
**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, FEBRUARY 17, 2000**

The Legislature convened at 4:05 p.m. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augustini, read the fire exit announcement and called the Attendance Roll, Present-19, Absent-0.

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 Hudak.

Mr. Miller made a motion, seconded by Mr. Wike, that the minutes of the January 20, 2000 Regular Session be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes for the period January 14, 2000 through February 10, 2000 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. Burger. **Carried.**

ANNOUNCEMENTS FROM THE CHAIR

Legislator George Kolba read Resolution 109, a Resolution of Condolence on the Death of Thomas M. Jablonowski.

Mr. Schofield recognized the members present from the Broome Leadership Institute: Bradley S. Eaton, Cynthia Smith Gordineer, Kenneth Homer, William T. Powell, Dale Tiff, Noelle Paley, Reverend Ashby and Peg Sever.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:

Letters from the County Executive, Jeffrey P. Kraham:

1. Nominating G. Corey and D. Chamberlain to membership on the Binghamton Regional Airport Advisory Board.
2. Nominating E. Hulbert and W. Brunner to membership on the Planning Advisory Board.
3. Nominating 14 persons to membership on the Family Violence Prevention Council.
4. Nominating 4 persons to membership on the Nursing Home Board of Directors.
5. Nominating 3 persons to membership on the Community Services Board.
6. Nominating D. Harder to membership on the Criminal Justice Advisory Board.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. Petitions: None

B. Communications:

1. Minutes from:
 - a. Fire Advisory Board
 - b. Soil and Water Conservation District
 - c. Cornell Cooperative Extension
 - d. Landfill Citizens Advisory Committee
 - e. Binghamton Regional Airport (Progress Meetings #25, #26)
 - f. Environmental Management Council
 - g. EMC's Recycling and Waste Management Committee
 - h. EMC Natural Resources Committee
 - i. Association of Towns and Villages

-
2. Adopted Broome County Budget for 2000; Capital Improvements Program 2000-2005
 3. State Equalization Rate for the 1999 Assessment Rolls (Village of Deposit)
- C. Notices: None
- D. Reports:
1. Monthly Reports for Broome Community College:
 - a. Budget Transfers (November and December 1999)
 - b. Above Minimum Hires (December 1999)
 2. Department of Finance:
 - a. Fourth Quarter, 1999 Sales Tax Collections
 - b. Annual Dog License Report (1999)
 3. Ross Park Zoo (Financial Report-July through December 1999)
 4. Discovery Center (Financial Report-May 31, 1999 and 1998)
 5. 1999 Annual Report:
 - a. Division of Purchasing

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Daniel A. Schofield:

1. Appointing Andrew Kavulich as voting representative for Donna Lupardo at the Transportation and Public Safety and Emergency Services Committees, February 7, 2000 and February 9, 2000.

Mr. Holley made a motion, seconded by Mr. Burger, to receive and file the above referenced reports and to authorize and direct the Clerk to index said reports in the 2000 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.
Carried.

Mr. O'Day and Mr. Kavulich were designated as participants with Chairman Schofield in the 'Short Roll Call.' Although resolutions are not acted upon in numerical order, they are presented in the minutes in that manner for the sake of clarity.

RESOLUTION HELD OVER FROM PREVIOUS SESSION

RESOLUTION NO. 25

(Held Over by Mr. Pasquale)

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AMENDING RESOLUTION 623 OF 1995 THAT ESTABLISHED THE BROOME COUNTY DEFERRED COMPENSATION COMMITTEE

WHEREAS, this County Legislature, by Resolution 623 of 1995, established the Broome County Deferred Compensation Committee to consist of the Personnel Officer, the Manager of Risk and Insurance and the County Attorney or their designees, and

WHEREAS, it is desired to amend said Resolution to substitute the Director of Budget and Research for the County Attorney and to designate the County Attorney as Counsel to the Broome County Deferred Compensation Committee, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to Resolution 623 of 1995 to substitute the Director of Budget and Research as a member of the Broome County Deferred Compensation Committee and to designate the Broome County Attorney as Counsel to the Committee, and be it

FURTHER RESOLVED, that Resolution 623 of 1995, to the extent consistent herewith, shall remain in full force and effect.

Mr. Pasquale made a motion to table to the March 16, 2000 Session, seconded by Mr. Kavulich.
Motion to table carried, Ayes-16, Nays-3 (Burger, Kolba, Wike).

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 47

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

Seconded by Mr. 'Day

RESOLUTION AMENDING PERSONNEL RULES FOR BROOME COUNTY ADMINISTRATIVE PERSONNEL AND CREATING AN ATTORNEY SALARY SCHEDULE

WHEREAS, this County Legislature, by Resolution 220 of 1977 as thereafter amended, adopted personnel rules for administrative personnel, and

WHEREAS, the Personnel Officer has proposed amendments to various articles of the Administrative Rules and removing attorneys employed by Broome County from the existing Administrative I and Administrative II salary schedules and creating a separate attorney compensation schedule, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the personnel rules for administrative personnel, including attorneys employed by Broome County, annexed hereto as Exhibit "A", and be it

FURTHER RESOLVED, that, effective January 1, 2000, all attorneys employed by Broome County (with the exception of the district attorney) shall be paid pursuant to the compensation schedule "AT" attached hereto as Exhibit "B" and not pursuant to either the Administrative I or Administrative II salary schedules, and be it

FURTHER RESOLVED, all Administrative I employees will have their annual base salaries increased by an additional \$400 per year retro active to January 1, 2000, and be it

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

FURTHER RESOLVED, that the amendments to the Administrative Rules (other than the attorney compensation schedule) shall be effective April 1, 2000.

Carried.

RESOLUTION NO. 48

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING EXTENSION OF AGREEMENT WITH COURT & STATE COMPANY FOR LEASE OF SPACE FOR THE BROOME COUNTY PUBLIC LIBRARY FOR 2000

WHEREAS, this County Legislature, by Resolution 167 of 1999, authorized the renewal of an agreement with Court & State Company for lease of space at 122 State Street, Binghamton, New York, for the Broome County Public Library, at an amount not to exceed \$48,305.04 for the period April 1, 1999 through March 31, 2000, and

WHEREAS, said services are necessary for the continued need for additional property to house audiovisual service, book storage and administrative offices for Broome County Library operations, and

WHEREAS, said agreement expires by its terms on March 31, 2000, and it is desired at this time to extend the term of said agreement on substantially similar terms and conditions, at an amount not to exceed \$12,076.26, for the period April 1, 2000 through June 30, 2000, and

RESOLVED, that this County Legislature hereby authorizes the extension of the agreement with Court & State Company, 49 Zimmer Road, Kirkwood, New York 13795 for lease of space for the Broome County Public Library, for the period April 1, 2000 through June 30, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,076.26, for the extended term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 841007.4422.304000 and 841007.4422.304118 (Building & Land Rental), and be it

FURTHER RESOLVED, the Resolution 167 of 1999, 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.

RESOLUTION NO. 49

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH J. J. SHEEHAN ADJUSTERS, INC. FOR ADJUSTING SERVICES FOR RISK AND INSURANCE FOR 2000 - 2004

WHEREAS, this County Legislature, by Resolution 532 of 1998, as amended by Resolution 694 of 1999, authorized the renewal of an agreement with J. J. Sheehan Adjusters, Inc. for adjusting services for Risk and Insurance at an hourly rate of \$36 per hour for a total amount not to exceed \$29,166, for the period January 1, 1999 through February 29, 2000, and

WHEREAS, said services are necessary for prompt and efficient evaluation of claims made against Broome County, including investigation and adjusting services, and

WHEREAS, said agreement expires by its terms on February 29, 2000, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at a rate of \$40.00 per hour for the term March 1, 2000 through December 31, 2004 (five one-year contract terms) renewable yearly at Broome County's option, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with J. J. Sheehan Adjusters, Inc., P.O. Box 604, Binghamton, New York 13904 for adjusting services for Risk and Insurance for the period March 1, 2000 through December 31, 2004 (five one-year contract terms) renewable yearly at Broome County's option, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$40.00 per hour for a total amount not to exceed budgeted appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050088.4747.254000 (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.

RESOLUTION NO. 50

By Public Safety & Emergency Services Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AMENDMENTS TO THE BROOME COUNTY FIRE MUTUAL AID PLAN FOR THE DEPARTMENT OF EMERGENCY SERVICES

WHEREAS, the New York State General Municipal Law, Section 209, permits Fire Departments, Fire Companies and Airport Crash/Fire/Rescue Units in New York State to answer calls for assistance and to engage in fire training programs outside the area regularly served and protected by said Fire Departments, Fire Companies or Airport Crash/Fire/Rescue Units, unless restricted from doing so by the appropriate legislative body, and

WHEREAS, said Section 209 further authorizes mutual aid plans for the coordination of said reciprocal assistance, and

WHEREAS, the General Municipal Law further authorizes the New York State Fire Administrator to prepare and implement a State Fire Mobilization and Mutual Aid Plan to provide for the mobilization of manpower and equipment of Fire Departments throughout New York State whenever the Governor determines that the public interest is required, or whenever a municipality shall determine that assistance is required, or whenever a County Fire Coordinator determines that assistance, in addition to that established under the County Mutual Aid Plan, is required, and

WHEREAS, the State plan is an aggregate of the County Mutual Aid Plans, and
WHEREAS, the Broome County Legislature, by Resolution 47 of 1982, adopted the Broome County Fire Mutual Aid Plan, as amended, which plan is on file with the Clerk of the Legislature, and
WHEREAS, it is necessary at this time to amend said Broome County Fire Mutual Aid Plan, said amendments having been approved and endorsed by the Broome County Fire Advisory Board as well as all Broome County Fire Service organizations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the following amendments to the Broome County Fire Mutual Aid Plan, said amended Plan being on file with the Clerk of the Legislature:

1. Page 2 (Section C, 1st paragraph) add sentence:
A fire department, fire company or fire brigade participating in this plan further accepts an obligation to respond to a call for assistance unless conditions preclude it and further agrees that only those resources requested or planned for previously are to be sent unless conditions preclude it.
2. Page 28, change address to: 41 State St., Albany, NY 12231

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.

RESOLUTION NO. 51

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

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF BINGHAMTON METROPOLITAN TRANSPORTATION STUDY GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000-2001

WHEREAS, this County Legislature, by Resolution 131 of 1999 as amended by Resolution 400 of 1999, authorized and approved the renewal of the Binghamton Metropolitan Transportation Study Grant and adopted a program budget in the amount of \$416,975 for the period April 1, 1999 through March 31, 2000, and

WHEREAS, it is desired to renew said grant program for the period April 1, 2000 through March 31, 2001 in the amount of \$412,725, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a Federal Highway Administration planning grant in the amount of \$327,359 and a Federal Transit Administration Section 8 grant in the amount of \$85,366, said grants totaling \$412,725, for the period April 1, 2000 through March 31, 2001, 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 \$412,725, 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.

