
**BROOME COUNTY LEGISLATURE
SPECIAL SESSION
THURSDAY, JANUARY 21, 1999**

The Legislature convened at 4:15pm 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-18, Absent-1 (Shafer).

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a prayer read by Ms. Hudak.

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 60

By Health Services and Finance Committees

Seconded by Mr. Howard

RESOLUTION AUTHORIZING THE LEASE OF 225 FRONT STREET FOR USE BY THE HEALTH DEPARTMENT

WHEREAS, the Broome County Health Department Currently leases approximately 23,000 square feet in the old Fair Store Building and 3800 square feet in the Kelly Building, and

WHEREAS, the term of the Fair Store Lease has expired and the Health Department continues in occupancy on a month-to-month basis and The Kelly Building Lease will expire in March, 1999, and

WHEREAS, the Health Department desires to lease the premises known as 225 Front Street in the City of Binghamton consisting of a 39,102 square feet building on the ground floor together with use of adjacent parking area and grounds which will provide handicapped accessibility, adequate parking for staff and clients and allow consolidation of all Health Department operations in one location, and

WHEREAS, the proposed owner of the premises has agreed to renovate the premises prior to the County taking possession bringing the premises into compliance with applicable codes, rules and regulations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with 225 Front Street, LLC, a limited liability company with offices located at 201 Robinson Street, Binghamton, New York 13904, for the lease of premises commonly known as 225 Front Street in the City of Binghamton, New York consisting of a building with 39,102 square feet of ground level space together with the use of the adjacent parking area and grounds on the following terms and conditions:

1. Term: 15 years commencing January 1, 2000 with the option to renew for an additional term of five (5) years on the same terms and conditions.
2. \$338,400 per year for the first five-year period of the initial term (1/1/2000 through 12/31/2004).

\$377,200 per year for the second five year period of the initial term (1/1/2005 through 12/31/2009).

\$433,780 per year for the third five year period of the initial term (1/1/2010 through 12/31/2014).

Rent shall include a tax escalator/de-escalator clause providing for any increase or decrease in real property taxes over the base year of 1999 pro rated according to the ratio of square footage leased by Broome County over the total square footage

of the premises assessed added to or subtracted from the rent for the year then in effect.

3. County to be responsible for utilities and routine maintenance, and be it

FURTHER RESOLVED, that this authorization is contingent upon 225 Front Street, LLC acquiring legal title to the premises known as 225 Front Street, compliance with SEQRA requirements, and Broome County subleasing approximately 5,000 square feet to Our Lady of Lourdes Memorial Hospital, Inc. (Lourdes) for use by the Lourdes in connection with the transfer of a portion of the County's Certified Home Health Agency (CHHA) programs from the County to Lourdes, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from budget lines 480046.4422.101000 and 480301.4422.104241 (Building and Land Rental), and be it

FURTHER RESOLVED that the County Executive or his duly authorized representative is authorized to enter into an early occupancy agreement providing for occupancy of the premises to be leased upon substantial completion of the renovations to be made by the landlord until the commencement of the term of the lease (provided the contingencies set forth above have been met) at a sum not to exceed \$139,167.00, 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.

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

RESOLUTION NO. 61

By Health Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING THE TRANSFER OF THE HEALTH DEPT. CHHA DISEASE AND DISABILITY AND LONG TERM HOME HEALTH CARE PROGRAMS TO LOURDES HOSPITAL AND THE SUB-LEASE TO LOURDES OF SPACE AT THE NEW HEALTH DEPARTMENT FACILITY

WHEREAS, currently, the Broome County Health Department is a (CHHA), licensed by the State of New York, and

WHEREAS, Our Lady of Lourdes Memorial Hospital, Inc. (Lourdes) has indicated that it would be willing to take over the CHHA Disease and Disability and Long Term Home Health Care Programs presently administered by the Broome County Health Department under its CHHA license and to sub-lease from the County approximately 5,000 square feet located in the proposed new Health Department facility to be located at 225 Front Street in the City of Binghamton, and

WHEREAS, said transfer of programs to Lourdes and the sub-lease of space in the proposed new Health Department Facility would result in substantial savings to the County and insure the continuation of needed services in a cost efficient manner, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Memorial Hospital, Inc., located at 169 Riverside Drive, Binghamton, New York whereby, contingent upon all necessary approvals from the New York State Department of Health and other involved regulatory agencies, Broome County would transfer its CHHA License to Lourdes and Lourdes would, at the sole expense of Lourdes operate the CHHA Disease and Disability and Long Term Home Health Care Programs presently administered by the Broome County Health Department, and be it

FURTHER RESOLVED, that the transfer of the CHHA license as hereinabove recited is contingent upon the lease by Lourdes from Broome County of approximately 5,000 square feet to be located in the proposed new Health Department Facility to be located at 225 Front Street in the City of Binghamton, New York which this County Legislature hereby authorizes on the

following terms and conditions: A five (5) year term with the option, upon consent of both parties, to renew for additional five (5) year term, with an annual rent of \$85,000 for the first year with a 4% escalator for each remaining year (including renewals) effective upon the anniversary date of the lease and any subsequent renewals to include utilities (excluding telephone and computer charges), maintenance, parking, plowing and security services, and be it

FURTHER RESOLVED, the rental income to be received as provided for hereinabove shall be credited to budget line 480046.0027.101000 (Miscellaneous Department Income), and be it

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

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

Mr. Brunza moved to adjourn, seconded by Mr. Howard. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Shafer). Meeting adjourned at 4:19pm.

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