
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, FEBRUARY 18, 1999**

The Legislature convened at 7:00pm 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 (Burger).

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

Mr. Wike moved, seconded by Mr. Miller, that the minutes of the January 21, 1999 Special Session and January 21, 1999 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Burger).

Mr. Schofield noted that the committee minutes for the week of January 15 through February 11, 1999 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. Mather and seconded by Mr. Holley. **Carried**, Ayes-18, Nays-0, Absent-1 (Burger).

ANNOUNCEMENTS FROM THE CHAIR

Mr. Schofield introduced Supervisor John E. Cheevers of the Town of Union. Mr. Cheevers addressed the Legislature with regard to the water lines installation being proposed in the landfill and airport area.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

1. Nominating 5 persons to membership on Willow Point Nursing Home Board.
2. Nominating D. McCue to membership on Private Industry Council.
3. Nominating M. Young to membership on Local Conditional Release Commission.
4. Nominating 3 persons to membership on Arena Board
5. Nominating R. D'Attilio to membership on Planning Advisory Board.
6. Nominating 3 persons to membership on the Board of Ethics.
7. Appointing Arthur R. Johnson as Commissioner of Mental Health, effective February 22, 1999.
8. Copy of letter to Adam J. Weitsman regarding Fair Store Complex.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. Petitions: Sheriff's Department: Renaming South College Drive the Lt. G. C. VanWinkle Drive

B. Communications:

1. Minutes from:
 - a. Association of Towns and Villages
 - b. Association of Municipal Clerks
 - c. Cornell Cooperative Extension Board
 - d. Nanticoke Landfill Citizens Advisory Committee
 - e. Environmental Management Council
 - f. EMC Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
 - g. Safety Committee
2. Election Commissioner Certification (Peter Chametsky)
3. Adopted Capital Improvements Program (1999-2004)

-
4. Declaration of State of Emergency: Town of Fenton, January 24, 1999 (lifted January 25, 1999)
 5. Copy of letter from Commissioner of Finance, J. Knebel, to NYS Bureau of Municipal Research & Statistics (Schedule of Real Property Taxes levied per each town in County).
 6. Resolution from Putnam County (Year 2000 Initiative/For Technical Assistance to Soil and Water Districts).

C. Notices: NONE

D. Reports:

1. Monthly Report: Broome Community College (Budget Transfers, December 1998)
2. Department of Finance: 4th Quarter Report of 1998 Sales Tax Collections; Annual Dog License Report for 1998.
3. Department of Audit & Control: Fixed Asset Audits (Public Defender, Library and County Historian, and Parks & Recreation-Administration; Follow-up review (Transit Motor Vehicle Repair Parts Inventory and Office for Aging's Grant Administration Audits); Payroll/Payout Audit for the Department of Mental Health; Hotel/Motel Occupancy Tax Compliance Audit.
4. Southern Tier Zoological Society, Inc.: Financial Statements (Year end 1997); Documented use of second half of County funds.
5. Discovery Center of the Southern Tier: Financial Statements (1997 through May 31, 1998); Certification of current accounts, certification of persons authorized to expend funds.
6. Soil and Water Conservation District: 1998 Annual Report and Financial Report.
7. Veterans' Services Center of the Southern Tier: 1997 Annual Report and Financial Statements.
8. Broome County Arts Council: 1998 Annual Report, Financial Statements for 1997.
9. Quarterly Report from Department of Public Works.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

1. Appointing the following Legislators for William T. Wike:
 - a. Brian K. Mather as voting representative, County Administration, Economic Development & Planning.
 - b. Wayne L. Howard as Chair and Wanda Hudak as voting representative, Finance Committee, February 11, 1999.

Mr. Holley moved, seconded by Mr. Kolba, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1999 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-18, Nays-0, Absent-1 (Burger).

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

Mr. Whalen requested that Mr. Steve Garlock be allowed to address the Legislature. Mr. Schofield denied the request. Mr. Whalen then challenged the chair. **Request failed**, Ayes-5 (Brunza, Kavulich, Lupardo, Pasquale, Whalen), Nays-13 (Nannery, Holley, Howard, Hudak, Hull, Kolba, Mather, Miller, O'Day, Shafer, Sweet, Wike, Schofield), Absent-1 (Burger).

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 44 (automatic holdover)

By County Administration, Economic Development & Planning, Transportation and Finance Committees

Seconded by Mr. Howard

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 1, 1999 ENTITLED "A LOCAL LAW ESTABLISHING FEES FOR THE BINGHAMTON REGIONAL AIRPORT"

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

RESOLUTION NO. 55

(held over by Mr. Burger)

By Finance Committee

Seconded by Mr. Howard

BOND RESOLUTION DATED FEBRUARY 18, 1999

AUTHORIZING THE ISSUANCE OF \$14,352,000 BONDS OF THE COUNTY OF BROOME, NEW YORK TO PAY THE COST OF VARIOUS CAPITAL PROJECTS

Mr. Whalen moved, seconded by Mr. Pasquale, to table the Landfill Public Water Supply bonding in the amount of \$6.2 million. **Motion to table failed**, Ayes-5 (Holley, Kavulich, Lupardo, Pasquale, Whalen), Nays-13 (Brunza, Nannery, Howard, Hudak, Hull, Kolba, Mather, Miller, O'Day, Shafer, Sweet, Wike, Schofield), Absent-1 (Burger). Mr. Hull moved to call the question, seconded by Mr. Kolba. **Motion to call the question carried**, Ayes-14 (Nannery, Holley, Howard, Hudak, Hull, Kolba, Lupardo, Miller, O'Day, Pasquale, Shafer, Sweet, Wike, Schofield), Nays-4 (Brunza, Kavulich, Mather, Whalen), Absent-1 (Burger). Mr. Whalen requested a separate vote on the Landfill Public Water Supply portion. Landfill Public Water Supply carried, Ayes-16, Nays-2 (Lupardo, Whalen), Absent-1 (Burger). **Balance of resolution carried**, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 62

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING THE APPOINTMENT OF PATRICIA RANDALL TO MEMBERSHIP ON THE BOARD OF DIRECTORS OF THE CATSKILL REGIONAL OFF-TRACK BETTING CORPORATION

WHEREAS, Daniel A. Schofield, chairman of the Broome County Legislature, pursuant to the powers vested in him by Local Law No. 6 of 1976 and Racing, Pari-Mutuel, Wagering and Breeding Law Section 502, has duly designated and appointed, pending confirmation by this Legislature, Patricia Randall, 1142 Daisy Drive, Binghamton, New York 13905 to membership on the Board of Directors of the Catskill Regional Off-Track Betting Corporation for a term expiring December 31, 2000, and

WHEREAS, it is desired at this time, in accordance with the provisions of Local Law No. 6 of 1976 and Racing, Pari-Mutual, Wagering and Breeding Law Section 502, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provision of Local Law NO. 6, 1976 and Racing, Pari-Mutual, Wagering and Breeding Law Section 502, does hereby confirm the appointment of Patricia Randall to membership on the Board of Directors of the Catskill Regional Off-Track Betting Corporation in accordance with her appointment by the Legislative Chairman, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to file a copy of this confirming resolution with the Catskill Regional Off-Track Betting Corporation.

