

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, JULY 23, 1998**

The Legislature convened at 4:05pm with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augostini, read the fire exit announcement and called the Attendance Roll, Present-17, Absent-2 (Lindsey, Mather).

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. Pasquale, that the minutes of the May 21, 1998 Special Session, June 18, 1998 Regular Session and July 9, 1998 Special Session be approved as prepared and presented by the Clerk.

Mr. Schofield noted that the committee minutes for the week of June 12 through July 16, 1998 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Deputy Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. Wike and seconded by Mr. Miller. **Carried.**

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:**

Letters from the County Executive, Jeffrey P. Kraham:

1. Designating and appointing William A. Sczesny as Commissioner of Public Works, effective July 27, 1998.

**PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:**

A. Petitions: None

B. Communications:

1. Resolution from:
  - a. Town of Chenango: Pursuant to Tax Law Section 1262 © Sales Tax Distribution; Supporting Proposed Legislation, Bill OSC 8-37 (process of returning local monies for fines and violations)
  - b. Intercounty Legislative Committee of the Adirondacks: Supervisors request Home Rule Legislation for firearms, hunting, fishing, and trapping policies on land adjacent to the Canal within Seneca County.
2. Minutes from:
  - a. Soil and Water Conservation District
  - b. Safety Committee Meeting
  - c. Association of Towns and Villages
  - d. Environmental Management Council
  - e. EMC's Natural Resources Committee and Solid Waste Committee
  - f. EMC Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
  - g. EMC Solid Waste Committee
3. Broome Community College Recommended Budget (1998-99); Public Hearing minutes, July 14, 1998
4. Office of District Attorney (designation in event of vacancy)
5. Letter from Legislator Jane R. Sweet recommending and acknowledging Douglas P. MacKechnie for his contributions while serving as Administrator at the Willow Point Nursing Home
6. Copy of letter to County Executive Kraham from:
  - a. Michael F. Aswad, Director of Emergency Services, requesting authorization to purchase a radio transmitter base station and antenna, which were damaged during tornado emergency, May 31, 1998



from the General Fund. Also included in that amendment was a time period correction, ending the agreement with Catholic Charities on December 31, 1998 and changing the amount of the agreement to \$23,925.

**Amendment carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

**Resolution as amended carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

**RESOLUTIONS HELD OVER FROM PREVIOUS SESSION**

**RESOLUTION NO. 231** (held over by Ms. Hudak)

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

**AUTHORIZING AGREEMENT WITH FAMILY & CHILDREN'S SOCIETY FOR THE YOUTH BUREAU SPECIAL POPULATIONS TREATMENT PROGRAM FOR JULY 1, 1998 THROUGH DECEMBER 31, 1998**

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 264** (held over by Mr. Wike)

By Finance Committee

Seconded by Mr. O'Day

**AUTHORIZING AGREEMENT WITH UNITED HEALTH SERVICES FOR IN AND OUT PATIENT SERVICES FOR BROOME COUNTY EMPLOYEES FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998**

Mr. Wike moved, seconded by Mr. Burger, to amend Exhibit A to reflect a change in the time period under Prompt Pay for the 3% discount from 10 to 30 days.

**Amendment carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

**Resolution as amended carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

**RESOLUTION NO. 268A** (held over by Mr. Wike)

By Personnel, Finance and Public Safety & Emergency Services Committees

Seconded by Mr. O'Day

**AUTHORIZING PERSONNEL CHANGE REQUESTS FOR EMERGENCY SERVICES**

Motion to table until October Budget Deliberations was made by Mr. Wike, seconded by Mr. Pasquale. **Motion to table carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 278**

By Finance and Personnel Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING THE BUDGET TRANSFER AND PERSONNEL CHANGE REQUEST FOR THE HEALTH DEPARTMENT**

RESOLVED, that in accordance with a request from the Director of Health in order to provide funds to cover the cost of changing a part time Public Health Nurse position into a full time Quality Improvement Nurse position as requested by BT# 0001172 & 0001173 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480061	1500	101000	Salaries – Part Time	15,402
	480061	8010	101000	State Retirement	586
	480061	8030	101000	Social Security	1,178
	480061	8040	101000	Worker's Comp	251
	480061	8050	101000	Life Insurance	13
	480061	8060	101000	Health Insurance	1,764
	480061	8063	101000	Disability Insurance	36
	480004	4705	101000	PCA Services	5,700

TO:	480319	1000	101000	Salaries – Full Time	15,402
	480319	8010	101000	State Retirement	586
	480319	8030	101000	Social Security	1,178
	480319	8040	101000	Worker's Comp	251
	480319	8050	101000	Life Insurance	13
	480319	8060	101000	Health Insurance	1,764
	480319	8063	101000	Disability Insurance	36
	480319	1000	101000	Salaries – Full Time	5,700

