REPEAL THE GROSS RECEIPTS TAX**

WHEREAS, New York State Tax Law Article Thirteen-A imposes a gross receipts tax which mandates people and corporations pay taxes on other taxes, including property taxes and corporate surcharges, and

WHEREAS, this gross receipts tax is an additional cost to New Yorkers and businesses and hinders job development in New York State, and

WHEREAS, in order for New York State to show the global business community that New York State is serious about reducing the

costs of doing business, it is necessary for the New York State Legislature to eliminate the gross receipts tax, now, therefore, be it

RESOLVED, that this County Legislature, in an effort to bring about job development in Broome County and encourage existing industry to remain and expand in Broome County and to encourage other industry to commence operations and/or relocate to Broome County and New York State, requests the New York State Legislature to repeal the Gross Receipts Tax in the next legislative session, and, be it

FURTHER RESOLVED, that the Broome County Legislative Clerk is hereby directed to send a certified copy of this resolution to Governor George Pataki, Senator Thomas Libous, Assemblymen Robert Warner and Jay Dinga, all other County Legislatures and/or Board of Supervisors in New York State immediately upon its passage.

**Carried.**

**RESOLUTION NO. 33**

by HEALTH SERVICES and FINANCE COMMITTEES seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AN AMENDMENT OF THE AGREEMENT WITH AMERICAN HEALTH CARE SOFTWARE ENTERPRISES, INC., FOR SOFTWARE MAINTENANCE/SUPPORT FOR WILLOW POINT NURSING FACILITY FOR 1997, AND AUTHORIZING PURCHASE OF NEW CASE MIX SOFTWARE.**

WHEREAS, this County Legislature, since 1991, has authorized agreements with American Health Care Software Enterprises, Inc., for software and software maintenance/support at the Willow Point Nursing Facility, at the following costs:

Resolution # 418 of 1991 for 1992.....\$4,800  
Resolution # 502 of 1992 for 1993.....\$5,450  
Resolution # 509 of 1993 for 1994.....\$6,100  
Resolution # 472 of 1994 for 1995.....\$6,100

Resolution # 499 of 1995 for 1996.....\$7,200  
Resolution # 133 of 1996 amending  
Resolution # 499 of 1995.....+1,000  
Total Contract for 1996.....\$8,200

Resolution # 462 of 1996 for 1997.....\$6,150, and

WHEREAS, it is necessary at this time to revise said agreement, most recently authorized by Resolution # 462 of 1996, in order to provide improved analysis of patient review instruments through the addition of an additional software package and additional software maintenance for the new software, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes purchase of a new software package (NTE \$1,000) and further authorizes an amendment to the existing agreement with American Health Care Software Enterprises, Inc., 137 Iroquois Ave., Essex Jct., Vermont 05452 for software maintenance/support at the Willow Point Nursing Facility, for the period January 1, 1997 through December 31, 1997, (NTE \$180/yr. or \$15/mo.) and, be it

FURTHER RESOLVED, that, the County shall pay the Contractor \$1,000.00, for the new software package and \$180 (\$15.00 per month) for a maintenance agreement related to the new software for a total amended contract, for 1997, NTE \$6,330, (total purchases and contract(s) for 1997 authorized by the Legislature will now be \$7,330), and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010.2850.204000 (Computer Equipment; \$1,000) and 370007.4513.101000 (Software Maintenance; \$180), and be it

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

**Carried.**

**RESOLUTION NO. 34**

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEE

Seconded by Mr. O'Day

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

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

<u>NAME</u>	<u>TERM EXPIRING</u>
George Seltzer 32 N Parsons Road Whitney Point, New York 13862	Term Expires 12-31-97 Reappointment
Elwyn Eaton P.O. Box 68 Castle Creek, New York 13744	Term Expires 12-31-97 Reappointment
Clarence Rogers 32 Main Street Harpursville, New York 13787	Term Expires 12-31-97 Reappointment
Fred Durfee 810 Martin Street Endicott, New York 13760	Term Expires 12-31-97 New Appointment
Martin Tillapaugh 232 Stella Ireland Road Binghamton, New York 13905	Term Expires 12-31-97 Reappointment
Fred Canniff	Term Expires 12-31-97

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18 Sandy Brook Lane  
Castle Creek, New York 13744