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

RESOLUTION NO. 63

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FUNDING THE HALE EDDY BRIDGE PROJECT

WHEREAS, a Project for Hale Eddy Bridge, P.I.N. 9750.86 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, as provided for by agreement with the New York State Department of Transportation (NYSDOT) for Construction and Construction Supervision and Inspection work performed by the municipality for the Federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the Federal-aid and Marchiselli-aid construction work (excluding costs applicable to non-federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA's construction phase closeout audit of the Project to Project costs that are eligible for Federal-aid and Marchiselli-aid, and

WHEREAS, this County Legislature desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of the Construction and Construction Supervision and Inspection Work, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the payment to New York State Department of Transportation in the first instance of 100% of the non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof, and be it

FURTHER RESOLVED, that the County shall pay the New York State Department of Transportation an amount not to exceed \$353,000 to cover the cost of participation in the above phase of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035014.2017.502315 (Bridges), and be it

FURTHER RESOLVED, that in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, this County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by NYSDOT thereof, and be it

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

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

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION NO. 64

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH THE COUNTY OF DELAWARE TO SHARE EXPENSES FOR THE CONSTRUCTION PHASE OF THE HALE EDDY BRIDGE REPLACEMENT PROJECT

WHEREAS, this County Legislature, by Resolution 44 of 1997, authorized an agreement with the County of Delaware for the equal sharing of expenses of the design phase of the Hale Eddy Bridge Replacement Project, and

WHEREAS, the Superintendent of Highways requests authorization of a similar agreement with the County of Delaware for the construction phase expenses of such project, and

WHEREAS, such agreement would provide for reimbursement by Delaware County to Broome County of fifty percent (50%) of the construction phase expenses of such project, now, therefore, be it

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

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

FURTHER RESOLVED, that said agreement shall provide that Broome County shall pay to Delaware County 50% of any reimbursements received by Broome County from the New York State Department of Transportation, and be it

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

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

RESOLUTION NO. 65

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION DECLARING DEPARTMENT OF PUBLIC WORKS PROJECT SANITARIA SPRINGS ROAD REHABILITATION TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION

WHEREAS, the Eminent Domain Law requires that a public hearing be held in connection with any proposed public project for which the acquisition of real property through the exercise of eminent domain may be required, except that a project is exempt from the public hearing requirement "when in the opinion of the condemnor the acquisition is de minimis in nature so that the public interest will not be prejudiced by the construction of the project," and

WHEREAS, the Department of Public Works Project Sanitaria Springs Road Rehabilitation has been determined under the New York State Environmental Quality Review Act to have no substantial effect on the environment in that it involves only the reconstruction of an existing road, and

WHEREAS, the Department of Public Works desires to acquire the land rights necessary to commence the aforesaid reconstruction project and is requesting authorization from this Legislature to acquire said land by purchase or condemnation, and

WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the reconstruction work is relatively minor in nature, having no substantial effect on the environment, and at this time it appears that not more than ten permanent easements and not more than ten parcels in fee shall be obtained from adjoining property owners, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Department of Public Works Project Sanitaria Springs Road Rehabilitation to be "de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the acquisition by purchase or condemnation of the real property necessary to undertake and perform the aforesaid reconstruction project in accordance with the design and specifications for said project.

Carried, Ayes-17, Nays-1 (Brunza), Absent-1 (Burger).

RESOLUTION NO. 66

By Health Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CONSTANCE ALEXANDER FOR SPEECH THERAPY FOR WILLOW POINT NURSING HOME FOR CALENDAR YEAR 1999

WHEREAS, this County Legislature, by Resolution 491 of 1998, authorized renewal of an agreement with Constance Alexander for speech therapy at Willow Point Nursing Home for the period January 1, 1999 through December 31, 1999 at a cost of \$52.53 per hour, total amount not to exceed \$22,722, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect a higher hourly rate, with no change in total cost, and

WHEREAS, the Administrator of Willow Point Nursing Home 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 Constance Alexander, 505 Magnolia Dr., Vestal, New York 13850 for speech therapy at Willow Point Nursing Home for the period January 1, 1999 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an hourly rate of \$54.10, total not to exceed \$22,722, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160242.4706.204000 (Rehabilitation and Therapy Services), and be it

FURTHER RESOLVED, that Resolution 491 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 67

By Education, Culture & Recreation and Finance Committees Seconded by Mr. Holley
RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH AMERITECH LIBRARY SERVICES FOR MAINTENANCE OF DYNIX LIBRARY SYSTEM FOR BROOME COUNTY CENTRAL LIBRARY FOR CALENDAR YEAR 1999

WHEREAS, this County Legislature, by Resolution 323 of 1998, authorized renewal of an agreement with Ameritech Library Services for maintenance of the DYNIX library system for the Broome County Central Library at a total amount not to exceed \$7,522.67 for the period August 1, 1998 through December 31, 1998, and

WHEREAS, said services are necessary for continued software and hardware maintenance, and

WHEREAS, said agreement expired by its terms on December 31, 1998, and it is desired at this time to renew said agreement for the period January 1, 1999 through December 31, 1999 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ameritech Library Services, 400 Dynix Drive, Provo, Utah 84604-5650 for maintenance of the DYNIX library system for the Broome County Central Library for the period January 1, 1999 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$20,800 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 841007/841005.4514/4359.304111/304211 (Hardware Maintenance) (Computer Software and Supplies), and be it

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

RESOLUTION NO. 68

By Transportation Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY AIRPORT ADVISORY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 195 of 1987, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Airport Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Dennis Moulton 8 Maple Ave. Windsor, NY 13865	New Appointment Expires 12/31/01
Thomas Sullivan 3390 Hance Rd. Binghamton, NY 13903	Reappointment Expires 12/31/01
Carl Wenzinger, Jr. Bunn Hill Rd. Vestal, NY 13850	Reappointment Expires 12/31/01

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 195 of 1987, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 195 of 1987, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Airport Advisory Board in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 69

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENTS AND ESTABLISHMENT OF NEW AGREEMENTS WITH VARIOUS VENDORS TO PROVIDE SERVICES FOR THE HEALTH DEPARTMENT'S DIVISION OF CHILD DEVELOPMENT AND PRESCHOOL EDUCATION PROGRAM

WHEREAS, this County Legislature, by Resolutions 469 and 470 of 1998, authorized renewals and establishment of new agreements with various vendors for services for the Health Department's Division of Child Development, and

WHEREAS, the Health Department requests authorization for amendment of existing agreements and establishment of new agreements with the various providers as listed on the attached Exhibit "A" for services for the programs for the periods as indicated on Exhibit "A", and

WHEREAS, said services are necessary to provide various services, including itinerant speech, occupational, and physical therapies, special education, medical services (including psychological evaluations, social history, physical examinations, and non-physician evaluation), classroom and personal care aides, service coordination, interpreters, nursing services, counseling, and transportation for the Health Department's Division of Child Development, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes amendment of agreements and establishment of new agreements with various vendors for services as listed on the attached Exhibit "A" for the Health Department's Division of Child Development for the periods as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that the Contractors shall be paid at the rates set by the New York State Departments of Health and Education as per the attached Exhibits "B" and "C", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480293.4706/4715.101XXX, total amount not to exceed the legal appropriations, and be it

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

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

RESOLUTION NO. 70

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF RENEWAL OF EMERGENCY MANAGEMENT ASSISTANCE PROGRAM STATE AID FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999

WHEREAS, this County Legislature, by Resolution 588 of 1997, authorized acceptance of the Emergency Management Assistance funds authorized by the New York State Emergency Management Office for the period October 1, 1997 through September 30, 1998, and

WHEREAS, said agreement expired by its terms on September 30, 1998 and it is desired to renew said agreement for the period October 1, 1998 through September 30, 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the Emergency Management Assistance funds in the amount of \$34,557 authorized by New York State Emergency Management Office for the period October 1, 1998 through September 30, 1999, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 460006.0369.101000 (Civil Defense), and be it

