

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
WEDNESDAY, SEPTEMBER 16, 1998**

The Legislature convened at 4:08pm 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 August 20, 1998 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

Mr. Schofield noted that the committee minutes for the week of August 14, 1998 through September 10, 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 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. Kolba and seconded by Mr. Howard. **Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

1. Appointing Ernest J. Gagnon as Administrator of Willow Point Nursing Home, effective September 17, 1998.

County Executive Kraham presented a citation to Arthur J. Shafer, commending him on his appointment as President of the New York State Association of Counties for 1999.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

- A. Petitions: None
- B. Communications:
 1. Minutes from:
 - a. Nanticoke Landfill Citizens Advisory Committee
 - b. Soil and Water Conservation District
 - c. Environmental Management Council
 - d. EMC's Natural Resources Committee
 - e. EMC Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
 - f. Cornell Cooperative Extension
 - g. Safety Committee
 2. Letter delegating Ray L. Standish as Acting Commissioner of Public Works, September 13, through 19, 1998

Mr. Shafer was prepared to request that Mr. Kasmarcik be allow to address the body, however, Mr. Kasmarcik was not in attendance.

- C. Notices: William K. Maney vs. County of Broome
- D. Reports:
 1. Broome Community College: Quarterly Income Statements and Balance Sheets; Above Minimum Hires (July 1998).

2. Department of Audit & Control: Follow-up reviews of Mental Health and Social Services Representative Payee Accounts Audit, Highway Division Motor Vehicle Repair Parts Inventory Audit, Transit Fares Administration Audit and Emergency Services Fixed Assets Audit.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

1. Appointing George M. Kolba, Jr. as voting representative for Wayne L. Howard, Public Works Committee, September 9, 1998.
2. Appointing Margaret M. Coffey as voting representative for Mark R. Whalen, Community and Social Services Committee, September 9, 1998.

Mr. Brunza moved, seconded by Mr. Whalen, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1998 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.

Mr. O'Day and Mr. Harbachuk were designated as participants in the 'Short Roll Call.'

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 359

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

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 305 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 \$114,212, 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 \$2,598, 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 \$116,810, and be it

FURTHER RESOLVED, that Resolution 305 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. 360

By County Administration, Economic Development & Planning and Finance Committees
Seconded by Mr. Burger

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 THE PERIOD JULY 1, 1997 THROUGH AND INCLUDING JUNE 30, 2000

WHEREAS, this County Legislature, by Resolution 202 of 1997, as amended by Resolution 151 of 1998, 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 \$62,488 for the period July 1, 1996 through June 30, 1999, 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, 1997 through and including June 30, 2000, in the amount of \$29,280, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$29,280 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, 1997 through and including June 30, 2000, 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 \$29,280 for the period July 1, 1997 through and including June 30, 2000, 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. 361

By Personnel, Education, Culture & Recreation and Finance Committees
Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE PAYMENT OF RELOCATION EXPENSES FOR THE NEW LIBRARY DIRECTOR

WHEREAS, the Personnel Officer requests authorization for the payment of relocation expenses not to exceed \$3,000 for Donna Riegel, the new Library Director, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the payment of relocation expenses not to exceed \$3,000 for Donna Riegel, the new Library Director, for her move from Fort Lauderdale, Florida to Broome County.

Carried, Ayes-16, Nays-1 (Coffey), Absent-2 (Lindsey, Mather).

RESOLUTION NO. 362

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

Seconded by Mr. Burger

RESOLUTION AUTHORIZING ACCEPTANCE OF INNOVATIVE HOME CARE SERVICES PROGRAM GRANT FOR COMMUNITY ALTERNATIVES SYSTEMS AGENCY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD APRIL 1, 1998 THROUGH MARCH 31, 1999

WHEREAS, the Director of the Community Alternatives Systems Agency requests authorization to accept an Innovative Home Care Services Program Grant in the amount of \$135,245 for the period April 1, 1998 through March 31, 1999, and

WHEREAS, said grant program will increase the efficiency and effective delivery of long term care services in Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$135,245 from the New York State Department of Health, Corning Tower, Empire State Plaza, Albany, New York 12237 for the Community Alternatives Systems Agency Innovative Home Care Services Program 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 \$135,245 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 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. 363

By Health Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH LOCAL MUNICIPALITIES FOR POLICE OFFICERS TO CONDUCT TRAFFIC SAFETY STOPS FOR THE HEALTH DEPARTMENT PROJECT CHECK-UP FOR THE PERIOD OCTOBER 1, 1998 THROUGH AND INCLUDING SEPTEMBER 30, 1999

WHEREAS, this County Legislature, by Resolution 86 of 1998, authorized agreements with local municipalities for police officers to conduct traffic safety stops for the Health Department's Traffic Safety Program at a cost of \$1,400 per contractor for the period October 1, 1997 through and including September 30, 1998, and

WHEREAS, said services are necessary to reimburse local law enforcement agencies for costs related to the program, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with the City of Binghamton, 38 Hawley Street, City Hall, Binghamton, New York 13901, the Village of Johnson City, 243 Main Street, Johnson City, New York 13790, the Village of Endicott, 1009 East Main Street, Endicott, New York 13760 and the Town of Vestal, 605 Vestal Parkway West, Vestal, New York 13850 for police officers to conduct traffic safety stops for the Health Department Project Check-Up for the period October 1, 1998 through and including September 30, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay each Contractor an amount not to exceed \$1,800 for the term of the contractor's individual agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104XXX (Subcontracted Program Expense), and be it

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

RESOLUTION NO. 364

By Health Services, Personnel and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT BE SAFE BROOME INJURY PREVENTION PROJECT (FORMERLY COMMUNITY TRAFFIC SAFETY PROGRAM) AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD OCTOBER 1, 1998 THROUGH AND INCLUDING SEPTEMBER 30, 1999

WHEREAS, this County Legislature, by Resolution 364 of 1997 as revised by Resolution 460 of 1997, authorized and approved the Health Department Community Traffic Safety Program and adopted a program budget in connection therewith in the amount of \$44,000 for the period October 1, 1997 through and including September 30, 1998, and

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

WHEREAS, it is desired to renew said grant program for the period October 1, 1998 through and including September 30, 1999, in the amount of \$53,400 and to recognize a new program name of Be Safe Broome Injury Prevention Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$53,400 from the Governor's Traffic Safety Committee, NYS Department of Motor Vehicles, Empire State Plaza, Swan Street Building, Room 414, Albany, New York 12228 for the Health Department Be Safe Broome Injury Prevention Project (formerly Community Traffic Safety Program) for the period October 1, 1998 through and including 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 \$53,400 for the period October 1, 1998 through and including 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 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. 365

By Health Services, Personnel and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTH DEPARTMENT DENTAL SEALANT GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD OCTOBER 1, 1998 THROUGH AND INCLUDING SEPTEMBER 31, 1999

WHEREAS, this County Legislature, by Resolution 326 of 1997, authorized and approved renewal of the Broome County Health Department Dental Sealant Project Grant Program for the period October 1, 1997 through September 30, 1998 and adopted a program budget in the amount of \$46,000.00, and

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

WHEREAS, the Broome County Health Department recommends renewal of said program grant for the period October 1, 1998 through and including September 30, 1999 in the amount of \$46,000.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of \$46,000 from the New York State Department of Health for the Health Department Dental Health Sealant Project for the period October 1, 1998 through and including 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 amount of \$46,000 for the period October 1, 1998 through and including September 30, 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. 366