RESOLUTION NO. 52

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

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION DBE PLAN ON BEHALF OF THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY

WHEREAS, the New York State Department of Transportation (NYSDOT) administers the Federal grants that provide all of the funding for the Binghamton Metropolitan Transportation Study, and

WHEREAS, the NYSDOT has sent a new Disadvantaged Business Enterprise (DBE) Plan that complies with new Federal regulations asking the BMTS, as a subrecipient of Federal funds to either sign on to the NYSDOT DBE Plan or to adopt its own, and

WHEREAS, the BMTS finds the NYSDOT DBE Plan acceptable and requests the County Legislature to authorize and direct the County Executive to accept the NYSDOT DBE Plan on behalf of the BMTS, now, therefore, be it

RESOLVED, that this County Legislature authorizes and directs the County Executive to accept the NYSDOT DBE Plan on behalf of the BMTS, 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.

RESOLUTION NO. 53

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

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PC KNOWLEDGE, INC. FOR COMPUTER AND SOFTWARE TRAINING FOR THE DIVISION OF INFORMATION TECHNOLOGY FOR 2000-2001

WHEREAS, this County Legislature, by Resolution 12 of 1999, authorized a renewal of the agreement with PC Knowledge, Inc. for computer and Microsoft Office software package training for Broome County personnel from various departments for the Division of Information Technology at a cost not to exceed \$73.00 per student, per class for the period February 1, 1999 through January 31, 2000, with an option to renew at the County's discretion, and

WHEREAS, said services provide training to county personnel needing instruction to operate PC's and utilize the County's software packages, and

WHEREAS, said agreement expired by its terms on January 31, 2000 and it is desired at this time to renew this agreement for an amount not to exceed \$75.00 per student, per class for the term February 1, 2000 through January 31, 2001, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with PC Knowledge, Inc., 3000 Wayne Street, Endwell, New York 13760 for computer and Microsoft Office software package training for county personnel in various departments for the period February 1, 2000 through January 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$75.00 per student, per class, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line Various.4463.Variou (Education and Training), 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.

RESOLUTION NO. 54

By Community & Social Services Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY FOSTER GRANDPARENTS ADVISORY COUNCIL

WHEREAS, the Broome County Executive, pursuant to the authority vested in him by Resolution 61 of 1973, has duly designated and appointed the following named individuals to membership on the Broome County Foster Grandparent Advisory Council, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Irene Whipple 26 Lyons St. Binghamton, NY 13901	New Appointment Term Expires 12/31/02
Dolores Manzer 857 Park Ave. Binghamton, NY 13903	New Appointment Term Expires 12/31/02
Rosemary Swarts 150 Moeller St., Apt. 505 Binghamton, NY 13904	New Appointment Term Expires 12/31/02
Timothy McMullin 110 West Edward St. Endicott, NY 13760	New Appointment Term Expires 12/31/02

and

WHEREAS, it is desired, at this time, to confirm said appointments, now, therefore, be it
RESOLVED, that this County Legislature hereby confirms the appointments of the above-named individuals to membership on the Broome County Foster Grandparent Advisory Council for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 55

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS FOR THE DEPARTMENT OF SOCIAL SERVICES ASSISTED LIVING CARE SERVICES PROGRAM FOR 2000-2002

WHEREAS, this County Legislature, by Resolution 286 of 1998, as amended by Resolution 632 of 1998, authorized agreements with United Methodist Homes for the Aging of the Wyoming Conference, Elizabeth Church-DePaul Corporation and Ideal Senior Living Housing Corporation for the Assisted Living Care Services Program for the Department of Social Services for the period January 1, 1997 through December 31, 1999, and

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

WHEREAS, said agreements expired by their terms on December 31, 1999 and it is desired at this time to renew said agreements on substantially similar terms and conditions for the period January 1, 2000 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with United Methodist Homes for the Aging of the Wyoming Conference, d/b/a Hilltop Assisted Living Program, 286 Deyo Hill Road, Johnson City, New York 13790, Elizabeth Church-DePaul Corporation, d/b/a St. Louise Manor Assisted Living Program, 861 Front Street, Binghamton, New York 13905 and Ideal Senior Living Housing Corporation, 508 High Avenue, Endicott, New York

13760 to provide services for the Department of Social Services Assisted Living Care Program for the period January 1, 2000 through December 31, 2002, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors pursuant to the New York State established Medicaid rates attached hereto as Exhibit "A" and such other New York State approved established Medicaid rates as may be promulgated for 2000, and be it

FURTHER RESOLVED, that the requested rates will continue until such time as a new rate schedule is approved by New York State, and be it

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

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

Carried.

RESOLUTION NO. 56

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENTS WITH VARIOUS MANAGED CARE ORGANIZATIONS FOR THE DEPARTMENT OF SOCIAL SERVICES MEDICAID MANAGED CARE PROGRAM (MAX) FOR 1998-2002

WHEREAS, Broome County's Department of Social Services implemented a Medicaid Managed Care Program (MAX) in September 1991, and

WHEREAS, the MAX Program is a voluntary managed care program which provides access to primary care services for nearly 5,600 Public Assistance and Medicaid eligible recipients with current enrollment approximately 34% of Broome County's eligible Medicaid recipients, and

WHEREAS, New York State's Department of Health implemented an endeavor called "The Partnership Plan" which increased Medicaid recipient access to mainstream primary care practices, improved quality of care and promoted continuity, oversight and management of services to recipients in a cost-effective manner, and

WHEREAS, through a statewide procurement process, New York State's Department of Health and local social services districts selected managed care organizations that demonstrate a willingness to comply fully with established participation standards and submit an acceptable rate offer within New York State Department of Health guidelines, and

WHEREAS, New York State's Department of Health has obtained a federal waiver to implement a mandatory managed care program with voluntary enrollments under New York State's Partnership Plan commencing April 1, 1996, and

WHEREAS, continuation of these agreements are authorized by State and Federal law, including Title XIX of the Social Security Act, Section 1115(a) of the Social Security Act, Social Services Law Sections 364-j and 365, and Article 5, Title II of the Social Services Law of New York, and

WHEREAS, this County Legislature, by Resolution 157 of 1998, authorized renewal of the agreements with various managed care organizations for the period April 1, 1998 through December 31, 2000, and

WHEREAS, it is necessary to authorize the amendment to said agreements to extend the term to December 31, 2002, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreements with various managed care organizations, in accordance with New York State's Partnership Plan procurement process, for the period April 1, 1998 through December 31, 2002, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made, in accordance with approvals from the New York State Office of Children and Family Services, from

budget line 670083.4568.103000 (MMIS Medical Assistance) as authorized by this Legislature by each annual budget, and be it

FURTHER RESOLVED, that Resolution 157 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.

RESOLUTION NO. 57

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR THE DEPARTMENT OF SOCIAL SERVICES FOSTER FAMILY PERSONAL CARE SERVICES FOR ADULTS FOR 2000-2002

WHEREAS, this County Legislature, by Resolution 342 of 1998, authorized renewal of the agreement with Family and Children's Society of Broome County, Inc. for personal care services in connection with the Department of Social Services Foster Family Care Program at a cost of \$987.09 per month per client for the period January 1, 1994 through December 31, 1999, and

WHEREAS, said agreement expired by its terms on December 31, 1999 and it is desired at this time to renew said agreement on substantially similar terms and conditions for the period January 1, 2000 through December 31, 2002, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York 13905 for personal care services in connection with the Department of Social Services Foster Family Personal Care Services for Adults Program for the period January 1, 2000 through December 31, 2002, and be it

FURTHER RESOLVED, that the cost of such services shall be \$964.21 per month per client for 1996, \$975.13 per month per client for 1997, and \$1,022.89 per month per client for 1998, and be it

FURTHER RESOLVED, that the requested rates will continue until such time as a new rate is approved by New York State, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670083.4568.103000 (MMIS Medical Assistance), 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.

RESOLUTION NO. 58

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LABORATORY CORPORATION OF AMERICA (FORMERLY ROCHE BIOMEDICAL LABORATORIES, INC.) FOR PHLEBOTOMY AND GENETIC MARKER TESTING FOR THE ESTABLISHMENT OF PATERNITY FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1995-2004

WHEREAS, this County Legislature, by Resolution 237 of 1995, authorized an agreement with Roche Biomedical Laboratories, Inc. for Phlebotomy and Blood Genetic Marker Testing for the establishment of paternity for the Department of Social Services for the period April 30, 1994 through May 1, 1999, at a cost of \$75.00 per person tested for the period January 1, 1995 through March 14, 1995 and \$70.00 per person tested from March 15, 1995 through May 1, 1999, total cost not to exceed \$15,000 for the period January 1, 1995 through December 31, 1995, and

WHEREAS, Broome County Family Court routinely orders genetic marker testing in contested paternity cases, and Laboratory Corporation of America is recognized by the Court as an accredited genetic marker testing agency, and

WHEREAS, said agreement expired by its terms on May 1, 1999 and it is desired at this time to renew said agreement on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Laboratory Corporation of America, P. O. Box 2230, Burlington, North Carolina 27216 for Phlebotomy and Genetic Marker Testing for the establishment of paternity for the Department of Social Services for the period May 1, 1999 through December 31, 2004, with an option to renew for an additional three years under similar terms and conditions, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$62.00 per person tested, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670034.4703.103000 (Lab 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.

RESOLUTION NO. 59

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

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF YOUTH TOBACCO ENFORCEMENT AND PREVENTION GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1999-2000

WHEREAS, this County Legislature, by Resolution 535 of 1998, authorized and approved the Youth Tobacco Enforcement and Prevention Grant for the Department of Health and adopted a program budget in the amount of \$20,000 for the period October 1, 1998 through September 30, 1999, and

WHEREAS, said grant supports the department's activities in youth tobacco use enforcement and prevention, and

WHEREAS, it is desired to renew said grant program in the amount of \$21,300 for the period October 1, 1999 through September 30, 2000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$21,300 from the New York State Department of Health, Center for Environmental Health, Flanigan Square, 547 River Street, Room 515, Troy, New York 12180-2216 for the Department of Health's Youth Tobacco Enforcement and Prevention Grant, 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 \$21,300 for the period October 1, 1999 through September 30, 2000, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative 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.