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

Carried, Ayes-18, Nays-0, Absent-1 (Burger)

RESOLUTION NO. 71

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INC. FOR PROFESSIONAL LABORATORY SERVICES AT THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR THE PERIOD MARCH 1, 1999 THROUGH FEBRUARY 29, 2000

WHEREAS, this County Legislature, by Resolution 7 of 1998, authorized renewal of an agreement with Buck Environmental Laboratories, Inc. for professional laboratory services at the Nanticoke Landfill at a cost of \$63,000 for the period March 1, 1998 through February 28, 1999, and

WHEREAS, said services are necessary for environmental monitoring and site analysis, and WHEREAS, said agreement expires by its terms on February 28, 1999, and it is desired at this time to renew said agreement for the period March 1, 1999 through February 29, 2000 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Buck Environmental Laboratories, Inc., P O Box 5150, 3845 NYS Route 11 South, Cortland, New York 13045 for professional laboratory services at the Nanticoke Landfill for the period March 1, 1999 through February 29, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total cost not to exceed \$63,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4545.206000 (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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 72

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH HAWK ENGINEERING, P.C. FOR SURVEYING SERVICES FOR THE DEPARTMENT OF SOLID WASTE FOR THE PERIOD FEBRUARY 18, 1999 THROUGH FEBRUARY 17, 2000

WHEREAS, the Deputy Director of Solid Waste requests authorization for an agreement with Hawk Engineering, P.C. for surveying services for the period February 18, 1999 through February 17, 2000, at a cost not to exceed \$56,000, and

WHEREAS, said services are necessary to assist in the redesigning and rebuilding of roadways at the Nanticoke Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Hawk Engineering, P.C., P. O. Box 427, Binghamton, New York 13902-0427 for survey services for the period February 18, 1999 through February 17, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$56,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235044.2018.502305 (Landfill), and be it

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

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

RESOLUTION NO. 73

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWNS OF UNION, MAINE AND KIRKWOOD

WHEREAS, the County of Broome now owns certain parcels of real property 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:

1. Town of Union, parcel 001.156-487, amount to be cancelled \$1,804.01.
2. Town of Kirkwood, parcel 162.15-1-18, amount to be cancelled \$162.77.
3. Town of Maine, parcel 107.12-1-8, amount to be cancelled \$128.73

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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 74

By County Administration, Economic Development & Planning and Finance Committees
Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DANKA OFFICE IMAGING FOR MAINTENANCE OF DUPLICATOR AND COPIER/PRINTER FOR DIVISION OF INFORMATION TECHNOLOGY FOR CALENDAR YEARS 1999 THROUGH 2001

WHEREAS, this County Legislature, by Resolution 659 of 1995, as amended by Resolution 92 of 1998, authorized an agreement with Eastman Kodak Company (now assigned to Dank Office Imaging) for maintenance of a Kodak IS 110A duplicator and a Kodak IS 70NA copier-printer for the period January 1, 1996 through December 31, 1998, and

WHEREAS, the cost of maintenance of the Kodak IS 70NA is \$715 per month plus \$.0047 per copy, except that there is no monthly charge or cost per copy during the first three months, and

WHEREAS, the cost of maintenance of the Kodak IS 110A is \$620 per month plus \$.0047 per copy, except that there is no monthly charge during the first twelve months, and

WHEREAS, said agreement expired by its terms on December 31, 1998 and it is desired at this time to renew said agreement for the period January 1, 1999 through December 31, 2001 under the same terms as set forth above, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of an agreement with Danka Office Imaging, P. O. Box 640361, Pittsburgh, Pennsylvania 15264-0361 for maintenance of a Kodak IS 110A Duplicator and a Kodak IS 70NA copier-printer for the period January 1, 1999 through December 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services the County shall pay the Contractor an amount not to exceed for the Kodak IS 70NA, after the first three months of \$715 per month plus \$.0047 per copy and for the Kodak IS 110A, \$620 per month after the first twelve months and \$.0047 per copy during the entire term, total yearly contract amount not to exceed \$38,020, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370049.4518.101000 (Copy Machine Rental), and be it

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

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

RESOLUTION NO. 75

By Public Safety & Emergency Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH PENNSYLVANIA INSTITUTIONAL HEALTH SERVICES FOR HEALTH SERVICES AT THE BROOME COUNTY JAIL FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999

WHEREAS, this County Legislature, by Resolution 328 of 1995, authorized an agreement with Pennsylvania Institutional Health Services for the Broome County Jail, at a cost of \$657,480, and

WHEREAS, said agreement has been modified by Resolutions 117 of 1996, 404 and 609 of 1997 and 302 of 1998, and

WHEREAS, Resolution 350 of 1998 authorized a new agreement for the period October 1, 1998 through September 30, 1999, and

WHEREAS, Resolution 117 of 1996 authorized an amendment clarifying responsibility for providing mental health-related pharmaceuticals and the related audit costs, and

WHEREAS, said amendment of agreement expired as of June 30, 1998, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreements with Pennsylvania Institutional Health Services, 3940 Locust Lane, Harrisburg, Pennsylvania 17109 clarifying mental health related pharmaceuticals and related audit costs, such amendment to be effective during the term of the current health services agreement and any renewal or extension thereof, and be it

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

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

RESOLUTION NO. 76

By Education, Culture & Recreation, Personnel and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF THE NATURAL HERITAGE TRUST GRANT FOR CALENDAR YEAR 1999

WHEREAS, this County Legislature, by Resolution 169 of 1998, authorized and approved renewal of the Natural Heritage Trust Grant and adopted a program budget in the amount of \$9,344 for the period January 1, 1998 through December 31, 1998, and

WHEREAS, said grant program provides for the Naturalist position in the Nature Interpretation Program at Finch Hollow Nature Center, and

WHEREAS, it is desired to renew said grant program for the Natural Heritage Trust Grant in the amount of \$9,344 for the period January 1, 1999 through December 31, 1999, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$9,344 from the New York State Office of Parks, Recreation and Historic Preservation, Jamesville, New York 13078 for the Natural Heritage Trust Grant for the period January 1, 1999 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 \$9,344 for the period January 1, 1999 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) is 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 77

By County Administration, Economic Development & Planning Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF DESK DIRECTORIES FOR BROOME COUNTY, FOR CALENDAR YEAR 1999

WHEREAS, the Legislative Clerk requests authorization for acceptance of 500 desk directories valued at approximately \$400 from the Electricians Local #325, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, 24 Emma Street, Binghamton, NY 13905 and Local #112, of the UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED STATES AND CANADA, 11 Griswold Street, Binghamton NY 13904 to be used for the specific purpose of providing reference

material to the various departments of Broome County Government and interested citizens, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a gift of approximately 500 Desk Directories valued at approximately \$400 for the purpose of providing a reference guide to the various departments of Broome County Government and interested citizens through the Office of the Clerk of the Legislature, and be it

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

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

RESOLUTION NO. 78

By Health Services Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY WILLOW POINT NURSING HOME BOARD

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Pastor Timothy Dodd 816 Old Vestal Lane Vestal, NY 13850	New Appointment Expires 12/31/01
Jack Leddon 625 Rano Boulevard Vestal, NY 13850	New Appointment Expires 12/31/01
Rosemary Yurka WPNH 3700 Old Vestal Rd. Vestal, NY 13850	New Appointment Expires 12/31/01
Garnita Cole 51 Matthew Dr. Binghamton, NY 13901	New Appointment Expires 12/31/01
Ruth Davis 628 Rano Blvd. Vestal, NY 13850	Reappointment Expires 12/31/01

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XIV of the Broome County Charter and Administrative Code, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Willow Point Nursing Home Board in accordance with their appointment by the County Executive.