By Health Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AGREEMENT WITH ENDICOTT FIRST PRESBYTERIAN PRESCHOOL FOR CLASSROOM AIDE SERVICES FOR THE HEALTH DEPARTMENT EDUCATION TO HANDICAPPED CHILDREN'S PROGRAM FOR THE PERIOD SEPTEMBER 1, 1998 THROUGH AND INCLUDING JUNE 1, 1999

WHEREAS, the Director of Public Health requests authorization for an agreement with Endicott First Presbyterian Preschool for classroom aide services for the Education to Handicapped Children's Program for the period September 1, 1998 through and including June 1, 1999, at a cost not to exceed \$1,380, and

WHEREAS, said services are necessary for one on one attention in order to facilitate learning, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Endicott First Presbyterian Preschool, 29 Grant Avenue, Endicott, New York 13760, for classroom aide services for the Health Department Education to Handicapped Children's Program for the period September 1, 1998 through and including June 1, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,380 as per the rate sheet attached as Exhibit "A" for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480285.4749.101000 and 480293.4749.101000 (Classroom Aide), 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. 367

By Health Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE REIMBURSEMENT OF CERTAIN COSTS FOR THE BROOME COUNTY HEALTH DEPARTMENT RABIES PROGRAM FOR THE PERIOD APRIL 1, 1998 THROUGH AND INCLUDING MARCH 31, 1999

WHEREAS, this County Legislature, by Resolution 398 of 1997, authorized renewal of an agreement with the New York State Department of Health for reimbursement of certain costs for the Broome County Health Department Rabies Program for the period April 1, 1997 through March 31, 1998, with revenue to the County for a maximum amount of \$13,000, and

WHEREAS, said agreement reimburses Broome County for certain costs incurred by the Broome County Health Department in its rabies program, including human treatment, specimen shipment and pet vaccination clinics, and

WHEREAS, said agreement expired by its terms on March 31, 1998, and it is desired at this time to renew said agreement for the period April 1, 1998 through and including March 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 the New York State Department of Health, Zoonoses Program, Corning Tower, Albany, New York, 12237, for reimbursement of certain costs associated with the Broome County Health Department Rabies Program for the period April 1, 1998 through and including March 31, 1999, and be it

FURTHER RESOLVED, that the New York State Department of Health shall reimburse the County a maximum amount of \$11,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget lines 480160.0274.101000 and 480137.0274.101000 (Rabies), 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. 368

By Finance, Transportation, County Administration, Economic Development & Planning, Health Services, and Public Safety & Emergency Services Committees Seconded by Mr. Burger

RESOLUTION AUTHORIZING BUDGET TRANSFERS FOR THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY, MENTAL HEALTH, EMPLOYMENT AND TRAINING, DISTRICT ATTORNEY, AND HEALTH DEPARTMENTS

RESOLVED, that in accordance with a request from the Director of BMTS in order to utilize the remaining 97/98 budget, as requested by BT# 0000509 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:	440115	1600	104114	Salaries, Temporary	2,305
TO:	440115	4359	104114	Computer Software	250
	440115	4411	104114	Postage/Freight	55
	440115	4747	104114	Fees for Services	2,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Mental Health in order for Families First to receive budgeted administration and overhead fees directly, as requested by BT# 0001272 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>
Revenue Increase	470005	0900	101000	Federal Revenue	10,000
Appropriations Increase	470005	2850	101000	Computer Equip.	2,500
	470005	4422	101000	Building & Land	5,000
	470005	4461	101000	Mileage & Parking	2,500

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Employment and Training in order to adjust appropriations to close the IIC PY '95 Grant, as requested by BT# 0000642 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:	720730	1600	308051	Salaries, Temporary	4,715.92
TO:	720730	4557	308051	Tompkins County	4,715.92

and be it

FURTHER RESOLVED, that in accordance with a request from the District Attorney in order to cover a shortage of funds in the Aid to Prosecution Grant, as requested by BT# 0001537 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

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	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingency Fund	7,130
TO:	330043	9005	101000	Transfer to Grant	7,130
Revenue: Increase	330043	0227	104128	Transfer from General Fund	7,130
Appropriations Increase	330043	1000	104128	Salaries – Full Time	6,624
	330043	8030	104128	Social Security	99
	330043	8040	104128	Worker's Comp.	407

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health in order to move funds associated with the transfer of an Account Clerk (PCR 98-361), as requested by BT# 0001563 & 0001564 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:	480319	1000	101000	Salary – Full Time	3,915
	480319	8010	101000	Retirement	149
	480319	8030	101000	FICA	300
	480319	8040	101000	Worker's Comp	64
	480319	8050	101000	Life Insurance	6
	480319	8063	101000	Disability	30
	480319	8060	101000	Health Insurance	506
TO:	480020	1000	101000	Salary – Full Time	3,915
	480020	8010	101000	Retirement	149
	480020	8030	101000	FICA	300
	480020	8040	101000	Worker's Comp	64
	480020	8050	101000	Life Insurance	6
	480020	8063	101000	Disability	30
	480020	8060	101000	Health Insurance	506

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of the Office for Aging in order to revise appropriations for the 1998 SOP Grant, as requested by BT# 0001095 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

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	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	760777	1000	104174	Salary – Full Time	247
	760777	1600	104174	Salary - Temporary	660
	760777	8030	104174	FICA	117
	760777	8040	104174	Worker's Comp	9
	760777	8060	104174	Health Insurance	40
TO:	760777	4627	104174	Single Audit Chgbk.	27
	760777	8010	104174	State Retirement	851
	760777	8050	104174	Life Insurance	4
	760777	8063	104174	Disability Ins.	13
	760777	8070	104174	Unemployment Ins.	178

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

RESOLUTION NO. 369

By Finance and Public Works Committees

Seconded by Ms. Coffey

RESOLUTION AMENDING THE 1997 AND 1998 CAPITAL IMPROVEMENT PROGRAMS

RESOLVED, that the 1997 and 1998 Capital Improvement Programs are hereby amended as follows:

FROM:

<u>Project #</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal</u>	<u>County</u>
501338	Bridge Reconstruction Rehab.	\$650,000	\$0	\$0	\$650,000
			<u>How Financed:</u>		
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		1997	20	\$650,000	\$0

TO:

<u>Project #</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal</u>	<u>County</u>
501338	Bridge Reconstruction Rehab.	\$665,000	\$0	\$0	\$665,000
			<u>How Financed:</u>		
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		1997	20	\$650,000	\$15,000

To allow for award of Alternates 1 & 2 (subsurface work to footers)-DeVincentis Contract for Bin 3349990

FROM:

<u>Project #</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal</u>	<u>County</u>
502299	Hwy. Reconst. Rehab.	\$1,674,000	\$0	\$0	\$1,674,000

<u>How Financed:</u>			
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1998	15	\$0	\$1,674,000

TO:

<u>Project #</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal</u>	<u>County</u>
502299	Hwy. Reconst. Rehab.	\$1,809,000	\$0	\$150,000	\$1,659,000

<u>How Financed:</u>			
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1998	15	\$0	\$1,659,000

To reflect \$150,000 of Federal aid for 2nd Street Drainage Project-Deposit
Carried, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

RESOLUTION NO. 370

By Finance Committee

Seconded by Mr. Burger

RESOLUTION AUTHORIZING THE SALE OF 1994 IN REM FORECLOSURE PROPERTY

WHEREAS, the County is the owner of real property at 104 Fox Farm Hill Road in the Town of Windsor (Tax Map No. 164.03-1-36) through the 1994 in rem foreclosure proceedings, and

WHEREAS, it is recommended that the County sell this property to the successful bidder at the 1998 Broome County tax sale, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the sale of the real property known as 104 Fox Farm Hill Road, Windsor, New York (Tax Map No. 164.03-1-36) to Charles T. Dailey, 11 Gray Street, Apartment 27, Windsor, New York 13865 for the amount of \$800, 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.