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#98-285, this County Legislature hereby authorizes the abolishment of (1) Public Health Nurse position, Part Time, at budget line 480061.1500.101000, minimum salary \$25,669 FTE, grade 17, CSEA, and to create (1) Quality Improvement Nurse position, Full Time, at budget line 480319.1000.101000, minimum salary \$31,184, grade 20, BAPA, effective 6/1/98.  
**Carried, Ayes-12, Nays-5 (Coffey, Hudak, O'Day, Pasquale, Sweet), Absent 2 (Lindsey, Mather).**

**RESOLUTION NO. 279**

By Public Works and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING AGREEMENT WITH SHUMAKER ENGINEERING, P.C. FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR THE PERIOD JULY 23, 1998 THROUGH OCTOBER 31, 1999**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Shumaker Engineering, P.C. for professional services for the period July 23, 1998 through October 31, 1999, at a cost not to exceed \$103,200, and

WHEREAS, said services are necessary for the design phase of Sanitaria Springs Road reconstruction, county routes 68 and 217 in the town of Colesville, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Shumaker Engineering, P.C., 320 North Jensen Road, Vestal, New York 13850-2132 for professional services for the period July 23, 1998 through October 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$103,200 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035022.4746.502299 (Engineering & Architectural Services), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).**

**RESOLUTION NO. 280**

By Transportation Committee

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING AGREEMENT WITH THE NEW YORK STATE OFFICE FOR TECHNOLOGY ALLOWING THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY TO BECOME A MEMBER OF THE NEW YORK STATE GEOGRAPHIC INFORMATION DATA SHARING COOPERATIVE**

WHEREAS, the Director of the Binghamton Metropolitan Transportation Study (BMTS) requests authorization for an agreement with the New York State Office of Technology allowing BMTS to become a member of the New York State Geographic Information Data (GIS) Sharing Cooperative at no cost to the County, and

WHEREAS, said services will allow BMTS to directly download GIS data files for use in transportation planning, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Office of Technology, State Capitol, Albany, New York 12224 allowing BMTS to become a member of the New York State Geographic Information Data Sharing Cooperative at no cost to the County, and be it

FURTHER RESOLVED, that the agreement shall commence upon being fully executed by both parties and shall remain in effect until terminated by either party, and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

**RESOLUTION NO. 281**

By Transportation & Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION GRANT FOR THE RUNWAY 10/28 REHABILITATION PROJECT**

WHEREAS, the Commissioner of Aviation requests authorization to accept a Federal Aviation Administration Grant in the amount of \$1,106,641 for the Runway 10/28 Runway Rehabilitation Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,106,641 from the Federal Aviation Administration for the Runway 10/28 Rehabilitation Project, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 282**

By Transportation and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING CANCELLATION OF UNCOLLECTIBLE-DEPARTMENT OF AVIATION ACCOUNTS FOR 1990 THROUGH 1992**

WHEREAS, the Commissioner of Aviation has advised that for the calendar years 1990, 1991 and 1992 certain amounts owed to the Aviation Department currently remain unpaid and uncollected, and

WHEREAS, repeated efforts have been made to collect these accounts but have been unsuccessful, either because the individuals cannot be located or because the costs involved in bringing suit would greatly outweigh the potential recovery, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation and charge-off of the uncollectible Aviation Department accounts as per the attached Exhibit "A", and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 283**

By Public Safety & Emergency Services, and Finance Committees      Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE AID TO PROSECUTION PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD APRIL 1, 1998 THROUGH MARCH 31, 1999**

WHEREAS, this County Legislature, by Resolution 144 of 1997, authorized and approved renewal of the New York State Division of Criminal Justice Services for the Aid to Prosecution Program Grant and adopted a program budget in the amount of \$135,829 for the period April 1, 1997 through March 31, 1998, and

WHEREAS, said grant program provides for the enhancement of criminal prosecution of the most serious criminal offenses and offenders by assuring that the most experienced prosecutors and investigators handle the most serious cases which receive more intensive preparation and high quality forensic services in order to better serve the citizens of Broome County, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1998 through March 31, 1999, in the amount of \$135,829, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$135,829 from the New York State Division of Criminal Justice Services, Executive Park Tower, Stuyvesant Plaza, Albany, New York 12203 for the period April 1, 1998 through March 31, 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 \$135,829 for the period April 1, 1998 through March 31, 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 are hereby authorized (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 284**

By Public Safety & Emergency Services and Finance Committees      Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING LEASE AGREEMENT WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR SPACE FOR A CHILD ADVOCACY CENTER**

WHEREAS, the State of New York is the owner of property located at 61 Kneeland Avenue in the City of Binghamton which property is under the jurisdiction of the Office of Children and Family Services and which is not currently needed for the Office of Children and Family Services purposes, and

WHEREAS, Broome County wishes to use the above described premises for purposes consistent with the governmental mission and objectives of its Department of Social Services and District Attorney's Offices in addressing the problem of the sexual abuse of children, and

