

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
JUNE 27, 1996**

The Legislature convened at 4:00 P.M. with a call to order by the Chair, Arthur J. Shafer. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll: Present-17, Absent-2 (Mr. Lindsey & Mr. O'Day)

The Chair, Mr. Shafer led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a moment of silent meditation.

Mr. Miller moved, seconded by Mr. Pasquale that the minutes of the Regular Session of May 16, 1996, be approved as prepared and presented by the Clerk. **Carried**, Ayes-17, Nays-0, Absent-2 (Mr. Lindsey & Mr. O'Day)

The following petitions, communications, notices and reports were presented to the County Legislature:

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

Letters from the County Executive, Timothy M. Grippen:

- 1.Nominating Edward Rantanen to membership on Central Library Board of Trustees.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

COMMUNICATIONS:

- 1.Minutes from:
 - a.Soil and Water Conservation District
 - b.Community Services Board
 - c.Environmental Management Council

- d. EMC's Natural Resources Committee
 - e. EMC Ad Hoc Committee on Alternative Transportation and BMTS Bicycle and pedestrian Plan Advisory Committee.
 - f. EMC Solid Waste Committee and Nanticoke Landfill Task Force
 - g. EMC Solid Waste Committee
 - h. Willow Point Nursing Facility
 - i. Binghamton Regional Airport
 - j. Public Library
 - k. Cornell Cooperative Extension
 - l. Association of Towns and Villages
 - m. Industrial Development Agency (minutes and other materials)
2. Broome Community College: 1996-1997 Recommended Budget.
3. Local Law Rejection Notice (Local Law Intro. 25 of 1995-Transferring the Department of Public Works Divisions).
4. Employment Agreements:
- a. Amalgamated Transit Union, Local #1145
 - b. Public Employees, Local Union No. 1883
 - c. Local Union 1912, Council No. 66
5. Letter from Town of Union Supervisor Bertoni recommending the former Savin Building for the Veteran's Clinic.
6. Resolutions from:
- a. Town of Binghamton (Withdrawal from Workers' Compensation Plan, effective January 1997)
 - b. Village of Johnson City (Withdrawal from Workers' Compensation Plan, effective January 1997)
 - c. Town of Windsor (Withdrawal from Workers' Compensation Plan, effective January 1997)
 - d. Town of Barker (Possibility of withdrawing from Workers' Compensation Plan, effective January 1997)
 - e. Town of Conklin (Withdrawal from Workers' Compensation Plan, effective January 1997)
 - f. Village of Windsor (Withdrawal from Workers' Compensation Plan, effective January 1997)

- g. Town of Nanticoke (Withdrawal from Workers' Compensation Plan, effective January 1997)
 - h. Ontario County (Opposing NYS Assembly Bill 8433 as Amended-Tobacco Products)
 - i. Tompkins County (Opposing NYS Assembly Bill 8433 as Amended-Tobacco Products)
 - j. Tioga County (Opposing NYS Assembly Bill 8433 as Amended-Tobacco Products)
 - k. Town of Green (Petition NYS Association of Towns to Commence Action against Governor, Members of Senate and Assembly)
 - l. Village of Windsor (Opposition to Broome County Library Proposal)
7. News Release: NYSAC Brings Lawsuit to Force State to Pay \$300 Million Owed to Counties.
8. BMTS - Copy of testimony on behalf of Institute of Transportation Engineers for Outreach Hearing on ISTE A Reauthorization.

NOTICES: Notice of Claim: Patrick J. Richmond (on behalf of Miranda Richmond, an infant) vs. County of Broome (Broome Community College Center)

Notice of Claim: Carlo L. Chung vs. County of Broome (Sheriff's Department)

REPORTS:

- 1. Broome Community College: Above Minimum Hires (April 1996); Budget Transfers (April and May 1996); Quarterly Income Statements and Balance Sheets.
- 2. Office of Public Defender: Report of Indigent Defendants (January 1 through December 1995).
- 3. 1995 Annual Reports:
 - a. Department of Parks and Recreation

- b. Community Alternative Systems Agency (CASA)
 - c. Division of Information Technology
 - d. Your Home Public Library
4. Health Department: Community Health Assessment, Volume VII.
 5. Department of Audit and Control: Payroll Audit (Transit); Bank Transfer Testing (November 1995 through March 1996); Petty Cash Audits (27 Departments).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

PRESENTATION TO: Broome County Child Abuse Council

Letters from the Chair, Arthur J. Shafer:

1. Appointing Jane R. Sweet as voting representative for William T. Wike and John E. Cahill as voting representative for Chris W. Burger, County Administration, Economic Development and Planning Committee, May 8, 1996.
2. Appointing James L. Holley as voting representative for Daniel A. Schofield, Inter-Governmental Relations Committee, June 17, 1996.
3. Appointing the following as voting representatives for Wayne L. Howard: Louis P. Augostini, Education, Culture & Recreation Committee, June 20, 1996; Patrick F. O'Day, Finance Committee, June 20, 1996.
4. Appointing Daniel A. Schofield as voting representative for Thomas A. Hull, Education, Culture and Recreation Committee, June 20, 1996.