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

RESOLUTION NO. 371

By Education, Culture & Recreation, Public Works and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO NEWMAN DEVELOPMENT GROUP OF DICKINSON, L.L.C. FOR A SEWER LINE CONNECTION TO THE BROOME COMMUNITY COLLEGE PUMP STATION

WHEREAS, the County of Broome and Town of Dickinson have reviewed and approved the development of the property commonly known as the Garden Plots by the Newman Development Group of Dickinson, L.L.C., and

WHEREAS, the Newman Development Group has requested that the college and the County grant an easement on a portion of the college campus to permit the construction and maintenance of

a sewer line which will be connected to the College pump station and the Town sewer system, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive to convey to Newman Development Group of Dickinson, L.L.C., P. O. Box 678, Vestal, New York 13851-0678, subject to any necessary approvals by the Board of Trustees of Broome Community College and the State University of New York, the easement more particularly described in Exhibit "A" attached hereto, subject to approval as to form by the County Attorney, 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. 372

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) SUBSIDY PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999

WHEREAS, this County Legislature, by Resolution 347 of 1997, authorized and approved the renewal of the USDA Subsidy Program Grant and adopted a program budget in the amount of \$159,777 for the period October 1, 1997 through September 30, 1998, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1998 through September 30, 1999, in the amount of \$144,496, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$144,496 from the United States Department of Agriculture (USDA) 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 \$144,496 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 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. 373

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999

WHEREAS, this County Legislature, by Resolution 350 of 1997, as amended by Resolution 295 of 1998, authorized and approved the continued participation of the Office for Aging in the Home Energy Assistance Program (HEAP) Grant Program and adopted a program budget in the amount of \$15,757 for the period October 1, 1997 through September 30, 1998, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1998 through September 30, 1999, in the amount of \$15,757, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$15,757 from the New York State Department of Social Services 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 \$15,757 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 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. 374

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF HOUSING AND URBAN DEVELOPMENT GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD SEPTEMBER 1, 1998 THROUGH DECEMBER 31, 1999

WHEREAS, this County Legislature, by Resolution 561 of 1996, authorized and approved acceptance of a Housing and Urban Development Grant for the Office for Aging and adopted a program budget in the amount of \$70,000 for the period September 13, 1996 through September 13, 1997, and

WHEREAS, said grant program provides the administration costs for building senior community centers in Broome County, and

WHEREAS, said grant period was extended through December 31, 1998 to expend unexpended grant funds as per Resolution 561 of 1996, and

WHEREAS, it is desired to renew said grant program for period September 1, 1998 through December 31, 1999 in the amount of \$70,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$70,000 from the U.S. Department of Housing and Urban Development for the Office for Aging administrative expenses for building senior community centers in Broome County for the period September 1, 1998 through December 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 \$70,000 for the period September 1, 1998 through December 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. 375

By Community & Social Services, Personnel and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING RENEWAL OF WEATHERIZATION REFERRAL AND PACKAGING (WRAP) PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD AUGUST 1, 1998 THROUGH JULY 31, 1999

WHEREAS, this County Legislature, by Resolution 499 of 1997, authorized and approved renewal of the Weatherization Referral and Packaging (WRAP) Program for the Office for Aging and adopted a program budget in the amount of \$26,586 for the period July 1, 1997 through September 30, 1998, and

WHEREAS, said grant program provides for screening and assessment of elderly, low-income housing to determine energy related needs and to determine if client's needs can be met by the weatherization program, and

WHEREAS, it is desired to renew said grant program for the period August 1, 1998 through July 31, 1999, in the amount of \$25,354, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$25,354 from the New York State Office for Aging 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 \$25,354 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 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

Office for Aging Nutrition Program IIC1 Greater Endicott Senior Community Center for the period October 1, 1997 through September 30, 1998, with revenue to Broome County of \$20,000, and

WHEREAS, said services are necessary to support the Greater Endicott Senior Community Center, and

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

RESOLVED, that this County Legislature hereby authorizes the acceptance and renewal of the agreement with Town of Union, 3111 East Main Street, Endicott, New York, 13760, Community Block Grant revenue for Office for Aging Nutrition Program, Title IIC1, Greater Endicott Senior Community Center for the period October 1, 1998 through September 30, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$26,700 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760736.0166.104169 (Misc. Contributions), 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. 378

By Community & Social Services, Personnel and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF CORPORATION FOR NATIONAL SERVICES FOSTER GRANDPARENTS ACTION PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998

WHEREAS, this County Legislature, by Resolution 546 of 1997, authorized the continued participation by the Office for Aging in the Foster Grandparents Action Grant Program for the period January 1, 1998 through December 31, 1998 and adopted a program budget in connection therewith in the total amount of \$270,431, 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 Corporation for National Service Foster Grandparents Action Program for the Office for Aging for the period January 1, 1998 through December 31, 1998 in the amount of \$5,009, 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 \$275,440 for the period January 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that Resolution 546 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

January 1, 1998 through December 31, 1998 and adopted a program budget in connection therewith in the total amount of \$435,443, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging IIB Supportive Services Program for the period January 1, 1998 through December 31, 1998 in the amount of \$50,925, 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 \$486,368 for the period January 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that Resolution 550 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. 381

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING TITLE III-F DISEASE PREVENTION AND HEALTH PROMOTION PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998

WHEREAS, this County Legislature, by Resolution 540 of 1997, authorized the continued participation by the Office for Aging in the Title III-F Disease Prevention and Health Promotion Program for the period January 1, 1998 through December 31, 1998 and adopted a program budget in connection therewith in the total amount of \$12,606, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging III-F Disease Prevention and Health Promotion Program for the period January 1, 1998 through December 31, 1998 in the amount of \$336, 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 \$12,942 for the period January 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that Resolution 540 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. 382

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING IIIC1 CONGREGATE MEALS PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998

WHEREAS, this County Legislature, by Resolution 529 of 1997, authorized the continued participation by the Office for Aging in the IIIC1 Congregate Meals Program for the period January 1, 1998 through December 31, 1998 and adopted a program budget in connection therewith in the total amount of \$704,805, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging IIIC1 Congregate Meals Program for the period January 1, 1998 through December 31, 1998 in the amount of \$47,043, 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 \$657,762 for the period January 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that Resolution 529 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. 383

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING IIC2 HOME DELIVERED MEALS PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998

WHEREAS, this County Legislature, by Resolution 536 of 1997, authorized the continued participation by the Office for Aging in the IIC2 Home Delivered Meals Program for the period January 1, 1998 through December 31, 1998 and adopted a program budget in connection therewith in the total amount of \$459,615, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging IIC2 Home Delivered Meals Program for the period January 1, 1998 through December 31, 1998 in the amount of \$9,954 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 \$449,661 for the period January 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that Resolution 536 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. 384

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH INTERIM HEALTH CARE FOR HOMECARE SERVICES FOR THE OFFICE FOR AGING FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998

WHEREAS, this County Legislature, by Resolution 539 of 1997, authorized renewal of an agreement with Interim Health Care for homecare services under the Office for Aging's Title IIID In-Home Services for Frail Elderly Individuals Program at a cost of \$13.09 per hour, total cost not to exceed \$7,828, and

WHEREAS, it is necessary to authorize the amendment of said agreement to authorize additional expenditures in the amount of \$276 at the same rate per hour, and