WHEREAS, the District Attorney requests authorization to enter into a lease agreement as described above for use by Broome County for the period August 1, 1998 through December 31, 1999 at a cost not to exceed \$1.00/ per year, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with the New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144 for a Child Advocacy Center for premises located at 61 Kneeland Avenue in the City of Binghamton for the period August 1, 1998 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1.00/per year for the term of this agreement, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)**

**RESOLUTION NO. 285**

By Finance Committee

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING AGREEMENT WITH CORPORATE CARE MANAGEMENT FOR REPRICING SERVICES REIMBURSEMENT FOR THE DEPARTMENT OF RISK AND INSURANCE FOR 1998**

WHEREAS, the Risk Manager requests authorization for an agreement with Corporate Care Management for repricing services reimbursement for calendar year 1998, at an amount equal to 15% of the savings generated, and

WHEREAS, said vendor has developed a program to help monitor and take advantage of various rate discounts, and the Risk Manager wishes to participate in said program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Corporate Care Management, 142 Corporate Drive, Binghamton, New York 13904 for repricing services reimbursement for the Department of Risk and Insurance for the period January 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount equal to 15% of the savings generated by the repricing service 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-17, Nays-0, Absent-2 (Lindsey, Mather)**

**RESOLUTION NO. 286**

By Community & Social Services and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH UNITED METHODIST HOMES FOR THE AGING OF THE WYOMING CONFERENCE FOR THE ASSISTED LIVING CARE SERVICES PROGRAM OF THE DEPARTMENT OF SOCIAL SERVICES FOR 1997 THROUGH 1999**

WHEREAS, this County Legislature, by Resolution 631 of 1995, authorized renewal of an agreement with United Methodist Homes for the Aging of the Wyoming Conference for assisted living program services for the Department of Social Services, and

WHEREAS, said services are necessary to provide cost-effective alternatives to nursing home placements for individuals who are eligible for residential health care facility placements and are not in need of nursing home facility placement, and

WHEREAS, said agreement expired by its terms on December 31, 1996, and it is desired at this time to renew said agreement for the period January 1, 1997 through December 31, 1999 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with United Methodist Homes for the Aging of the Wyoming Conference, d/b/a Hilltop Assisted Living Program, 286 Deyo Hill Road, Johnson City, New York, 13790, for the assisted living care services program of the Department of Social Services for the period January 1, 1997 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor pursuant to the New York State established Medicaid rates, attached hereto as Exhibit "A", and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)**

**RESOLUTION NO. 287**

By Community & Social Services, Personnel and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING RENEWAL OF DEPARTMENT OF SOCIAL SERVICES DAY CARE HOMES REGISTRATION GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR AUGUST 1, 1998 THROUGH JULY 31, 1999**

WHEREAS, this County Legislature, by Resolution 304 of 1997, authorized renewal of the Department of Social Services Day Care Homes Registration Grant in the amount of \$65,000 for the period August 1, 1997 through July 31, 1998, and

WHEREAS, it is desired to renew said grant program in the amount of \$107,435 for the period August 1, 1998 through July 31, 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$107,435 from the New York State Office of Children and Family Services for a Day Care Homes Registration Program Grant for the period August 1, 1998 through July 31, 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 \$107,435 for the period August 1, 1998 through July 31, 1999, 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 are hereby authorized (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)**



**RESOLUTION NO. 290**

By Finance Committee

Seconded by Ms. Hudak

**RESOLUTION APPROVING SALE OF IN REM FORECLOSURE PROPERTIES TO FORMER OWNERS**

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of the completion of proceedings of foreclosure in rem, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Services to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Services advises that the former owners of certain properties have requested to have their property sold back to them, and the Director and your sponsoring committee recommend that such request be granted based on the unusual circumstances of each such case as reviewed and approved by your sponsoring committee, now, therefore, be it

RESOLVED, that the sale back to the former owners of the parcels listed below for the amounts as stated is hereby approved by this County Legislature based on the unusual circumstances of each such case, as determined by your sponsoring committee as well as the undue hardship to the former owners that the failure to approve such sales would cause:

<u>TOWN</u>	<u>TAX MAP #</u>	<u>NAME &amp; ADDRESS</u>	<u>AMOUNT DUE</u>
Windsor	182.04-1-9	Antonio Capolupo P. O. Box 4521 Windsor, NY 13865	\$10,903.00
TOTAL:			\$10,903.00

and, be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the former owners in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

**Carried,** Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 291**

By Public Works and Finance Committees

Seconded by Mr. Wike

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE VILLAGE OF ENDICOTT FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL AT THE VILLAGE SEWAGE TREATMENT PLANT FOR THE PERIOD AUGUST 21, 1998 THROUGH AUGUST 20, 2000**

WHEREAS, this County Legislature, by Resolution 296 of 1996, authorized renewal of an agreement with the Village of Endicott for treatment of leachate from the Nanticoke Landfill at the Village's Sewage Treatment Plant at a cost of \$18.00 per 1,000 gallons of leachate treated, with the total payments during each year of the agreement not to exceed \$250,000, and

