

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
MAY 15, 1997**

The Legislature convened at 4:00 P.M. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll: Present-16, Absent-3 (Mrs. Coffey, Mr. Mather & Mr. Shafer) (Mr. Pasquale arrived following the approval of the minutes of the previous Regular and Special Sessions.)

The Chair, Mr. Schofield, 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. Brunza, that the minutes of the Regular Session of April 17, 1997 and the Special Session of April 21, 1997, be approved as prepared and presented by the Clerk.

Carried. Ayes-15, Nays-0, Absent-4 (Coffey, Mather, Pasquale & Shafer)

Mr. Schofield noted that the committee minutes from April 11, 1997 through May 8, 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 Mrs. Hudak and seconded by Mr. Burger.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY

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EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

1. Nominating P. Pospisil and L. Chase to membership on Youth Bureau Advisory Board.
2. Appointing Douglas P. MacKechnie as Nursing Home Administrator, effective immediately.
3. Appointing Kathleen Bunnell as Director of Office for Aging, effective immediately.
4. Appointing William M. Barber as Deputy County Executive for Physical Services and Thomas P. Hoke as Deputy County Executive for Human Services, effective immediately.

PRESENTATION OF PETITIONS, COMMUNICATIONS,

NOTICES & REPORTS:

A. PETITIONS: NONE

B. COMMUNICATIONS:

1. Minutes from:

- a. Ambulance Advisory Board
- b. Local Early Intervention Coordinating Council
- c. Environmental Management Council
- d. EMC's Natural Resources Committee
- e. EMC Ad Hoc Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
- f. EMC Solid Waste Committee
- g. Region 7 Forest Practice Board
- h. Soil and Water Conservation District
- i. Industrial Development Agency (minutes and various materials)

C. NOTICES: NONE

D. REPORTS:

1. Unaudited Comprehensive Annual Financial Report (Ending December 31, 1996).
2. ACCORD: 1996 Case Report; 1995-96 Annual Report of NYS Dispute Resolution Centers.

- 3.1996 Annual Report from Your Home Public Library.
- 4.NYSAC: New York State County Executives Association Release Findings of Report on Elimination of Sales Tax on Clothing.
- 5.Addendum to Appraisal Report on "Garden Plots".
- 6.County Law Department: Per Resolution 95-222, no expended funds for expert witness fees (ending 3/31/97).
- 7.1996 Annual Report from the Office of Attorney General, Dennis C. Vacco.
- 8.Cornell Cooperative Extension (Audited Financial Statements ending December 31, 1996).

11A. OTHER MATTERS PENDING OR REFERRED FROM PREVIOUS MEETINGS: None Reported.

11B. WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

- 1.Appointing Patrick F. O'Day as voting representative for Arthur J. Shafer, Personnel Committee, May 5, 1997.
- 2.Appointing Mark R. Whalen as voting representative for George Harbachuk, Transportation Committee, May 6, 1997.
- 3.Appointing William H. Miller as voting representative for Arthur J. Shafer, Transportation Committee, May 6, 1997.
- 4.Appointing the following Legislators as voting representatives for Wayne L. Howard:
 - a.Thomas A. Hull, Public Works Committee, May 7, 1997
 - b.Brian Mather, County Administration, Economic Development and Planning Committee, May 8, 1997
 - c.Louis P. Augostini, Finance Committee, May 8, 1997.
- 5.Appointing Jane R. Sweet as Acting Chair for Brian K. Mather, Personnel Committee, May 15, 1997.
- 6.Appointing William T. Wike as voting representative for Brian K. Mather, Personnel Committee, May 15, 1997

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Mr. Brunza moved, seconded by Mr. Burger 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.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

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

Mr. Wike and Mr. Kavulich were designated as participants in the 'Short Roll Call.'

Mr. Brunza seconded the 'Preferred Agenda.'

**RESOLUTION HELD OVER FROM THE PREVIOUS SESSION
OF APRIL 17, 1997:**

RESOLUTION NO. 190 (held over by Mrs. Coffey)

by FINANCE COMMITTEE

**RESOLUTION AUTHORIZING A PERSONNEL CHANGE
REQUEST AND A TRANSFER OF FUNDS FOR THE
DEPARTMENT OF EMERGENCY SERVICES.**

This resolution was **withdrawn** by the sponsoring committee with the consent of Mrs. Sweet who had seconded the resolution.

RESOLUTIONS INTRODUCED AT THIS SESSION:

RESOLUTION NO. 192

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEESeconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENTS WITH DINA M.

FARRELL, M.D., TERESA A. SACCO, D.O., AND STUART H. STILES, M.D., FOR ASSOCIATE MEDICAL DIRECTOR SERVICES FOR THE OFFICE OF EMERGENCY SERVICES.

WHEREAS, the Office of Emergency Services requests authorization to enter into agreements with Dina M. Farrell, M.D., Teresa A. Sacco, D.O., and Stuart H. Stiles, M.D., for Associate Medical Director services for the Office of Emergency Services at no cost to Broome County, and

WHEREAS, Dina M. Farrell, M.D., Teresa A. Sacco, D.O., and Stuart H. Stiles, M.D., are employees of United Medical Associates, employed full-time as Emergency Medicine Physicians in the Emergency Departments of local hospitals and are prepared through education, training and experience to provide physician oversight and direction to Pre-Hospital EMS activities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with (a) Dina M. Farrell, M.D., 100 Cherokee Road, Danville, Pennsylvania, 17821; (b) Teresa A. Sacco, D.O., 511 S. Liberty Street, Endicott, New York, 13760; and (c) Stuart H. Stiles, M.D., 705 Murray Hill Road, Vestal, New York, 13850, for Associate Medical Director services for the Office of Emergency 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 193

by HEALTH SERVICES and FINANCE COMMITTEES seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS VENDORS FOR SCREENING DATA

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**COLLECTION SERVICES FOR THE HEALTH DEPARTMENT
BREAST AND CERVICAL CANCER DETECTION
EDUCATION PROGRAM FOR 1997 THROUGH 1998.**

WHEREAS, this County Legislature, by Resolution 244 of 1996, authorized an agreement with various vendors for breast and cervical cancer screening data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1996 through June 30, 1997, and

WHEREAS, said services are necessary to provide data services to comply with reporting requirements of the Health Department's Breast and Cervical Cancer Detection Education Program, and