Mr. Cahill moved, seconded by Mr. Whalen, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1996 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the

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Chair. **Carried**, Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

Several resolutions were taken out of order, however, for the sake of clarity, all resolutions are presented in numerical order.

Mr. Wike and Mr. Kavulich were designated by the Chair as participants in the 'short roll call' for the session.

Mrs. Coffey seconded the preferred agenda.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION OF
MAY 16, 1996

RESOLUTION NO. 216 held over by Mrs. Sweet
by FINANCE COMMITTEE

**AUTHORIZING THE SALE OF THE FORMER CHENANGO
BRIDGE NURSING HOME TO JOSEPH M. PAOLETTI, JR.,
JOSEPH M. PAOLETTI, III AND STEVEN A. PAOLETTI**

Mr. Pasquale moved, seconded by Mr. Mather to **call the question** on the resolution. The call of the question **carried**. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

The resolution **lost**. Ayes-1 (Coffey), Nays-16, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 224 held over by Mr. Shafer
by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT &
PLANNING AND FINANCE COMMITTEES

**AUTHORIZING THE BROOME COUNTY INDUSTRIAL
DEVELOPMENT AGENCY AND TOWN OF DICKINSON TO
OFFER A COMMISSION WITH REGARD TO THE SALE OF
THE "GARDEN PLOTS"**

Mr. Howard moved, seconded by Mr. Pasquale to **table** the resolution.
The tabling **carried**. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 231

by ENVIRONMENT COMMITTEE

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE
LANDFILL GAS FEASIBILITY STUDY REPORT.**

WHEREAS, the Division of Solid Waste Management, in conjunction with Seeler Associates, has developed a Landfill Gas Feasibility Study Report which contains various findings and recommendations, and

WHEREAS, it is desired that this Legislature accept said report, which is on file with the Clerk of the Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby accepts the Landfill Gas Feasibility Study Report findings and recommendations regarding the Nanticoke Landfill.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 232

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING AN AGREEMENT WITH
CAMP, DRESSER & McKEE, FOR PROFESSIONAL
ENGINEERING SERVICES ASSOCIATED WITH THE
LANDFILL GAS PRODUCTION INVESTIGATION AT THE
NANTICOKE LANDFILL.**

WHEREAS, preliminary design and gas production investigation is needed for the final design of gas well installations and gas

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collection/flair systems at the Nanticoke Landfill, and

WHEREAS, this information will also be utilized for designing an electricity generation facility at the Nanticoke Landfill, and

WHEREAS, the Director of Solid Waste Management has recommended that the County retain the services of Camp, Dresser & McKee to complete said work, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Camp, Dresser & McKee, 660 Reynolds Arcade, 16 East Main Street, Rochester, New York, 14614, (formerly Seeler Associates), for professional engineering services associated with preliminary design and landfill gas production services at the Nanticoke Landfill, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$58,600 for the scope of work referenced in the attached letter from Camp, Dresser & McKee dated June 7, 1996 and this amount shall be for the term of this agreement, and be it

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 233

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH KPMG PEAT MARWICK, LLP FOR AUDITING SERVICES OF FINANCIAL ACCOUNTS FOR

YEARS ENDING 1995, 1996, AND 1997.

WHEREAS, this County Legislature, by Resolution 24 of 1996, authorized an agreement with KPMG Peat Marwick, LLP, for auditing services, at a cost of \$97,500 for 1995, \$102,000 for 1996, and \$106,500 for 1997, and

WHEREAS, it is necessary to authorize the amendment of said agreement for auditing services to include the PFC funds for the Binghamton Regional Airport, and

WHEREAS, the Comptroller 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 KPMG Peat Marwick, LLP, 74 North Pearl Street, Albany, New York, 12207, for auditing services of financial accounts for the years ending December 31, 1995, December 31, 1996, and December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$102,450 for 1995; \$106,950 for 1996; and \$111,450 for 1997, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 360008.4722.101000 (Audit Fees), and be it

FURTHER RESOLVED, that Resolution 24 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 234
by FINANCE COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PETTY CASH FUND FOR THE DEPARTMENT OF AUDIT AND CONTROL.