WHEREAS, the Director of Office for Aging 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 Interim Health Care, 59 Front Street, Binghamton, New York 13905 for homecare services in

connection with the Title IIID In-Home Services for Frail Elderly Individuals Program 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 additional \$276 at the same hourly rate, total revised amount not to exceed \$8,104, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760819.4457.104171 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 539 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 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. 385

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC., FOR OFFICE FOR AGING'S MEALS ON WHEELS PROGRAM FOR THE PERIOD AUGUST 1, 1998 THROUGH AUGUST 1, 1999

WHEREAS, this County Legislature, by Resolution 484 of 1996, authorized renewal of an agreement with Ideal Senior Living Center, Inc., for the period August 1, 1994 through August 1, 1998, with revenue to Broome County of \$8.00 per day for each long-term client served home-delivered meals, and

WHEREAS, said services are necessary to provide meals for long-term home health care clients, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ideal Senior Living Center, Inc., 600 High Street, Endicott, New York, 13760, for Office for Aging's Meals on Wheels Program for the period August 1, 1998 through August 1, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$8.00 per day for each long-term client served home-delivered meals for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 760744.0538.104170 (Long Term Home Health Care Revenue), 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. 386

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC., FOR THE OFFICE FOR AGING'S SOCIAL DAY CARE SERVICES FOR THE PERIOD AUGUST 1, 1998 THROUGH AUGUST 1, 1999

WHEREAS, this County Legislature, by Resolution 390 of 1997, authorized renewal of an agreement to provide adult social day care services for Ideal Senior Living Center, Inc. Long

Term Home Health Care clients at the rate of \$31.00 per client for a full day of social day care, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ideal Senior Living Center, Inc., 508 High Street, Endicott, New York, 13760, for social day care services to its Long Term Health Care Program clients for the period August 1, 1998 through August 1, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$32.00 per client for a full day of social day care for the term of this agreement, and be it

FURTHER RESOLVED, that the revenues hereinabove authorized shall be credited to budget line 760983.0538.104195 (Long Term Home Health Care Fees), 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. 387

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE PUBLIC DEFENDER AID TO LOCALITIES AID FOR THE PERIOD APRIL 1, 1998 THROUGH MARCH 31, 1999

WHEREAS, this County Legislature, by Resolution 410 of 1997, authorized and accepted New York State Public Defender Aid to Localities aid in the amount of \$34,470 for the period April 1, 1997 through March 31, 1998, and

WHEREAS, this aid supports the Broome County Office of the Public Defender who provides representation to financially eligible persons arrested in Broome County and this aid relieves the County of an expense it would otherwise have to assume, and

WHEREAS, it is desired at this time to accept New York State Public Defender Aid to Localities aid in the amount of \$34,470 for the period April 1, 1998 through March 31, 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the New York State Public Aid to Localities aid in the amount of \$34,470 for the period April 1, 1998 through March 31, 1999, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be recorded in budget line 530006.0264.101000 (Major Offence Public Defender), and be it

FURTHER RESOLVED, that the County Executive, or his duly authorized representative is hereby empowered to execute any agreements, documents, or papers approved 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. 388

By Health Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF STUDENT ASSISTANCE PREVENTION SERVICES PROGRAM FROM THE SUSQUEHANNA VALLEY SCHOOL DISTRICT FOR THE PERIOD SEPTEMBER 1, 1998 THROUGH AND INCLUDING JUNE 30, 1999

WHEREAS, this County Legislature, by Resolution 358 of 1997, authorized and approved renewal of the Student Assistance Prevention Services Program Grant from the Susquehanna Valley School District and adopted a program budget in the amount of \$16,138 for the period September 1, 1997 through June 30, 1998 and

WHEREAS, said grant program provides student assistance prevention services at the Susquehanna Valley School District, and

WHEREAS, it is desired to renew said program for the period September 1, 1998 through and including June 30, 1999 in the amount of \$16,780, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$16,780 from the Susquehanna Valley School District, P. O. Box 200, Conklin, New York 13748 for the period September 1, 1998 through and including June 30, 1999, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be recorded in budget line 470120.0027.101000 (Miscellaneous Revenue), 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. 389

By Community & Social Services, Personnel, County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF CHILD ASSISTANCE PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD APRIL 1, 1998 THROUGH MARCH 31, 1999

WHEREAS, this County Legislature, by Resolution 101 of 1998, authorized the continued participation by the Department of Social Services in the Child Care Assistance Program for the period April 1, 1998 through March 31, 1999 and adopted a program budget in connection therewith in the total amount of \$453,702, 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 Department of Social Services Child Assistance Program for the period April 1, 1998 through March 31, 1999 in the total amount of \$71,915, 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 \$525,617 for the period April 1, 1998 through March 31, 1999, and be it

FURTHER RESOLVED, that Resolution 101 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. 390

By Community & Social Services, County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE CHILD CARE AND DEVELOPMENT BLOCK (CCDBG) GRANT PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999

WHEREAS, this County Legislature, by Resolution 385 of 1997, as amended by Resolution 222 of 1998, authorized and approved the Child Care and Development Block Grant (CCDBG) Program and adopted a program budget in the amount of \$1,966,265 for the period October 1, 1997 through September 30, 1998, and

WHEREAS, this grant program provides funding for child day care for eligible low income families and related services, and

WHEREAS, it is desired at this time to renew said grant program for the period October 1, 1998 through September 30, 1999 in the amount of \$2,502,003, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$2,502,003 from the Child Care and Development Block Grant (CCDBG) from New York State Department of Social Services for the Department of Social Services Child Care and Development Block Grant (CCDBG) Program for the period October 1, 1998 through September 30, 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the program budget annexed hereto as Exhibit "A" in the total amount of \$2,502,003 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 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. 391

By Community & Social Services, Personnel and Finance Committees Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE FOOD STAMP EMPLOYMENT AND TRAINING GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999

WHEREAS, this County Legislature, by Resolution 387 of 1997, as amended, authorized and approved the continued participation by the Department of Social Services in the Food Stamp Employment and Training Grant and adopted a program budget in the amount of \$60,850 for the period October 1, 1997 through September 30, 1998, and

WHEREAS, said grant program provides for job readiness training and job search activities to non-public assistance and home-relief food stamp recipients, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1998 through September 30, 1999, in the amount of \$60,850, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$60,850 from the New York State Department of Social Services 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 \$60,850 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 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. 392

By Community & Social Services and Finance Committees Seconded by Mr. Burger

RESOLUTION AUTHORIZING REVISION OF COORDINATED CHILDREN'S SERVICES INITIATIVE PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998

WHEREAS, this County Legislature, by Resolution 450 of 1997, authorized renewal of the Department of Social Services Coordinated Children's Services Initiative Program Grant for the period January 1, 1998 through December 31, 1998 and adopted a program budget in connection therewith in the total amount of \$65,585, 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 Department of Social Services Coordinated Children's Services Initiative Program Grant for the period

January 1, 1998 through December 31, 1998 by accepting an additional \$1,000 from the New York State Office of Mental Health, 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 \$66,585 for the period January 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that Resolution 450 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. 393

By Public Works and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AGREEMENT WITH CAMP, DRESSER & MCKEE FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR THE PERIOD SEPTEMBER 17, 1998 THROUGH MARCH 16, 1999

WHEREAS, the Deputy Director of the Division of Solid Waste Management requests authorization for an agreement with Camp, Dresser & McKee for professional engineering services for the period September 17, 1998 through March 16, 1999, at a cost not to exceed \$9,000, and

WHEREAS, said services are necessary to comply with regulations from the New York State Department of Environmental Conservation to have two previously removed monitoring wells at the Nanticoke Landfill replaced by the vendor and submit a written report to the Department of Environmental Conservation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Camp, Dresser & McKee, 660 Reynolds Arcade, 16 East Main Street, Rochester, New York 14614 for professional engineering services for the Division of Solid Waste Management for the period September 17, 1998 through March 16, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4423.206000 (Building/Ground Equipment Repair), 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. 394

By County Administration, Economic Development & Planning, Public Works and Finance Committees
Seconded by Mr. Burger

RESOLUTION ADOPTING LOCAL LAW INTRO NO. 12, 1998, ENTITLED "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE REGARDING TIRE DISPOSAL TIPPING FEES, PERMITTING FEES, AND LANGUAGE MODIFICATIONS AND CLARIFICATIONS."