WHEREAS, said agreements expire by their terms on June 30, 1997, and it is desired at this time to renew said agreement for the period July 1, 1997 through June 30, 1998, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Planned Parenthood of Delaware and Otsego Counties, 37 Dietz Street, Oneonta, New York, 13820-1805, for data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1997 through June 30, 1998, in an amount not to exceed \$1,700, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Encore Plus, YWCA, 80 Hawley Street, Binghamton, New York, 13901, for data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1997 through June 30, 1998, in an amount not to exceed \$8,163, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Tioga Opportunities Program, Inc., Family Health Services, Owego, New York, 13827, for data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1997 through June 30, 1998, in amount not to exceed \$12,422, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the American Cancer Society, 7 Front Street, Binghamton, New York, 13905, for data services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1997 through June 30, 1998, in an amount not to exceed \$19,380 and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4458.104XXX (Other Program 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 194

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH TIOGA OPPORTUNITIES, INC., FAMILY HEALTH SERVICES FOR DATA COLLECTION SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION EDUCATION PROGRAM FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 244 of 1996, authorized an agreement with Tioga Opportunities Program, Inc., Family Care Services for data collection services for the Health Department Breast and Cervical Cancer Detection Education Program, at a cost of \$8,000, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the contract amount due to the need for additional services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Tioga Opportunities Program, Inc., Family Care Services, Owego, New York, 13827, for data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$615 for a total amount not to exceed \$8,615, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4458.104045 (Other Program Expenses), and be it

FURTHER RESOLVED, that Resolution 244 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 195

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS HEALTH CARE PROVIDERS FOR BREAST AND CERVICAL CANCER SCREENING, DIAGNOSIS AND RELATED TREATMENT SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION EDUCATION PROGRAM FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 243 of 1996, authorized agreements with various health care providers for breast and cervical cancer screening, diagnosis and related treatment services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1996 through June 30, 1997, at a total cost not to exceed the budgeted appropriations, and

WHEREAS, said services are necessary in order to provide various sites around the Southern Tier for breast and cervical cancer early detection program services in support of the Health Department Breast and Cervical Cancer Detection Education Program, and

WHEREAS, said agreements expire by their terms on June 30, 1997, and it is desired at this time to renew said agreement for the period July 1, 1997 through June 30, 1998, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with the health care providers as listed on the attached Exhibit "A" for breast and cervical cancer screening, diagnosis

and related treatment services, said services more particularly described on the attached Exhibit "B" for the period July 1, 1997 through June 30, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the vendors the amounts for the services listed on the attached Exhibit "B", total amount not to exceed the budgeted appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4707.104XXX (Medical and Hospital 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 196

by HEALTH SERVICES and FINANCE COMMITTEES seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT INFANT MORTALITY REVIEW PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 242 of 1996, authorized and approved the Health Department Infant Mortality Review Program Grant and adopted a program budget in the amount of \$17,000 for the period July 1, 1996 through June 30, 1997, and

WHEREAS, said grant program provides an Infant Mortality Review Program in Broome County in an effort to reduce local infant mortality rates, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1997 through June 30, 1998, in the amount of \$17,000, now

therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$17,000 from New York State Department of Health for the Health Department Infant Mortality Review Program for the period July 1, 1997 through June 30, 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 \$17,000 for the period July 1, 1997 through June 30, 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. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 197

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AN AGREEMENT WITH BROOME-TIOGA ARC FOR THE LEASE OF A BALER.

WHEREAS, the County is the owner of a Piqua downstroke baler which is no longer used for the County's recycling program, and

WHEREAS, Broome-Tioga ARC has approached the Division of Solid Waste Management requesting a no cost lease of the baler for use

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at its facility on Lester Avenue in Johnson City, New York, and

WHEREAS, the Acting Director of Solid Waste Management has recommended the County lease this equipment to ARC, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome-Tioga ARC, 901 Front Street, Binghamton, New York, 13905-1596, for a no-cost lease of a 1990 Piqua downstroke baler for the term May 1, 1997 through April 30, 2002, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 198

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH COMPUTERLAND FOR CONSULTING AND PLANNING SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY.

WHEREAS, the Director of Information Technology requests authorization for an agreement with ComputerLand for professional services for the period June 2, 1997 through June 30, 1997, at a cost not to exceed \$7,200, and

WHEREAS, said services are necessary to provide consulting and planning services for the implementation of an enterprise server, e-mail and security issues for Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with ComputerLand, 423 Commerce Road, P.O. Box 156, Vestal, New York, 13851-0156, for professional services, for the period June 2, 1997 through June 30, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,200 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4726.101000 (Contracted Data Processing 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 199

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH ANTHONY BAKIC FOR INDEPENDENT CONSULTANT SERVICES FOR THE DIVISION OF INFORMATION TECHNOLOGY.

WHEREAS, the Director of Information Technology requests authorization for an agreement with Anthony Bakic for independent consultant services for the period May 12, 1997 through June 23, 1997, at a cost not to exceed \$3,285, and

WHEREAS, said professional services are necessary to plan and implement the upgrade of the "VM/VTAM" software to "release 4.2" and upgrade the "TPX Session Manager" software of Broome County's ES/9000 mainframe computer system, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Anthony Bakic, 7½ Bellevue Avenue, Binghamton, New York, 13905, for independent consultant services, for the period May 12, 1997 through June 23, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,285 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4726.101000 (Contracted D/P 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 200

by EDUCATION, CULTURE & RECREATION COMMITTEESeconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH AMERITECH LIBRARY SERVICES FOR MAINTENANCE OF DYNIX LIBRARY SYSTEM FOR BROOME COUNTY CENTRAL LIBRARY.

WHEREAS, the Broome County Board of Acquisition and Contract on January 24, 1996, authorized an agreement with Ameritech Library Services for a maintenance agreement of the DYNIX library system at a cost of \$2,488.50 for the period January 1, 1996 through July 31, 1998, and

WHEREAS, it is necessary to authorize an amendment of said agreement to provide for additional maintenance of items added to DYNIX library system, and

WHEREAS, the Acting Director of the Broome County Public Library 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 Ameritech Library Services, P.O. Box 95391, Chicago, Illinois, 60694-5391, for maintenance of software for the period January 1, 1997 through July 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$2,569.00 for a total amount not to exceed \$3,539.20 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 additional \$8,113.00, for a total amount not to exceed \$8,707.30 for the period January 1, 1998 through July 31, 1998, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 841007.4359.304000 (Computer & Software Supplies); 842005.4359.304000 (Computer & Software

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Supplies); 841007.4514.304000 (Hardware Maintenance); and 842005.4514.304000 (Hardware Maintenance), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 201

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

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING REVISION OF MENTAL HEALTH\PROBATION JUVENILE JUSTICE PROJECT GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997.

WHEREAS, this County Legislature, by Resolution 64 of 1997, authorized the continued participation in the Mental Health\Probation Juvenile Justice Project Grant for the period January 1, 1997 through December 31, 1997, and adopted a program budget in connection therewith in the total amount of \$60,000, 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 Mental Health/Probation Juvenile Justice Project Grant for the period January 1, 1997 through December 31, 1997, in the total amount of \$61,300, 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 \$61,300 for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that Resolution 64 of 1997, 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 202

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA 5% INCENTIVE GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1999.