WHEREAS, the Comptroller requests that this County Legislature establish a petty cash fund for the Department of Audit and Control, and

WHEREAS, the Commissioner of Finance has determined that such petty cash fund is warranted, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and authorizes the establishment of a petty cash fund in the amount of \$300 for the Department of Audit and Control, and further authorizes the Commissioner of Finance to transfer \$300 to said fund, and be it

FURTHER RESOLVED, that the administration of said funds shall be in accordance with those rules and procedures governing the use of petty cash funds created by the County Comptroller including, but not limited to, the requirement that at all times the petty cash allowance be fully accounted for in the form of cash on hand, receipts and records.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 235

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION IN RELATION TO ADDITIONAL ENHANCED EMERGENCY TELEPHONE SYSTEM SURCHARGE PROVISIONS FOR THE COUNTY OF BROOME.

BE IT RESOLVED, that Broome County requests the New York State Legislature to enact Legislation in relation to additional enhanced emergency telephone system surcharge provisions for the County of Broome as follows:

AN ACT to amend the County Law, in relation to additional

enhanced emergency telephone system surcharge provisions for the County of Broome.

THE PEOPLE OF THE STATE OF NEW YORK,
REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS
FOLLOWS:

ARTICLE 6-B. ADDITIONAL ENHANCED EMERGENCY
TELEPHONE SYSTEM SURCHARGE PROVISIONS FOR THE
COUNTY OF BROOME

Section 313. APPLICATION OF ARTICLE SIX OF THIS CHAPTER.

Section 314. ADDITIONAL COSTS.

Section 315. SYSTEM REVENUES; ADJUSTMENT OF
SURCHARGE.

§ 313. APPLICATION OF ARTICLE SIX OF THIS CHAPTER. The provisions of Article Six of this Chapter shall apply in all respects to the County of Broome except where inconsistent with the provisions of this Article.

§ 314. ADDITIONAL COSTS. In addition to the costs set forth in Section Three Hundred One of this Chapter, the following costs shall be costs needed to be paid by the County of Broome to provide an enhanced 911 emergency telephone system to serve such county:

1. "Personnel Costs" means all costs associated with the cost of personnel needs to operate and maintain an E911 System including but not limited to the compensation thereof.

2. "Training Costs" means all costs associated with the training of personnel who operate and maintain an E911 System. These costs include but are not limited to the costs of certifying and training trainers, and purchasing training equipment and services.

3. "Public Awareness Costs" means those costs associated with public information activities relating to E911. These costs include but are not limited to audio/visual equipment to be used in educational programs, printed materials, road signs, and various forms of advertising to inform the residents of a municipality about E911.

4. "Housing Costs" means those costs associated with the housing of system equipment and related costs.

5. "Operational Costs" means personnel costs, training costs, public awareness costs, and housing costs as defined in this section.

§ 315. SYSTEM REVENUES; ADJUSTMENT OF SURCHARGE. Notwithstanding the provisions of Section Three Hundred Seven of this Chapter, all surcharge monies remitted to the County of Broome by a service supplier and all other monies dedicated to the payment of system and operational costs from whatever source derived or received by the County shall be expended only upon authorization of the Legislature and only for payment of system and operational costs as permitted by this Article and Article Six of this Chapter. The County shall separately account for and keep adequate books and records of the amount and source of all such revenues and of the amount and object or purpose of all expenditures thereof. If at the end of any fiscal year the total amount of all such revenues exceeds the amount necessary and expended for payment of system and operational costs in such fiscal year, such unencumbered cash surplus shall be carried over for the payment of system and operational costs in the following fiscal year. However, if at the end of any fiscal year such unencumbered cash surplus exceeds an amount equal to five percent of that necessary for the payment of system and operational costs in such fiscal year, the legislature shall by local law reduce the surcharge for the following fiscal year to a level which more adequately reflects the system and operational cost requirements of its E911 System. The Legislature may also by Local Law reestablish or increase such surcharge, subject to the provisions of Section Three Hundred Three of this Chapter, if the revenues generated by such surcharge and by any other source are not adequate to pay for system and operational costs.