RESOLVED, that Local Law Intro No. 12, 1998, entitled "A Local Law Amending Chapter 179 of the Broome County Charter and Code regarding tire disposal tipping fees, permitting fees, and language modifications and clarifications" 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. 12
A Local Law Amending Chapter 179 of the Broome County Charter and Code
Regarding Tire Disposal Tipping Fees, Permitting Fees
and Language Modifications and Clarifications**

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

Section 1. Section 179-5 A and D of the Broome County Charter and Code shall be amended to read as follows:

Section 179-5.

- A. Applications for permits shall be upon forms provided by the **[Director of the]** Division of Solid Waste Management. Each applicant shall state in such application his or her name, address, legal character (corporation, partnership or individual), **[including the area or areas of operation.]** and such other information as the Director of the Division of Solid Waste Management may require. **[Areas of operation listed on the application shall not be varied, increased, decreased or in any other way altered during the period covered by the permit without the prior written consent of the Division of Solid Waste Management.]** No collections shall be made in areas outside the County of Broome except upon the prior written approval by the County Executive.
- D. (1) An annual permitting fee of \$50 per commercial user plus \$20 per vehicle **and \$5 per roll-off container or trailer** up to 99 [vehicles] **units** used by the commercial user for the purposes of transporting solid waste to the landfill shall be charged for the permits at the time the application is processed, or it may be billed.
- (3) Lost vehicle weigh-out cards will be replaced at a charge of \$5 each.
- [(4) New York State Department of Environmental Conservation (NYSDEC) Part 364 waste transport permit holders will be charged an additional annual amount of \$100.]
- [(5)] (4.)** An annual permitting fee of forty dollars (\$40) per commercial user of the Hazardous Waste Facility shall be charged for the permits at the time the application is proceeded, or it may be billed.

Section 2. Section 179-6 D, I and J of the Broome County Charter and Code is hereby amended to read as follows:

Section 179-6

- D. A maximum speed limit of **[20] 15** miles per hour shall be maintained on access roads within the landfill site.
- I. In order to be accepted for management at the landfill, any construction/demolition or asbestos waste, leaf/yard waste, pallets, tires and white goods shall be properly segregated from any other solid wastes brought to the landfill.
- J. The following wastes, in addition to those listed in Section 6, Part 360, of the New York Codes, Rules and Regulations, Operating Permit, shall not be accepted for disposal at Broome County owned and/or operated sanitary landfill(s):
- (1) Large dead animals (e.g., horses and cows).
 - (2) Automobile or other vehicle bodies.
 - (3) Liquid wastes (containing less than 20% solids by weight), including septic tank pumpings.
 - (4) Potentially infectious biological and radioactive wastes.
 - [(5) Leaf waste at the Nanticoke Landfill only.]
- [(6)] (5) Any other waste deemed to be detrimental to the safe operation of the solid waste disposal facility as determined by the Broome County Division of Solid Waste Management.

Section 3. Section 179-8 A of the Broome County Charter and Code shall be amended to read as follows:

Section 179-8

[Fifteen cents per chargeable ton shall be dedicated to a fund payable to the host community of the landfill.] Host communities shall receive remuneration in accordance with the Host Community Agreement dated December 1996.

- A. (2) (a) Vehicle weighed and vehicle load billed at \$40 per ton; **[\$1 per ton] a portion** of said fee shall be dedicated to a fund payable to the host communities of the landfill to be divided **[\$0.40 to the Town of Nanticoke, \$0.40 to the Town of Barker and \$0.20 to the Town of Maine.] among the host communities as set forth in the Host Community Benefit Agreement dated December 1996.**
- (3) (a) Construction/demolition waste, non-friable asbestos, bulk metals, and pallets: \$60 per ton.
- [1] Friable asbestos: \$100 per ton.
- (b) [1] With rim size up to and including 16 inches: **[\$0.75] \$1.00** per tire; bulk loads: **[\$65] \$80** per ton. Rims need not be removed.
- [(5) The charge for conditionally exempt small quantity generators of hazardous waste to register for the hazardous waste collection on November 30, 1994, shall be \$20.**

[(6)] (5) Commencing January 1, 1996, the following charges shall apply at the Hazardous Waste Facility located at the Nanticoke Landfill:

- (a) Residential Waste: \$2 per vehicle.
- (b) Commercial waste:
 - [1] Bulk waste: \$3 per gallon.
 - [2] Lab pack waste: \$0.50 per pound.

[(7)] Commencing January 29, 1996, and expiring on May 28, 1996, the charges set forth in Section 179-9 shall be waived for disposal of debris related to flood damage occurring during January of 1996.

- (a) Eligibility for this program shall be limited to the property owners suffering flood damage.
- (b) The person requiring a fee waiver shall file an application with the Division of Solid Waste Management, on forms provided by the Division.
- (c) The application shall contain a certification from an appropriate code enforcement or emergency services official that the applicant qualifies for the fee waiver based on records of January, 1996 flood damage.
 - (d) The total cost of this fee waiver program shall not exceed \$15,000.
 - (e) The amount of the fee waiver for any applicants shall be limited to the tipping fee for disposal of debris which is not assistance covered by any insurance of local, state or federal emergency.
 - (f) The Division of Solid Waste Management shall prepare appropriate regulations to implement the intent of this chapter, which regulations shall be filed with the Clerk of the Legislature.]

[(8)] (7) 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, municipalwide cleanup efforts. Wastes not eligible for this waiver include general municipal solid wastes, leaves and yard wastes and construction and demolition debris that are 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 subsection, which regulations shall be filed with the Clerk of the Legislature.

Section 4. The this local law shall take effect upon filing with the Secretary of State.

Material in [brackets] deleted Material underlined added
The Chair ruled that this local law is an **automatic hold over** because changes were made in committee which changed the local law timetable.

RESOLUTION NO. 395

By Public Works Committee

Seconded by Mr. Burger

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE

WHEREAS, it is necessary to amend Chapter 179 of the Broome County Charter and Code regarding tire disposal tipping fees, permitting fees and language modifications and clarifications, and

WHEREAS, it has been determined that such Project is subject to the requirements of the State Environmental Quality Review Act, and it is therefore necessary to initiate procedures with respect thereto, and

WHEREAS, this County Legislature has determined that it is the agency with the broadest governmental powers for investigation of the impact of the proposed action and has the greatest capability for providing the most thorough environmental assessment of the project, and

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned project, and

WHEREAS, said Project may have an impact on the environment, 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 amending Chapter 179 of the Broome County Charter and Code regarding tire disposal tipping fees, permitting fees and language modifications and clarifications, 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 said amendment 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-17, Nays-0, Absent-2 (Lindsey, Mather).

RESOLUTION NO. 396

By Finance Committee

Seconded by Mr. Burger

RESOLUTION OF THE BROOME COUNTY LEGISLATURE TO ELECT THE ONE-WEEK CLOTHING EXEMPTION FOR JANUARY 17, 1999 THROUGH JANUARY 24, 1999

Be it enacted by the Broome County Legislature as follows:

Section one. Receipts from sales of and consideration given or contracted to be given for purchases of clothing and footwear exempt from state sales and compensating use taxes pursuant to paragraph 30 of subdivision (a) of section 1115 of the tax law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction.