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

RESOLUTION NO. 79

By County Administration, Economic Development & Planning Committee
Seconded Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENT OF DONNA MCCUE TO MEMBERSHIP OF THE BROOME COUNTY PRIVATE INDUSTRY COUNCIL

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 337 of 1983, has duly designated and appointed, pending confirmation by this Legislature, Donna McCue to membership on the Broome County Private Industry Council, for a term expiring December 31, 2001, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 337 of 1983 to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 337 of 1983, does hereby confirm the appointment of Donna McCue, 91 Riverside Dr., Binghamton, New York 13905 to membership on the Broome County Private Industry Council in accordance with her appointment by the County Executive.

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

RESOLUTION NO. 80

By Finance, Public Works and Education, Culture & Recreation Committees
Seconded by Ms. Sweet

RESOLUTION AMENDING THE 1998 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 1998 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Project Code</u>	<u>Project Name</u>
502303	98 – Arena Dasher Board Replacement

Description: Replace 26 year old dasher board system. Necessary to allow for maintaining the ice rink for professional hockey.

TO:

<u>Project Code</u>	<u>Project Name</u>
502303	98- Arena Dasher Board Replacement/Multi-Sport Modifications

Description: Replace 26-year old dasher board system with a new dasher board system and modifications that allow for multi-sport use.

There is no change in the total project cost (\$150,000); Project is totally funded by County current revenue.

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

RESOLUTION NO. 81

By Personnel, Finance and Public Safety & Emergency Services Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING REVISION OF HOURLY RATE SCHEDULE FOR SENIOR FIRE INVESTIGATOR AND FIRE INVESTIGATOR FOR THE OFFICE OF EMERGENCY SERVICES

WHEREAS, this County Legislature, by Resolution 507 of 1994, authorized a revision of the hourly rate schedule for non-union, temporary and seasonal employees effective for 1995, and

WHEREAS, the rates for Senior Fire Investigator and Fire Investigator for the Office of Emergency Services were set at \$8.20 per hour and \$6.44 per hour, respectively, and

WHEREAS, it is desired at this time to amend the rates for the above-referenced positions, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the rate schedule for Senior Fire Investigator and Fire Investigator for the Office of Emergency Services to \$10 per hour and \$8 per hour, respectively, and be it

FURTHER RESOLVED, that the effective date of said amendment shall be January 1, 1999.

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

RESOLUTION NO. 82

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF PEER EDUCATION TEAM GRANT AND ESTABLISHING AGREEMENT WITH RECIPIENT AFFAIRS OFFICE FOR PEER EDUCATION FOR THE DEPARTMENT OF MENTAL HEALTH FOR CALENDAR YEAR 1999

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Peer Education Grant in the amount of \$23,392 and establish an agreement with Recipient Affairs Office for peer education for calendar year 1999, at a cost not to exceed \$23,392, and

WHEREAS, said services are necessary to present information on mental health services to agencies, clinics, hospitals and recipients of such services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a Peer Education Team Grant in the amount of \$23,392 and establishment of an agreement with Recipient Affairs Office, 305 Clinton St., Binghamton, New York 13905 for peer education for calendar year 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto and incorporated herein as Exhibit "A" in the total amount of \$23,392 for calendar year 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,400 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4545.104XXX (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, 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 83

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF PEER BRIDGERS GRANT AND AUTHORIZING AGREEMENT WITH RECIPIENT AFFAIRS OFFICE FOR ASSISTANCE TO HOSPITAL PATIENTS FOR THE DEPARTMENT OF MENTAL HEALTH FOR CALENDAR YEAR 1999

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Peer Bridgers Grant in the amount of \$28,000 and for an agreement with Recipient Affairs Office for assistance to hospital patients for calendar year 1999, at a cost not to exceed \$28,000, and

WHEREAS, said services are necessary to assist patients in Binghamton General Hospital to return to the community more quickly, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a Peer Bridgers Grant in the amount of \$28,000 and establishment of an agreement with Recipient Affairs Office, 305 Clinton St., Binghamton, New York 13905 for assistance to hospital patients for calendar year 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto an incorporated herein as Exhibit "A" in the total amount of \$28,000 for calendar year 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$28,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4545.104XXX (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, 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 84

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF MENTALLY ILL CHEMICAL ABUSER (MICA) PEER SERVICES GRANT AND AGREEMENT WITH RECIPIENT AFFAIRS OFFICE FOR ASSISTANCE TO MENTALLY ILL CHEMICAL ABUSERS FOR THE DEPARTMENT OF MENTAL HEALTH FOR CALENDAR YEAR 1999

WHEREAS, the Commissioner of Mental Health requests authorization to accept a MICA Peer Services Grant in the amount of \$109,558 and for an agreement with Recipient Affairs Office for assistance to mentally ill chemical abusers for calendar year 1999, at a cost not to exceed \$109,558, and

WHEREAS, said services are necessary to assist individuals, especially single mothers, in recovery from alcohol and/or substance dependency, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a MICA Peer Services Grant in the amount of \$109,558 and establishment of an agreement with Recipient Affairs Office, 305 Clinton St., Binghamton, New York 13905 for assistance to mentally ill chemical abusers for calendar year 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto an incorporated herein as Exhibit "A" in the total amount of \$109,558 for calendar year 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$109,558 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.4545.104XXX (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, 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 85

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF BEHAVIORAL HEALTH CLINIC GRANT AND AGREEMENT WITH CATHOLIC CHARITIES FOR DEVELOPMENT OF A COMMUNITY PARTNERSHIP FOR THE DEPARTMENT OF MENTAL HEALTH FOR CALENDAR YEAR 1999

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Behavioral Health Clinic Grant in the amount of \$20,000 and for an agreement with Catholic Charities for development of a community partnership for calendar year 1999, at a cost not to exceed \$20,000, and

WHEREAS, said services are necessary to improve coordination, effectiveness and continuity of care for residents with psychiatric and/or chemical abusing disorders, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a Behavioral Health Clinic Grant in the amount of \$20,000 and establishment of an agreement with Catholic Charities, 284 Main St., Binghamton, New York 13905 for development of a community partnership for calendar year 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto an incorporated herein as Exhibit "A" in the total amount of \$20,000 for calendar year 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 470138.5031.104XXX (Catholic Charities), 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 86

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF MENTALLY ILL CHEMICAL ABUSER (MICA) HOMELESS SUPPORTIVE CASE MANAGEMENT GRANT AND AGREEMENT WITH CATHOLIC CHARITIES FOR INFORMATION/REFERRAL SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR CALENDAR YEAR 1999

WHEREAS, the Commissioner of Mental Health requests authorization for acceptance of a MICA Homeless Supportive Case Management Grant in the amount of \$117,012 and an agreement with Catholic Charities for information/referral services for calendar year 1999, at a cost not to exceed \$117,012, and

WHEREAS, said services are necessary to utilize supportive case managers to provide advocacy, information/referral and support services to individuals recovering from alcohol/substance dependency, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a MICA Homeless Supportive Case Management Grant in the amount of \$117,012 and establishment of an agreement with Catholic Charities, 284 Main St., Binghamton, New York 13905 for utilization of supportive case managers to provide advocacy, information/referral and support services to individuals recovering from alcohol and/or substance dependency for calendar year 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto an incorporated herein as Exhibit "A" in the total amount of \$117,012 for calendar year 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$117,012 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5031.104XXX (Catholic Charities), 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 87

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF RURAL B.E.A.R. (BRING EQUAL ACCESS TO RESIDENTS) GRANT AND AGREEMENT WITH MENTAL HEALTH ASSOCIATION FOR THERAPEUTIC SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR CALENDAR YEAR 1999

WHEREAS, the Commissioner of Mental Health requests authorization for acceptance of a Rural B.E.A.R. Grant in the amount of \$16,500 and an agreement with Mental Health Association for therapeutic services for calendar year 1999, at a cost not to exceed \$16,500, and

WHEREAS, said services are necessary to provide services to rural, low-income children/families who have difficulty accessing urban-based services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a Rural B.E.A.R. Grant in the amount of \$16,500 and establishment of an agreement with the Mental Health Association, 82 Oak St., Binghamton, New York 13905 for therapeutic services for calendar year 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto an incorporated herein as Exhibit "A" in the total amount of \$16,500 for calendar year 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$16,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5028.104XXX (Mental Health Association), 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-16, Nays-1 (Hudak), Absent-1 (Burger), Abstain-1 (Lupardo).