§ 2. This act shall take effect immediately.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 236

by PUBLIC SAFETY & EMERGENCY SERVICES, COMMUNITY & SOCIAL SERVICES, PERSONNEL, and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF DEPARTMENT OF SOCIAL SERVICES GRANT FOR THE OFFICE OF DISTRICT ATTORNEY FOR WELFARE FRAUD INVESTIGATION AND PROSECUTION AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 111 of 1995, authorized the New York State Department of Social Services Grant for welfare fraud investigation and prosecution by the Broome County District Attorney's Office and adopted a program budget in the amount of \$50,000 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, said grant program provides for funds from the State of New York to the Office of the Broome County District Attorney for investigation and prosecution of public assistance and medicaid fraud, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$46,705, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$46,705 from the Department of Social Services for the Office of the District Attorney to investigate and prosecute public assistance and medicaid fraud for the period April 1, 1996 through March 31, 1997, 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 \$46,705 for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that the County Executive or his duly

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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 to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 237

by EDUCATION, CULTURE & RECREATION COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION CONFIRMING APPOINTMENT OF EDWARD RANTANEN TO MEMBERSHIP OF THE CENTRAL LIBRARY BOARD OF TRUSTEES.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution 221 of 1984, has duly designated and appointed, pending confirmation by this Legislature, Edward Rantanen, 21 Avon Road, Binghamton, New York, 13905, to membership on the Central Library Board of Trustees, for a term expiring December 31, 1999, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 221 of 1984 to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 221 of 1984, does hereby confirm the appointment of Edward Rantanen to membership on the Central Library Board of Trustees in accordance with his appointment by the County

Executive.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 238

by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH R.J. MARTIN CONSULTING ENGINEERS FOR ENGINEERING SERVICES FOR THE TOWN OF DICKINSON SEWER IMPROVEMENTS FOR 1994 THROUGH 1996.

WHEREAS, this County Legislature, by Resolution 173 of 1994, authorized an agreement with R.J. Martin Consulting Engineers for engineering services for the Town of Dickinson Sewer Improvement Project, at a cost of \$87,978, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect an increase in scope of services and cost and to extend the term of the agreement, and

WHEREAS, the County Engineer 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 R.J. Martin Consulting Engineers, 45 Washington Street, Binghamton, New York 13902-2084, for engineering services for the Town of Dickinson Sewer Improvement Project for the period May 1, 1994 through October 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$9,700, total amount not to exceed \$97,678, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035121.4746.501234 (Engineering Services), and be it

FURTHER RESOLVED, that Resolution 173 of 1994, to the extent

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consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 239

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING REVISION OF HEALTH DEPARTMENT CLINICS HIV/STD/TB PREVENTION PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996.

WHEREAS, this County Legislature, by Resolution 597 of 1995, authorized the Health Department HIV/STD/TB Prevention Program Grant for the period January 1, 1996 through June 30, 1996, and adopted a program budget in connection therewith in the total amount of \$26,200, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Department Clinics HIV/STD/TB Program Grant for the period January 1, 1996 through December 31, 1996, in the total amount of \$51,200, 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 \$51,200 for the period January 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that Resolution 597 of 1995, 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 authorized to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 240

by HEALTH SERVICES, PERSONNEL, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING ACCEPTANCE OF HIV/AIDS TRAINING SERVICES PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, the Acting Director of the Health Department requests authorization to accept a HIV/AIDS Training Services Program Grant in the amount of \$88,000 for the period July 1, 1996 through June 30,

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1997, and

WHEREAS, said grant program provides a variety of necessary and/or mandatory training for health and human service providers involved in the delivery of care to clientele diagnosed with HIV or AIDS, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$88,000 from the New York State Department Health for the Health Department HIV/AIDS Training Services Program Grant for the period July 1, 1996 through June 30, 1997, 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 \$103,023 for the period July 1, 1996 through June 30, 1997, 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 to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 241

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF SOUTHERN TIER AIDS PROJECT HIV/AIDS EDUCATION AND TESTING GRANT FOR BROOME AND OTSEGO COUNTIES ADMINISTERED BY THE HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 234 of 1995, authorized and approved the Southern Tier Aids Project (STAP) Grant for the Health Department HIV/AIDS Education and Testing in Broome and Otsego County and adopted a program budget in the amount of \$19,500 for the period July 1, 1995 through June 30, 1996, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1996 through June 30, 1997, in the amount of \$19,500, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,500 from the Southern Tier Aids Project (STAP) for HIV/AIDS education and testing for Broome and Otsego Counties, said grant to be administered through the Broome County Health Department, for the period July 1, 1996 through June 30, 1997, 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 \$19,500 for the period July 1, 1996 through June 30, 1997, 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

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authorized representative is hereby empowered to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 242

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT INFANT MORTALITY REVIEW PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 376 of 1995, authorized and approved the Health Department Infant Mortality Review Program Grant and adopted a program budget in the amount of \$17,000 for the period July 1, 1995 through June 30, 1996, and

WHEREAS, said grant program provides an Infant Mortality Review Program in Broome County in an effort to reduce local infant mortality rates, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1996 through June 30, 1997, in the amount of \$17,000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$17,000 from New York State Department of Health for the Health Department Infant Mortality Review Program for the period July 1, 1996 through June 30, 1997, 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 \$17,000 for the period July 1, 1996 through June

30, 1997, 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 to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 243

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VARIOUS HEALTH CARE PROVIDERS FOR BREAST AND CERVICAL CANCER SCREENING, DIAGNOSIS AND RELATED TREATMENT SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION EDUCATION PROGRAM FOR 1996 AND 1997.