WHEREAS, said agreement expires by its terms on August 20, 1998, and it is desired at this time to renew said agreement for the period August 21, 1998 through August 20, 2000, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Village of Endicott, 1009 East Main Street, Endicott, New York, 13760, for treatment of leachate from the Nanticoke Landfill for the period August 21, 1998 through August 20, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$12 per 1,000 gallons of leachate treated plus necessary lab analysis fees for the term of this agreement, and be it

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

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

**Carried,** Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 292**

By Public Works and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH STEARNS & WHEELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT**

WHEREAS, this County Legislature, by Resolution 403 of 1996, authorized an agreement with Stearns & Wheeler, LLC for professional engineering services to review and update the County options for future discharge of effluent from the Leachate Treatment Facility for the Division of Solid Waste Management at an amount not to exceed \$18,700, and

WHEREAS, it is necessary to authorize the amendment of said agreement for laboratory testing that was not in the original Scope of Work, and

WHEREAS, the Deputy Director of the Division of Solid Waste has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheeler, LLC, 1 Remington Park Drive, Cazenovia, New York 13035 for professional engineering services for the Division of Solid Waste Management, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$5,715.90, total amended contract amount not to exceed \$24,415.90, and be it

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

FURTHER RESOLVED, that Resolution 403 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried,** Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 293**

By Public Safety & Emergency Services and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING AGREEMENT WITH NEW WORLD CORPORATION SYSTEMS FOR SOFTWARE UPGRADE FOR THE DEPARTMENT OF EMERGENCY SERVICES FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998**

WHEREAS, the Director of Emergency Services requests authorization for an agreement with New World Systems Corporation for a software upgrade with training and testing for the period January 1, 1998 through December 31, 1998 at a cost not to exceed \$6,560, and

WHEREAS, said upgrade will be used for the Computer Aided Dispatch software, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New World Systems Corporation, 888 West Big Beaver Road, Suite 1100, Troy, Michigan 48084 for a software upgrade with training and testing for the Department of Emergency Services for the period January 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,560 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460097.4449.101000 (Other Operational Expenses), 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 \$15,757 for the period October 1, 1997 through September 30, 1998, and be it

FURTHER RESOLVED, that Resolution 350 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 empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 296**

By Health Services and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT WITH DELAWARE COUNTY ASSOCIATION FOR RETARDED CHILDREN FOR THE HEALTH DEPARTMENT DIVISION OF CHILD DEVELOPMENT FOR THE PERIOD JULY 1, 1998 THROUGH AND INCLUDING JUNE 30, 1999**

WHEREAS, this County Legislature, by Resolution 10 of 1998, authorized renewal of an agreement with the Delaware County New York State Association for Retarded Children for therapy services for Health Department patients for the period January 1, 1997 through and including June 30, 1998, and

WHEREAS, said agreement expired by its terms on June 30, 1998 and it is desired at this time to renew said agreement for the period July 1, 1998 through and including June 30, 1999 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of an agreement with Delaware County New York State Association for Retarded Children, Rural Route 1, Box 67A, Walton, New York, 13856, for therapy services for the Health Department Division of Child Development patients for the period July 1, 1998 through and including June 30, 1999, and be it

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

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

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 297**

By Health Services and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS AND ESTABLISHMENT OF A NEW AGREEMENT WITH VARIOUS VENDORS FOR SCREENING DATA COLLECTION**



**RESOLUTION NO. 299**

By Public Safety & Emergency Services and Finance Committees                      Seconded by Ms. Hudak  
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNITED STATES MARSHALS SERVICE FOR HOUSING FEDERAL PRISONERS FOR THE PERIOD JUNE 1, 1998 THROUGH AND INCLUDING MAY 31, 1999**

WHEREAS, this County Legislature, by Resolution 125 of 1996, as amended by Resolution 435 of 1997 and of 1998, authorized an agreement with the United States Marshals Service for the period November 1, 1995 through October 31, 1997 for housing federal prisoners, at a cost of \$70 per diem per inmate for such housing and at a cost of \$16 per hour for guard services, and

WHEREAS, said agreement expired by its terms on May 31, 1998, and it is desired at this time to renew said agreement for the period June 1, 1998 through and including May 31, 1999, with an increase in revenue, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a renewal of the agreement with the United States Marshals Service, Northern District of New York, 213 Federal Building, 10 Broad Street, Utica, New York 13501 for housing of federal prisoners for the period June 1, 1998 through and including May 31, 1999, and be it

FURTHER RESOLVED, that the United States Marshals Service shall pay the Broome County Sheriff's Department \$87 per day per prisoner for this service, and be it

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

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 300**

By Public Safety & Emergency Services, Personnel and Finance Committees  
Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING ACCEPTANCE OF A DEA OVERTIME TASK FORCE PROGRAM GRANT FOR THE BROOME COUNTY SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD APRIL 1, 1998 THROUGH AND INCLUDING MARCH 31, 1999**