RESOLUTION NO. 88

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF SELF-HELP INDEPENDENCE GRANT AND AGREEMENT WITH MENTAL HEALTH ASSOCIATION FOR WORKSHOPS FOR THE DEPARTMENT OF MENTAL HEALTH FOR CALENDAR YEAR 1999

WHEREAS, the Commissioner of Mental Health requests authorization for acceptance of a Self-Help Independence Grant in the amount of 30,000 and an agreement with Mental Health Association for workshops for calendar year 1999, at a cost not to exceed \$30,000, and

WHEREAS, said workshops are necessary to foster self-help and networks of support for individuals with serious psychiatric disorders, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a Self-Help Independence Grant in the amount of \$30,000 and establishment of an agreement with the Mental Health Association, 82 Oak St., Binghamton, New York 13905 for workshops for calendar year 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto and incorporated herein as Exhibit "A" in the total amount of \$30,000 for calendar year 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$30,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5028.104XXX (Mental Health Association), 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-1 (Burger), Abstain-1 (Lupardo).

RESOLUTION NO. 89

By Transportation Committee

Seconded by Mr. O'Day

RESOLUTION AMENDING THE NAME OF THE AIRPORT ADVISORY BOARD AND INCREASING MEMBERSHIP

WHEREAS, Resolution 195 of 1987 established the Airport Advisory Board consisting of eleven members, and

WHEREAS, it is desired to increase the board membership from eleven to fifteen and change the name to the Binghamton Regional Airport Advisory Board now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 195 of 1987 by changing the name of the Airport Advisory Board to the Binghamton Regional Airport Advisory Board and to increase the membership of said board from eleven to fifteen members, and be it

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

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

RESOLUTION NO. 90

By Transportation & Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION GRANT FOR THE PASSENGER TERMINAL REHABILITATION PROJECT

WHEREAS, the Commissioner of Aviation requests authorization to accept a Federal Aviation Administration Grant in the amount of \$559,488 for the Passenger Terminal Rehabilitation Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$559,488 from the Federal Aviation Administration for the Passenger Terminal Rehabilitation Project, and be it

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

form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 91

By Transportation and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH MCFARLAND-JOHNSON, INC., FOR DESIGN SERVICES FOR THE BINGHAMTON REGIONAL AIRPORT

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland-Johnson, Inc. for design services at a cost not to exceed \$44,100, and

WHEREAS, said services are necessary for the West Apron Expansion Project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., 171 Front St., P. O. Box 1980, Binghamton, New York 13902 for design services for the Binghamton Regional Airport with a term not to exceed One Hundred Eighty (180) days from the date of this resolution, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$44,100 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211029.2019.502312, and be it

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

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

RESOLUTION NO. 92

By Public Safety & Emergency Services Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH THE MENTAL HEALTH ASSOCIATION OF THE SOUTHERN TIER, INC. FOR THE MENTAL HEALTH EMERGENCY RESPONSE PLAN

WHEREAS, the Director of Emergency Services requests authorization of an agreement with the Mental Health Association of the Southern Tier, Inc. for adoption of the Mental Health Emergency Response Plan as an annex to the Broome County Emergency Operations Plan, at no cost to the County, and

WHEREAS, such agreement will provide for cooperation and coordination between the Office of Emergency Services and said Association in carrying out their assigned responsibilities in the event of natural or man-made disasters, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Mental Health Association of the Southern Tier, Inc. for adoption of the Mental Health Emergency Response Plan as an annex to the Broome County Emergency Operations Plan, at no cost to 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.

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

RESOLUTION NO. 93

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH KINNALLY JOHN & ASSOCIATES, INC., FOR CONSULTING SERVICES FOR WILLOW POINT NURSING HOME FOR THE PERIOD FEBRUARY 1, 1999 THROUGH DECEMBER 31, 1999

WHEREAS, the Director of Willow Point Nursing Home requests authorization for an agreement with Kinnally John & Associates, Inc. for consulting services for the period February 1, 1999 through December 31, 1999, at a cost not to exceed \$60,000, and

WHEREAS, said services are necessary to complete a cost report and analyze cost structure to maximize reimbursement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Kinnally John & Associates, Inc., Karner Woods, 453 New Karner Road, Albany, New York 12205 for consulting services for Willow Point Nursing Home for the period February 1, 1999 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$60,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010.4725.204000 (Other Financial Services), and be it

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

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

RESOLUTION NO. 94

By Health Services, Personnel and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF FORENSIC OUTREACH PROJECT GRANT FOR MENTAL HEALTH FOR CALENDAR YEAR 1999

WHEREAS, the Commissioner of Mental Health requests authorization to accept a Forensic Outreach Project Grant in the amount of \$49,422 for calendar year 1999, and

WHEREAS, said grant program creates a full time social worker position at the Public Safety Facility to assess and begin discharge planning for mentally ill inmates, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a Forensic Outreach Project Grant for the Department of Mental Health in the amount of \$49,422 for calendar year 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 \$49,422 for calendar year 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 95

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

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF RADON AWARENESS GRANT FOR THE DEPARTMENT OF HEALTH FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999

WHEREAS, the Department of Health requests authorization to accept a Radon Awareness Grant in the amount of \$10,000 for the period October 1, 1998 through September 30, 1999, and

WHEREAS, said grant program increases awareness of the health threats posed by radon in the indoor air environment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,000 from the New York State Department of Health for a Radon Awareness Grant 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 \$10,000 for the period October 1, 1998 through September 30, 1999, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

RESOLUTION NO. 96

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING REVISION OF THE HEALTH DEPARTMENT HEALTHY WOMEN PARTNERSHIP PROGRAM FOR THE PERIOD JULY 1, 1998 THROUGH MARCH 31, 1999

WHEREAS, this County Legislature, by Resolution 424 of 1998, authorized revision of the Health Department Healthy Women Partnership Program for the period July 1, 1998 through March 31, 1999 and adopted a program budget in connection therewith in the total amount of \$195,817, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in grant appropriations in the amount of \$28,300, now, therefore, be it

RESOLVED, that this County Legislature hereby adopts and approves the revised program budget for the Healthy Women Partnership annexed hereto as Exhibit "A" in the total

amount of \$224,117 for the period July 1, 1998 through March 31, 1999 reflecting an increase of the grant by \$28,300, and be it

FURTHER RESOLVED, that Resolution 424 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 97

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF BINGHAMTON UNIVERSITY BACHELOR OF ARTS DEGREE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES FOR THE PERIOD SEPTEMBER 1, 1998 THROUGH AUGUST 31, 1999