RESOLUTION NO. 60

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH LOCAL MUNICIPALITIES FOR TRAFFIC SAFETY STOPS IN CONNECTION WITH THE DEPARTMENT OF HEALTH'S BE SAFE BROOME INJURY PREVENTION PROGRAM FOR 1999-2000

WHEREAS, this County Legislature, by Resolution 363 of 1998, authorized renewal of the agreements with local municipalities for police officers to conduct traffic safety stops in connection with the Department of Health's Be Safe Broome Injury Prevention Program at an amount not to exceed \$1,800 each for the period October 1, 1998 through September 30, 1999, and

WHEREAS, said services are necessary to reimburse local law enforcement agencies for costs related to the Project Check-up portion of this program, and

WHEREAS, said agreements expired by their terms on September 30, 1999 and it is desired at this time to renew these agreements on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of the agreements with the City of Binghamton, 38 Hawley Street, City Hall, Binghamton, New York 13901, Village of Endicott, 1009 East Main Street, Endicott, New York 13760, Village of Johnson City, 243 Main Street, Johnson City, New York 13790 and Town of Vestal, 605 Vestal Parkway East, Vestal, New York 13850 for police officers to conduct traffic safety stops for the Department of Health's Be Safe Broome Injury Prevention Program for the period October 1, 1999 through September 30, 2000, and be it

FURTHER RESOLVED, that this County Legislature also authorizes an agreement with the Village of Port Dickinson, 786 Chenango Street, Binghamton, New York 13901 for said services in connection with this program for the period October 1, 1999 through September 30, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the City of Binghamton an amount not to exceed \$1,200, the Villages of Endicott, Johnson City and Port Dickinson an amount not to exceed \$1,500 each and the Town of Vestal an amount not to exceed \$1,800, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104337 (Subcontracted Program Expense), and be it

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

RESOLUTION NO. 61

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF HEALTH'S DIABETES PREVENTION AND CONTROL GRANT PROGRAM FOR 2000

WHEREAS, the Director of Public Health requests authorization for agreements with various vendors for professional services for the Department of Health's Diabetes Prevention and Control Grant Program for the period January 1, 2000 through March 31, 2000, at a total cost not to exceed \$18,125, and

WHEREAS, said grant program provides project coordination, diabetes awareness, education and screening to targeted populations in a five-county region which includes Broome, Tioga, Chenango, Delaware and Otsego Counties, and

WHEREAS, the Director of Public Health requests authorization for said agreements, as approved by the Department of Law, with the various vendors listed on the attached Exhibit "A", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various vendors for professional services for the Department of Health's Diabetes Prevention and

Control Grant Program for the period January 1, 2000 through March 31, 2000 at a cost not to exceed the amounts listed in Exhibit "A", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4457.104338 (Subcontracted Program Expense), and be it

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

**Vendors for Broome County Health Department's
Diabetes Prevention and Control Grant Program**

January 1, 2000 — March 31, 2000

Vendor	Professional Services	Not-to-Exceed Cost
Tioga County Health Dept. Health Education Division 231 Main Street Owego, New York 13827	Project Coordination and Diabetes Awareness	\$4,400.00
Chenango Memorial Hospital Dept. of Media Relations and Communications 179 North Broad Street Norwich, New York 13815	Project Coordination and Diabetes Awareness	4,400.00
Rural Health Network of South Central New York P.O. Box 416 Whitney Point, New York 13862	Project Coordination and Diabetes Awareness	4,400.00
Mary Imogene Bassett Research Institute One Atwell Road Cooperstown, New York 13326	Project Coordination and Diabetes Awareness	4,400.00
Lourdes Foundation 169 Riverside Drive Binghamton, New York 13905	Services of a Certified Diabetes Educator	175.00
Diabetes Education Services Wilson Memorial Regional Medical Center 33-57 Harrison Street Johnson City, New York 13790	Services of a Certified Diabetes Educator	175.00
Robert Packer Hospital Health Ministries Guthrie Square Sayre, Pennsylvania 18840	Services of a Certified Diabetes Educator	175.00
Total		\$18,125.00

Carried.

RESOLUTION NO. 62

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENTS WITH UNITED HEALTH SERVICES AND OUR LADY OF LOURDES MEMORIAL HOSPITAL FOR SERVICES FOR THE HEALTH DEPARTMENT'S COLORECTAL AND PROSTATE CANCER SCREENING AND EDUCATION PROGRAM FOR 1999-2000

WHEREAS, this County Legislature, by Resolution 389 of 1999, authorized agreements with United Health Services and Our Lady of Lourdes Memorial Hospital for the Health Department's Colorectal Cancer Screening and Education Program for the period June 1, 1999 through December 31, 1999 at a cost not to exceed \$4,200 each, and

WHEREAS, said agreements are necessary to provide colorectal cancer screening, prostate cancer education, data collection and outreach services for said program, and

WHEREAS, it is necessary to authorize an amendment to said agreements to extend the term to March 31, 2000 and to reflect an increase in cost, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreements with United Health Services, 33-57 Harrison Avenue, Johnson City, New York 13790 and with Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905, for colorectal cancer screening, prostate cancer education, data collection and outreach services for the period June 1, 1999 through March 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay each Contractor an additional amount of \$1,788, total amount not to exceed \$5,988, for the term of these agreements, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the agreement with United Health Services based on the terms reflected in "Exhibit A" annexed hereto and with Our Lady of Lourdes Memorial Hospital based on the term reflected in Exhibit "B" annexed hereto, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4458.104250 (Other Program Expense), and be it

FURTHER RESOLVED, that Resolution 389 of 1999, 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.

RESOLUTION NO. 63

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF CHILD PASSENGER SAFETY PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000

WHEREAS, the Director of Public Health requests authorization to accept a Child Passenger Safety Program grant and adopt a program budget in connection therewith in the amount of \$4,636 for the period January 1, 2000 through September 30, 2000, and

WHEREAS, said grant program provides funds to establish two fitting stations for child safety seats and staging a minimum of four child safety seat checks in order to reduce the high incidence of improper child seat installation and misuse, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$4,636 from the Governor's Traffic Safety Committee, Department of Motor Vehicles, Empire State Plaza, Albany, New York for the Child Passenger Safety Program for the Department of Health for the period January 1, 2000 through September 30, 2000, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$4,636, 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.

RESOLUTION NO. 64

By Health Services and Finance Committees

Seconded by Mr. Hull

RESOLUTION AUTHORIZING AGREEMENT WITH TIME WARNER CABLE FOR ADVERTISING AND PUBLIC RELATIONS SERVICES FOR WILLOW POINT NURSING HOME FOR 2000

WHEREAS, the Acting Commissioner of the Willow Point Nursing Home requests authorization for an agreement with Time Warner Cable for advertising and public relations services at a cost not to exceed \$18,720, for the period January 1, 2000 through December 31, 2000, and

WHEREAS, said services are necessary to promote Willow Point Nursing Home as a desirable option for seniors in the community for both short and long term care, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Time Warner Cable, 400 Plaza Drive, Vestal, New York 13850, for advertising and public relations services for Willow Point Nursing Home for the period January 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$18,720 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160085.4448.204000 (Advertising & Promotional Expenses), and be it

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

Carried.

RESOLUTION NO. 65

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH SYSTEMATIC MANAGEMENT SYSTEMS FOR COLLECTION SERVICES FOR WILLOW POINT NURSING HOME FOR 2000

WHEREAS, the Acting Commissioner of the Willow Point Nursing Home requests authorization for an agreement with Systematic Management Systems for collection services for the Willow Point Nursing Home for a percentage of collected cash receipts for the period January 1, 2000 through December 31, 2000, and

WHEREAS, said services are necessary to generate Medicare revenue by billing lab tests to collect cash receipts as part of a Skilled Nursing Facility Medicare Recapture Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Systematic Management Systems, 1675 Estate Circle, Suite 1000, Naperville, Illinois 60565, for collection services for the Willow Point Nursing Home for the period January 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor not more than 10 percent of amount recovered if settlement is reached prior to litigation and not more than 20% of amount if recovered after lawsuit is filed and litigation is necessary to obtain funds, for the term of the agreement, and be it

FURTHER RESOLVED, that Broome County's share of the Medicare funds recovered hereinabove shall be credited to budget line 160010.0089.204000 (Medicare Part B Revenue), and be it

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

Carried.

RESOLUTION NO. 66

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH UNITED HEALTH SERVICES CENTER FOR COMMUNITY HEALTH FOR SMOKING CESSATION SERVICES FOR THE DEPARTMENT OF HEALTH FOR 2000

WHEREAS, the Director of Public Health requests authorization for an agreement with United Health Services Center for Community Health for smoking cessation services for the Department of Health's Comprehensive Community Based Tobacco Control Program at a cost not to exceed \$5,905, for the period January 21, 2000 through May 31, 2000, and

WHEREAS, said services are necessary to work with local primary care providers to increase the number of providers counseling patients on smoking cessation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with United Health Services Center for Community Health, 33-57 Harrison Street, Johnson City, New York 13790, for smoking cessation services for the Department of Health's Comprehensive Community Based Tobacco Control Program for the period January 21, 2000 through May 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,905, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4458.104XXX (Other Program Expense), and be it

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

Carried.

RESOLUTION NO. 67

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ABANDONMENT OF A PORTION OF CROSS ROAD IN THE TOWN OF MAINE

WHEREAS, Ellen Mack has requested that the County of Broome abandon a portion of Cross Road in the Town of Maine, which adjoins her property, pursuant to Section 118A of the New York State Highway Law, and

WHEREAS, the Department of Public Works has reviewed the proposed abandonment and has determined that the County has no present or future use for the area described on the attached map as the area described as part of the old road bed which is no longer utilized by the County due to recent reconstruction in the area, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the abandonment of a portion of Cross Road in the Town of Maine to Ellen Mack as the adjoining owner thereof, said property being as described on the annexed Exhibit "A", and be it

FURTHER RESOLVED, that the abandonment of right-of-way requested herein shall not affect the right-of-way for existing utilities within the abandoned area, 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.

RESOLUTION NO. 68

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CLOUGH, HARBOUR & ASSOCIATES, LLP FOR BUILDING PERMIT REVIEW AND INSPECTION SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000

WHEREAS, this County Legislature, by Resolution 352 of 1999, authorized renewal of the agreement with Clough, Harbour & associates, LLP for engineering services for project building code review, administration and code compliance inspections for the Department of Public Works at an amount not to exceed \$75,000 for the period January 1, 1999 through December 31, 1999, and

WHEREAS, said services are necessary to enforce the provisions of Local Law No. 11 of 1992 establishing the procedures for local enforcement of the Uniform Fire Prevention and Building Code, and

WHEREAS, said agreement expired by its terms on December 31, 1999 and it is desired at this time to renew said agreement for the term January 1, 2000 through June 30, 2000 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Clough, Harbour & Associates, LLP, 111 Winners Circle, P. O. Box 5269, Albany, New York 12205-5269 for project building code review, administration and code compliance inspections for the period January 1, 2000 through June 30, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$40,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the appropriate capital and operating budget lines for the departments or projects for which the services are required, 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.