Reappointment

David Rickard  
24 Riverview Road  
Kirkwood, New York 13795

Term Expires 12-31-97  
Reappointment

Irving Soden  
113 Baker Road  
Windsor, New York 13865

Term Expires 12-31-97  
Reappointment

James Mitrowitz  
217 Dorman Road  
Binghamton, New York 13901

Term Expires 12-31-97  
Reappointment

Robert Brady  
3114 Andover Road  
Endwell, New York 13760

Term Expires 12-31-97  
Reappointment

George Ruck  
2728 Country Club Road  
Endwell, New York 13760

Term Expires 12-31-97  
Reappointment

Pete Scarantino  
3370 Jackson Road  
Binghamton, New York 13903

Term Expires 12-31-97  
Reappointment

Wesley Tyler  
2127 NY Rt 26  
Endicott, New York 13760

Term Expires 12-31-97  
Reappointment

Robert Kocan  
457 Bevier Street

Term Expires 12-31-97  
Reappointment

Binghamton, New York 13904

Edward Mulligan  
613 River Road  
Binghamton, New York 13901

Term Expires 12-31-97  
Reappointment

Ellwyn VanVorce  
839 Park Avenue  
Binghamton, New York 13903

Term Expires 12-31-97  
Reappointment

Brian K. Mather  
301 Vandervort Avenue  
Vestal, New York 13850

Term Expires 12-31-97  
Reappointment

David L. Lindsey  
12 Mulberry Street  
Binghamton, New York 13901

Term Expires 12-31-97  
Reappointment

Andrew M. Kavulich  
261 N. Baldwin Street  
Johnson City, New York 13790

Term Expires 12-31-97  
Reappointment

Alice Fiacco  
3605 Royal Road  
Endwell, New York 13760

Term Expires 12-31-97  
Reappointment

Wayne Sherwood  
Mountain Trailer Park  
269 Kattelville Road  
Binghamton, New York 13901  
and

Term Expires 12-31-97  
Reappointment

WHEREAS, it is desired, in accordance with the provisions of Article XIX of the Broome County Charter, to confirm said

appointments, now, therefore, be it

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

**Carried.**

**RESOLUTION NO. 35**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Wike

**RESOLUTION AUTHORIZING AGREEMENT WITH JULIE LYNNE BISHOP, R.D., FOR DIETICIAN CONSULTANT SERVICES FOR BROOME COUNTY CENTRAL FOODS FOR 1997.**

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 the period February 1, 1997 through December 31, 1997, at a cost not to exceed \$5,940.00, 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 February 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at the rate of \$30.00 per hour, total amount not to exceed \$5,940.00 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.

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

**RESOLUTION NO. 36**

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR THE HEALTH DEPARTMENT DIVISION OF CHILD DEVELOPMENT FOR 1996 AND 1997.**

WHEREAS, the Health Department Division of Child Development requests authorization for agreements with various vendors for services for its Family Services and Support under the Early Intervention programs for the period as listed on the attached Exhibit A, at a cost not to exceed the amounts on the attached Exhibit A, and

WHEREAS, said agreements are necessary to provide family services and support services for the Health Department Division of Child Development Early Intervention Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various vendors for the services listed on the attached Exhibit A for the periods indicated, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor the amounts as indicated on the attached Exhibit A, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480202.various.101000 and 480285.various.101000, and be it

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

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

**Carried.**

**RESOLUTION NO. 37**

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL  
and FINANCE COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING RENEWAL OF THE ANTI-  
DRUG ABUSE ACT PROGRAM A/K/A THE C.O.M.B.A.T.  
GRANT AND ADOPTING A PROGRAM BUDGET IN  
CONNECTION THEREWITH FOR 1997.**

WHEREAS, this County Legislature, by Resolution 688 of 1994, as revised by Resolution 620 of 1996 authorized the Anti-Drug Abuse Act Program a/k/a the C.O.M.B.A.T. Grant which funds the Broome County District Attorney, Public Defender and Probation Departments for January 1, 1995 through December 31, 1996 and adopted a program budget in connection therewith in the total amount of \$360,000, and