WHEREAS, this County Legislature, by Resolution 327 of 1996, authorized and approved the Office of Employment and Training Job Training Partnership Act Title IIA 5% Incentive Grant and adopted a program budget in the amount of \$38,436 for July 1, 1995 through June

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30, 1998, and

WHEREAS, said grant program provides for employment and training programs and services for eligible residents of Broome, Tioga and Tompkins Counties, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1996 through June 30, 1999, in the amount of \$32,802, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$32,802 from New York State Department of Labor for the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIA 5% Incentive Grant Program for the period July 1, 1996 through June 30, 1999, 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 \$32,802 for the period July 1, 1996 through June 30, 1999, 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 203

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

RESOLUTION AUTHORIZING RENEWAL OF OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIB GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1999.

WHEREAS, this County Legislature, by Resolution 199 of 1996, authorized and approved the acceptance of the Job Training Partnership Act (JTPA) Title IIB Grant from New York State Department of Labor for the Office of Employment and Training for the period October 1, 1995 through June 30, 1998, and adopted a program budget in connection therewith in the amount of \$608,705, and

WHEREAS, said grant program provides job training and services to income eligible youth for the Counties of Broome, Tioga, and Tompkins, and

WHEREAS, it is desired to renew said grant program for the Office of Employment and Training Job Training Partnership Act (JTPA) Title IIB Grant for the period October 1, 1996 through June 30, 1999, in the amount of \$769,663, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$769,663 from New York State Department of Labor for the Broome County Office of Employment and Training for the period October 1, 1996 through June 30, 1999, 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 \$769,663 for the period October 1, 1996 through June 30, 1999, 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

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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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 204

by PERSONNEL and FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENTS TO AGREEMENTS WITH BROOME ADMINISTRATIVE AND PROFESSIONAL ASSOCIATION (BAPA) AND CIVIL SERVICE EMPLOYEES ASSOCIATION (CSEA) FOR 1996 THROUGH 1998.

WHEREAS, this County Legislature, pursuant to the New York State Civil Service Law (Taylor Law) has previously recognized Broome Administrative and Professional Association (BAPA) as the employee organization and authorized representative of certain Broome County Administrative and Professional Employees, and

WHEREAS, this County Legislature by Resolution 80 of 1996 authorized an agreement between BAPA and Broome County for calendar years 1996, 1997 and 1998 and WHEREAS, this County Legislature pursuant to the Taylor Law has previously recognized Civil Service Employees Association (CSEA) as the employee organization

and authorized representative of certain Broome County Administrative and Professional employees, and

WHEREAS, this County Legislature by Resolution 56 of 1996 authorized an agreement between CSEA and Broome County for calendar years 1996, 1997, and 1998, and

WHEREAS, the Director of Employee Relations requests authorization for an amendment to said agreements to provide for payment of a stipend of \$1,666.00 annually to persons in the title of Kennel Person if required by the Security Director to hold a NYS Euthanasia certificate or US Department of Justice Drug Enforcement Certificate as an agent to purchase and control euthanasia drugs, now, therefore, be it

RESOLVED, that the County Executive, on behalf of Broome County, be and hereby is authorized and empowered to execute and deliver an amendment to each of the aforesaid agreements approved as to form by the Department of Law with Broome Administrative and Professional Association (BAPA) and Civil Service Employees Association (CSEA) providing for payment of a stipend of \$1,666.00, annually to persons in the title of Kennel Person if required by the Security Director to hold a NYS Euthanasia Certificate or US Department of Justice Drug Enforcement Certificate as an agent to purchase and control euthanasia drugs, and be it

FURTHER RESOLVED, that the Director of Budget and Research is hereby authorized to transfer funds in order to carry out the intent and purpose of this Resolution and be it

FURTHER RESOLVED, that any resolution required by the terms of the aforesaid labor agreements as required by law to be adopted by this County Legislature to implement, effect or complete the aforesaid labor agreements shall be deemed to be and hereby is adopted by this County Legislature.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 205

by PUBLIC WORKS and FINANCE COMMITTEES Seconded by Mr. Brunza

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

WHEREAS, this County Legislature, by Resolutions 323 of 1994, 12 and 374 of 1996, authorized an agreement with The DeWolff Partnership, Architects for professional architect/engineering services for the Central Foods Expansion Project, at a cost of \$232,843, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for additional clerk of the work services to support the construction management activities and to extend the contract term through August 30, 1997, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with The DeWolff Partnership, Architects, St. Paul Place, 151 St. Paul Street, Rochester, New York, 14604, for professional architect/engineering services for the Central Foods Expansion Project for the period ending August 30, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$15,000, for a total amount not to exceed \$247,843, and be it

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

FURTHER RESOLVED, that Resolutions 323 of 1994, 12 and 374 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 206

by FINANCE and PERSONNEL COMMITTEES seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PCS HEALTH SYSTEMS, INC., FOR ADMINISTRATION OF BROOME COUNTY'S HEALTH BENEFITS PRESCRIPTION DRUG PROGRAM FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 622 of 1995, authorized an agreement with PCS Health Systems, Inc., for the administration of Broome County's Health Benefits Program prescription drug plan at the rate of \$.50 per paid claim for regular County employees, retirees, survivors, and COBRA members for the period January 1, 1996 through June 1, 1997, and \$750.00 for establishment of the formulary, and

WHEREAS, said agreement expires by its terms on June 1, 1997, and it is desired at this time to renew said agreement for the period June 1, 1997 through May 31, 1998, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with PCS Health Systems, Inc., for the administration of Broome County's Health Benefits prescription drug plan for the period June 1, 1997 through May 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$.50 per paid claim for regular County employees, retirees, survivors, and COBRA members for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized

shall be made from budget line 050005.4743.252000 (Claims Administration), 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 207

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING REVISION OF SHERIFF'S DEPARTMENT COMMUNITY ORIENTED POLICING SERVICES (COPS) MORE PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997.

WHEREAS, this County Legislature, by Resolution 495 of 1996, authorized the Sheriff's Department Community Oriented Policing Services (COPS) MORE Program Grant for the period January 1, 1997 through December 31, 1997, and adopted a program budget in connection therewith in the total amount of \$226,249, and

WHEREAS, said program grant provides for the redeployment of twelve and one-half deputy sheriff officers positions, clerical support and equipment for the Broome County Sheriff's Department, thereby enhancing Broome County public safety and community policing efforts, and

WHEREAS, it is necessary to revise said program grant due to a decrease in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Sheriff's Department Community Oriented Policing

Services (COPS) MORE Program Grant for the period January 1, 1997 through December 31, 1999, in the total amount of \$222,562, 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 \$222,562 for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that Resolution 495 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-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 208

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Brunza

RESOLUTION ADOPTING THE SCOPE OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT WITH REGARD TO THE DEVELOPMENT OF THE NEW LANDFILL AND SOLID WASTE COMPOSTING SYSTEM.