RESOLUTION NO. 69

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH SHUMAKER CONSULTING ENGINEERING & LAND SURVEYING, PC FOR ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000 - 2001

WHEREAS, this County Legislature, by Resolution 228 of 1999 authorized an agreement with Shumaker Consulting Engineering & Land Surveying, PC for engineering services for the Department of Public Works at a cost not to exceed \$100,118 for the period May 20, 1999 through December 31, 1999, and

WHEREAS, said agreement provided for design services for Phase 1 of the rehabilitation of Pennsylvania Avenue, and

WHEREAS, it is necessary to authorize an amendment to said agreement to provide the Phase 2 final design services for the Project for the period March 1, 2000 through September 30, 2001, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Shumaker Consulting Engineering & Land Surveying, PC, 320 North Jensen Road, Vestal, New York 13850 for engineering services for the Department of Public Works for the period March 1, 2000 through September 30, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$146,316 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035014.4746.501343 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 228 of 1999, 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.

RESOLUTION NO. 70

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION DECLARING THE PENNSYLVANIA AVENUE REHABILITATION PROJECT 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 Pennsylvania Avenue Rehabilitation Project 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 rehabilitation 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 rehabilitation 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 Pennsylvania Avenue Rehabilitation Project 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 rehabilitation project in accordance with the design and specifications for said project.

Carried.

RESOLUTION NO. 71

By Public Works Committee

Seconded by Mr. O'Day

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY FOR VARIOUS PROJECTS AT THE WILLOW POINT NURSING HOME AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to undertake various renovation work at the Willow Point Nursing Home, including HVAC equipment, roof, electrical panels, fire doors, elevators and parking lot projects, and

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

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

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

WHEREAS, said projects may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to various renovation work at the Willow Point Nursing Home, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that said projects will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "B".

Carried.

RESOLUTION NO. 72

By Community & Social Services Committee

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE FAMILY VIOLENCE PREVENTION COUNCIL

WHEREAS, the Broome County Executive, pursuant to the authority vested in him by Resolution No. 477 of 1985 has duly designated and appointed the following named individuals to membership on the Family Violence Prevention Council, subject to confirmation by this County Legislature:

<u>NAME</u>	<u>TERM EXPIRING</u>
Sharon Chesna 102 Aldrich Avenue Binghamton, New York 13903	Reappointment Term Expires 12/31/02
Robert Ford 108 Highland Avenue Binghamton, New York 13905	Reappointment Term Expires 12/31/02
Bette Gifford 696 Welch Road Owego, New York 13827	Reappointment Term Expires 12/31/02
Gerald Mollen 4207 Emerson Place Vestal, New York 13850	Reappointment Term Expires 12/31/02

Sue Seibold-Simpson 188 Leekville Road Glen Aubrey, New York 13777	ReAppointment Term Expires 12/31/02
Martha Ann Schneider RD # 2 Box 50-5 Ross Hill Road Union Dale, PA 18470	New Appointment Term Expires 12/31/01
Donna Rehak 612 Chenango Street Binghamton, New York 13901	New Appointment Term Expires 12/31/01
Brenda Franeschetti-Zeoli 1123 Frost Road Endicott, New York 13760	New Appointment Term Expires 12/31/00
Robert Houser 13 Pleasant Court Binghamton, New York 13905	New Appointment Term Expires 12/31/02
Debra Hogan P.O.Box 2810 Binghamton, New York 13902	New Appointment Term Expires 12/31/02
Gale Spencer 3633 Wildwood Drive Endwell, New York 13760	New Appointment Term Expires 12/31/02
Reverend Nadine Ridley 13 Helen Street Binghamton, New York 13905	New Appointment Term Expires 12/31/02
Ella Torres 17-4 Webster Court Binghamton, New York 13903	New Appointment Term Expires 12/31/02
Ann VanSavage 3546 Parkway Street Binghamton, New York 13903	New Appointment Term Expires 12/31/02

and

WHEREAS, it is desired at this time to confirm said appointments, now, therefore, be it
 RESOLVED, that this County Legislature hereby confirms the appointments of the above-named individuals to membership on the Family Violence Prevention Council for the terms indicated, in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 73

By Health Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING AN AGREEMENT WITH VALUEOPTIONS FOR THE DEPARTMENT OF MENTAL HEALTH TO BE PARTICIPATING PROVIDER AND ACCEPT REIMBURSEMENTFOR MENTAL HEALTH SERVICES FOR 2000 - 2001

WHEREAS, Commissioner of Mental Health requests authorization for an agreement with ValueOptions to allow the Department of Mental Health to be a participating provider and to

accept reimbursement for mental health services for the period January 1, 2000 through December 31, 2001, with revenue to the County, and

WHEREAS, said agreement is necessary to allow the Department of Mental Health to bill ValueOptions for services provided to patients insured by ValueOptions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with ValueOptions, 3110 Fairview Park Drive, Falls Church, Virginia 22042 to allow the Department of Mental Health to be a participating provider and to accept reimbursement for mental health services for the period January 1, 2000 through December 31, 2001, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 470013.0077.101000 (Mental Health Fees), and be it

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

Carried.

RESOLUTION NO. 74

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING THE PAYMENT OF THE TIPPING FEE AT THE NANTICOKE LANDFILL FOR DISPOSAL OF CONSTRUCTION AND DEMOLITION WASTE GENERATED BY THE DEMOLITION OF THE PICNIC PAVILION AT ROSS PARK ZOO

WHEREAS, the Ross Park Zoo is in need of a new picnic pavilion and a partnership between the public and the private sectors have come together to achieve this project, and

WHEREAS, the construction of a new picnic pavilion is necessary as part of the Park's improvement plan for the convenience and comfort of the visiting public by making the pavilion more accessible to all residents of Broome County, and

WHEREAS, the City of Binghamton has obtained a \$48,000 grant to provide a new picnic pavilion to replace the existing 75-year-old pavilion at the Ross Park Zoo, and

WHEREAS, Mr. James Kilcy, a local architect, has agreed to provide, free of charge, all necessary architectural drawings and estimates for the project, and

WHEREAS, the Gorick Construction Co., Inc., Kirkwood, New York has agreed to demolish and remove the existing structure and to prepare the site for the new picnic pavilion at no charge to the Ross Park Zoo, and

WHEREAS, this Legislative Body working with the Broome County Executive finds that requiring a tipping fee for disposal of construction and demolition waste is inappropriate when the public and private sectors form a partnership to achieve a common goal for the common good and that a waiver of the tipping fee would be right and proper, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes the expenditure of an amount not to exceed \$3,000 for use towards the payment of the tipping fee for disposal of construction and demolition waste generated by the demolition of the picnic pavilion at Ross Park Zoo, and be it

FURTHER RESOLVED, that this waiver shall be for a period of 60 days from the start of demolition, and be it

FURTHER RESOLVED, that in furtherance of this Resolution, this County Legislature hereby authorizes the Budget Director, Commissioner of Finance and Comptroller to make the following transfer of funds:

From: 900084.4752.101000 (Contingency)	\$ 3,000
To: 230037.4747.101000 (Other Fees for Services)	\$ 3,000

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 Clerk of the Broome County Legislature is authorized and directed to send copies of this resolution and subsequent regulations to the Executive Director of the Ross Park Zoo, the Mayor of the City of Binghamton and Gorick Construction Co., Inc., and be it

FURTHER RESOLVED, that this resolution shall take effect upon signing by the County Executive.

Carried.

RESOLUTION NO. 75

By Finance Committee

Seconded by Mr. Kolba

RESOLUTION AMENDING THE 2000 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2000 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost:		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501349	Arena Improvements	\$808,000	\$700,000	0	\$108,000
			How Financed:		
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Transfer</u>
		2000	5	\$808,000	\$0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost:		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501349	Arena Improvements	\$1,048,000	\$940,000	0	\$108,000
			How Financed:		
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Transfer</u>
		2000	5	\$1,048,000	0

Comments: To utilize remaining state funds available under ESDC Sports Facility Assistance Program; monies to be used to replace AC unit, rehab hot water boiler heating system, ice compressor modifications and purchase of folding chairs.

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

Carried.

RESOLUTION NO. 76

By Finance and Health Services Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR THE HEALTH DEPARTMENT

RESOLVED, that in accordance with a request from the Director of Health in order to adjust appropriations to fully utilize funding of the HIV/AIDS Training grant as requested in BF#0001926, 0001928, 0001929 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104316	Salaries - Full Time	26
	480301	4346	104316	Training & Ed. Supplies	100
	480301	4411	104316	Postage & Freight	106
	480301	4457	104316	Subcontracted Expense	50
	480301	4458	104316	Other Expenses	3,919
	480301	4462	104316	Travel, Hotel, & Meals	100
	480301	8060	104316	Health Insurance	993
TO:	480301	1500	104316	Salaries - Part Time	1,377
	480301	4311	104316	Books	295
	480301	4319	104316	Office Supplies	585
	480301	4363	104316	Med., Lab, Clinics	100
	480301	4461	104316	Mileage	100
	480301	4610	104316	Personal Chargeback	1,232
	480301	4614	104316	Other Chargebacks	400
	480301	4617	104316	Duplicating & Printing	500
	480301	4618	104316	Office Sup. Chargebacks	600
	480301	8010	104316	State Retirement	13
	480301	8030	104316	FICA	69
	480301	8040	104316	Workers' Comp.	15
	480301	8050	104316	Life Insurance	1
	480301	8070	104316	Unemployment Insurance	7

Carried.

RESOLUTION NO. 77

By Public Works and Finance Committees

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CLARK PATTERSON ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT THROUGH 1999

WHEREAS, this County Legislature, by Resolution 232 of 1991, as amended by companion resolutions, authorized an agreement with Clark Patterson Associates for professional engineering services in relation to the landfill siting process for the Division of Solid Waste Management at a cost not to exceed \$1,315,000 for the period ending December 31, 1999, and

WHEREAS, said agreement provided professional engineering services for the preparation of a combined landfill siting, construction and compost facility environmental impact statement, and

WHEREAS, it is necessary to authorize an amendment to said agreement to reflect an increase in the cost for additional services performed in relation to the siting of a new landfill and completion of SEQRA requirements in association therewith, and

WHEREAS, the Department 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 Clark Patterson Associates, 186 North Water Street, Rochester, New York 14604 for additional services performed in relation to the siting of a new landfill and completion of SEQRA requirements in association therewith for the Division of Solid Waste Management, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$28,000, total cost not to exceed \$1,343,000, for the period ending December 31, 1999, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4457.501298 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 232 of 1991, as amended by companion resolutions, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried, Ayes-17, Nays-2 (Mather, Pasquale).