WHEREAS, said agreement expired by its terms on December 31, 1996 and it is desired at this time to renew said for the period January 1, 1997 through December 31, 1997 on substantially similar terms and conditions with a decrease in appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a renewal of the Anti-Drug Abuse Act Program a/k/a C.O.M.B.A.T. Grant for the period January 1, 1997 through December 31, 1997, in the total amount of \$164,000, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the program budget annexed hereto as Exhibit "A" in the total amount of \$164,000 for the period January 1, 1997 through December 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.**

**RESOLUTION NO. 38**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING CONSENT TO ASSIGNMENT OF LEASE OF PREMISES FROM COURT & HENRY STREET DEVELOPMENT, INC. TO PENNCOURT REALTY CORPORATION.**

WHEREAS, this County Legislature, by Resolution 358 of 1993, authorized the lease of premises at 26 Court Street, City of Binghamton, for the Mental Health Department from Court and Henry Street Development, Inc. for the period May 1, 1993 through April 30, 1998, and

WHEREAS, the Commissioner of Mental Health requests that this County Legislature authorize the consent of the County to the assignment of said lease of Penncourt Realty Corporation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the

consent of the County to the assignment of the lease between Court & Henry Street Development, Inc. as landlord and Broome County as tenant of premises at 26 Court Street, City of Binghamton, to Penncourt Realty Corporation, 84 Court Street, Binghamton, New York 13901, and be it

FURTHER RESOLVED, that Resolution 358 of 1993 to the extent consistent herewith remains in full force and effect, and be it

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

**Carried.**

**RESOLUTION NO. 39**

by HEALTH SERVICES and FINANCE COMMITTEES seconded by Mr. O'Day

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH MENTAL HEALTH CONTRACT AGENCIES SUPPORTED BY BROOME COUNTY FOR 1997.**

WHEREAS, this County has contributed various forms of support to numerous mental health related agencies and organizations which benefit, aid or assist with the many needs of a broad spectrum of the Broome County community, and

WHEREAS, these contract agencies which have received or will receive such assistance from Broome County include Association for Retarded Citizens, Catholic Social Services, Addiction Center of Broome County, Fairview Recovery Services (formerly known as Fairview Halfway House, Inc.), Broome County Council on Alcoholism, Handicapped Children's Association, Broome County Mental Health Association, Catholic Charities, YWCA, UHS, and Vocational Rehabilitation Services, and

WHEREAS, it is the desire of this Legislature to give approval for

the execution of contracts with such agencies, said contracts to be in such form as approved by the County Attorney, subject to and conditioned upon the financial allocations made and accounting procedures prescribed by the County Attorney and the County Comptroller, to each respective contract agency in the 1997 Broome County Budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Executive to execute such agreements, approved as to form by the Department of Law, with the following contract agencies:

Association for Retarded Citizens	\$1,224,613
Catholic Social Services	798
Addiction Center of B.C.	163,322
Fairview Recovery Services	861,241
Handicapped Children's Association	358,156
B. C. Mental Health Assoc.	343,576
Catholic Charities	531,356
YWCA	86,663
UHS	451,858
Vocational Rehab Services	35,280

said contracts to be in a form similar to those used in prior years and to be subject to any necessary approvals required by the State or Federal Governments or for any other valid reason which may require the approval of said State or Federal Governments, and to be conditioned upon the submission and filing with the Clerk of the Legislature of written annual reports detailing the agencies' use of the funds received from the County during the previous calendar year, as well as future goals. Under any contract which calls for a payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released. Under any contract which calls for two or more periodic payments during the contract term, said annual report shall be filed with the Department of Mental Health Commissioner's Annual Report due on or before June 10th in each year.

The Commissioner shall make other reports at such times as may be

required by the County Legislature, County Executive, Mental Hygiene Law or other applicable law and the New York State Department of Mental Hygiene, and be it

FURTHER RESOLVED, that the contribution by the County will not cover any amounts not provided by State or Federal funding, and be it

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

**Carried.**

**RESOLUTION NO. 40**

by HEALTH SERVICES AND FINANCE COMMITTEES Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE RESEARCH FOUNDATION, STATE UNIVERSITY OF NEW YORK, FOR THE DEPARTMENT OF MENTAL HEALTH FOR 1997.**

WHEREAS, this County Legislature, by Resolution 167 of 1996, authorized renewal of an agreement with The Research Foundation, State University of New York for continuation of a graduate training program at a cost not to exceed \$18,375, and