WHEREAS, this County Legislature, by Resolution 228 of 1993, declared itself lead agency under the State Environmental Quality Review Act with regard to the development of the new landfill and Solid

Waste Composting System, and

WHEREAS, this County Legislature by Resolution 405 of 1996, determined that a public scoping meeting should be held to assist the lead agency to determine the appropriate scope of the Environmental Impact Statement, and

WHEREAS, the public scoping meeting was held on November 21, 1996, and

WHEREAS, this County Legislature has received and reviewed all written comments and the transcript of the scoping meeting, now, therefore, be it

RESOLVED, that this County Legislature hereby adopts as the scope of the Environmental Impact Statement, the outline attached hereto as Exhibit "A", and be it

FURTHER RESOLVED, that the Division of Solid Waste Management is directed to prepare a draft Environmental Impact Statement in accordance with the outline attached hereto as Exhibit "A".

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 209

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH LINCARE, INC., FOR RESPIRATORY SERVICES FOR WILLOW POINT NURSING FACILITY FOR 1997.

WHEREAS, the Broome County Board of Acquisition and Contract on March 19, 1997, authorized an agreement with Lincare, Inc., for the rental of oxygen concentrators and purchase of related supplies, at a cost of \$9,999.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Lincare, Inc., 4390 Quinby Drive,

Hamburg, New York, 14075, for the rental of equipment and use of professional services 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 additional \$10,001.00, for a total amount not to exceed \$20,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 160101.4707.204000 (Medical & Hospital Services); 160101.4434.204000 (Medical, Hospital & Lab Expenses); and 160101.4363.204000 (Medical, Lab & Clinic Supplies), and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 210

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH ROYAL CARE PHARMACY SERVICES FOR UNIT DOSE MEDICATION SERVICES FOR THE WILLOW POINT NURSING FACILITY FOR 1994 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 207 of 1994, authorized an agreement with Royal Care Pharmacy Services for unit dose medication services for the Willow Point Nursing Facility, at a cost of \$2.96 per patient per day for the first year of said contract, for a total amount not to exceed \$413,793.20, with a cost increase each subsequent year in accordance with the Federal Drug Consumer Price Index, for the

period June 1, 1994 through May 31, 1997, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for an extension of said agreement to provide time to obtain quotes and to increase the cost of said agreement, and

WHEREAS, said additional time is required for Willow Point Nursing Facility to seek further quotes for long-term pharmacy services for the facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Royal Care Pharmacy Services, 274 Tompkins Street, Cortland, New York, 13045, for unit dose medication services for the period June 1, 1997 through July 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$3.22 per patient per day, a total amount not to exceed \$75,229 for the period June 1, 1997 through July 31, 1997, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160200.4367.204000 (Unit Dosage SNF), and be it

FURTHER RESOLVED, that Resolution 207 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 211

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Brunza

RESOLUTION DIRECTING THE INITIATION OF AN ENVIRONMENTAL REVIEW OF A PROPOSED AMENDMENT TO LOCAL LAW WAIVING TIPPING FEES FOR

DESIGNATED CLEAN UP DAYS AND RENDERING A NEGATIVE DECLARATION WITH RESPECT THERETO.

WHEREAS, this County Legislature has pending before it a proposed amendment to Chapter 179 of the Broome County Charter and Code to waive tipping fees for designated clean up days, and

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

WHEREAS, it is hereby determined that the adoption of such an amendment to the local law is subject to requirements of the State Environmental Quality Review Act ("SEQRA"), and it is therefore, necessary to initiate procedures with respect thereto, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "lead agency" status with respect to the Environmental Review of a proposed amendment to Chapter 179 of the Broome County Charter and Code which amendment would waive tipping fees at the Nanticoke Landfill for designated cleanup days, and be it

FURTHER RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit A hereby determines and declares that the adoption of the proposed amendment to the local law will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "negative declaration" annexed hereto as Exhibit A.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 212

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, PUBLIC WORKS and FINANCE COMMITTEES Seconded by Mr. Burger

RESOLUTION ADOPTING LOCAL LAW INTRO NO. 2, 1997, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE REGARDING SOLID WASTE TIPPING FEES"

REGULAR SESSION OF MAY 15, 1997

RESOLVED, that Local Law Intro. No. 2, 1997, entitled: "A Local Law Amending Chapter 179 of the Broome County Charter and Code Regarding Solid Waste Tipping Fees" 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. 2, 1997
LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME
COUNTY CHARTER AND CODE
REGARDING SOLID WASTE TIPPING FEES

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

SECTION 1. Section 179-9(A) shall be amended to add a new subsection 8 to read as follows:

- (8) Commencing June 1, 1997, the charges set forth in Section 179-9 shall be waived for a one day period per annum, per municipality within the County of Broome, to allow for municipal cleanup days.
- (a) Eligibility for this program shall be limited to Broome County municipalities.
 - (b) The applicable date for this one day waiver shall be established by each individual municipality, by application, annually.
 - (c) Wastes eligible for this waiver shall include bulk items, white goods, scrap metals, tires, wastes from illegal dump site cleanups, and other wastes as may be generated by special, municipal wide cleanup efforts. Wastes not eligible for this waiver include general municipal solid wastes, leaves and yard wastes, and construction and demolition debris that is collected through the course of regular solid waste collection services.
 - (d) The amount of fee waiver for any applicant shall be limited to the tipping fee for disposal of eligible wastes resulting from the designated cleanup day. Specifically, excluded from this waiver is reimbursement for costs associated with collection or transportation of the wastes which shall be solely the responsibility of the municipality.
 - (e) The total cost of this fee waiver program shall not exceed \$15,000 per year.
 - (f) The Division of Solid Waste Management shall prepare appropriate regulations to implement the intent of this local law, which regulations shall be filed with the Clerk of the Legislature.

SECTION 2. This local law shall take effect immediately upon filing with the Secretary of State.

Carried. Ayes-15, Nays-1 (Pasquale), Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 213

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mrs. Hudak

RESOLUTION ADOPTING LOCAL LAW INTRO NO. 3, 1997, ENTITLED "A LOCAL LAW AMENDING LOCAL LAW NO. 7 OF 1980, AS AMENDED, GRANTING PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION BY CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER."