WHEREAS, this County Legislature, by Resolution 321 of 1995, authorized agreements with various health care providers for breast and cervical screening diagnosis and related treatment services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1995 through June 30, 1996, total cost not to exceed the budgeted appropriations, and

WHEREAS, said agreements are necessary in order to provide

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various sites around the Southern Tier for breast and cervical cancer early detection program services in support of the Health Department Breast and Cervical Cancer Detection Education Program, and

WHEREAS, said agreements expire by their terms on June 30, 1996, and it is desired at this time to renew said agreements and authorize additional agreements for the period July 1, 1996 through June 30, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with the health care providers as listed on the attached Exhibit "A" for breast and cervical cancer screening, diagnosis and related treatment services, said services more particularly described on the attached Exhibit "B", for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the vendors the amounts for the services listed on the attached Schedule B, total amount not to exceed the budgeted appropriations, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480308.4707.104XXX (Medical and Hospital Services), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 244

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENTS WITH

VARIOUS VENDORS FOR BREAST AND CERVICAL CANCER SCREENING DATA COLLECTION SERVICES FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION EDUCATION PROGRAM FOR 1996 THROUGH 1997.

WHEREAS, the Director of the Health Department requests authorization for agreements with various vendors for breast and cervical cancer screening data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1996 through June 30, 1997, and

WHEREAS, said services are necessary to provide data services to comply with reporting requirements of the Health Department's Breast and Cervical Cancer Detection Education Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Planned Parenthood of Delaware and Otsego Counties, 37 Dietz Street, Oneonta, New York, 13820-1805, for data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1996 through June 30, 1997, in an amount not to exceed \$7,300, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Encoreplus, YWCA, 80 Hawley Street, Binghamton, New York, 13901, for data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1996 through June 30, 1997, in an amount not to exceed \$8,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with Tioga Opportunities Program, Inc., Family Care Services, Owego, New York, 13827, for data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1996 through June 30, 1997, for an amount not to exceed \$8,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the American Cancer

Society, 7 Front Street, Binghamton, New York, 13905 for data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period July 1, 1996 through June 30, 1997, in an amount not to exceed \$16,632, and be it

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 245

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH PATRICIA NELSON FOR OCCUPATIONAL THERAPY SERVICES FOR THE HEALTH DEPARTMENT EARLY INTERVENTION AND EDUCATIONALLY HANDICAPPED CHILDREN'S PROGRAM FOR 1996.

WHEREAS, the Health Department requests authorization for an agreement with Patricia Nelson for occupational therapy services for the Early Intervention and Educationally Handicapped Children's Program for the period July 1, 1996 through December 31, 1996, and

WHEREAS, said services are necessary to provide occupational therapy services for the Health Department Early Intervention and Educationally Handicapped Children's Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Patricia Nelson, 8 Macomber Avenue, Binghamton, New York, 13901, for occupational therapy services, for the period July 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed state mandated rates for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480202.4709.101000 (Center Based Services); 480202.4716.101000 (Home Based Services); 480285.4706.101000 (Rehab. & Therapy Services); and 480202.4701.101000 (Evaluations), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 246

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH WELLCARE OF NEW YORK, INCORPORATED FOR MANAGED MEDICAID CLINIC SERVICES AND HOME NURSING VISITS FOR THE HEALTH DEPARTMENT HOME HEALTH SERVICES AND CLINIC DIVISIONS FOR 1996.

WHEREAS, the Health Department requests authorization for an agreement with Wellcare of New York, Incorporated, for managed medicaid clinic services and home nursing visits to patients of the Health Department Home Health Services and Clinic Divisions for the period June 27, 1996 through December 31, 1996, with revenue to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Wellcare of New York, Incorporated, 3209 Vestal Parkway East, Vestal, New York, 13850, for managed medicaid clinic services and home nursing visits to Health Department Home Health

Services and Clinic Divisions patients, for the period June 27, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 480228.0070.101000 and 480061.0070.101000 (Fees for Service), and be it

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

Held over under the 'Rules' by Mrs. Sweet.