RESOLUTION NO. 78

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AGREEMENT WITH CLOUGH, HARBOUR & ASSOCIATES, LLP FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000

WHEREAS, the Department of Public Works requests authorization for an agreement with Clough, Harbour & Associates, LLP for professional engineering services relating to the design phase of the water system to serve the Binghamton Regional Airport and the Nanticoke Landfill, at a cost not to exceed \$565,913, for the period March 1, 2000 through February 28, 2001, and

WHEREAS, said services are necessary for the design phase which includes plans, specifications and bid documents, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Clough, Harbour & Associates, LLP, The Galleries of Syracuse, 441 South Salina Street, Syracuse, New York 13202-2424 for professional engineering services relating to the design phase of the water system to serve the Binghamton Regional Airport and Nanticoke Landfill for the period March 1, 2000 through February 28, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$565,913, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.2014.501345 (Water and Sewer Lines), 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.

RESOLUTION NO. 79

By Public Works Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR STATE ASSISTANCE FOR LANDFILL CLOSURE PURSUANT TO TITLE 5 OF ARTICLE 54 AND TITLE 4 OF ARTICLE 56 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

WHEREAS, Broome County herein called the "Municipality" has hereby determined that certain work, as described in the State assistance application and any amendments thereof, herein called the "Project," is desirable and in the public interest, and

WHEREAS, Title 5 of Article 54 and Title 4 of Article 56 of the Environmental Conservation Law authorized State assistance payments to municipalities for closure of municipal landfills by means of a written agreement, and the Municipality deems it to be in the public interest and benefit under this law to apply therewith, now, therefore, be it

RESOLVED, that Jeffrey P. Kraham, Broome County Executive, is directed and authorized as the official representative to act in connection with any application between the Municipality and the State, and to provide such additional information as may be required, and be it

FURTHER RESOLVED, that one certified copy of this Resolution be prepared and sent to the Director, Division of Solid & Hazardous Materials, New York State Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-7250, together with the application, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Carried.

RESOLUTION NO. 80

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING A FEDERAL AID/LOCAL AID PROJECT AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR BRIDGE DESIGN SERVICES FOR 2000 - 2001

WHEREAS, the Department of Public Works requests authorization to enter into a Federal Aid/Local Aid Project Agreement with the New York State Department of Transportation for design services for the reconstruction of the Jennings Creek Road Bridge in the Town of Lisle for the period March 1, 2000 through September 30, 2001, with revenue of \$185,600 to the County, and

WHEREAS, said agreement is necessary for Phase I design services and right-of-way work for the reconstruction of the Jennings Road Bridge over the Tioughnioga River in the Town of Lisle, and

WHEREAS, the Federal Government has provided for the apportionment of federal-aid funds to New York State to carry out federal-aid highway projects pursuant to the appropriate sections of Title 23 U.S. Code as administered by the Federal Highway Administration, and

WHEREAS, the New York State Highway Law authorizes the Commissioner of Transportation to use federal aid available under the federal-aid highway acts and provides for the consent to, and approval by, the County of any project under the Federal-Aid Highway Program which is not on the State Highway System before such Project is commenced, and

WHEREAS, the County is desirous of progressing with this project under the Federal-Aid Highway Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a Federal-Aid/Local-Aid Project Agreement with the New York State Department of Transportation (NYSDOT), Administration and Engineering Building, 1220 Washington Avenue, State Campus, Albany, New York 12232, for design services and right-of-way work for the period March 1, 2000 through September 30, 2001, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget lines 035014.0383.502332 (Federal Aid-Highway Public Improvements), 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.

RESOLUTION NO. 81

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AGREEMENT WITH BARTON & LOGUIDICE P.C. CONSULTING ENGINEERS FOR DESIGN SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000 - 2001

WHEREAS, the Department of Public Works requests authorization for an agreement with Barton & Loguidice P.C. Consulting Engineers for design services for the reconstruction of the Jennings Creek Road Bridge in the Town of Lisle for the period March 1, 2000 through September 30, 2001, at a cost not to exceed \$185,000, and

WHEREAS, said services are necessary to provide the Phase I design services required for the reconstruction of the Jennings Road Bridge over the Tioughnioga River in the Town of Lisle, now, therefore, be it

RESOLVED, that this Legislature hereby authorizes an agreement with Barton & Loguidice P.C. Consulting Engineers, P.O. Box 3107, Syracuse, New York 13220 for design services for the Department of Public Works for the period March 1, 2000 through September 30, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$185,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035022.4746.502332 (Engineering and Architectural Services), and be it

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

Carried.

RESOLUTION NO. 82

By Public Works Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR STATE ASSISTANCE FOR REIMBURSEMENT OF CAPITAL COSTS INCURRED IN THE CONSTRUCTION OF THE LEACHATE TREATMENT FACILITY AT THE BROOME COUNTY NANTICOKE LANDFILL

WHEREAS, the State of New York has made a preliminary determination of eligibility in the construction of the Leachate Treatment Facility at the Broome County Nanticoke Landfill for reimbursement of up to 25 per cent of the capital costs for said project under the 1972 Environmental Quality Bond Act (EQBA), and

WHEREAS, the Leachate Treatment Facility was built at a cost of \$5,236,369 and State assistance under the 1972 EQBA could provide up to \$1,200,000 in funding reimbursement, now, therefore, be it

RESOLVED, that Jeffrey P. Kraham, Broome County Executive, is directed and authorized to submit an application for State assistance for reimbursement of up to 25 per cent of the capital costs in the construction of the Leachate Treatment Facility at the Nanticoke Landfill, pursuant to the Environmental Quality Bond Act of 1972, and be it

FURTHER RESOLVED, that Jeffrey P. Kraham, Broome County Executive, as the official representative is directed and authorized to act in connection with this application between the County and the State, and to provide such additional information as may be required, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Carried.

RESOLUTION NO. 83

By Public Works Committee

Seconded by Mr. O'Day

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BROOME COUNTY LANDFILLS AND RENDERING A" NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to amend the Broome County Charter and Code with respect to charges at the Hazardous Waste Facility at the Nanticoke Landfill, and

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

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

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

WHEREAS, said Project may have an impact on the environment, now, therefore, be it
RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the modification of charges at the Hazardous Waste Facility at the Nanticoke Landfill, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that said modification will not have a significant effect on the environment, and be it

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

Carried.

RESOLUTION NO. 84

By County Administration, Economic Development & Planning, Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 3, 2000, ENTITLED "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE, AS AMENDED, REGARDING LANDFILL FEES "

RESOLVED, that Local Law Intro. No. 3, 2000 entitled "A Local Law Amending Chapter 179 of the Broome County Charter and Administrative Code, As Amended, Regarding Landfill Fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 3, 2000

"A Local Law Amending Chapter 179 of the Broome County Charter and Administrative Code, as Amended, Regarding Landfill Fees"

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

SECTION 1. Chapter 179-5(D)(4) of the Broome County Charter and Administrative Code, as amended, be and hereby is amended to read as follows:

Section 179-5 Permit required for commercial users; application; fees; issuance; exception for residential users

(D) Fees for permits and permitted vehicles.

(4) For commercial Hazardous Waste Facility users located in Broome County, an [A] annual permitting fee of \$40 per commercial user [of the Hazardous Waste Facility] shall be charged for the permits at the time the application is proceeded, or it may be billed.

(5) For commercial Hazardous Waste Facility users located out-of-county, an annual permitting fee of \$80 shall be charged for permits at the time of application, as authorized by intermunicipal agreement.

SECTION 2. Section 179-9(A)(5) of the Broome County Charter and Administrative Code, as amended, be and hereby is amended to read as follows:

Section 179-9 Fees and Charges

(A) Nanticoke Landfill Charges

- (5) Commencing [January 1, 2000] April 1, 2000, the following charges shall apply at the Hazardous Waste Facility located at the Nanticoke Landfill:
- (a) Residential Waste from Broome County Residents: \$5 per vehicle.
 - (b) Commercial waste: \$0.75 per pound; \$3.00 per pound for wastes containing PCB's.
 - (c) Out-of-County Residential Waste: \$0.75 per pound, as authorized by intermunicipal agreement

SECTION 3. This Local Law shall take effect upon filing with the Secretary of State.

Material in [brackets] deleted
Material underlined added
Carried.

RESOLUTION NO. 85

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT WITH TIOGA COUNTY FOR THE COLLECTION OF HAZARDOUS WASTE GENERATED IN TIOGA COUNTY FOR 2000

WHEREAS, the Commissioner of Public Works requests authorization for an intermunicipal agreement with Tioga County allowing for the collection of hazardous waste from households and conditionally exempt small quantity generators at the Broome County Hazardous Waste Facility, and

WHEREAS, said agreement will generate revenue to Broome County to offset a portion of the operating expenses at the Hazardous Waste Facility and, by providing this collection service to Tioga County, will enhance the regional economy and benefit the region's environment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an intermunicipal agreement with Tioga County for the collection of hazardous waste from households and conditionally exempt small quantity generators of hazardous wastes located in Tioga County for the period March 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that Tioga County residents will be allowed access to the Broome County Hazardous Waste Facility during scheduled collection days during the months of April through November for the disposal of hazardous waste, following the facility's guidelines, and be it

FURTHER RESOLVED, the following charges will apply to Tioga County, its residents and businesses:

1. Tioga County will pay an annual fee of \$3,200 plus a disposal fee of \$0.75 per pound of all wastes brought to the facility by Tioga County residents.
2. Tioga County businesses and institutions meeting the criteria of "conditionally exempt small quantity generators (CESQGs)" will be permitted access to the facility on a year-round basis, during all scheduled days of operation subject to an annual fee of \$80 and a disposal fee of \$0.75 per pound.

FURTHER RESOLVED, that the revenue hereinabove received shall be credited to budget line 230078.0464.206000 (Other Local Governments), 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.

RESOLUTION NO. 86

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

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH IBM FOR SOFTWARE SUPPORT SERVICES FOR INFORMATION TECHNOLOGY AND THE COUNTY CLERK FOR 2000 - 2001

WHEREAS, this County Legislature, by Resolution 287 of 1999, authorized an agreement with IBM for a software service contract for Information Technology and the County Clerk at an amount not to exceed \$12,447.76 for the period June 1, 1999 through May 31, 2000, and

WHEREAS, the Director of Information Technology requests authorization to amend said agreement with IBM to extend same until January 31, 2001 and adjust the amount paid the contractor for the period February 1, 2000 through January 31, 2001, and

WHEREAS, said services are necessary to provide a support line for three AS/400 systems 24 hours a day, seven days a week; a prime-shift-only support line for the County Clerk's Image Plus System; ten hours of an AS/400 consultation line for prime shift; and five hours of an AS/400 consultation line for off-shift hours to be billed for only if used, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment of the agreement with IBM, 1177 Beltline Road, Coppell, Texas 75019, for support services for Information Technology and the County Clerk authorized by Resolution 287 of 1999 to provide that the term of the agreement shall be extended until January 31, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,884 from the County Clerk and an amount not to exceed \$8,317 from Information Technology, for a total amount not to exceed \$11,161, for the period February 1, 2000 through January 31, 2001, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 300012.4513.101000 and 370007.4513.101000 (Software Maintenance), and be it

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

Carried, Ayes-17, Nays-0, Abstain-2 (Schofield, Wike).