RESOLVED, that Local Law Intro. No. 3, 1997, entitled: "A Local Law Amending Local Law No. 7 of 1980, as amended, Granting Partial Exemption from Real Property Taxation by Certain persons with Limited Income who are Sixty-Five Years of Age or Over" be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

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

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

SECTION 1. Section 1 of Local law No. 7 of 1980, as amended by Local Law No. 8 of 1983, Local Law No. 6, of 1984, Local Law No. 6 of 1988,

Local Law 10 of 1990, and Local Law 14, of 1991 hereby is amended and changed by adding a new section "J" as follows:

J.Income, as determined pursuant to section A through I above, shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance.

SECTION 2.Section 2 of Local Law No. 7, of 1980, as amended by Local Law No. 8 of 1983, Local Law No. 6 of 1984, Local Law 6 of 1988, Local Law 10 of 1990 and Local Law 14 of 1991 hereby is amended and changed by relettering section "H" added by Local law No. 14 of 1991 as Section "(e)(4)" and adding a new section "(e)(5) to read as follows:

(E)(5).Effective for the year commencing January 1, 1999 and ending December 31, 2000, and for years subsequent thereto, income, as determined pursuant to subsection (e)(4) above, shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance.

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

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 214

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Pasquale

REGULAR SESSION OF MAY 15, 1997

RESOLUTION ADOPTING LOCAL LAW INTRO NO. 4, 1997, ENTITLED: “A LOCAL LAW AMENDING LOCAL LAW NO. 7 OF 1980, AS AMENDED, GRANTING PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION BY CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER.”

RESOLVED, that Local Law Intro. No. 4, 1997, entitled: “A Local Law Amending Local Law No. 7 of 1980, as amended, Granting Partial Exemption from Real Property Taxation by Certain persons with Limited Income who are Sixty-Five Years of Age or Over” be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO NO. 4, 1997

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

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

SECTION 1. Section 1 of Local law No. 7 of 1980, as amended by Local Law No. 8 of 1983, Local Law No. 6, of 1984, Local Law No. 6 of 1988, Local Law 10 of 1990, and local law 14 of 1991, hereby is amended and changed by deleting subsections “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, and “I” in their entirety and adding new Subsections “A” and “B” as follows:

A.To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption does not exceed eighteen thousand five hundred dollars (\$18,500) such real property shall be exempt from real property taxation by the County of Broome to the extent of fifty percent (50%) of the assessed valuation thereof. "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of eighteen thousand five hundred dollars (\$18,500). Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment, but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

B.To the extent that the income of the owner or combined income of the owners of real property for the income tax year immediately preceding the date of making application for exemption exceeds eighteen thousand five hundred dollars (\$18,500.) But is less than the

amount set forth on the following schedule, such real property shall be exempt from real property taxation by the County of Broome to the extent of the percentage of the assessed valuation of said real property set forth on the following schedule. "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income must be less than the maximum set forth in the following schedule for each percentage class. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment, but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

SCHEDULE OF PERCENTAGE OF EXEMPTION:

ANNUAL INCOME (COMBINED INCOME OF SPOUSES)	PERCENTAGE OF ASSESSED VALUATION EXEMPT FROM
--	--

	TAXATION
More than \$18,500 but less than \$19,500	45 per centum
More than \$19,500 but less than \$20,500	40 per centum
More than \$20,500 but less than \$21,500	35 per centum
More than \$21,500 but less than \$22,400	30 per centum
More than \$22,400 but less than \$23,300	25 per centum
More than \$23,300 but less than \$24,200	20 per centum
More than \$24,200 but less than \$25,100	15 per centum
More than \$25,100 but less than \$26,000	10 per centum

SECTION 2. Section 2 of Local law No. 7 of 1980, as amended by Local Law No. 8 of 1983, Local Law No. 6, of 1984, Local Law No. 6 of 1988, Local Law No. 10 of 1990, and Local Law No. 14 of 1991, hereby is amended and changed by deleting Section 2 in its entirety and adding a new Section 2 as follows:

(A) No exemption shall be granted from real property taxes levied by the County of Broome for the year commencing January 1, 1981,

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and ending December 31, 1981, if the income of the owner or the combined income of the owners of the real property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of eight thousand two hundred dollars (\$8,200). "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return, or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of eight thousand two hundred dollars (\$8,200). Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and net income from self-employment, but shall not include gifts or inheritances.

(B)No exemption shall be granted from real property taxes levied by the County of Broome for the year commencing January 1, 1982, and ending December 31, 1982, if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of eight thousand seven hundred dollars (\$8,700). "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return, or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of eight thousand seven hundred dollars (\$8,700). Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and net income from self-employment, but shall not include gifts or inheritances.

(C)No exemption shall be granted from real property taxes levied by the County of Broome for the year commencing January 1, 1983, and ending December 31, 1983, and for years subsequent thereto, if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of nine thousand two hundred dollars (\$9,200). "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return, or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of nine thousand two hundred dollars (\$9,200). Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and net income from self-employment, but shall not include gifts or inheritances.

(D)No exemption shall be granted from real property taxes levied by the County of Broome for the year commencing January 1, 1985, and ending December 31, 1985, and for years subsequent thereto, if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of ten thousand two hundred dollars (\$10,200). "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return, or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of ten thousand two hundred dollars (\$10,200). Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and net income from self-employment, but shall not include gifts or inheritances.

(E)No exemption shall be granted from real property taxes levied by the County of Broome for the year commencing January 1, 1986, and ending December 31, 1986, and for years subsequent thereto, if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of thirteen thousand four hundred ninety-nine dollars and ninety-nine cents (\$13,499.99).

“Income tax year“ shall mean the twelve-month period for which the owner or owners file a federal personal income tax return, or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of thirteen thousand four hundred ninety-nine dollars and ninety-nine cents (\$13,499.99). Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and net income from self-employment, but shall not include gifts or inheritances.

(F)No exemption shall be granted from real property taxes levied by the County of Broome for the year commencing January 1, 1989, and ending December 31, 1989, and for years subsequent thereto, if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of fifteen thousand twenty-four dollars and ninety-nine cents (\$15,024.99). “Income tax year“ shall mean the twelve-month period for which the owner or owners file a federal personal income tax return, or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of fifteen

thousand twenty-four dollars and ninety-nine cents (\$15,024.99). Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and net income from self-employment, but shall not include gifts or inheritances.

(G)No exemption shall be granted from real property taxes levied by the County of Broome for the year commencing January 1, 1992, and ending December 31, 1992, and for years subsequent thereto, if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of eighteen thousand five hundred ninety-nine dollars and ninety-nine cents (\$18,599.99). "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return, or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of eighteen thousand five hundred ninety-nine dollars and ninety-nine cents (\$18,599.99). Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment, but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

(H)No exemption shall be granted from real property taxes levied by the County of Broome for the year commencing January 1, 1993, and ending December 31, 1993, and for years subsequent thereto, if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of nineteen thousand eight hundred dollars (\$19,800). "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return, or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of nineteen thousand eight hundred dollars (\$19,800). Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment, but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

(I)No exemption be granted for real property taxes levied by the County of Broome for the year commencing January 1, 1999 and ending December 31, 2000 and for years subsequent thereto, if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum

of twenty-six thousand dollars (\$26,000.) “Income tax year” shall mean the twelve-month period for which the owner or owners file a federal income tax return or, if no return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed the sum of twenty-six thousand dollars (\$26,000.) Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment, but shall not include a return of capital gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.