WHEREAS, the Broome County Sheriff requests authorization to accept a DEA Overtime Task Force Program Grant in the amount of \$20,000 for the period April 1, 1998 through and including March 31, 1999, and

WHEREAS, said grant program provides overtime and fringe benefits for 1 officer, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the New York State Division of Criminal Justice Services, Executive Park Tower, Stuyvesant Plaza, Albany, New York 12203-3764 for a DEA Overtime Task Force Program Grant for the period April 1, 1998 through and including March 31, 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 \$20,000 for the period April 1, 1998 through and including March 31, 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby

authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)**

**RESOLUTION NO. 301**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING ACCEPTANCE OF STATE & LOCAL OVERTIME EXPENSE PROGRAM GRANT FOR THE BROOME COUNTY SHERIFF AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD APRIL 1, 1998 THROUGH AND INCLUDING JUNE 30, 1998**

WHEREAS, the Broome County Sheriff requests authorization to accept a State & Local Overtime Expense Program Grant in the amount of \$5,000 for the period April 1, 1998 through and including June 30, 1998, and

WHEREAS, said grant program provides overtime reimbursement for participation in the DEA task force, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,000 from the Organized Crime Drug Overtime and Expense Program 26 Federal Plaza, Room 29-118, New York, New York 10278 for the period April 1, 1998 through and including 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 \$5,000 for the period April 1, 1998 through and including 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)**

**RESOLUTION NO. 302**

By Public Safety & Emergency Services and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH PRIME CARE MEDICAL, INC. FOR PROFESSIONAL HEALTH SERVICES FOR THE BROOME COUNTY JAILS**

WHEREAS, this County Legislature, by Resolution 609 of 1997 authorized renewal of an agreement with Prime Care Medical, Inc. for professional medical services for the Broome County Jails for the period October 1, 1997 through and including July 31, 1998, at a cost of \$632,320, and

WHEREAS, it is desired at this time to amend said agreement to provide for an extension for the period August 1, 1998 through and including September 30, 1998, at a cost not to exceed \$117,837.10, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Prime Care Medical, Inc., 3940 Locust Lane, Harrisburg, Pennsylvania, 17109,

for professional medical services to provide for an extension for the period August 1, 1998 through and including September 30, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a base amount not to exceed \$117,837.10 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4715.101000 (Other Health & Medical Services), and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)**

**RESOLUTION NO. 303**

By Personnel, Education, Culture & Recreation and Finance Committees

Seconded by Ms. Hudak

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

WHEREAS, the Broome Community College Board of Trustees elected to offer the retirement incentive program authorized by Chapter 47 of the Laws of 1998 to its employees who are members of the New York State Teachers Retirement System or New York State and Local Employees Retirement System or the Optional Retirement Program, and

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

RESOLVED, that this County Legislature does hereby approve of Broome Community College providing the benefits of the 1998 Retirement Incentive Program pursuant to Chapter 47 of the Laws of 1998 to employees who are members of the New York State Teachers Retirement System or New York State and Local Employees Retirement System or the Optional Retirement Program and who wish to retire with an effective date of retirement during the thirty-two (32) day open period beginning November 30, 1998 and ending December 31, 1998, and who are otherwise eligible to participate in such programs, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)**

**RESOLUTION NO. 304**

By Finance and Education, Culture, & Recreation Committees

Seconded by Ms. Hudak

**RESOLUTION ADOPTING THE BUDGET FOR BROOME COMMUNITY COLLEGE FOR SEPTEMBER 1, 1998 THROUGH AUGUST 31, 1999**

WHEREAS, Broome Community College receives funding from four major areas: Broome County Government and other sponsor's support; tuition; and state aid, as well as miscellaneous offset revenue for its specific and general expenses, and

WHEREAS, New York State Law sets ceilings for tuition charges and State aid to ensure an equitable distribution of financial responsibility among the sponsoring local government, students and State government, and

WHEREAS, pursuant to the Broome County Charter and Administrative Code, Article XXIII-a, Broome Community College has submitted a proposed budget for the year commencing September 1, 1998 and ending August 31, 1999, and

WHEREAS, on July 14, 1998, a public hearing was held on this proposed budget and the budget message submitted by the County Executive and copies of the proposed budget and the budget message have been available for inspection and/or procurement for at least seven days prior to this hearing pursuant to this County's Charter and Administrative Code, now, therefore, be it

RESOLVED, that the proposed unrestricted budget of Broome Community College, as corrected and amended in the amount of \$28,608,923 be and hereby is adopted for said Broome

Community College for the year commencing September 1, 1998 and ending August 31, 1999, and be it

FURTHER RESOLVED, that Broome County shall provide \$5,100,393 as an appropriation for its annual contribution to the support of Broome Community College's operating budget, and be it

FURTHER RESOLVED, that the above adopted budget is summarized as follows:

**SUMMARY OF BROOME COMMUNITY COLLEGE BUDGET**

Fiscal Year September 1, 1998 through August 31, 1999

	Operating Budget Totals <u>(unrestricted)</u>
Appropriations:	\$28,608,923
Estimated Revenues:	
Misc. Offsets to Expenses	\$ 2,103,477
State Aid	\$ 8,340,099
Student Tuition	\$ 9,878,555
Sponsors' Support:	
Broome's Contribution(Sponsor's Contribution)	\$ 5,100,393
Other Counties Chargebacks	\$ 1,533,005
Out-of-State Tuition	\$ 760,053
Appropriated Fund Bal.	<u>\$ 893,341</u>
Total Revenues:	\$28,608,923

and be it

FURTHER RESOLVED, that the Budget Director is hereby authorized, empowered and directed to correct any modifications, changes, and/or typographical errors, including additions, and to file same with the Clerk of the Broome County Legislature.

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 305**

By Community & Social Services and Finance Committees

Seconded by Ms. Hudak

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

WHEREAS, this County Legislature, by Resolution 62 of 1998, authorized revision of the Ongoing Child Abuse Prevention and Education Grant Program and adopted a revised program budget in connection therewith in the total amount of \$111,867, 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 Ongoing Child Abuse Prevention and Education Grant Program to include an increase in said grant appropriations in the amount of \$2,345, 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 \$114,212, and be it

FURTHER RESOLVED, that Resolution 62 of 1998, and all subsequent resolutions, 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 are hereby authorized (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)**

**RESOLUTION NO. 306**

By Transportation and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION ESTABLISHING A PARKING FEE FOR THE 1998 AVIATION DAY OPEN HOUSE AT THE BINGHAMTON REGIONAL AIRPORT**

WHEREAS, the County proposes to conduct an Aviation Day Open House at the Binghamton Regional Airport on August 29, 1998, and

WHEREAS, the purpose of this event is to provide the community with an opportunity to learn about the operation of the Binghamton Regional Airport, and

WHEREAS, there will be airplanes on the field for the public to view, and

WHEREAS, the airport proposes to establish a parking fee for those persons attending the event to offset the cost of the event, and

WHEREAS, the airport requests authorization to charge a fee of one dollar per person and five dollars per carload for people attending this event, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment of a parking fee at the Binghamton Regional Airport for the 1998 Aviation Day Open House to be held on August 29, 1998, and be it

FURTHER RESOLVED, that for persons attending the 1998 Aviation Day Open House the fee shall be one dollar (\$1.00) per person and five dollars (\$5.00) per carload, and be it

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

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)**

**RESOLUTION NO. 307**

By Finance Committee

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES OF THE 1998 TAX SALE AUCTION (1994 IN REM FORECLOSURE)**

WHEREAS, the County of Broome now owns certain parcels of real property as a result of the 1994 in rem foreclosure action, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 1998 was held and tabulation of all bids submitted was undertaken by the Director of Real Property Tax Service, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 1998 Broome County tax sale as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law,

conveying the properties listed above to the successful bidders in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

Mr. Pasquale moved, seconded by Mr. Brunza, to remove Parcel Number 176.13-1-17 and 176.13-1-18. **Amendment carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather). **Resolution as amended carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

**RESOLUTION NO. 308**

By Community & Social Services, Personnel and Finance Committees Seconded by Ms. Hudak  
**RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING NATIONAL COUNCIL ON AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR JULY 1, 1997 THROUGH AUGUST 31, 1998**

WHEREAS, this County Legislature, by Resolution 191 of 1998, authorized a revision of the Office for Aging in the National Council on Aging Senior Community Service Employment Program for the period July 1, 1997 through June 30, 1998 and adopted a program budget in connection therewith in the total amount of \$202,700, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in grant funding and the extension of the grant term through August 31, 1998, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging National Council on Aging Senior Community Service Employment Program for the period July 1, 1997 through August 31, 1998 in the total amount of \$247,700, 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 \$247,700 for the period July 1, 1997 through August 31, 1998, and be it

FURTHER RESOLVED, that Resolution 191 of 1998, 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 empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 309**

By Personnel, Public Works and Finance Committees Seconded by Mr. Shafer  
**RESOLUTION CONFIRMING APPOINTMENT OF WILLIAM A. SCZESNY AS COMMISSIONER OF PUBLIC WORKS**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article IX, Section 901 of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, William A. Sczesny, R. D. #1, Box 135B, Port Crane, New York 13833 as Commissioner of Public Works at an annual salary of \$58,892 (Administrative II-Grade I), and

WHEREAS, the County Executive certifies that Mr. Sczesny is fully qualified to fill the position of Commissioner of Public Works, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article IX, Section 901 of the Broome County Charter, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of William A. Sczesny as Commissioner of Public Works at an annual salary of \$58,892 (Administrative II-Grade I) effective July 27, 1998 in accordance with his appointment by the County Executive.