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

WHEREAS, said agreement expired by its terms on December 31, 1996, and it is desired at this time to renew said agreement for the period January 1, 1997 through December 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 The Research Foundation, State

University of New York, Office of Research and Sponsored Programs, P.O. Box 6000, Binghamton, New York, 13902 for the Department of Mental Health for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$26,726.00 for the term of this agreement, and be it

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

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

**Carried.**

**RESOLUTION NO. 41**

by HEALTH SERVICES AND FINANCE COMMITTEES Seconded by Mr. Wike

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH UNITED HEALTH SERVICES HOSPITALS, INC. FOR FORENSIC PSYCHIATRIC SERVICES.**

WHEREAS, this County Legislature, by Resolution 229 of 1996 authorized an agreement with United Health Services, Inc. for forensic psychiatric services at a cost of \$33,600.00, and

WHEREAS, said services are necessary to provide psychiatric services for the Broome County Correctional Facility and the local court system in an efficient and cost effective manner, and

WHEREAS, said agreement expires by its terms on December 31, 1996, and it is desired to renew the agreement for calendar year 1997 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, this County Legislature authorizes renewal of the agreement with United Health Services Hospitals, Inc., 10-42 Mitchell Avenue, Binghamton, New York 13903 for forensic psychiatric services for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, in consideration of said services, the County shall pay the contractor at the rate of \$75.00 per hour, total cost not to exceed \$62,400.00 for the term of this agreement, and be it

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

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

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

**RESOLUTION NO. 42**

by FINANCE, PUBLIC WORKS and HEALTH SERVICES COMMITTEES Seconded by Mrs. Hudak

**RESOLUTION AMENDING THE 1996 CAPITAL IMPROVEMENT PROGRAM.**

WHEREAS, this County Legislature, by Resolution 475 of 1995 and 500 of 1996, previously approved W-55 Dietary Office Computer System, and

WHEREAS, the Director of Willow Point Nursing Home, has requested an amendment to W-55 Dietary Office Computer System to provide additional funding for said capital project, now, therefore be it

WHEREAS, \$35,000 was allocated to W-22C WPNH Asbestos Remediation PHIII in 1996 by delaying the W-55 Dietary Office Computer System, and

WHEREAS, the \$35,000 allocation in the 1997 W-22C WPNH

Asbestos Remediation PHIII is no longer necessary and can be used to provide the funding for the W-55 Dietary Office computer system reduced in 1996, now, therefore be it

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

FROM:

Project	Project	FAMIS		Year	
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>		
W-55	WPNH Dietary Office	502272	1996		
	Computer System				
Project	<u>Distribution of Costs:</u>		<u>County Sources:</u>		
<u>Cost</u>	<u>Federal</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$25,000	0	0	25,000	0	25,000

Project Description: Same

TO:

Project	Project	FAMIS		Year	
<u>Code</u>	<u>Title</u>	<u>Code</u>	<u>Start</u>		
W-55	WPNH Dietary Office	502272	1996		
	Computer System				
Project	<u>Distribution of Costs:</u>		<u>County Sources:</u>		
<u>Cost</u>	<u>Federal</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$60,000	0	0	60,000	0	60,000

Project Description: Same

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

**RESOLUTION NO. 43**

by PUBLIC WORKS AND FINANCE COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE HALE EDDY BRIDGE REPLACEMENT AS A STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE TRANSPORTATION FEDERAL-AID PROJECT, TO FULLY**

**FUND THE LOCAL SHARE OF FEDERAL-AND STATE-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS AND APPROPRIATING FUNDS THEREFOR.**

WHEREAS, a Project for the Hale Eddy Bridge, P.I.N. 9750.86 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that 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, as provided for by a proposed agreement with the New York State Department of Transportation the costs of Preliminary Engineering and/or Right-of-Way Incidental or Right-of-Way acquisition work performed by the County of Broome for the federal aid-eligible construction project covered by the agreement that are approved in writing by NYSDOT as applicable to the federal aid and Marchiselli aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the Project to Project costs that are eligible for federal aid and Marchiselli aid, and

WHEREAS, the County of Broome desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and Right-of-Way Incidentals work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement, and

WHEREAS, that this County Legislature has included the Project in the 1993 and 1996 Capital Improvement programs as Project D-333 and D-364, respectively, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County of Broome to pay in the first instance the full non-federal share of the cost of Preliminary Engineering and Right-of-Way Incidentals work for the Project or portions thereof, and be it

FURTHER RESOLVED, that payments not to exceed \$275,042 shall be made from the budget as presented in the Capital Program to cover the cost of participation in the above phase of the Project, and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Broome with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, that this Resolution shall take effect immediately.