(J)No exemption shall be granted for real property taxes levied by the County of Broome unless the title of the property shall have been vested in the owner or one (1) of the owners of the property for at least twenty-four (24) consecutive months prior to the date of making application for exemption; provided, however, that in the event of the death of either a husband or wife in whose name the title of the property shall have been vested at the time of death, which title then becomes vested solely in the survivor by virtue of devise by or descent from the deceased husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also a time of ownership by the survivor, and such ownership shall be deemed continuous for the purposes of computing such period of twenty-four (24) consecutive months; provided, further, that in the event of a transfer by either a husband or wife to the other spouse of all or part of the title to the property,

the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse, and such ownership shall be deemed continuous for the purposes of computing such period of twenty-four (24) consecutive months; and provided, further, that where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain for other involuntary proceedings, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption, and such periods of ownership shall be deemed to be consecutive for purposes of this section. Where a residence is sold and replaced with another within one (1) year and is located in Broome County, the period of ownership of the former property shall be combined with the period of ownership of the replacement residence and deemed consecutive for exemption from taxation; provided, however, that where the replacement property is in another school district, the periods of ownership of both properties shall also be deemed consecutive for purposes of the exemption from taxation by such school district. Notwithstanding any other provision of law, where a residence is sold and replaced with another within one (1) year, and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by Broome County or any other municipality within the state granting such exemption.

(K)No exemption shall be granted unless the property is used exclusively for residential purposes.

(L)No exemption shall be granted unless the real property is the legal

residence of and is occupied in whole or in part by the owner or by all the owners of the property.

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

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 215

by COMMUNITY & SOCIAL SERVICES COMMITTEE Seconded by Mr. Brunza

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY YOUTH BUREAU ADVISORY BOARD.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolutions 163 of 1971 and 133 of 1976, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Youth Bureau Advisory Board for the terms indicated:

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
Pam Pospisil (Youth) 113 Floral Avenue Johnson City, New York 13790	12/31/97
Lorraine Chase 737 Chenango Street Binghamton, New York 13901	12/31/97

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolutions 163 of 1971 and 133 of 1976, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolutions 163 of 1971 and 133 of 1976, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Youth Bureau Advisory Board in accordance with their appointment by the County Executive.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 216

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION REQUESTING AN AMENDMENT OF THE NEW YORK STATE TAX LAW REGARDING HOTEL OR MOTEL OCCUPANCY TAXES IN BROOME COUNTY.

BE IT RESOLVED, that the Broome County Legislature requests that the New York State Legislature adopt an amendment to the Tax Law authorizing and empowering the County of Broome to grant an exemption from the hotel or motel tax for hotels or motels having ten rooms or less, substantially as follows:

AN ACT to amend the tax law in relation to the imposition of hotel or motel taxes by the County of Broome.

The people of the State of New York represented in senate and assembly, do enact as follows:

SECTION 1. Section 1202-b of the Tax Law is amended to read as follows:

Section 1202-b. Hotel or Motel Taxes in Broome County.

(1) Notwithstanding any other provisions of law to the contrary, Broome County is hereby authorized and empowered to adopt and amend local laws imposing in such county a tax, in addition to any other tax authorized and imposed pursuant to this Article as the legislature has or would have the power and authority to impose upon persons occupying hotel or motel rooms in such county. The rates of such tax shall be 3% of the per diem rental rate for each room provided however, such tax shall not be applicable to a permanent resident of a hotel or motel. For the purposes of this section, the term permanent resident shall mean a person occupying any room or rooms in a hotel or motel for at least 30 consecutive days[.], also provided that such tax shall not be applicable to a hotel or motel having ten rooms or less.; and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a certified copy of this resolution to the New York State Legislature.

[] material in brackets deleted material underlined added

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

RESOLUTION NO. 217

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

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING PAYMENT OF LEGAL FEES AND EXPENSES OF SHERIFF'S DEPARTMENT PERSONNEL NAMED AS INDIVIDUAL DEFENDANTS IN PENDING CIVIL ACTION.

WHEREAS, in April, 1997, an action was commenced in the United States District Court for the Northern District of New York under 42 U.S.C. §1983, by Andrew Edwards, plaintiff, against The County of Broome, Geno DeAngelo, Sheriff of Broome County, and Geno DeAngelo, individually, and Broome County Corrections Officer James Leonard, officially and individually; and

WHEREAS, based on the facts alleged, the interests of the County and Sheriff DeAngelo may be in conflict with those of Corrections Officer Leonard; and

WHEREAS, because of the potential conflict of interest the Broome County Attorney cannot represent the County and Sheriff DeAngelo along with Corrections Officer Leonard; and

WHEREAS, Section 18(3)(B) of the Public Officers Law of the State of New York and the Collective Bargaining Agreement between the Sheriff's Deputies and the County both provide for the defense and indemnification by the County of employees named as defendants in actions or proceedings absent proof that the employee acted outside the scope of his or her employment and/or in a willful and/or grossly negligent manner; now therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with legal counsel of Corrections Officer Leonard's own choosing to represent him in this pending litigation; and be it

FURTHER RESOLVED, that in consideration of such legal

services and representation the County shall pay to the attorney selected by C.O. Leonard the following hourly rates: Partner

\$135.00/hour

Associate \$115.00/hour

Paralegal \$ 70.00/hour

together with all reasonable and necessary expenses including, but not limited to, photocopy expense, long distance telephone expense, postage, filing fees, investigation, and expenses for travel and accommodations subject to the prior approval of the County Attorney; 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 the Broome County Executive or his duly authorized representative is hereby authorized and empowered to make, execute and deliver 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 in the event it is proven that C.O. Leonard acted outside the scope of his employment and/or was grossly and/or wilfully negligent C.O. Leonard shall not be entitled to indemnification and the County Attorney is authorized to recover from him all expenses and costs the County has incurred in his defense as herein provided.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 218

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

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR

THE SHERIFF, WILLOW POINT NURSING HOME and CENTRAL FOODS

RESOLVED, that in accordance with a request from the Sheriff in order to provide funds to abolish (1) FT Keyboard Specialist and to create (2) PT Keyboard Specialists as requested by BT# 010273 this County Legislature hereby authorized 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:	450080	1000	104086	FT Salary	
					\$2,207
TO:	450080	1600	104086	Temp. Salary	
					\$2,207