**Held over under the rules** by Ms. Coffey.

**RESOLUTION NO. 310**

By Public Safety & Emergency Services, Personnel and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FROM THE NEW YORK STATE CRIME VICTIMS' BOARD AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999**

WHEREAS, the District Attorney requests authorization to accept a grant from the New York State Crime Victims' Board in the amount of \$57,800 for the period October 1, 1998 through and September 30, 1999, and

WHEREAS, said grant program provides victim advocacy services to victims of violent crime and also funding for a computerized victim notification system, and

WHEREAS, in conjunction with the grant the Crime Victims Assistance Center, Inc. will provide in-kind volunteer services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$57,800 from the New York State Crime Victims' Board, 65 Court Street, Room 408, Buffalo, New York 14202 for the period October 1, 1998 through September 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 \$57,800 for the period October 1, 1998 through September 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)

**RESOLUTION NO. 311**

By Finance, Personnel and Health Services Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING BUDGET TRANSFER FOR THE HEALTH DEPARTMENT**

RESOLVED, that in accordance with a request from the Director of Health in order to revise expenditures to fully utilize the funding for Dental Sealant Grant, as requested by BT#0001445 and BT#0001446, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104143	Salaries – Full Time	1,012
	480301	4363	104143	Med/Lab/Clinic Supplies	472
	480301	8010	104143	State Retirement	800
	480301	8030	104143	Social Security	41
	480301	8040	104143	Workers Comp.	16
	480301	8063	104143	Disability	5
TO:	480301	4319	104143	Office Supplies	298
	480301	4349	104143	Misc. Op. Supplies	391
	480301	4411	104143	Postage, Freight	15
	480301	4461	104143	Mileage/park Local	950
	480301	4606	104143	Telephone Billing	165
	480301	4614	104143	Other CB Expenses	15
	480301	8050	104143	Life Insurance	2
	480301	8060	104143	Health Insurance	510

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather)**

**RESOLUTION NO. 312**

By Personnel, County Administration, Economic Development & Planning and Health Services Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE OFFICE OF EMPLOYMENT AND TRAINING, DEPARTMENT OF MENTAL HEALTH AND WILLOW POINT NURSING HOME**

RESOLVED, that in accordance with a request from the Director of Employment and Training, as contained in PCR#98-344, this County Legislature hereby authorizes the abolishment of (1) Principal Account Clerk position, Full Time, at budget line 720722.1000.308078, minimum salary \$20,722, grade 13, Union CSEA, and the creation of (1) Senior Account Clerk position, Full Time, at budget line 720722.1000.308078, minimum salary \$16,727, grade 09, Union CSEA, effective date 7/20/98. (Grant: Admin I. Cost Pool), and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health, as contained in PCR#98-337, this County Legislature hereby authorizes the abolishment of (1) Drug Abuse Counselor positions Part Time, at budget line 470021.1500.101000, minimum salary \$21,861 FTE, grade 14, Union CSEA, effective date 6/29/98. and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of WPNH, as contained in PCR#98-347, this County Legislature hereby authorizes the upgrade of (2) Physical Therapy Assistant positions Full Time, currently at budget line 160226.1000.204000, minimum salary \$19,919, grade 11, Union CSEA, to (2) Physical Therapy Assistants positions, Full Time, at budget line 160226.1000.204000, minimum salary \$22,173, grade 13, Union CSEA effective date 1/1/98.

A request was made to vote separately on each action.

**First Resolved, carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).**

**First Further Resolved, carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).**

**Second Further Resolved:** Ms. Coffey moved, seconded by Ms. Hudak, to amend the effective date from January 1, 1998 to the next pay period. **Amendment failed,** Ayes-4 (Burger, Coffey, Hudak, Kolba), Nays-13 (Brunza, Harbachuk, Howard, Hull, Kavulich, Miller, O'Day, Pasquale, Shafer, Sweet, Whalen, Wike, Schofield), Absent-2 (Lindsey, Mather). Mr. Whalen moved to call the question, seconded by Mr. Wike. Motion to call the question carried, Ayes-14, Nays-3 (Brunza, Burger, Kavulich), Absent-2 (Lindsey, Mather).

**Second Further Resolved carried as presented,** Ayes-14, Nays-3 (Coffey, Hudak, Kolba), Absent-2 (Lindsey, Mather).

**RESOLUTION NO. 313**

By Public Works And Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING ACCEPTANCE OF UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) NATURAL RESOURCES CONSERVATION SERVICE GRANT FOR STORM RELATED DEBRIS CLEAN UP AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH**

WHEREAS, the Commissioner of Public Works requests authorization to accept a USDA Natural Resources Conservation Service grant in the amount of \$81,927.75, and

WHEREAS, said grant program will provide funds needed to remove downed trees obstructing creek beds in the towns of Sanford and Binghamton, and

WHEREAS, the County's share of funding said project will be \$27,309.25, which is 25% of the total project cost of \$109,237, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$81,927.75 from the USDA Natural Resources Conservation Service, 840 Upper Front Street, Binghamton, New York 13905 for storm related debris clean up, 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 \$109,237 and be it