RESOLUTION NO. 87

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH STEARNS & WHELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1999 - 2000

WHEREAS, this County Legislature, by Resolution 430 of 1998, authorized renewal of an agreement with Stearns & Wheeler, LLC for professional engineering services at a cost of \$29,000 for the period November 1, 1998 through October 31, 1999, and

WHEREAS, said services are necessary to oversee and assist with operation of the County's new leachate treatment facility at the Nanticoke Sanitary Landfill, including emergency calls and routine site visits, and

WHEREAS, said agreement expired by its terms on October 31, 1999, and it is desired at this time to extend the term of said agreement for the period November 1, 1999 through February 29, 2000 with no increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheeler, LLC, One Remington Park Drive, Cazenovia, New York 13035 for professional engineering services for the Division of Solid Waste Management for the period November 1, 1998 through February 29, 2000 at no additional cost, 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.

RESOLUTION NO. 88

By Health Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING ACCEPTANCE OF KENDRA'S LAW PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH CATHOLIC CHARITIES TO ADMINISTER SAID PROGRAM FOR 2000

WHEREAS, the Commissioner of Mental Health requests authorization to accept funding for Kendra's Law Program Grant in the amount of \$32,850 for the period January 1, 2000 through December 31, 2000, and

WHEREAS, said grant program provides funding for additional case management services in order to implement the provisions of Kendra's Law associated with the Assisted Outpatient Treatment Program, and

WHEREAS, the Commissioner of Mental Health requests authorization to enter an agreement with Catholic Charities to administer said program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$32,850 from the New York State Office of Mental Health, 44 Holland Avenue, Albany, New York 12229, for Kendra's Law Program Grant for the Department of Mental Health for the period January 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$32,850, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905, to administer Kendra's Law Program Grant for the period January 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$32,850, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470138.5031.104XXX (Assoc. 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 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.

RESOLUTION NO. 89

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON TAX ROLLS FOR 2000

WHEREAS, applications for Correction of Errors on Tax Rolls for 2000 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 that 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.

RESOLUTION NO. 90

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING REJECTION OF BIDS ON CERTAIN PARCELS OF THE 1999 TAX SALE AUCTION (1996 IN REM FORECLOSURE)

WHEREAS, the County Legislature, by Resolution No. 721 of 1999, authorized the sale of County properties of the 1999 Tax Sale Auction (1996 In Rem Foreclosure), and

WHEREAS, the Director of Real Property Tax Services recommends that the County Legislature reject the bids received on the properties listed as Tax Map No. 143.65-1-16 (95 Corliss Avenue, Johnson City) and Tax Map No. 143.72-4-33 (194 St. Charles, Johnson City) because the bidder owed real estate taxes at the time of the auction, and

WHEREAS, for the reason set forth, it is necessary to authorize the rejection of the bids received on said parcels and refund the deposits made by the bidder, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the rejection of the bids received on the parcels listed below and directs the Director of Real Property Tax Services to refund said bidders' deposits.

Town:	Johnson City
Tax Map No.:	143.65-1-16 (95 Corliss Avenue) 143.72-4-33 (194 St. Charles)
Bidder:	Mohammad N. Battla
Bid Total:	\$1,140.00

Carried.

RESOLUTION NO. 91

By Finance Committee

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWN OF UNION

WHEREAS, the County of Broome owns certain parcels of real property in the Town of Union and it is necessary to clear the tax records of these parcels of real property, and

WHEREAS, said properties are to be moved to County Tax Roll Section 8 due to environmental problems, now, therefore, be it

RESOLVED, that taxes as shown on the attached 'Exhibit A' plus accrued interest and penalties will be cancelled on properties at 312 Maple Street and 1-3 Duane Avenue in the Town of Union, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to move said properties to County Tax Roll Section 8 due to environmental problems.
Carried.

RESOLUTION NO. 92

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING REVISION OF THE FAMILY VIOLENCE PREVENTION COUNCIL GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 2000

WHEREAS, this County Legislature, by Resolution 120 of 1985, as amended by subsequent resolutions, the last being 351 of 1999, authorized the continued participation in the Family Violence Prevention Council Grant Program (f/k/a Ongoing Child Abuse Prevention and Education Grant) and adopted a program budget in connection therewith in the total amount of \$123,098, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Family Violence Prevention Council Grant Program to include an increase in grant appropriations in the amount of \$6,900, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$129,998, and be it

FURTHER RESOLVED, that Resolution 120 of 1985 and all subsequent resolutions, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative 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.

RESOLUTION NO. 93

By Community & Social Services and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF DSS/BCC ASSOCIATE DEGREE AND CONTINUING EDUCATION PROGRAM GRANT FOR DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1999 - 2000

WHEREAS, this County Legislature, by Resolution 604 of 1998, authorized and approved the renewal of the Broome Community College Degree Program Grant for the Department of Social Services and adopted a program budget in the amount of \$55,000 for the period September 1, 1998 through August 31, 1999, and

WHEREAS, said grant program provides Department of Social Services employees with educational opportunities to enhance their skills on the job and prepare them for promotional opportunities within the department, and

WHEREAS, it is desired to renew said grant program in the amount of \$55,000 for the period September 1, 1999 through August 31, 2000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$55,000 from the New York State Office of Children and Family Services, 40 N. Pearl Street, 11-B, Albany, New York 12243 for the Department of Social Services DSS/BCC Associate Degree and Continuing Education Program Grant for the period September 1, 1999 through August 31, 2000, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$55,000, 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.

RESOLUTION NO. 94

By Personnel, Community & Social Services and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR OFFICE FOR AGING

RESOLVED, that in accordance with a request from the Director of Office for Aging as contained in PCR#00-161, this County Legislature hereby authorizes the abolishment of (1) Aging Services Aide position, Full Time, at budget line 760751.1000.104261, minimum salary of \$16,527, Grade 07, Union CSEA, effective January 1, 2000, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Office for Aging as contained in PCR#00-162, this County Legislature hereby authorizes the abolishment of (1) Keyboard Specialist position, Part Time, at budget line 760751.1500.104298, minimum salary of \$17,354 FTE, Grade 08, Union CSEA, effective January 1, 2000, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Office for Aging as contained in PCR#00-163, this County Legislature hereby authorizes the abolishment of (1) Aging Services Representative position, Part Time, at budget line 760751.1500.101000, minimum salary of \$20,116 FTE, Grade 11, Union CSEA, effective January 1, 2000.

Carried.

RESOLUTION NO. 95

By Public Works and Finance Committees Seconded by Mr. O'Day
RESOLUTION AUTHORIZING AN AMENDMENT OF AN AGREEMENT WITH CAMP, DRESSER & MCKEE FOR ENGINEERING SERVICES ASSOCIATED WITH THE ELECTRICAL INTERCONNECTION WITH BROOME ENERGY AND NYSEG AT THE NANTICOKE LANDFILL

WHEREAS, this County Legislature, by Resolution 232 of 1996 as amended by Resolution 654 of 1997, authorized an agreement with Camp, Dresser & McKee for professional engineering services associated with the landfill gas production investigation at the Nanticoke Sanitary Landfill, at a cost of \$58,600, and

WHEREAS, it is necessary to authorize an amendment to said agreement to extend the term of the contract through and including December 31, 1999 at no additional cost to the County for engineering services associated with the electrical interconnection with Broome Energy and NYSEG, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Camp, Dresser & McKee, 660 Reynolds Arcade, 16 East Main Street, Rochester, New York 14614, to extend the term of said agreement for engineering services associated with the electrical interconnection with Broome Energy and NYSEG through and including December 31, 1999 at no additional cost to the County, and be it

FURTHER RESOLVED, that Resolution 232 of 1996 as amended by Resolution 654 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.

RESOLUTION NO. 96

By Personnel and County Administration, Economic Development & Planning Committees

Seconded by Mr. Hull

RESOLUTION AUTHORIZING COUNTY ATTORNEY TO APPOINT CURRENT DIRECTOR OF EMPLOYEE RELATIONS AS SPECIAL ASSISTANT COUNTY ATTORNEY TO SERVE WITHOUT ADDITIONAL COMPENSATION

WHEREAS, the current Director of Employee Relations, Max Raterman, is a duly licensed attorney at law admitted to practice before the courts of the State of New York and the United States District Court for the Northern District of New York, and

WHEREAS, Mr. Raterman, prior to being appointed the Director of Employee Relations, was an Assistant County Attorney in the Broome County Law Department, and

WHEREAS, in connection with his duties as Director of Employee Relations, legal issues arise which are referred to the Law Department, and

WHEREAS, the Law Department, with the consent of the Legislature, employs special counsel to assist with specific litigation, and

WHEREAS, in connection with personnel legal issues referred to the Law Department, Mr. Raterman, because of his background, could provide assistance to the Law Department, working under the legal supervision of the County Attorney, and

WHEREAS, Mr. Raterman has indicated that he is willing to provide this legal service at no additional compensation, and

WHEREAS, the Director of Personnel has no objection to Mr. Raterman serving as a Special Assistant County Attorney for the purpose of assisting with litigation involving personnel matters, only, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Attorney to appoint Max Raterman as Special Assistant County Attorney to serve without additional compensation, and be it

FURTHER RESOLVED that said appointment shall be for the sole purpose of allowing Max Raterman to assist with litigation and other legal issues involving personnel matters, and be it

FURTHER RESOLVED, that when Mr. Raterman serves as a Special Assistant County Attorney, he shall work under the supervision of the Broome County Attorney and only after obtaining the specific consent of the Director of Personnel, and be it

FURTHER RESOLVED, that Mr. Raterman, upon appointment by the County Attorney shall serve at the pleasure of the County Attorney and his appointment as a Special Assistant County Attorney may be terminated at any time upon the request of the Director of Personnel.