WHEREAS, this County Legislature, by Resolution 368 of 1997, authorized renewal of the Bachelor of Arts Degree Program Grant in the amount of \$47,217 for the period September 1, 1997 through July 31, 1998, by the Department of Social Services, and

WHEREAS, said grant program provides for selected Department of Social Services employees to enroll on a part-time basis in the Bachelor of Arts in Applied Social Sciences Program at Binghamton University, and

WHEREAS, it is desired to renew said grant program, at no cost to Broome County, for the period September 1, 1998 through August 31, 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$61,440 from New York State Department of Social Services for the Bachelor of Arts Degree Program at Binghamton University for the period September 1, 1998 through August 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 \$61,440 for the period September 1, 1998 through August 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 98

By Health Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH LOURDES HOSPITAL FOR LAB TESTING FOR WILLOW POINT NURSING HOME FOR THE PERIOD JULY 1, 1998 THROUGH JUNE 30, 1999

WHEREAS, the Broome County Board of Acquisition and Contract, at regularly scheduled meeting held on 7/8/98, authorized renewal of an agreement with Lourdes Hospital for lab testing for Willow Point Nursing Home at a cost of \$500 for the period July 1, 1998 through June 30, 1999, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for direct billing to Medicare at a cost of \$21,600, and

WHEREAS, the Administrator of Willow Point Nursing Home 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 Lourdes Hospital, 169 Riverside Dr., Binghamton, New York 13905 for lab testing for Willow Point Nursing Home 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 an amount not to exceed \$21,600 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160192.4747.204000 (Other Fees for Services), and be it

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

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

RESOLUTION NO. 99

By County Administration, Economic Development & Planning Committee
Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENT OF RICHARD D'ATTILIO TO MEMBERSHIP ON THE BROOME COUNTY PLANNING ADVISORY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article XV of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, Richard D'Attilio to membership on the Broome County Planning Advisory Board, for a term expiring December 31, 2002, and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XV of the Broome County Charter and Code, does hereby confirm the appointment of Richard D'Attilio to membership on the Broome County Planning Advisory Board in accordance with his appointment by the County Executive.

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

RESOLUTION NO. 100

By Public Safety & Emergency Services Committee Seconded by Mr. O'Day
RESOLUTION CONFIRMING APPOINTMENT OF MARK YOUNG TO MEMBERSHIP ON THE BROOME COUNTY LOCAL CONDITIONAL RELEASE COMMISSION

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 467 of 1989, has duly designated and appointed, pending confirmation by this Legislature, Mark Young to membership on the Broome County Local Conditional Release Commission, for a term expiring December 31, 2002, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 467 of 1989 to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 467 of 1989, does hereby confirm the appointment of Mark Young to membership on the Broome County Local Conditional Release Committee in accordance with his appointment by the County Executive.

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

RESOLUTION NO. 101

By Education, Culture & Recreation Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY ARENA BOARD

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

<u>NAME</u>	<u>TERM EXPIRING</u>
James Sacco 135 Elaine Dr. Binghamton, NY 13905	New Appointment 12/31/01
William Miller, Sr. 1997 New York Route 12 Binghamton, NY 13901	Reappointment 12/31/01
Norman Shadduck, Jr. 71 Bigelow St. Binghamton, NY 13904	Reappointment 12/31/01

and

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

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

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

RESOLUTION NO. 102

By Finance and Public Works Committees

Seconded by Ms. Sweet

RESOLUTION AMENDING THE 1999 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 1999 Capital Improvement Program is hereby amended as follows:

FROM: Estimated Construction Cost:

<u>Project Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502315	99 – Highway Reconstruction	1,000,000	0	0	1,000,000

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1999	10	0	1,000,000

Description: Reconstruct various county roads. Priority based on need.

TO: Estimated Construction Cost:

<u>Project Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502315	99 – Highway Reconstruction	1,356,500	126,500	230,000	1,000,000
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		1999	10	0	1,000,000

Description: Reconstruct various county roads (Priority based on need), and construction phase of Hale Eddy Bridge Replacement Project.

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

RESOLUTION NO. 103

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH MCFARLAND-JOHNSON, INC. FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, this County Legislature, by Resolution 45 of 1997, authorized an agreement with McFarland-Johnson, Inc. for professional services for the design phase of Hale Eddy Bridge Replacement at a cost of \$261,042 for the period January 1, 1997 through April 30, 1998, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the contract through March 31, 1999 and to request an additional \$5,482, total amended contract not to exceed 266,524 to incorporate additional services including extra cultural resources investigation, metric conversion and survey and mapping, and

WHEREAS, the Commissioner of Public Works 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 McFarland-Johnson, Inc., P. O. Box 1980, Binghamton, New York 13902 for professional design services for the Hale Eddy Bridge Replacement to extend the term of the contract through March 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$6,137, total amended contract not to exceed \$267,179, and be it

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

FURTHER RESOLVED, that Resolution 45 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 104

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH NEW YORK STATE UNIFIED COURT SYSTEM FOR REIMBURSEMENT TO THE COUNTY FOR COURT MAINTENANCE SERVICES FOR THE PERIOD APRIL 1, 1998 THROUGH MARCH 31, 2003

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with New York State Unified Court System for reimbursement to the County for court

WHEREAS, said services are necessary to comply with laws regarding rabies vaccinations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Dr. Robert Bellinger, 70 Walling Rd., Port Crane, New York 13833 for vaccination services for the Dog Shelter for the period March 1, 1999 through February 29, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 031476.4742.101000 and 480137.4742.101000 (Veterinarian Services), and be it

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

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

RESOLUTION NO. 107

By Health Services Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENT OF MARY NORMILE TO MEMBERSHIP ON THE BROOME COUNTY COMMUNITY ALTERNATIVES SYSTEMS AGENCY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 70 of 1984, has duly designated and appointed, pending confirmation by this Legislature, Mary Normile to membership on the Broome County Community Alternatives Systems Agency, for a term expiring December 31, 2001, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 70 of 1984 to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 70 of 1984, does hereby confirm the appointment of Mary Normile, 56 Highland Avenue, Binghamton, New York 13905 to membership on the Broome County Community Alternatives Systems Agency Board for a term expiring December 31, 2001 in accordance with her appointment by the County Executive.

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

RESOLUTION NO. 108

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AGREEMENT WITH SOUTHERN TIER COPY PRODUCTS, INC. FOR LEASE OF COPY MACHINES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR A FIVE YEAR PERIOD

WHEREAS, the Director of Purchasing at the direction of the County Legislature has re-bid on behalf of the Department of Social Services, a lease agreement for copy machines, and

WHEREAS, the Director of Purchasing on behalf of the Department of Social Services, requests authorization for a lease agreement with Southern Tier Copy Products, Inc. for copy machines for a five year period beginning on or about March 1, 1999, and

WHEREAS, said recommendation is based on a competitive bid, (said bid and bid tabulations are on file with the Clerk of the County Legislature) which contained terms and conditions of said lease(s) along with 'trade-in' options, and

WHEREAS, budget authorization for these leases is contained in the 1999 Broome County Budget, now, therefore be it

RESOLVED, that this County Legislature hereby approves a lease agreement with Southern Tier Copy Products, Inc., 1 Lewis St., Binghamton, New York 13901 for leases of copy machines as set forth in the attached Exhibit 'A' for a five year period which shall start on the date of delivery and set-up of said machines, and be it,

FURTHER RESOLVED, that payments for the leases hereinabove authorized shall come from sub-object .4518 Copy Machine Rentals in the department's budget, and be it

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

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

RESOLUTION NO. 109

By Finance Committee

Seconded by Mr. Kavulich

RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON TAX ROLLS FOR 1999

WHEREAS, applications for Correction of Errors on Tax Rolls for 1999 have been duly filed with the Director of Real Property Tax Service for the County of Broome, and

WHEREAS, the Director of Real Property Tax Service has filed a report pursuant to Section 554 of the Real Property Tax Law and certain claimed errors have been determined to exist which should be corrected, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the applications for correction and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in accordance with the list attached hereto as Exhibit "A", pursuant to Section 554 of the Real Property Tax Law, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to transmit a copy of this Resolution and a copy of the approved applications to each tax officer having jurisdiction of the respective tax rolls.