**Carried.**

**RESOLUTION NO. 44**

by PUBLIC WORKS AND FINANCE COMMITTEES Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AGREEMENT WITH THE COUNTY OF DELAWARE TO SHARE EXPENSES FOR THE DESIGN PHASE OF THE HALE EDDY BRIDGE REPLACEMENT PROJECT FOR 1997 THROUGH 1998.**

WHEREAS, this County Legislature has authorized the County to enter into a "Soft Match" agreement with the New York State Department of Transportation under which the County will be responsible for payment of design expenses and certain other expenses, with the design expenses to be reimbursed by the New York State Department of Transportation during the construction phase of such

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project, and

WHEREAS, the Superintendent of Highways requests authorization for an agreement with the County of Delaware for the sharing of expenses for the design phase of Hale Eddy Bridge Replacement Project, and

WHEREAS, such agreement would provide for reimbursement by Delaware County to Broome County of Fifty Percent (50%) of said design expenses, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the County of Delaware for the sharing of design expenses for the Hale Eddy Bridge Replacement Project, and be it

FURTHER RESOLVED, that said agreement shall provide that the County of Delaware shall reimburse the County of Broome for 50% of design expenses paid by Broome County to New York State Department of Transportation, and be it

FURTHER RESOLVED, that said agreement shall provide that Broome County shall pay to Delaware County 50% of any reimbursements received by Broome County from New York State Department of Transportation for such design expenses, during the construction phase of said 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.**

**RESOLUTION NO. 45**

by PUBLIC WORKS and FINANCE COMMITTEES Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING AGREEMENT WITH  
McFARLAND-JOHNSON, INC. FOR PROFESSIONAL  
SERVICES FOR THE DESIGN PHASE OF HALE EDDY**

**BRIDGE REPLACEMENT FOR 1997 THROUGH 1998.**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with McFarland-Johnson, Inc. for professional services for the design phase of Hale Eddy Bridge Replacement Project for the period January 1, 1997 through April 30, 1998, at a cost not to exceed \$261,042, and

WHEREAS, said services will include preparation of a design report, contract plans, specifications, and construction cost estimates for said project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., PO Box 1980, Binghamton, New York 13902 for professional services for the design phase of the Hale Eddy Bridge Replacement Project, for the period January 1, 1997 through April 30, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$261,042 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035030.2017.501287 (Bridges), and be it

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

**Carried.**

**RESOLUTION NO. 46**

by COMMUNITY AND SOCIAL SERVICE and FINANCE COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING A LEASE WITH CHENANGO HOUSING IMPROVEMENT PROGRAM, INC. FOR OFFICE FOR AGING SENIOR CITIZENS CENTER IN THE TOWN OF COLESVILLE, BROOME COUNTY, NEW YORK FOR 1997 THROUGH 2012, WITH OPTION TO RENEW**

WHEREAS, this County Legislature, by Resolutions 94-454, 96-153, 96-561, and 96-584, authorized the acceptance of a grant from the United States Department of Housing and Urban Development, hereinafter "HUD", in the amount of \$760,000.00 to develop and build a senior citizens center in the Town of Colesville, and

WHEREAS, the Office for Aging requests authorization for a fifteen year lease with two fifteen year renewal terms, with the owner of the property, Chenango Housing Improvement Program, Inc., hereinafter "CHIP" in order to develop the aforementioned senior citizens center, at a cost not to exceed \$10,000.00, said cost represents a portion of the site improvements, including a road base, and which cost is to be paid by the aforementioned HUD grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Chenango Housing Improvement Program, Inc., 2 Merrill Street, Norwich, New York 13815 for a fifteen year term, with

two fifteen year renewals, for the Office for Aging to develop and build a senior citizens center on land owned or to be acquired by "CHIP" located on Route 79 in the Town of Colesville, County of Broome, at a cost not to exceed \$10,000.00, contingent upon this amount being paid from the heretofore mentioned HUD grant, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 7600017.4422.502245 (Bldg & Land Rental), and be it