Ms. Sweet made a motion, seconded by Mr. Howard, to amend the third FURTHER RESOLVED paragraph to delete all words that followed "...of the County Attorney...". **Amendment carried. Resolution as amended carried.**

RESOLUTION NO. 97

By Finance Committee

Seconded by Ms. Hudak

RESOLUTION AMENDING A BOND RESOLUTION DATED DECEMBER 29, 1999, HERETOFORE ADOPTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF BROOME, NEW YORK, ON SUCH DATE, WITH RESPECT TO THE MAXIMUM ESTIMATED COST AND PLAN OF FINANCING THEREFORE

WHEREAS, the bond resolution adopted by the County Legislature on December 29, 1999 (Resolution 99-719) set forth a maximum estimated cost for the Arena Improvements at \$808,000, and

WHEREAS, in order to utilize remaining state funds available for additional improvements the costs are now estimated to be \$1,048,000, and,

WHEREAS, it is necessary to add the Federal Aide Bridge Program to the Bond Resolution dated December 29, 1999 (Resolution 99-719) to provide necessary funding due to delays in receipt of reimbursements, and

WHEREAS, it is the intent of the County Legislature to revise the maximum estimated cost for this resolution, as well as the plan of financing therefore, in light thereof, now, therefore,

BE IT RESOLVED, by the County Legislature for the County of Broome, New York, as follows:

Section 1. Section 1 of the Bond Resolution referenced in the preambles hereto is hereby amended, in part, so that the following description of the Project entitled "Arena Improvement" shall read as follows:

<u>Project Name/P.P.U./LFL Section 11.00</u>	<u>Maximum Estimated Cost</u>
Arena Improvements (5 years, Sub 35)	\$1,048,000

And to add the following project:

Federal Aide Bridge Program (20 years, sub. 10)	\$2,000,000
--	-------------

increasing the total from \$10,206,700 to \$12,446,700

Section 2. Section 3 of said bond resolution is also hereby amended so that the aggregate maximum estimated cost so set forth therein is increased by \$2,240,000 and with the amount of serial bonds to be issued increased by \$1,840,000 and the plan of financing set forth therein to be amended by increasing the anticipated moneys to be received from the state government to be allocated solely to the Arena Improvement Project by \$240,000, by the application of \$400,000 in County funds allocated entirely to the Federal Aide Bridge Program and that the amount of bonds authorized to be issued shall be reduced to the extent of Federal and/or State grants to be received for the Federal Aide Bridge Program, there being anticipated that \$1,600,000 monies to be received from the Federal grant to be allocated entirely to the Federal Aide Bridge Program project.

Section 3. This Resolution to the extent inconsistent with Resolution 719 of 1999, supercedes and amends said prior bond Resolution.

Section 4. The validity of such bonds and bond anticipation notes may be contested only if:

-
- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
 - 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and any action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
 - 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 5. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the county Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried.

RESOLUTION NO. 98

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO PROVIDE ECONOMIC DEVELOPMENT SERVICES TO BROOME COUNTY AND FOR THE EXECUTIVE DIRECTOR OF THE IDA TO SERVE AS THE BROOME COUNTY DIRECTOR OF ECONOMIC DEVELOPMENT

WHEREAS, this County Legislature places the highest priority on economic development in Broome County to insure the economic future of our community, and

WHEREAS, a strong public sector economic development organization incorporating local government economic development, and state and local economic development agencies working with the private sector can enhance Broome County's economic development efforts, and

WHEREAS, it is desired to create a partnership between the County and the Broome County Industrial Development Agency to facilitate the objectives of this economic development initiative, and

WHEREAS, this partnership will support the efforts of the Broome County Chamber of Commerce and Partnership 2000 as they work together as our private sector agencies and support the work of the Economic Development Alliance, and

WHEREAS, in connection with this partnership Broome County and the Broome County Industrial Development Agency desire to enter into an agreement whereby the IDA will administer the Broome County Economic Development Program including providing support staff and the services of the IDA executive director to serve as the Broome County Director of Economic Development; administer the County Economic Development Revolving Loan Fund and the County's Economic Development Program budget in consideration of which the County will pay to the IDA the sum of \$52,374.00 annually to cover the services of the IDA Executive Director and provide space for the IDA offices in the Edwin L. Crawford County Office Building, and

WHEREAS, it is desired that said agreement shall take effect on July 1, 2000 with an initial term of four and one half years, provided that the IDA shall have moved into the County Office Building, and that either party may terminate said agreement effective January 1st of any year beginning January 1, 2001, provided they have by July 1st of the preceding year given written notice to the other party of their intention to terminate the agreement, now therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Industrial Development Agency for the IDA to provide the services of the Executive Director of the IDA to serve as the Broome County Director of Economic Development, administer the County economic development revolving loan fund and the

County's economic development program budget, and to provide such other development services to Broome County as may be agreed upon, and be it

FURTHER RESOLVED, that the term of this agreement shall be from July 1, 2000 until December 31, 2004, conditioned on the IDA moving into the Edwin L. Crawford County Office Building prior to July 1, 2000 provided, however, that either party may terminate said agreement effective January 1st of any year beginning January 1, 2001, provided they have by July 1st of the preceding year given written notice to the other party of their intention to terminate the agreement, and be it

FURTHER RESOLVED, that in consideration of said services during the term of this agreement the County shall pay the Broome County Industrial Development Agency an annual amount not to exceed the sum of \$52,374.00. In addition the County will provide space in the Edwin L. Crawford County Office Building, including utilities (exclusive of communication services such as phone, FAX, and Internet service) for the IDA offices, and be it

FURTHER RESOLVED, that the payments hereinbefore authorized shall be paid from budget line 231001.10100.4545 (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.

Mr. Hull made a motion to call the question, seconded by Mr. Kolba. **Motion to call the question carried**, Ayes-15, Nays-4 (Brunza, Burger, Kavulich, Pasquale). **Resolution carried**.

RESOLUTION NO. 99

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH THE BROOME COUNTY IDA TO PROVIDE A HYDROLOGICAL STUDY AT THE BROOME CORPORATE PARK FOR 2000

WHEREAS, during the initial construction of the Broome Corporate Park the New York State Department of Environmental Conservation required the County to complete additional work in connection with wetlands located in the Corporate Park upon the sale for development of 60% of Park land, and

WHEREAS, fulfilling said DEC requirements was estimated to cost approximately \$432,000.00, and

WHEREAS, as a result of negotiations with NYSDEC, the DEC will now accept a hydrological plan that would insure wetland protection in anticipated fulfillment of its original permit requirements, and

WHEREAS, the Broome County Industrial Development Agency (IDA) has worked with developers during development of the Park and has available to it engineering studies which will provide the basic data needed for the DEC required hydrological study and is willing to provide, through its engineers, this data and the required hydrological study for a sum not to exceed \$28,750.00, and

WHEREAS, in light of the potential savings, the Planning Department recommends an agreement with the IDA at a cost not to exceed \$28,750.00 whereby the IDA will provide the County with a hydrological study satisfactory to the DEC that it is anticipated will satisfy DEC permit requirements in connection with the Corporate Park, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Industrial Development Agency, whereby the IDA will provide a hydrological study in connection with the Broome Corporate Park which study is anticipated will be satisfactory to the DEC and fulfill the remaining requirements in connection with the permit issued by the DEC for development of the Broome Corporate Park, and be it

FURTHER RESOLVED, that the term of the agreement shall be from January 1, 2000 through December 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the IDA an amount not to exceed \$28,750.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440180.4747.502240 (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.

RESOLUTION NO. 100

By Finance, Public Safety & Emergency Services and Public Works Committees

Seconded by Mr. Mather

RESOLUTION AMENDING THE 1999 CAPITAL IMPROVEMENT PROGRAM

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

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502281	Dog Shelter Expansion Project	179,000	0	179,000	0
		<u>How Financed:</u>			
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		1999	5	0	0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502281	Dog Shelter Expansion Project	232,750	0	232,750	0
		<u>How Financed:</u>			
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		1999	5	0	0

Comments: To increase the funding to complete the dog shelter expansion. Increase in total cost has been included in the adopted 2000 Operating Budget. (project is totally funded from Dog Shelter fees and donations)

FURTHER RESOLVED, that the Director of Budget & Research, the Comptroller and the Commissioner of Finance are hereby authorized to process any necessary paperwork to implement the intent of this Resolution.

Carried.

RESOLUTION NO. 101

By Finance and Public Works Committees

Seconded by Mr. Miller

RESOLUTION AMENDING THE 2000 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2000 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501358	Federal Aid Bridge Program	2,000,000	0	1,600,000	400,000
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		2000	20	0	400,000

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501358	Federal Aid Bridge Program	2,000,000	0	1,600,000	400,000
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		2000	20	1,600,000	400,000

Purpose: To up front cash amounts, because of delays in reimbursements.

FURTHER RESOLVED, that the Director of Budget & Research, the Comptroller and the Commissioner of Finance are hereby authorized to process any necessary paperwork to implement the intent of this resolution.

Carried.

RESOLUTION NO. 102

By Finance, Education, Culture & Recreation and Public Works Committees
Seconded by Mr. Miller

RESOLUTION AMENDING THE 1999 and 2000 CAPITAL IMPROVEMENT PROGRAMS

RESOLVED, that the 1999 and 2000 Capital Improvement Programs are hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
502324	1999 Otsiningo Trail Extension Project	425,000	300,000	125,000	0
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		1999	20	0	0

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
503148	2000 Otsiningo Trail Extension Project	531,000	300,000	0	231,000
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		2000	15	300,000	231,000

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501348	2000 Otsiningo Trail Extension Project	656,000	300,000	125,000	231,000

<u>How Financed:</u>			
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
2000	15	300,000	231,000

Comments: To revise and combine the 1999 and 2000 Otsiningo Trail Extension Project. This includes moving all appropriations, expenditures and revenues to the 2000 Project (501348).

FURTHER RESOLVED, that the Director of Budget & Research, the Comptroller and the Commissioner of Finance are hereby authorized to process any necessary paperwork to implement the intent of this resolution.

Carried.

RESOLUTION NO. 103

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING AGREEMENT WITH STRATEGIC POWER MANAGEMENT, LLC, FOR CONSULTING SERVICES IN CONNECTION WITH THE LANDFILL GAS GENERATING FACILITY FOR 2000.

WHEREAS, pursuant to a contract with Broome County, Meridian Resources, LLC has constructed a 1.2 megawatt electricity generating facility at the Broome County Landfill using methane produced at the landfill, and

WHEREAS, the Division of Solid Waste Management, in the light of higher oil costs, greater environmental awareness and the market volatility associated with deregulation, has been exploring the possibility of using the electricity generated to supply the airport and other county- owned facilities and/or selling the power to NYSEG or a power marketer, and

WHEREAS, Meridian Resources, LLC has proposed to expand the generating facility to double the capacity, and

WHEREAS, it is desired to employ the services of a consultant to provide a feasibility study to assist the County in determining the feasibility of using the power generated in county facilities and/or selling it to NYSEG or a power marketer and the feasibility of doubling the generating capacity of the landfill generator, and

WHEREAS, previously, pursuant to Resolution 327 of 1999, Broome County entered into an agreement with Strategic Power Management, LLC to provide consulting services for the landfill energy project, and

WHEREAS, the Division of Solid Waste Management now desires to retain the services of Strategic Power Management, LLC to conduct said feasibility study, and

WHEREAS, Strategic Power Management, LLC has submitted a proposal to the County to provide a feasibility study at an hourly rate of \$160.00 with a cost not to exceed \$15,500 plus reimbursement for any out of pocket expenses (with no expense greater than \$500 being incurred without the prior consent of the County) which study will include analyzing Meridian's offer to expand the generating facility at the landfill taking into consideration the economics of the present agreement and alternatives available to the county such as constructing a transmission line to provide electricity to the airport; extending the line to provide electricity to other county owned facilities; selling all output from the generating facility to non-county accounts through the NYSEG retail access program; and/or selling all, or a portion, of the output to a power marketer emphasizing the "green" nature of the power, and

WHEREAS, the Division of Solid Waste Management has reviewed said proposal and recommends that it be accepted, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Strategic Power Management, LLC, P.O. Box 508, Syosset, New York 11791 for the period January 1, 2000 through December 31, 2000 to provide said feasibility study, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$18,000 (including out-of-pocket costs) for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501319 (Contracted Services), and be it

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

Carried.