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

RESOLUTION NO. 110

By Public Works Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, Daniel A. Schofield, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Resolutions 115 of 1944 and 27 of 1972, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Soil and Water Conservation District for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
William Hattala Box 437-Saddlemire Rd. Binghamton, NY 13903	December 31, 2001 (Reappointment-Grange Representative)
Keith Whitaker 4610 NY Route 26 Whitney Point, NY 13862	December 31, 2001 (New Appointment, Farm Bureau Representative)
George Maslar 163 North Rd. Windsor, NY 13865	December 31, 1999 (Fill unexpired term of Kirk Decker)

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolutions 115 of 1944 and 27 of 1972, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolutions 115 of 1944 and 27 of 1972, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Soil and Water Conservation District in accordance with their appointment by the Legislative Chairman.

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

RESOLUTION NO. 111

By County Administration, Planning & Economic Development Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

WHEREAS, Daniel A. Schofield, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Resolution No. 78, adopted March 4, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Industrial Development Agency Board of Directors for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>	<u>NAME</u>	<u>TERM EXPIRING</u>
George Akel, Jr. 2165 E. Hamton Road Binghamton, NY 13903	Dec. 31, 2000 (Reappointment)	Charles N. Griffiths, Jr. 3740 Cobblestone Ct. Binghamton, NY 13903	Dec. 31, 2000 (Reappointment)
Susan A. Inneo 22 Grand Boulevard Binghamton, NY 13905	Dec. 31, 2000 (Reappointment)	Douglas M. McMaster 27 Rudd Road Windsor, NY 13865	Dec. 31, 2000 (Reappointment)
Gary VanNostrand 38 Laurel Avenue Binghamton, NY 13905	Dec. 31, 2000 (Reappointment)	John A. Robilotto 17 Edgecomb Rd. Binghamton, BY 13905	Dec. 31, 2000 (Reppointment)
Peter N. Hankin 174 Brown Road Vestal, NY 13850 and	Dec. 31, 2000 (Reappointment)	James L. Hackett 3715 Maplehurst Drive Endwell, NY 13760	Dec. 31, 2000 (Reappointment)

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 78, adopted March 24, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 78, adopted March 24, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, does hereby confirm the appointments of the above-mentioned individuals to membership on the Broome County Industrial Development Agency Board of Directors in accordance with their appointments by the Legislative Chairman.

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

RESOLUTION NO. 112

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING REVISION OF THE NARCOTICS CONTROL PROGRAM GRANT FOR YOUTH COURTS OF BROOME COUNTY FOR THE PERIOD OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999

WHEREAS, this County Legislature, by Resolution 607 of 1997, as revised by Resolution 510 of 1998, authorized acceptance of a Narcotics Control Program Grant for the Youth Bureau for the period October 1, 1998 through September 30, 1999, and

WHEREAS, said grant program provides for development of the Youth Courts of Broome County as an early intervention process for delinquent youth in an effort to prevent services in the juvenile justice system, and

WHEREAS, it is desired at this time to revise said grant program to accept the additional amount of \$12,775 for the period October 1, 1998 through September 30, 1999, and

WHEREAS, said program is at no cost to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of an additional \$12,775 from the New York State Division of Criminal Justice 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 revised program budget attached hereto as Exhibit "A" in the total amount of \$37,412 for the period October 1, 1998 through September 30, 1999, and be it

FURTHER RESOLVED, that Resolutions 607 of 1997 and 510 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, 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 113

By Personnel and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING THE DEFERRED COMPENSATION COMMITTEE TO ESTABLISH A TRUST FOR ASSETS INVESTED WITH DIVERSIFIED INVESTMENT ADVISORS, INC.

WHEREAS, this County Legislature, by Resolution 326 of 1995, authorized an agreement with Diversified Investment Advisors, Inc. for financial services for Broome County employees, and

WHEREAS, Section 457 of the Internal Revenue Code requires that assets under a deferred compensation plan be held in trust to protect them from claims of creditors of the municipal employer, and

WHEREAS, the Deferred Compensation Committee request authorization to establish a trust for the plan assets invested through Diversified Investment Advisors, Inc., under which the trustees would be members of the Deferred Compensation Committee, in compliance with regulations of the New York State Deferred Compensation Board, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Deferred Compensation Committee to establish a trust for amounts invested with Diversified Investment Advisors, Inc. under the Deferred Compensation Plan for Employees of Broome County, and be it

FURTHER RESOLVED, that the members of the Deferred Compensation Committee are authorized to act as trustees of such trust, and be it

FURTHER RESOLVED, that the trust assets:

- (a) shall be held in trust for the exclusive benefit of Plan participants and their beneficiaries,
- (b) shall be used only to pay plan benefits and defray reasonable expenses of administering the Plan, and
- (c) cannot revert to the State of New York or the County of Broome, except as required by applicable law, until all Plan assets have been paid to the Plan participants and their beneficiaries in accordance with the terms of the Model Plan, and be it

FURTHER RESOLVED, that the County shall indemnify and hold harmless the members of the Deferred Compensation Committee, either individually or jointly, while acting in their official capacity as such members or as trustees of said trust, from any and all claims, suits, damages, costs, losses and expenses arising out of any act or omission while such members were acting within the scope of their official duties, and be it

FURTHER RESOLVED, that the County Executive or the Deferred Compensation Committee 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-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 114

By Finance and County Administration, Economic Development & Planning Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING TRANSFER OF COST ALLOCATION PLAN (CAP) RESPONSIBILITY

WHEREAS, the Department of Audit & Control has responsibility for preparing the Countywide Cost Allocation Plan (CAP) and related Indirect Cost Proposals and,

WHEREAS, before 1997, the responsibility for preparing the Cost Allocation Plan and related Indirect Cost Proposals rested with the County Budget Office, and

WHEREAS, the Comptroller had suggested that responsibility for preparing the Cost Allocation Plan and related Indirect Cost Proposals be transferred back to the Budget Office, and

WHEREAS, it is desired at this time to transfer this responsibility back to the Budget Office, now, therefore, be it,

RESOLVED, that the responsibility for preparing the year 1999 and future year Countywide CAP and related cost proposals will be transferred to the Budget Office, and be it

FURTHER RESOLVED, that the Comptroller is hereby directed to forward to the Budget Office a copy of prior year's CAPs and related Indirect Cost Proposals prepared while under the responsibility of the Department of Audit and Control, and be it

FURTHER RESOLVED, that the following transfer of funds be processed to transfer the cost of preparing the plan back to the Budget Office.