Section two. This resolution shall take effect immediately and shall apply to sales made and uses occurring during the period commencing January 17, 1999, and ending January 24, 1999, although made or occurring under a prior contract.

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

RESOLUTION NO. 397

By Health Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH TWIN TIER CARE FOR HOME HEALTH SERVICES FOR THE HEALTH DEPARTMENT FOR THE PERIOD OCTOBER 1, 1998 THROUGH AND INCLUDING DECEMBER 31, 1998

WHEREAS, this County Legislature, by Resolution 573 of 1997, authorized renewal of agreements with various vendors for the Health Department Home Health Services Division, at varying costs for specific services, and

WHEREAS, it is necessary to authorize the amendment of said agreement with Twin Tier Care in order to include nursing visits for patients in the evenings, and

WHEREAS, the Director of Public Health 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 Twin Tier Care, P. O. Box 765, 159 Front Street, Binghamton, New York 13903 for forty (40) additional nursing visits for the Health Department Home Health Services Division for the period October 1, 1998 through and including December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$60 per visit, total amount not to exceed budgeted appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480004.various.various and 480061.various.various, and be it

FURTHER RESOLVED, that Resolution 573 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 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. 398

By Public Works and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AGREEMENT WITH NEW YORK STATE ELECTRIC AND GAS CORPORATION FOR DESIGN SERVICES FOR AN ELECTRICAL CONNECTION AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR THE PERIOD SEPTEMBER 17, 1998 THROUGH MARCH 16, 1999

WHEREAS, the Deputy Director of Solid Waste Management requests authorization for an agreement with New York State Electric and Gas Corporation for design services for an electrical connection at the Nanticoke Landfill for the period September 17, 1998 through March 16, 1999, at a cost not to exceed \$20,000, and

WHEREAS, said services are necessary for the extension of NYSEG service line to the landfill to accept power generated from the Meridian Power Plant (landfill gas to energy), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New York State Electric and Gas Corporation, 4425 Old Vestal Road, P. O. Box 5524, Binghamton, New York 13902 for design services for an electrical connection at the Nanticoke Landfill for the period September 17, 1998 through March 16, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501319 (Contracted 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. 399

By Public Works and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AGREEMENT WITH STEARNS & WHEELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR THE PERIOD SEPTEMBER 17, 1998 THROUGH MARCH 16, 1999

WHEREAS, the Deputy Director of Solid Waste Management requests authorization for an agreement with Stearns & Wheeler, LLC for professional design services for the period September 17, 1998 through March 16, 1999, at a cost not to exceed \$6,700, and

WHEREAS, said services are necessary for the County to perform a headworks analysis report for the Town of Chenango in order to obtain New York State Department of Environmental Conservation approval to discharge leachate effluent at the Town of Chenango Wastewater Treatment Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns & Wheeler, LLC, 1 Remington Park Drive, Cazenovia, New York 13035 for professional engineering services for the period September 17, 1998 through March 16, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,700 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), 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. 400

By Finance Committee

Seconded by Mr. Burger

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN VARIOUS TOWNS

WHEREAS, certain parcels of real property should have been listed on the tax rolls as wholly exempt from taxation and it is necessary to clear the tax records of these parcels of real property, now, therefore, be it

RESOLVED, that taxes will be cancelled on the following parcels of real property:

<u>TOWN</u>	<u>PARCEL</u>	<u>OWNER</u>	<u>REASON</u>	<u>AMOUNT</u>
Barker	054.01-2-4	Broome County	Wholly exempt	\$1,02.06
Barker	054.03-1-8	Broome County	Wholly exempt	\$4,894.54
Dickinson	144.28-1-36	Port Dickinson	Wholly exempt	\$2,183.17
Kirkwood	162.05-2-30	New York State	Wholly exempt	\$134.73
Kirkwood	163.15-1-18	Broome County	Wholly exempt	\$42.16
Maine	064.02-1-23	SPEAK	Wholly exempt	\$250.44
Maine	064.02-1-16.111	SPEAK	Wholly exempt	\$258.02
Vestal	173.19-2-48	Broome County	Wholly exempt	\$75.74
Windsor	231.00-1-3	New York State	Wholly exempt	\$165.28

and be it
 FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to remove the above stated properties from the County tax rolls.

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

RESOLUTION NO. 401

By Finance Committee

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH BOYD-ENDICOTT-SIMMONS-TWOMEY, INC. FOR VARIOUS INSURANCE COVERAGE FOR THE PERIOD JULY 1, 1998 THROUGH JUNE 30, 1999

WHEREAS, this County Legislature, by Resolution 272 of 1998, authorized an agreement with Boyd-Endicott-Simmons-Twomey, Inc. for various insurance coverage for County owned property at different costs, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include EDP coverage, fire and property aggregate increase, and

WHEREAS, the Risk Manager 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 Boyd-Endicott-Simmons-Twomey, Inc., P. O. Box 509, 204 Washington Avenue, Endicott, New York 13761-0509 for additional insurance coverage for County owned property for the period July 1, 1998 through June 30, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor additional amounts of \$1,600 for EDP coverage, \$292 for fire coverage and \$44 for property aggregate increase, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4521.254000 (Insurance Premiums), and be it

FURTHER RESOLVED, that Resolution 272 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 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. 402

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE CHILDREN'S HOME OF THE WYOMING CONFERENCE FOR NON-SECURE DETENTION SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998

WHEREAS, this County Legislature, by Resolution 624 of 1997, authorized renewal of an agreement with The Children's Home of the Wyoming Conference for non-secure detention services for the Department of Social Services, at an amount not exceed \$364,780, and

WHEREAS, it is necessary to authorize the amendment of said agreement to add a detention coordinator to facilitate placement and transfers at an additional cost of \$7,750, total revised amount not to exceed \$372,530 for the period October 1, 1998 through December 31, 1998, and

WHEREAS, the Commissioner of Social Services 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 Children's Home of the Wyoming Conference, 1182 Chenango Street, Binghamton, New York 13901-1696 for non-secure detention services for the Department of Social Services for the period October 1, 1998 through December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$7,750, total amended contract amount not to exceed \$372,530, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670117.4581.103000 (Foster Care NS DET Haskins), and be it

FURTHER RESOLVED, that Resolution 624 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 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. 403

By County Administration, Economic Development & Planning Committee

Seconded by Mr. Burger

RESOLUTION AUTHORIZING AMENDMENT OF CHAPTER 240 OF THE BROOME COUNTY RESOLUTIONS, RULES AND REGULATIONS

WHEREAS, this County Legislature, by Resolution 202 of 1998, authorized the addition of a new Chapter 240 to the Broome County Resolutions, Rules and Regulations which defined acceptable use of the Broome County Local Area Network and online services access, and

WHEREAS, it is necessary to amend said section, and

WHEREAS, the Director of Information Technology has requested said amendments, now, therefore, be it

RESOLVED, that, effective immediately, this County Legislature hereby enacts the following amended Chapter 240 of the Broome County Resolutions, Rules and Regulations as follows:

Information Technology

Chapter 240

ACCEPTABLE USE OF THE COUNTY NETWORK AND ONLINE SERVICES

240-1 Statement of Purpose

- (a) The purpose of this Chapter is to delineate acceptable practices when using the county computer network and online services to assist in job duties. Broome County provided network and Online services access is governed by all applicable laws, rules, regulations, existing county policies and this Chapter,
- (b) Generally, activities in compliance with existing county policy and other applicable regulations will be appropriate. Acceptable use always is ethical, reflects honesty, and shows restraint in the consumption of shared resources. This Chapter elaborates on certain activities that are directly related to county network and online services. Violations of this Chapter will result in appropriate disciplinary action.