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Willow Point Nursing Home in order to provide funds to abolish (1) FT Social Work Assistant and to create (1) PT Social Work Assistant with benefits and (1) PT Clerk without benefits as requested by BT# 000256 this County Legislature hereby authorized the Commissioner of Finance to make the following transfer of funds (PCR # 97-209, 97-210 and 97-211)

	<u>Index Code</u>	<u>Sub-Object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160184	1000	204000	FT Salary	
					\$17,304
TO:	160184	1500	204000	PT Salary	
					\$17,304

and be it

FURTHER RESOLVED, that in accordance with a request from the

Director of Willow Point Nursing Home in order to provide funds to abolish (1) FT Dietetic Technician and (1) PT Program Assistant and to create (1) FT Program Assistant and (1) PT Data Entry Machine Operator as requested by BT# 000267 & 000268 this County Legislature hereby authorized the Commissioner of Finance to make the following transfer of funds (PCR # 97-199, 97-200, 97-201, and 97-258)

	<u>Index Code</u>	<u>Sub-Object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160119	1000	204000	FT Salary	
					\$19,245
	160028	1500	204000	PT Salary	
					\$ 9,188
	160119	8010	204000	ST Ret.	\$
674					
	160119	8030	204000	Soc. Sec.	
					\$ 1,473
	160119	8050	204000	Life Ins.	\$
20					
	160119	8060	204000	Health Ins.	\$
1,644					
	160119	8040	204000	Workers Comp.	
					\$ 960
TO:	160028	1000	204000	FT Salary	
					\$21,070
	160077	1500	204000	PT Salary	
					\$ 7,363
	160028	8010	204000	ST Ret.	\$
416					

TO:	160077	8010	204000	ST Ret.	\$
258					
	160028	8030	204000	Soc. Sec.	
\$	909				
	160077	8030	204000	Soc. Sec.	
\$	564				
	160077	8050	204000	Life Ins.	\$
20					
	160077	8060	204000	Health Ins.	\$
1,644					
	160028	8040	204000	Workers Comp	
\$	595				
	160077	8040	204000	Workers Comp	
\$	365				

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Central Foods in order to provide funds to cover costs of consulting dietitian for WPNH During Recruitment for a FT Dietitian as requested by BT# 0006692 this County Legislature hereby authorized 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 :	230045	1000		251000 FT Salary	
	\$	2,700			
TO:	230045	4741		251000 Dietary Services	
	\$	2,700			

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 219

by PERSONNEL, HEALTH SERVICES, TRANSPORTATION, and PUBLIC WORKS COMMITTEES

Seconded by Mr. Miller

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE HEALTH DEPARTMENT, PUBLIC TRANSPORTATION, SOLID WASTE AND MENTAL HEALTH

RESOLVED, that in accordance with a request from the Acting Director of the Health Department, as contained in PCR#97-208, this County Legislature hereby authorizes the reclassification of a Health Program Specialist at budget line 480293.1000.101000, minimum salary \$15,318, grade 8 to a Secretary, at budget line 480293.1000.101000, minimum salary \$20,021, grade 13, and be it

FURTHER RESOLVED, that in accordance with a request from the Acting Director of Public Transportation, as contained in PCR#97-204, this County Legislature hereby authorizes the relocation of (1) Dispatchers at budget line 221960.1000.203120, minimum salary \$18,241, grade 10 to (1) Dispatchers at budget line 220004.1000.203120, minimum salary \$18,241, grade 10 and relocation of (1) Dispatchers at budget line 221960.1000.203125, minimum salary \$18,241, grade 10 to (1) Dispatchers at budget line 220004.1000.203125, minimum salary \$18,241, grade 10 and be it

FURTHER RESOLVED, that in accordance with a request from the Acting Director of Solid Waste, as contained in PCR#97-84, this County Legislature hereby authorizes upgrade of a Machine Equipment Operator II at budget line 230086.1000.206000, minimum salary \$11.83/hr, grade N/A to a Machine Equipment Operator III at budget line 230086.1000.206000, minimum salary \$12.93/hr, grade N/A, (Employee is already operating in this position, due to a mistake made in 12/96 and the funding is available to cover the difference in the salaries due to the abolishment of a Leachate Treatment Plant Operator), and be it

FURTHER RESOLVED, that in accordance with a request from the Acting Director of Mental Health, as contained in PCR#97-243, this County Legislature hereby authorizes increase of 5 hrs to PT Custodial Worker at budget line 470013.1500.101000, minimum salary \$13,761 FTE, grade 6.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 220

by FINANCE and TRANSPORTATION COMMITTEES Seconded by Mrs. Hudak

RESOLUTION AMENDING THE 1995 CAPITAL IMPROVEMENT PROGRAM.

RESOLVED, that the 1995 Capital Improvement Program is hereby amended as follows:

FROM:

		Estimated Construction Cost:			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
C-128	(502256)				
	GA Apron/Taxiways	\$2,150,000		\$107,500	\$1,935,000
		\$107,500			

How Financed:

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1995			\$107,500

Description: Rehabilitate north and west aircraft parking aprons and selected taxiways through overlay as well as bonding/grounding fixtures and sub-grade and drainage improvements to insure conformity with Federal Aviation regulations Part 139 and to reduce safety hazards to both aircraft and personnel.

Local share provided by the Passenger Facility Charge. Complete within the fiscal period and with no stated impact upon budget. Approval contingent upon federal and state authorizing funds.

TO:

		Estimated Construction Cost:			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>

C-128 502256 - \$137,967 \$6,898 \$124,170
\$6,898

GA Apron/Taxiways

How Financed:

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1995			\$6,898

Description: Design of rehabilitation of north and west aircraft parking aprons and selected taxiways. Construction to be paid from Project Code 128-A (502258).

Local share provided by the Passenger Facility Charge, and be it

FURTHER RESOLVED, that the Budget Office, Comptroller and Commissioner of Finance are authorized to process any transfers of funds necessary to carry out the intent of this resolution.

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

RESOLUTION NO. 221

by EDUCATION, CULTURE & RECREATION COMMITTEESeconded by Mr. Brunza

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY ARENA BOARD.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article XXIV, Section 2408 of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Arena Board for the terms indicated:

William A. Miller, Sr. 12/31/98
1997 New York Route 12
Binghamton, NY 13901

Norman Shadduck, Jr. 12/31/98
71 Bigelow Street
Binghamton, New York 13904

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XXIV, Section 2408 of the Broome County Charter and Code, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV, Section 2408 of the Broome County Charter and Code, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Arena Board in accordance with their appointment by the County Executive.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 222

by FINANCE COMMITTEE

Seconded by Mr. Brunza

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 1996 through March 1997, 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 23 towns and villages of Broome County, those accounts listed on Exhibit "A" attached hereto.