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

**Carried.**

**RESOLUTION NO. 47**

by PERSONNEL and COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF PURCHASING.**

RESOLVED, that in accordance with a request from the Department of Purchasing as contained in PCR #97-121, this County Legislature hereby authorizes the upgrade of one (1) full-time Keyboard Specialist position at budget line A810010.1000 minimum salary \$15,318 Grade 8, Union Code 04 (CSEA) to one (1) full-time Secretary position budget line A810010.1000, minimum salary \$20,021, Grade 13, Union Code 04 (CSEA) effective February 3, 1997, and be it

FURTHER RESOLVED, that the money needed to pay for said upgrade shall come from budget line A900084.4752 (Contingent Fund).  
**Carried.**

**RESOLUTION NO. 48**

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

**RESOLUTION REVISING RATES PAID TO FUNERAL HOMES FOR SERVICES PROVIDED TO THE BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, this County Legislature, by Resolution 93-626 established procedures and rates for burial of Social Services clients, and

WHEREAS, the allowance for calendar year 1996 was \$1,567.00, and

WHEREAS, it is appropriate and necessary at this time to amend said rates, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the following rates and procedures with an effective date of January 1, 1997:

1. Except as otherwise provided, the allowance for burial of a stillborn Social Services recipient shall be \$439 for calendar year 1997, with an annual percentage increase in 1998 and 1999 equal to the Federal cost of living allowance established for that year.
2. The allowance for the burial of an infant up to four years old shall be \$439 for calendar year 1997, with an annual percentage increase in 1998 and 1999 equal to the Federal cost of living allowance established for that year.
3. The allowance for the burial of all other Social Services recipients shall be \$1,598 for calendar year 1997, with an annual percentage increase in 1998 and 1999 equal to the Federal cost of living allowance established for that year, which includes:

transfers of the remains to the funeral home, embalming (as required), cosmetology, dressing and casketing, hairdressing arrangements and supervision, minimum one hour calling or visitation at the funeral home, funeral ceremony, livery (hearse or alternative funeral coach), acknowledgment cards and register book.

4. In addition to the above allowances, there shall be an allowance for the cost of a minimum cost casket.
5. In addition to the above allowances, there shall be an allowance for the actual cost of all cemetery costs and equipments, including, but not limited to grave liner, grave opening and closing, casket lowering and tent, an allowance for minimum cost grave plot available at the cemetery at which burial takes place, plus winter storage if needed.
6. In addition to the above allowances, there shall be an allowance for the actual cost of any oversized casket or Ziegler case that may be necessary.
7. Transportation costs shall be \$1.50 per loaded mile with the maximum number of reimbursable miles being 100 unless the Department of Social Services determines that it would be more economical to reimburse for greater distance.
8. For full service cremation, the fee shall be as follows:
  - a. For stillborn and children up to four years, \$439 for calendar year 1997, with an annual percentage increase in 1998 and 1999 equal to the Federal cost of living allowance established for that year.

b. For all other, \$1,423 for calendar year 1997, with an annual percentage increase in 1998 and 1999 equal to the Federal cost of living allowance established for that year.

c. In addition to these costs for cremation, there shall be an allowance for the cost of all cemetery and crematory costs and equipment.

9. In regard to immediate disposition cremations, the fees shall be as follows:

a. Stillborn and children up to four years of age, the fees shall be \$293 for calendar year 1997, with an annual percentage increase in 1998 and 1999 equal to the Federal cost of living established for that year.

c. When necessary, an allowance for the actual cost of cremation and the burial of ashes.

10. It will be the obligation of the funeral director to insure that a funeral notice for all public burials be published in the newspaper.

11. Before any allowance authorized herein is paid by the Department of Social Services, there shall be credited to the burial, cremation or other related expenses, all assets of the Social Services recipient, including but not limited to, benefits offered by Social Security, Veterans Administration and any life insurance, up to the allowance authorized herein.

12. Before any allowance authorized herein is paid by the Department of Social Services, the funeral director who is making claims for such funds shall submit an itemized invoice

for all actual cemetery costs and equipment, said invoice to be in such a form as may be prescribed by the Broome County Comptroller.