240-2 Network Access

- (a) Access to the county network and online services is not a condition of employment, and the county has the right to discontinue any employee's county network and/or online services access at any time. All network and online services are to be used exclusively for work-related purposes. Unless specifically authorized by the Director of Information Technology, any online services access, other than access provided by the county through the county network, is prohibited.
- (b) The following activities are prohibited
 1. For activities unrelated to the county's mission;
 2. For activities unrelated to official assignments and/or job responsibilities;
 3. For any illegal purpose;
 4. To transmit threatening, obscene or harassing materials or correspondence;
 5. For unauthorized distribution of NYS data and information;
 6. To interfere with or disrupt network users, services or equipment;
 7. For private purposes such as marketing or business transactions; For solicitation for religious and political causes;
 8. For unauthorized not-for-profit business activities;
 9. For private advertising of products or services; and
 10. For any activity meant to foster personal gain.

240-3 Password accountability

- (a) Each employee is responsible for all transactions made using his/her password and for safeguarding his/her password. Commit passwords to memory. Do not automate network logons B users should type his/her

- password in each time a session is started. When network tasks are complete the employee must sign off of the computer system.
- (b) Passwords should be changed regularly and should not be kept longer than 90 days. A good password is one that is easy to remember but difficult to guess. Ideally, a password will consist of two unrelated words, or a nonsense word. Passwords must be different than the user ID, and should not be an easily guessed word or name.

240-4 Privacy

- (a) E-mail services, like other means of communication, are to be used to support county business. All county correspondence including Electronic mail (E-mail) is subject to the "Freedom of Information Law." Thus, the same care used in composing any official county correspondence should be applied to E-mail. Never send or keep anything that is inappropriate for disclosure to the general public.
- (b) All work generated using county owned hardware or software is property of the county. Staff may use e-mail to communicate informally with others in the county so long as the communication meets professional standards of conduct. Staff may use e-mail to communicate outside of the county when such communications are related to legitimate business activities and are within their job assignments or responsibilities. The Department of Information Technology has access to all mail and user access requests, and will monitor messages as necessary or as requested by department heads to assure efficient performance and appropriate use. Messages relating to or in support of activities will be reported to the appropriate authorities.
- (c) Any correspondence sent outside of the county network (over online services) will go through numerous unprotected computer systems. Notice is hereby given that there are NO facilities provided by the County system for sending or receiving private or confidential electronic communications. To the greatest extent possible, E-mail should be discarded after it has been read. The county will, with or without notice to system users, periodically purge all saved messages in the county system.

240-5 Content

- (a) All electronic correspondence shall contain the sender's name and adhere to County guidelines for business correspondence.
- (b) The following practices are prohibited:
11. Using e-mail for illegal, disruptive, unethical or unprofessional activities, or for personal gain, or for any purpose that would jeopardize the legitimate interests of the County.
 12. Using content or language inappropriate to the workplace. Inappropriate content includes, but is not limited to, derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference, as well as discriminatory, harassing or obscene communications.
 13. Proselytizing or soliciting for any charitable, religious, political or non-work related organization, without specific authorization from the appropriate authority.
 14. Misrepresenting or attempting to hide your identity.

240-6 Harmful activities

Any activity that intentionally or negligently interferes with the proper operation of computer networks or systems is prohibited. Employees will not access or attempt to access data or information belonging to other individuals or entities without proper authorization, even if the data or information is not securely protected. Report any discovery of improperly protected data to the Information Technology help desk.

240-7 Unlawful activities

The county network and online services may not be used for any purpose that is illegal, against county policy, or contrary to the county's best interest. Network and online services users shall not download, copy, transmit or possess proprietary software or copyrighted materials (including computer images and other forms of intellectual property) without proper authorization.

240-8 File downloads

All hardware, software installed on the county system and/or any county provided terminal, regardless of whether it is linked to the system, is county property. Downloading and/or software is prohibited. Installation of any unauthorized software is prohibited. Software may only be installed on a county computer with express authorization from the Department of Information Technology.

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

RESOLUTION NO. 404

By Public Works and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENTS WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION ACCEPTING PAYMENT FOR COUNTY LAND ACQUIRED BY NEW YORK STATE FOR STATE HIGHWAY PURPOSES

WHEREAS, the New York State Department of Transportation, in connection with the State's reconstruction of Route 11 which includes a new entrance to the Public Safety Facility and Broome Community College along with turning lanes into the property known as the "Garden Plots", has acquired through eminent domain title to certain lands owned by Broome County located in the Town of Dickinson parallel to Upper Front Street which lands are part of the parcel commonly known as the "Garden Plots", and

WHEREAS, at the time the property was acquired by New York State Broome County, although the legal owner of the land, was under contract to sell the land to Newman Development Group of Dickinson, LLC (hereafter "Newman Group") making the Newman Group the equitable owner of the land, and

WHEREAS, the New York State Department of Transportation has requested that Broome County agree to certain payments by the State to the County as consideration for the taking of the County property, and

WHEREAS, the Broome County Highway Department right-of-way group has reviewed the maps and proposals and recommends accepting the State's payment offer as fair and reasonable, now, therefore, be it

RESOLVED, that the Broome County Executive is authorized to sign certain agreements with the Commissioner of Transportation for the People of the State of New York whereby the County will accept payment for lands taken by the State in connection with the Route 11 reconstruction project as follows:

<u>P.I.N #</u>	<u>Project</u>	<u>Map #</u>	<u>Parcel #</u>	<u>Consideration</u>
904323	Chenango River, SH47	34 & 35	46 & 47	\$7,200.00
904323	Chenango River, SH47	31	43	\$62,500.00
904323	Chenango River, SH47	32	44	\$4,200.00

and be it

FURTHER RESOLVED, that upon receipt of said payments from the State if Broome County has closed on the sale of the Garden Plots to the Newman Group the Broome County Commissioner of Finance is directed to forward said payments to Newman Development as the owner of the premises, and be it

FURTHER RESOLVED, that upon receipt of said payments from the State if the County has not closed on the sale of the Garden Plots to the Newman Group said payments shall be deposited in a trust account for the benefit of the Newman Group until such time as closing of title takes place at which time the trust money on deposit shall be paid over to the Newman Group, provided, however, that if title should not close, the money held in trust shall be deposited in the General Fund and be the property of the County, and be it

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

Mr. Wike moved, seconded by Mr. Burger, to amend the first FURTHER RESOLVED to add "for parcels 43, 46 and 47" after "...said payments...". **Amendment carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather). **Resolution as amended carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather).