RESOLUTION NO. 247

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LOURDES HOSPITAL FOR BUILDING AND LAND RENT FOR THE HEALTH DEPARTMENT WOMEN'S, INFANTS' AND CHILDREN'S (WIC) NUTRITION PROGRAM FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 272 of 1995, authorized an agreement with Lourdes Hospital for building and land rental at the Lourdes Center for Family Health located at 303 Main Street, Binghamton, New York for the Health Department Women's, Infants' and Children's (WIC) Nutrition Program for the period June 1, 1995 through May 31, 1996 at a cost of \$9,053.00, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York, 13905, for building and land rental at the

Lourdes Center for Family Health, 303 Main Street, Binghamton, New York for the Health Department Women's, Infants' and Children's (WIC) Nutrition Program for the period June 1, 1996 through May 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,053.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480368.4422.102964 (Building and Land Rental), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 248

by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION DECLARING SECOND STREET DRAINAGE IMPROVEMENTS PROJECT, HIGHWAY DEPARTMENT FILE NO. 6-31-96, 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 Second Street Drainage Improvements Project has been identified as an unlisted action under the New York State Environmental Quality Review Act which involves plans having no substantial effect on the environment in that it involves only excavation, installation of catch basins, pipes, and associated work, and

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

WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the reconstruction work is relatively minor in nature, consisting of excavation, installation of catch basins, pipes, and associated work, having no substantial effect on the environment, and that only five (5) permanent easements from five (5) property owners will be required for the project, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Department of Highways Second Street Drainage Improvements 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 reconstruction project in accordance with the design and specification of said project.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 249

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE SECOND STREET DRAINAGE IMPROVEMENTS PROJECT, VILLAGE OF DEPOSIT, HIGHWAY DEPARTMENT FILE NO. 6-31-96, AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake a project to improve a closed storm drainage system on Second Street, Village of Deposit, that is undersized, and

WHEREAS, it has been determined that such project is subject to the requirements of the State Environmental Quality Review Act (SEQRA), 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 impacts 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 an involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Second Street Drainage Improvements Project, Village of Deposit, and

WHEREAS, this 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 Second Street Drainage Improvements Project, Village of Deposit, 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 the Second Street Drainage Improvements Project, Village of Deposit, will not have a significant effect on the environment, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 250

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH Q.S., INC., FOR PURCHASE OF SOFTWARE AND MAINTENANCE FOR THE HEALTH DEPARTMENT CLINICS DIVISION FOR 1996 THROUGH 1997.

WHEREAS, the Director of Information Technology requests authorization for an agreement with Q.S., Inc., for the purchase of customized AS/400 software for the Clinics Division of the Health Department, including maintenance for the period July 1, 1996 through December 31, 1997, at a cost not to exceed \$82,000, and

WHEREAS, said services are necessary to provide a patient care management system for the Clinics Division of the Health Department, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Q.S., Inc., P.O. Box 847, Greenville, South Carolina, 29602, for the purchase of software and maintenance, for the period July 1, 1996 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$82,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4359.501303 (Computer Software & Supplies), and be it

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 251

by EDUCATION, CULTURE AND RECREATION COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING BROOME COUNTY TO REQUEST PROPOSALS FOR THE PRIVATE MANAGEMENT OF THE BROOME COUNTY VETERANS' MEMORIAL ARENA AND THE PERFORMING ARTS THEATER (FORUM)

WHEREAS, the Broome County Veterans' Memorial Arena and the Performing Arts Theater (Forum) are taxpayer supported county facilities, and

WHEREAS, private management of the facilities should be given full evaluation, and

WHEREAS, the Legislature believes management of the Broome County Veterans' Memorial Arena and the Performing Arts Theater (Forum) by the private sector could eliminate the current annual expenditure of more than ~~one million~~ **\$488,000*** dollars in net county support for funding these two facilities, now, therefore, be it

RESOLVED, that the Broome County Legislature requests that Requests for Proposals (RFP) be prepared and advertised to obtain proposals for the private management of the Broome County Veterans' Memorial Arena and the Performing Arts Theater (Forum), and be it

FURTHER RESOLVED, that upon receipt of proposals pursuant to the RFP process the appropriate County officials evaluate them in accordance with criteria set forth in the RFP, and be it

FURTHER RESOLVED, that if upon review of the proposals, it is determined to be in the best interest of the County to select one of the proposals for the private management of the Arena and Forum, that said proposal be forwarded to this Legislature for the appropriate action, and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature be and hereby is authorized to forward copies of this Resolution to the appropriate county officials.

Mr. Augostini moved, seconded by Mr. Pasquale to **call the question** on the resolution.