RESOLUTION NO. 104

By Public Works and Finance Committees

Seconded by Mr. O'Day

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DELTA ENGINEERS, P.C. FOR STRUCTURAL ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 2000

WHEREAS, this County Legislature, by Resolution 563 of 1999, authorized renewal of the agreement with Delta Engineers, P. C. for supplemental structural engineering services for the Department of Public Works at an amount not to exceed \$100,000 for the period January 1, 1999 through December 31, 1999, and

WHEREAS, said services are necessary to provide structural engineering on projects for various Broome County departments, and

WHEREAS, said agreement expired by its terms on December 31, 1999 and it is desired at this time to renew said agreement for an amount not to exceed \$100,000 for the period January 1, 2000 through August 31, 2000 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Delta Engineers, P. C., 164 Court Street, Binghamton, New York 13901 for structural engineering services for various Broome County departments, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor in accordance with the rate schedule attached hereto as Exhibit "A", total cost not to exceed \$100,000 for the period January 1, 2000 through August 31, 2000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the appropriate operating and capital budget lines for the departments or projects for which services are required, 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.

RESOLUTION NO. 105

By Finance, Public Works and County Administration, Economic Development & Planning Committees

Seconded by Mr. Hull

RESOLUTION AMENDING THE 2000 CAPITAL IMPROVEMENT PROGRAM

RESOLVED, that the 2000 Capital Improvement Program is hereby amended as follows:

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		
			<u>State</u>	<u>Federal/Other</u>	<u>County</u>
501359	Acquire DMV Building	175,000	0	0	175,000

<u>Local Finance Law</u>				
<u>Sec. 11</u>				
			<u>How Financed:</u>	
<u>Year Start</u>	<u>YPU</u>	<u>Subd.</u>	<u>Bond</u>	<u>Current Revenue</u>
2000	20	11 (b)	175,000	0

Comments: To acquire a building to house DMV operations; including furnishing, equipment and machinery.

FURTHER RESOLVED, that the Director of Budget and Research, Comptroller, and Commissioner of Finance are hereby authorized to process any necessary paperwork to implement the intent of this resolution.

Carried.

RESOLUTION NO. 106

By Public Works Committee

Seconded by Mr. O'Day

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO PURCHASE OF FORMER BRANCH BANK FOR USE BY THE COUNTY CLERK AS A DEPARTMENT OF MOTOR VEHICLE BRANCH OFFICE AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is desired to purchase the former Chase Manhattan Bank First Ward Branch consisting of a single story commercial building with adjoining parking lot located at 181-185 Clinton Street in the City of Binghamton (tax map #114019 and 114018) from the current owner, Manufactureres and Traders Trust, for use by the Broome County Clerk as a Department of Motor Vehicle Branch Office (the project), and

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

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

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

WHEREAS, said project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the purchase of real property located at 181-185 Clinton Street, Binghamton, New York (tax map #11409 and 114018) for use by the Broome County Clerk as a Department of Motor Vehicle branch office, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A", hereby determines and declares that said project will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "B".

Carried.

RESOLUTION NO. 107

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

RESOLUTION AUTHORIZING THE PURCHASE FROM M & T BANK OF 181-185 CLINTON STREET FOR USE BY THE COUNTY CLERK FOR DEPARTMENT OF MOTOR VEHICLE TRANSACTIONS

WHEREAS, Broome County currently leases space in the MetroCenter for use as a Broome County Clerk's Department of Motor Vehicle office, and

WHEREAS, the County presently is paying rent in the amount of \$34,500 annually for the MetroCenter site, and

WHEREAS, said lease has expired and the County continues in possession of the premises on a month-to-month basis, and

WHEREAS, the County Executive has been working with the County Clerk to find a permanent location for the Motor Vehicle Office in Binghamton, and

WHEREAS, M & T Bank recently acquired the branch offices of Chase Manhattan Bank including the First Ward Branch located at 181-185 Clinton Street, and

WHEREAS, M & T Bank is no longer operating the First Ward Branch and is willing to sell the property consisting of the bank building together with an adjoining parking lot to the County for the sum of \$110,000, and

WHEREAS, the bank building is well suited for the County Clerk's Motor Vehicle Office, is conveniently located, has on-site parking and has additional space for storage of records, and

WHEREAS, a recent appraisal of the premises indicate an appraised value in excess of \$110,000, and

WHEREAS, the purchase of the First Ward Branch Bank will provide a permanent site for the County Clerk's Motor Vehicle Office and over the years result in a substantial savings over the present rent, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Manufacturers and Traders Trust Company, I M & T Plaza, Buffalo, New York 14203 to purchase real property located at 181-185 Clinton Street in the City of Binghamton for use as a County Clerk's Motor Vehicle Office or such other use as may be required by the County, at a cost not to exceed \$110,000 and be it

FURTHER RESOLVED, that the purchase price shall be paid from Capital Project 501359 (Acquire DMV Building), 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.

RESOLUTION NO. 108

By Personnel and Finance Committees

Seconded by Mr. Hull

RESOLUTION AUTHORIZING LABOR AGREEMENT WITH BROOME ADMINISTRATIVE AND PROFESSIONAL ASSOCIATION (BAPA) FOR JANUARY 1, 1999 THROUGH DECEMBER 31, 2001

WHEREAS, the County of Broome, under the provisions of the Civil Service Law (Taylor Law), has heretofore recognized Broome Administrative and Professional Association (BAPA) as an employee organization for those certain Broome County employees represented by said Union, and

WHEREAS, this County Legislature, by Resolution No. 80 of 1996, authorized a written agreement with the Broome Administrative and Professional Association setting forth the terms and conditions of employment for those employees represented by said Union for the period January 1, 1996 through December 31, 1998, and

WHEREAS, a tentative agreement has been reached with Broome Administrative and Professional Association (BAPA) for the period January 1, 1999 through December 31, 2001, and

WHEREAS, it is desired at this time to renew said labor agreement on the terms and conditions set forth in the Memo of Agreement on file with the Clerk of this Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome Administrative and Professional Association (BAPA), setting forth the terms and conditions of employment for those employees represented by said Union, for the period January 1, 1999 through December 31, 2001, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 1996 written labor agreement with the exception of those changes listed on Exhibit "A" attached hereto, 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.

EXHIBIT A

Memorandum

TO: Jeffrey P. Kraham, County Executive
FROM: Nancy Olmstead, Personnel Officer
DATE: February 14, 2000
SUB: Tentative Agreement with BAPA

I received a call this morning from Ted Mlynarski, BAPA Attorney. He advised me BAPA will accept the Fact Finder's Report in settlement of the contract dispute. They will schedule a membership vote to take place prior to the legislative session on Thursday.

The following is a summary of the agreement:

- Part-time Benefits: Vacation carry-over and longevity payments to be prorated like other BAPA part-time benefits

Holiday pay to be based on number of hours regularly worked

- Longevity: Payment amounts to be increased by \$200 (as recommended by the Fact Finder)
- Grievance Procedure: Procedure formalized and ends with binding arbitration
- Work Schedule: Formalize flex schedule language (as recommended by Fact Finder)
- Health Insurance: Effective 4/1/00 employee pay 5% of individual and family premium. Prescription co-pays change to \$5 generic and \$10 brand name. Effective 1/1/01 employee to pay 10% of individual and family premium. (as recommended by Fact Finder)
- Compensation: Effective 1/1/99, new grid developed. Employees placed on new grid at current grade and step. No employee will receive less than a 4.5% increase. Effective 1/1/00 4% increase. Effective 1/1/01 4% increase. (as recommended by Fact Finder).

-
- Miscellaneous: Numerous other wording changes, update and correct inaccurate language.

I am requesting this matter be addressed by the Legislature at their meeting on February 17. As you know, approval on that date will enable us to use 1999 funds to pay the 1999 retroactive pay.

If you have any questions about this matter, feel free to call me.

cc: Dan Schofield, Chair
Brian Mather, Legislator

Carried.

RESOLUTION NO. 109

By All Members

Seconded by Mr. Kolba

RESOLUTION OF CONDOLENCE ON THE DEATH OF THOMAS M. JABLONOWSKI

WHEREAS, Thomas M. Jablonowski, former Broome County Director of Consumer Affairs and Johnson City School Board member and past President, passed away on the 8th day of February, 2000, and

WHEREAS, Thomas M. Jablonowski served the citizens of Broome County for 25 years with dedication and commitment as a Sealer of Weights and Measures for eight years and as the prominent and effective Consumer Affairs Advocate for 17 years, and

WHEREAS, he served the people of the Johnson City Central School District for 20 years as a member of the Board of Education, including three terms as its president and where he was affectionately known to all as "Mr. J.", and

WHEREAS, Thomas M. Jablonowski will long be remembered for his wit, his humor, his generosity and his willingness to serve his country, his church and his community, as a veteran of the U.S. Army, as an usher in his church and as a Code Enforcement Officer for the Village of Johnson City, and

WHEREAS, he was among the first in line to volunteer his services to the benefit of his fellow man, Thomas M. Jablonowski was the man who for 25 years ran the Johnson City Wildcat Stadium concession during sporting events, was a founding member of ACCORD, the center for dispute resolution, and served as a member of Leadership Broome, and

WHEREAS, Thomas M. Jablonowski exemplified all that is admired in both his private and public life, doing so much good for so many people, and

WHEREAS, the Broome County Legislature, acting for the citizens of Broome County, wishes to record its condolences in the official proceedings of this body, now, therefore, be it

RESOLVED, that the members of this County Legislature hereby recognize the loss of Thomas M. Jablonowski and extend their sincere sympathy to his family, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to place this resolution in the minutes of the Regular Session of the County Legislature held on February 17, 2000 and to transmit a copy of this resolution to the family of the late Thomas M. Jablonowski.

Carried.

Mr. Howard made a motion to adjourn, seconded by Mr. Pasquale. **Motion to adjourn carried.** The meeting was adjourned at 5:17 p.m.