RESOLUTION NO. 405

By Public Works and Finance Committees Seconded by Mr. Burger
RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION ACCEPTING PAYMENT FOR COUNTY LAND LOCATED IN THE TOWN OF WINDSOR ACQUIRED BY NEW YORK STATE FOR STATE HIGHWAY PURPOSES

WHEREAS, the New York State Department of Transportation, in connection with the State's proposed reconstruction of Route 17 has acquired through eminent domain title to certain lands owned by Broome County located in the Town of Windsor on Fox Farm Road, and

WHEREAS, the New York State Department of Transportation has requested that Broome County agree to certain payments by the State to the County as consideration for the taking of the County property, and

WHEREAS, the Broome County Highway Department right-of-way group has reviewed the maps and proposals and recommends accepting the State's payment offer as fair and reasonable, now, therefore, be it

RESOLVED, that the Broome County Executive is authorized to sign certain agreements with the Commissioner of Transportation for the People of the State of New York whereby the County will accept payment for lands taken by the State in connection with the Route 17 reconstruction project in the Town of Windsor as follows:

<u>P.I.N #</u>	<u>Project</u>	<u>Map #</u>	<u>Parcel #</u>	<u>Consideration</u>
9066.41.222	Binghamton-Windsor, Part 3	200	300	\$100.00

and be it

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

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

RESOLUTION NO. 406

By Community & Social Services and Finance Committees

Seconded by Mr. Burger

RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID MANAGED CARE (MAX) PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR PERIOD APRIL 1, 1998 THROUGH MARCH 31, 1999

WHEREAS, this County Legislature, by Resolution 370 of 1997, as amended by Resolution 578 of 1997, authorized the continued participation by the Department of Social Services in the Medicaid Managed Care (MAX) program for the period April 1, 1997 through March 31, 1998, and adopted a program budget therewith in the total amount of \$78,666, and

WHEREAS, it is desired to renew said program for the period April 1, 1998 through March 31, 1999 in the amount of \$113,806, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a renewal of the Medicaid Managed Care (MAX) Program for the Department of Social Services for the period April 1, 1998 through March 31, 1999 in the total amount of \$113,806, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the program budget annexed hereto as Exhibit "A" in the total amount of \$113,806 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. 407

By Finance Committee

Seconded by Mr. Burger

RESOLUTION FIXING THE DATE, TIME AND PLACE OF A PUBLIC HEARING BY THE BROOME COUNTY LEGISLATURE ON THE 1999 TENTATIVE BUDGET

WHEREAS, the County Executive will present a tentative 1999 Budget to the members of the County Legislature on Thursday, October 1, 1998, including a proposed budget, a capital program, and the budget message, and

WHEREAS, Section C606 of the Broome County Charter requires that the County Legislature hold a public hearing on the proposed budget, the capital program and the budget message submitted by the County Executive now, therefore, be it

RESOLVED, that a Public Hearing on the tentative Broome County Budget for 1999 will be held on Thursday, October 15, 1998 at 7:00pm in the Legislative Chambers, Sixth Floor, Edwin L. Crawford County Office Building, Government Plaza, Hawley Street, Binghamton, New York, and the Clerk of this County Legislature is hereby authorized to publish notice of said public hearing in the official newspaper(s) of the County pursuant to the provisions of the Broome County Charter.

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

RESOLUTION NO. 408

By Personnel, Finance and Health Services Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE HIRING OF SCOTT KELSO AS DEPUTY ADMINISTRATOR FOR FISCAL SERVICES AT THE WILLOW POINT NURSING HOME ABOVE THE MINIMUM SALARY

WHEREAS, the County Executive has recommended the hiring of Scott Kelso as Deputy Administrator for Fiscal Services at the Willow Point Nursing Home at an annual salary of \$60,000 which is 23% above the minimum salary of \$48,892, and

WHEREAS, Scott Kelso is qualified as Deputy Administrator for Fiscal Services at the Willow Point Nursing Home and has experience and/or education which justify said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Scott Kelso, as Deputy Administrator for Fiscal Services at the Willow Point Nursing Home, annual salary of \$60,000 at budget line 160028.1000.204000, effective 9/17/98.

Held over 'under the rules' by Mr. Wike.

RESOLUTION NO. 409

By Personnel, Finance and Health Services Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE HIRING OF ERNEST GAGNON AS ADMINISTRATOR OF WILLOW POINT NURSING HOME ABOVE THE MINIMUM SALARY

WHEREAS, the County Executive has recommended the hiring of Ernest Gagnon as Administrator of Willow Point Nursing Home at an annual salary of \$95,000 which is 37% above the minimum salary of \$69,392, and

WHEREAS, Ernest Gagnon is qualified as Administrator of Willow Point Nursing Home and has experience and/or education which justify said salary, and

WHEREAS, the currently vacant position of Director of Nursing Home Social Services with a minimum salary of \$32,896 (1998 salary minimum) will be eliminated in the 1999 Broome County Budget, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Ernest Gagnon, as Administrator of Willow Point Nursing Home, annual salary of \$95,000 at budget line 160028.1000.204000, effective 9/17/98.

Mr. Pasquale moved, seconded by Mr. Wike, to amend this resolution removing all references to salary, the balance of the resolution being the appointment of Mr. Gagnon. **Amendment carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather). Ms. Coffey moved to call the question, seconded by Mr. Howard. **Motion to call the question failed**, Ayes-9 (Coffey, Harbachuk, Howard, Hudak, Kolba, O'Day, Pasquale, Whalen, Wike), Nays-8 (Brunza, Burger, Hull, Kavulich, Miller, Shafer, Sweet, Schofield), Absent - 2 (Lindsey, Mather). Mr. Shafer moved to hold over the balance of the resolution. **Held over** 'under the rules'.

RESOLUTION NO. 410

By Personnel, Finance, County Administration, Economic Development & Planning, Health Services and Public Works Committees
Seconded by Mr. Burger

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE COUNTY CLERK AND THE DEPARTMENTS OF HEALTH AND PUBLIC WORKS

RESOLVED, that in accordance with a request from County Clerk, as contained in PCR#98-357, this County Legislature hereby authorizes the index code and title change of (1) Deputy County Clerk – Motor Vehicles position, Full Time, at budget line 300020.1000.101000, minimum salary \$28,194, grade 19, Union Admin I, to, (1) First Deputy County Clerk position, Full Time, at budget line 300012.1000.101000, minimum salary \$28,194, grade 19 Union Admin I, effective date 9/17/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#98-363, this County Legislature hereby authorizes the abolishment of (1) Nutrition Assistant position Full Time, at budget line 480301.1000.104145, minimum salary \$16,727, grade 9, Union CSEA, effective date 10/1/98 (WIC GRANT), and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#98-366, this County Legislature hereby authorizes the downgrade of (1) Public Health Nurse position Full Time, currently at budget line 480004.1000.101000, minimum salary \$25,669, grade 17, Union CSEA, to (1) Senior Registered Professional Nurse position, Full Time, at budget line 480004.1000.101000, minimum salary \$24,329, grade 16, Union CSEA effective date 9/21/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#98-365, this County Legislature hereby authorizes the downgrade of (1) Public Health Nurse position Full Time, currently at budget line 480061.1000.101000, minimum salary \$25,669, grade 17, Union CSEA, to (1) Senior Registered Professional Nurse position, Full Time, at budget line 480061.1000.101000, minimum salary \$24,329, grade 16, Union CSEA effective date 9/21/98, and be it

FURTHER RESOLVED, that in accordance with a request from Director of Health, as contained in PCR#98-361, this County Legislature hereby authorizes the index code change of (1) Account Clerk position, Full Time, at budget line 480319.1000.101000, minimum salary \$15,027, grade 07, Union CSEA, to budget line 480020.1000.101000, effective 10/1/98, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Public Works, as contained in PCR#98-358, this County Legislature hereby authorizes the downgrade of (1) Secretary positions Full Time, currently at budget line 030015.1000.101000, minimum salary \$20,722, grade 13, Union CSEA, to (1) Senior Account Clerk positions, Full Time, at budget line 030015.1000.101000, minimum salary \$16,727, grade 09, Union CSEA effective date 9/21/98.

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

Mr. Howard moved, seconded by Mr. Pasquale, to adjourn. **Motion to adjourn carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, Mather). Meeting adjourned at 4:57pm.

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