13. Before any allowance authorized herein is paid by the Department of Social Services, the funeral director who is making a claim for such funds shall report such monies paid or to be paid from friends or relatives of said deceased Social Service recipient or from any other source whatsoever to the Department of Social Services in order that such funds be applied toward any allowance granted herein.

14. In any case where monies are contributed to the burial or cremation costs of a deceased Social Services recipient by a person or persons not legally responsible to pay such costs, the first \$200 of said contribution shall not be taken into account by the Department of Social Services in determining the Department's burial allowance for such recipient and shall not be utilized to reduce said allowance.

15. There shall be a flat fee of \$250 to the funeral directors for their services in involving arrangements and transportation of a body to a medical facility in the event of body donation plus up to \$150 extra to cover expenses of an out of state funeral director, 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 (Lindsey)

**RESOLUTION NO. 49**

by HEALTH SERVICES, FINANCE AND PERSONNEL  
COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING ACCEPTANCE OF STUDENT  
ASSISTANCE PREVENTION SERVICES PROGRAM GRANT  
FROM SUSQUEHANNA VALLEY SCHOOL DISTRICT FOR  
STUDENT ASSISTANCE FOR THE DRUG AWARENESS  
CENTER AND ADOPTING A PROGRAM BUDGET IN  
CONNECTION THEREWITH FOR 1997.**

WHEREAS, the Drug Awareness Center requests this County Legislature to authorize the acceptance of a Student Assistance Prevention Services Program Grant from the Susquehanna Valley School District in the amount of \$ 5,650.00 for calendar year 1997, and

WHEREAS, said grant program will provide one additional day per week of student assistance prevention services at Susquehanna Valley School District, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$ 5,650.00 from Susquehanna Valley School District, Conklin, New York for the Drug Awareness Center Student Assistance Prevention Services Program Grant for calendar year 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 \$ 5,650.00 for calendar year 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 (Lindsey)

**RESOLUTION NO. 50**

by PUBLIC WORKS AND FINANCE COMMITTEES Seconded by Mr. Hull

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE GRANT-IN-AID FOR MUNICIPAL WASTE REDUCTION AND RECYCLING STATE ASSISTANCE PROGRAM AND AUTHORIZING THE SIGNING OF A STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF THE STATE OF NEW YORK.**

WHEREAS, Chapter 615 of the Laws of 1987 and Chapter 70 of the Laws of 1988 of the State of New York provides financial aid for municipal waste reduction and recycling programs, and

WHEREAS, Broome County has examined and duly considered Chapter 615 of the Laws of 1987 and Chapter 70 of the Laws of 1988 of the State of New York and deems it to be in the public interest and benefit to file an application under these laws, and

WHEREAS, it is necessary that a contract between the people of the State of New York and Broome County be executed for such State aid, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the filing of an application, attached as Exhibit A, in the form required by the State of New York and in conformity with Chapter 615 of the Laws of 1987 and Chapter 70 of the Laws of 1988 of the State of New York and is further authorized to include all understandings and assurances contained in said application, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is directed and authorized as the official representative of Broome County to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State, and be it

FURTHER RESOLVED, that Broome County further agrees that it will fund its portion of the cost of said waste reduction and recycling program, and be it

FURTHER RESOLVED, that five certified copies of this Resolution should be prepared and sent to the Director, Division of Solid Waste, New York State Department of Environmental Conservation, Albany, NY, 12233-4015, together with the complete application.

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

**RESOLUTION NO. 51**

by PERSONNEL COMMITTEE

Seconded by Mr. Shafer

**RESOLUTION AUTHORIZING PERSONNEL CHANGE  
REQUEST FOR THE DRUG AWARENESS CENTER**

RESOLVED, that in accordance with a request from the Drug Awareness Center, as contained in PCR #97-140, this County Legislature hereby authorizes the establishment of a part time Student Assistance Counselor at budget line 06208.1500.101000, minimum salary \$21,122, grade 14, Union code 52, effective January 1, 1997.

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

Mrs. Coffey moved, seconded by Mr. Shafer to **adjourn** at 5:28 P.M.

The adjournment **carried**. Ayes-18, Nays-0, Absent-1 (Lindsey)