The call of the question **carried**. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

The resolution **carried**. Ayes-16, Nays-1 (Whalen), Absent-2 (Lindsey & O'Day)

NOTE: Following adoption of the resolution, Mrs. Coffey questioned the reference to the million dollars in the third Whereas paragraph. She indicated that she felt this was misleading and that it should reflect the actual net county support which would not include the mandatory principal and interest payments on the Veterans Memorial Arena. At the direction of the Chair and with the consensus of the Legislature, the Clerk was directed to make the correction based on the 1996 adopted budget.

This phrase was changed to eliminate debt service from the 'Net County Support.'

WHEREAS, the Legislature believes management of the Broome County Veterans' Memorial Arena and the Performing Arts Theater (Forum) by the private sector could eliminate the current annual expenditure of more than ~~one million~~ **\$488,000*** dollars in net county support for funding these two facilities, now, therefore,

The **NET COUNTY SUPPORT** from the 1996 Budget is noted as follows:

Budget-Schedule 2 (pg. C-2) VMA-Negative Fund Balance:

| | | |
|-------------------|------------------------------------|---|
| \$ 80,038 | | |
| Budget - Pg. 325 | VMA-Net Co. Support: | |
| \$857,045 | | |
| Budget - Pg. 331 | FORUM-Net Co. Support (pg. 331) | |
| <u>\$124,151</u> | | |
| | Basic Net County Support | |
| \$1,061,234 | | |
| Budget - Pg. 325 | VMA-Deduction of Principal | - |
| 423,530 | | |
| Budget - Pg. 325 | VMA-Deduction of Interest | = |
| <u>149,151</u> | | |
| | NET COUNTY SUPPORT FOR THIS | |
| RESOLUTION | \$ 488,553 | |

RESOLUTION NO. 252

by EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BINGHAMTON GIANT MARKET, INC., FOR LEASE OF SPACE FOR BENJAMIN FRANKLIN BRANCH LIBRARY ON A MONTHLY BASIS FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 247 of 1995, authorized an agreement with Giant Operating Corporation for lease of space at 307 Conklin Avenue, Binghamton, New York, for the Benjamin Franklin Branch Library at a cost of \$600 per month, total cost not to exceed \$7,200 for the period June 1, 1995 through May 31, 1996, and

WHEREAS, said agreement expires by its terms on May 31, 1996, 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 Binghamton Giant Market, Inc., 100 Oakdale Road, P.O. Box 490, Johnson City, New York, 13790, for lease

of space at 307 Conklin Avenue, Binghamton, New York, for the Benjamin Franklin Branch Library, on a monthly basis, for the period June 1, 1996 through May 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$600 per month, total cost not to exceed \$7,200 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 842005.4422.304218 (Building and Land Rental), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 253

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF ADMINISTRATION BUDGET FOR OFFICE FOR AGING EMPLOYMENT PROGRAMS GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 285 of 1995, authorized and approved the Office for Aging Senior Community Service Employment Programs (SCSEP) Administration Grant and adopted a program budget in the amount of \$126,147 for July 1, 1995 through June 30, 1996, and

WHEREAS, said grant program provides for charge-backs and payments of all Office for Aging employment program staff for administration expenses involved in all Office for Aging Grants,

WHEREAS, it is desired to renew said grant program for the period July 1, 1996 through June 30, 1997, in the amount of \$97,704, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$97,704 for the Administration Budget for Office for Aging Employment Programs Grant for the period July 1, 1996 through June 30, 1997, 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 \$97,704 for the period July 1, 1996 through June 30, 1997, 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 to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 254

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING NATIONAL COUNCIL ON AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (NCOA)

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GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 286 of 1995, authorized and approved the continued participation by the Office for Aging National Council on Aging in the Senior Community Service Employment Program (NCOA) Grant and adopted a program budget in the amount of \$237,300 for the period July 1, 1995 through June 30, 1996, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged fifty-five and older, including part-time jobs for applicants in not-for-profit agencies, classroom training, on-the-job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1996 through June 30, 1997, in the amount of \$226,400, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$226,400 for the Office for Aging National Council on Aging Senior Community Service Employment Program (NCOA) for the period July 1, 1996 through June 30, 1997, 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 \$226,400 for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes a variable wage rate of \$4.25 to \$15.00 per hour for all senior aide trainees employed by the program, 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 to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 255

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF NEW YORK STATE OFFICE FOR AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SOFA) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 287 of 1995, authorized and approved the New York State Office for Aging Senior Community Service Employment Program (SOFA) and adopted a program budget in the amount of \$51,892 for July 1, 1995 through June 30, 1996, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged 55 and older, including part-time jobs for applicants in not-for-profit agencies, classroom training, on-the-job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1996 through June 30, 1997, in the amount of \$51,884, now therefore, be it

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RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$51,884 for the New York State Office for Aging Senior Community Service Employment Program (SOFA) for the period July 1, 1996 through June 30, 1997, 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 \$51,884 for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes a variable wage rate of \$4.25 to \$15.00 per hour for all senior aide trainees employed by the program, 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 to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 256

by PERSONNEL COMMITTEE

Seconded by Mr. Hull

RESOLUTION AMENDING PERSONNEL RULES FOR BROOME COUNTY ADMINISTRATIVE PERSONNEL.