From:	360008.4721.101000	\$5,800
To:	230037.4721.101000	\$5,800

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

RESOLUTION NO. 115

By Personnel, Finance and Health Services Committees Seconded by Mr. Shafer
RESOLUTION CONFIRMING THE APPOINTMENT OF ARTHUR R. JOHNSON AS COMMISSIONER OF MENTAL HEALTH AT A SALARY ABOVE THE MINIMUM

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by §C801 of the Broome County Charter has appointed Arthur R. Johnson, RD #1, Box 149D, Sayre, Pennsylvania as Commissioner of Mental Health, said appointment to be effective February 22, 1999, and

WHEREAS Arthur R. Johnson is qualified to be Commissioner of Mental Health and has experience and/or education which justify an annual salary of \$68,198 which is 5.6% above the minimum salary of \$64,576, now, therefore, be it

RESOLVED, that this County Legislature confirms the appointment of Arthur R. Johnson as Commissioner of Mental Health, and be it

FURTHER RESOLVED, that Arthur R. Johnson shall be paid an annual salary of \$68,198, said payments to be made from budget line 470013.1000.101000, effective 02/18/99.

Mr. Pasquale requested a separate vote on the appointment and the above the minimum salary.

Above the minimum salary carried, Ayes-18, Nays-0, Absent-1 (Burger).

Appointment of Arthur R. Johnson carried, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 116

By Public Safety and Emergency Services Committee Seconded by Mr. O'Day
RESOLUTION AUTHORIZING SHERIFF TO TRANSFER OBSOLETE UNIFORMS TO MUNICIPAL LAW ENFORCEMENT AGENCIES

WHEREAS, several years ago the Broome County Sheriff changed department uniforms from a grey color to the present dark blue, and

WHEREAS, for the last several years the old style uniforms were used by special deputies, and

WHEREAS, the special deputies no longer use the obsolete uniforms and they remain in storage at the Public Safety Building, and

WHEREAS, there is little market value for used uniforms, however, smaller police agencies and other counties' sheriffs could use the obsolete uniforms to advantage, and

WHEREAS, transferring these uniforms to other municipal police agencies is consistent with the goal of intergovernmental cooperation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County sheriff to transfer, at no cost to Broome County, the obsolete Sheriff's uniforms presently in storage at the Public Safety Building to other municipal police agencies, including other county sheriffs on a first come first served based, and be it

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

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

RESOLUTION NO. 117

By Personnel, Finance and County Administration, Economic Development & Planning Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING THE HIRING OF JULIE M. SWEET AS CHIEF PLANNER ABOVE THE MINIMUM SALARY

WHEREAS, the Commissioner of Planning and Economic Development has recommended the hiring of Julie M. Sweet as Chief Planner at an annual salary of \$42,445 which is 15.93% above the minimum salary of \$36,612, and

WHEREAS, Julie M. Sweet is qualified as Chief Planner and has experience and/or education which justify said salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the hiring of Julie M. Sweet, as Chief Planner, Grade 23 step 5, and annual salary of \$42,445 at budget line 440016.1000.101000, effective 3/8/99.

Above the minimum salary carried, Ayes-17, Nays-1 (Whalen), Absent-1 (Burger).

Appointment carried, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 118

By Finance, Personnel and Public Safety & Emergency Services Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING THE BUDGET TRANSFER AND PERSONNEL CHANGE REQUEST FOR THE DISTRICT ATTORNEY

RESOLVED, that in accordance with a request from the District Attorney in order to transfer funds to cover a mandated salary increase as requested by BF#0001397 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds: (see PCR 99-182)

	<u>Index code</u>	<u>Subject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingency Fund	21,477
TO:	330001	1000	101000	Salary – Full Time	20,800
	330001	8010	101000	Retirement	375
	330001	8030	101000	Social Security	302

and be it

FURTHER RESOLVED, that in accordance with a request from the District Attorney, as contained in PCR#99-182, this County Legislature hereby authorizes the increase in salary of the District Attorney position, Full Time, at budget line 330001.1000.101000, salary \$99,000, Elected, to District Attorney position, Full Time, at budget line 330001.1000.101000, salary \$119,800, Elected, effective date 1/1/99.

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

RESOLUTION NO. 119

By Personnel, Finance, Public Works, Community & Social Services and Health Services Committees

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENTS OF PUBLIC WORKS, SOCIAL SERVICES AND WILLOW POINT NURSING HOME

RESOLVED, that in accordance with a request from the Director of DPW, as contained in PCR#99-165, this County Legislature hereby authorizes the correction of the Minimum Salary Rate of (1) Custodial Supervisor position, Full Time, at budget line 030031.1000.101000, minimum salary of \$11.06/hr, Union AFSCME, should be (1) Custodial Supervisor position, Full Time, at budget line 030031.1000.101000, minimum salary of \$12.51/hr, Union AFSCME, effective date 1/1/99, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Social Services, as contained in PCR#99-8, this County Legislature hereby authorizes the reclassification of (1) Job Developer positions, Full Time, at budget line 670455.1000.104204, minimum salary \$21,861, Union CSEA, to, (1) Job Developer positions Full Time, at budget line 670455.1000.104204, minimum salary \$24,329, Union CSEA, effective date 2/18/99, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Social Services, as contained in PCR#99-9, this County Legislature hereby authorizes the reclassification of (1) Job Developer positions, Full Time, at budget line 670455.1000.104182, minimum salary \$21,861, Union CSEA, to, (1) Job Developer positions Full Time, at budget line 670455.1000.104182, minimum salary \$24,329, Union CSEA, effective date 2/18/99, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Social Services, as contained in PCR#99-7, this County Legislature hereby authorizes the reclassification of (1) Job Developer positions, Full Time, at budget line 670042.1000.103000, minimum salary \$21,861, Union CSEA, to, (1) Job Developer positions Full Time, at budget line 670042.1000.103000, minimum salary \$24,329, Union CSEA, effective date 2/18/99, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#99-180, this County Legislature hereby authorizes the downgrade of (1) Fiscal Manager position, Full Time, at budget line 160010.1000.204000, minimum salary \$26,556, Union CSEA, to, (1) Accountant (County) position Full Time, at budget line 160010.1000.204000, minimum salary 24,329, Union CSEA, effective date 2/22/99, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#99-178, this County Legislature hereby authorizes the abolishment of (1) Personnel Associate Trainee position, Full Time, at budget line 160028.1000.204000, minimum salary \$22,833, Admin I, and the creation of, (1) Personnel Coordinator position Full Time, at budget line 160028.1000.204000, minimum salary \$22,833, Admin I, effective date 2/18/99.

Mr. Mather moved, seconded by Mr. Pasquale, to amend the dates in the first three FURTHER RESOLVED paragraphs from February 18, 1999 to January 1, 1999. **Amendment carried**, Ayes-17, Nays-1 (Kavulich), Absent-1 (Burger). **Resolution as amended carried**, Ayes-18, Nays-0, Absent-1 (Burger).

RESOLUTION NO. 120

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH MERIDIAN RESOURCES, LLC FOR WORK AT THE NANTICOKE LANDFILL

WHEREAS, the Deputy Director of Solid Waste requests authorization for an agreement with Meridian Resources, LLC for installation of an electrical line at the Nanticoke Landfill for the period February 18, 1999 through August 18, 1999, at a cost not to exceed \$500,000, and

WHEREAS, Meridian Resources, LLC intends to retain New York State Electric and Gas to perform the installation of the electrical line, and

WHEREAS, said services are necessary in order for the generating facility to access NYSEG's electrical grid, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Meridian Resources, LLC, Box 1037, Waitsfield, Vermont 05673 for installation of an electrical line at the Nanticoke Landfill for the period February 18, 1999 through August 18, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$500,000 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.

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

Mr. Shafer moved to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried**, Ayes-18, Nays-0, Absent-1 (Burger). Meeting adjourned at 8:15pm.

This page intentionally left blank.