FURTHER RESOLVED, that the County's share of funding said project will be \$27,309, or 25% of the total cost, said payments to be made from budget line 035030.2013.502299 (Roads), and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried,** Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

**RESOLUTION NO. 314**

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Whalen

**RESOLUTION AUTHORIZING ACCEPTANCE OF LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT FOR THE COUNTY CLERK AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR JULY 1, 1998 THROUGH AND INCLUDING JUNE 30, 1999**

WHEREAS, the County Clerk requests authorization to accept a Local Government Records Management Improvement Fund grant in the amount of \$32,500 for the period July 1, 1998 through and including June 30, 1999, and

WHEREAS, said grant provides funds for a Geographical Information Systems Needs Assessment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a Local Government Records Management Improvement Fund Grant in the amount of \$32,500 from the New York State Archives Records Administration, Room 10A63, Cultural Education Center, Albany, New York 12230 for the period July 1, 1998 through and including 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 \$32,500 for the period July 1, 1998 through and including 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).**

**RESOLUTION NO. 315**

By Public Works Committee

Seconded by Mr. Brunza

**RESOLUTION ACCEPTING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED SALE AND DEVELOPMENT OF THE GARDEN PLOT PROPERTIES IN THE TOWN OF DICKINSON AND AUTHORIZING ADDITIONAL ADMINISTRATIVE ACTION IN CONNECTION THEREWITH**

WHEREAS, this County Legislature by Resolution No. 216 of 1998, and pursuant to the requirements of the State Environmental Quality Review Act (SEQRA), accepted as complete the Draft Supplemental Environmental Impact Statement (DSEIS) for the proposed sale to and development by Newman Development of Dickinson, LLC of the Garden Plot Properties in the Town of Dickinson, scheduled public hearings in connection with the DSEIS and determined that the public comment period in connection therewith should conclude on July 17, 1998, and

WHEREAS, public hearings were held on June 25, 1998 and the public comment period has ended, and

WHEREAS, the developer has submitted a proposed Final Supplemental Environmental Impact Statement (FSEIS), and

WHEREAS, the Broome County Department of Planning has reviewed the proposed FSEIS which incorporates by reference the DSEIS and specifically addresses the comments received either at the public hearings held or during the public comment period and recommends that this County Legislature accept said proposed FSEIS as complete and file a notice of completion, now, therefore, be it

RESOLVED, that this County Legislature, based on the factors set forth in 6 NYCRR §617.9(b)(8), and upon recommendation of the Broome County Planning Department, hereby accepts as complete the FSEIS for the proposed sale and development of the Garden Plot Properties in the Town of Dickinson, and be it

FURTHER RESOLVED, that the Chairman of this County Legislature is hereby directed, in cooperation with the Broome County Planning Department and Broome County Department of Law, to prepare, file and publish a notice of completion of the FSEIS and file copies of the FSEIS in compliance with 6 NYCRR §617.12 and make said copies available to the public pursuant to 6 NYCRR §617.12, and be it further

FURTHER RESOLVED, that this Resolution shall take effect immediately.

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

**RESOLUTION NO. 316**

By County Administration, Economic Development & Planning Committee

Seconded by Mr. Shafer

**RESOLUTION AUTHORIZING THE BROOME COUNTY CHAMBER OF COMMERCE TO ACT AS THE AGENCY IN BROOME COUNTY FOR TOURISM AND CONVENTION PROMOTION FOR 1999**

WHEREAS, this County Legislature, by Resolution 337 of 1997, authorized the Broome County Chamber of Commerce to act as the agency in Broome County for tourism and convention promotion for calendar year 1998, and

WHEREAS, it is desired at this time to authorize the Broome County Chamber of Commerce to be the tourism and convention promoter for Broome County for 1999 so that appropriate applications may be filed timely for New York State grant monies, now, therefore, be it

RESOLVED, that this County Legislature hereby names and authorizes the Broome County Chamber of Commerce to be the tourism and convention promoter for Broome County for calendar year 1999, and be it

FURTHER RESOLVED, that the Broome County Chamber of Commerce is hereby authorized to make application for any grants from the State of New York for tourism and convention promotion in Broome County, and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to enter into agreement(s) with the Broome County Chamber of Commerce to provide tourism and convention promotion in Broome County, subject to funding sources and matching funds by the Broome County Chamber of Commerce, and be it

FURTHER RESOLVED, that upon approval of said grants, the County Executive is authorized to execute any agreements, documents, or papers, approved by the Department of Law, necessary to carry out the intent and purpose of this resolution, and be it

FURTHER RESOLVED, that the Broome County Chamber of Commerce shall submit a quarterly written report to this Legislature as to the disposition of said grant monies.

**Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

Mr. O'Day moved to adjourn, seconded by Mr. Pasquale. Meeting adjourned at 4:40pm.

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