**EXHIBIT 'A' - 1997 SEMI ANNUAL MORTGAGE TAX
DISTRIBUTION
OCTOBER 1996 THROUGH MARCH 1997**

Towns w/Villages:

Dickinson	Village of Port Dickinson	\$ 1,470.18
	(Town) Outside	\$ 7,754.05
Lisle	Village of Lisle	\$ 191.40
	(Town) Outside	\$ 3,433.70
Sanford	Village of Deposit	\$ 705.04
	(Town) Outside	\$ 8,189.04
Triangle	Village of Whitney Point	\$ 1,383.78
	(Town) Outside	\$ 6,431.27
Union	Village of Johnson City	\$ 16,058.28
	Village of Endicott	\$ 19,190.29
	(Town) Outside	\$104,916.85
Windsor	Village of Windsor	\$ 1,862.30
	(Town) Outside	\$ 28,827.97

Towns :

Barker	\$ 9,093.88
Binghamton (T)	\$ 22,968.56
Chenango	\$ 37,680.87
Colesville	\$ 13,196.15
Conklin	\$ 20,428.75
Fenton	\$ 17,609.63
Kirkwood	\$ 31,029.59

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Maine	\$ 18,322.02
Nanticoke	\$ 3,837.69
Vestal	\$166,568.15
City _____ :	
City of Binghamton	<u>\$114,003.42</u>
Total	<u>\$655,152.86</u>

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 223

by PERSONNEL & HEALTH SERVICES COMMITTEES Seconded by Mr. Brunza

**RESOLUTION CONFIRMING THE APPOINTMENT OF
DOUGLAS P. MACKECHNIE AS NURSING HOME
ADMINISTRATOR.**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article XIV, Section A1401 of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, Douglas P. MacKechnie, 427 River Terrace, Apartment B5, Endicott, New York, 13760, as Nursing Home Administrator at an annual salary of \$72,491, Grade N, effective April 30, 1997, and

WHEREAS, it is desired at this time, in accordance with the provisions of said charter to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to provisions of the Broome County Charter, does hereby confirm the name of Douglas P. MacKechnie as Nursing Home Administrator in accordance with his appointment by the County Executive.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 224

by PERSONNEL and COMMUNITY & SOCIAL SERVICES

COMMITTEES

Seconded by Mr. Brunza

**RESOLUTION CONFIRMING THE APPOINTMENT OF
KATHLEEN BUNNELL AS DIRECTOR OF THE OFFICE FOR
AGING.**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article III, Section 311 of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, Kathleen Bunnell, 1112 Airport Road, Binghamton, New York, 13905, as Director of the Office for Aging at an annual salary of \$46,007, Grade J, effective April 30, 1997, and

WHEREAS, it is desired at this time, in accordance with the provisions of said charter to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to provisions of the Broome County Charter, does hereby confirm the name of Kathleen Bunnell as

Director of the Office for Aging in accordance with her appointment by the County Executive.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 225

by COMMUNITY & SOCIAL SERVICES and PUBLIC WORKS COMMITTEES

Seconded by Mr. Lindsey

RESOLUTION AUTHORIZING THE ACCEPTANCE OF TWO .50 CALIBER MACHINE GUNS FOR PLACEMENT AT THE KOREAN CONFLICT WAR MEMORIAL.

WHEREAS, the Korean Conflict War Memorial Fund has purchased two demilitarized .50 caliber machine guns and wishes to donate them to the County for placement on the site of the Korean Conflict War Memorial, and

WHEREAS, the County will assist in the placement of the guns at the Memorial by installing the pedestals, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the acceptance of two demilitarized .50 caliber machine guns for placement on the site of the Korean Conflict War Memorial, and be it

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

Mrs. Hudak moved, seconded by Mr. Hull to **call the question** on the resolution. The call of the question **carried.**

Ayes-14, Nays-2 (Brunza & Kavulich), Absent-3 (Coffey, Mather & Shafer)

The resolution **carried**. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

RESOLUTION NO. 226

by PERSONNEL and HEALTH SERVICES COMMITTEES Seconded by Mr. Hull
**RESOLUTION AUTHORIZING PERSONNEL CHANGE
REQUESTS FOR WILLOW POINT NURSING FACILITY**

RESOLVED, that in accordance with a request from the Director of Willow Point Nursing Facility, as contained in PCR#97-211, this County Legislature hereby authorizes abolishment of a FT Social Worker Assistant position at budget line 160184.1000.204000, minimum salary \$21,122, grade 14, and be it (Ref. BT# 000256)

FURTHER RESOLVED, that in accordance with a request from the Director of Willow Point Nursing Facility, as contained in PCR#97-209, this County Legislature hereby authorizes creation of a PT Clerk position at budget line 160184.1500.204000, minimum salary \$13,761 FTE, grade 6, and be it (Ref. BT# 000256)

FURTHER RESOLVED, that in accordance with a request from the Director of Willow Point Nursing Facility, as contained in PCR#97-210, this County Legislature hereby authorizes creation of a PT Social Work Assistant position at budget line 160184.1500.204000, minimum salary \$21,122 FTE, grade 14, and be it (Ref. BT# 000256)

FURTHER RESOLVED, that in accordance with a request from the Director of Willow Point Nursing Facility, as contained in PCR#97-199, this County Legislature hereby authorizes abolishment of a FT Dietetic Technician position at budget line 160119.1000.204000, minimum salary \$19,245, grade 11, and be it (Ref. BT# 000267 & BT# 000268)

FURTHER RESOLVED, that in accordance with a request from

the Director of Willow Point Nursing Facility, as contained in PCR#97-200, this County Legislature hereby authorizes abolishment of a PT Program Assistant position at budget line 160028.1500.204000, minimum salary \$17,050 FTE, grade 10, and be it (Ref. BT# 000267 & BT# 000268)

FURTHER RESOLVED, that in accordance with a request from the Director of Willow Point Nursing Facility, as contained in PCR#97-201, this County Legislature hereby authorizes creation of a FT Program Assistant position at budget line 160028.1000.204000, minimum salary \$21,070, grade 10, and be it (Ref. BT# 000267 & BT# 000268)

FURTHER RESOLVED, that in accordance with a request from the Director of Willow Point Nursing Facility, as contained in PCR#97-258, this County Legislature hereby authorizes creation of a PT Data Entry Machine Operator position at budget line 160077.1500.204000, minimum salary \$16,390 FTE, grade 8. (Ref. BT# 000267 & BT# 000268)

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)

Mr. Wike moved, seconded by Mr. Pasquale to **adjourn** at 4:32 P.M. The adjournment **carried.** Ayes-16, Nays-0, Absent-3 (Coffey, Mather & Shafer)