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 Article 21 of the Administrative Rules, now, therefore, be it

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

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

FURTHER RESOLVED, that the amendments hereunder shall be effective July 1, 1996.

Note: This resolution deals with equity of benefits for part-time administrative employees who presently receive benefits.

Mr. Schofield moved, seconded by Mr. Pasquale to **call the question** on the resolution.

The call of the question **carried**. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

The resolution **carried**.

Ayes-15, Nays-2 (Sweet & Shafer), Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 257

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH BROOME COUNTY ECONOMIC DEVELOPMENT ALLIANCE FOR REAL PROPERTY LOCATED IN THE VILLAGE OF DEPOSIT FOR A FIVE YEAR TERM.

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WHEREAS, the Department of Planning and Economic Development requests authorization for an agreement with the Broome County Economic Development Alliance for real property known as Tax Map No. 187-18-3-23 located in the Village of Deposit for a five-year term at a cost of \$1.00 per year, and

WHEREAS, this agreement is desired to allow the Broome County Economic Development Alliance to improve this property for parking purposes which would enhance manufacturing expansion in the Village of Deposit and County of Broome, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Economic Development Alliance, 109 Main Street, Johnson City, New York, 13790, for lease of Broome County property located in the Village of Deposit, Tax Map No. 18718-3-23, for a term of five years with two (2) five year renewal options at a cost of \$1.00 per year, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 340000.0027.101000 (Miscellaneous), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 258

by PERSONNEL COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR FACILITIES MANAGEMENT.

RESOLVED, that in accordance with a request from the Department of Facilities Management and recommended by CGR, as contained in PCR# 96-380, this County Legislature hereby authorizes

the **downgrade** of one (1) full-time Custodial Supervisor position at budget line A060004.1000, minimum salary \$10.40/hr (\$21,798/Annual), Grade NA, Union Code 15 (AFSCME) to one (1) full-time Custodial Worker position at budget line A060004.1000, minimum salary \$8.34/hr (\$17,480/Annual, Grade NA, Union Code 11 (AFSCME) effective June 24, 1996.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 259

by FINANCE, PERSONNEL and PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR PROBATION.

WHEREAS, the Governor's proposed budget does not recommend continued funding of Probation's Pre-trial Release Program and available funding will be exhausted June 30, 1996, and

WHEREAS, the Pre-trial Release Program has been proven to decrease the local jail population and allow the Public Safety Facility to reduce the number of classification levels of inmates required, thereby saving the taxpayers of Broome County significant amounts of tax dollars, and

WHEREAS, the Acting Director of Probation has requested the continuation of this important program by transferring available resources and personnel to the Broome County operating budget, now therefore be it

RESOLVED, that in accordance with a request from the Department of Probation, as contained in PCR# 96-383, this County Legislature hereby authorizes the **change** of one (1) full-time Pre-Trial Investigator position at budget line GA280081.1000, minimum salary \$21,632, Grade 15, Union Code 04 (CSEA), to one (1) full-time Pre-Trial Investigator position at budget line A280024.1000, minimum

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salary \$21,632, Grade 15, Union Code 04 (CSEA), effective July 1, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Probation, as contained in PCR# 96-385 , this County Legislature hereby authorized the **change** of one (1) full-time Probation Assistant position at budget line GA280081.1000, minimum salary \$18,423, Grade 12, Union Code 04 (CSEA) to one (1) full-time Probation Assistant position at budget line A280024.1000, minimum salary \$18,423, Grade 12, Union Code 04 (CSEA), effective July 1, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Probation, as contained in PCR# 96-384 , this County Legislature hereby authorized the **change** of one (1) part-time Probation Assistant position at budget line GA280081.1000, minimum salary \$9.38/hr (Annual/\$18,423), Grade 12, Union Code 08 (CSEA) to one (1) part-time Probation Assistant position at budget line A280024.1000, minimum salary \$9.38/hr (Annual/\$18,423), Grade 12, Union Code 08 (CSEA), effective July 1, 1996, and be it

FURTHER RESOLVED, that in order to provide funding for the continuation of the Pre-Trial Release Program, in addition to departmental resources identified by the department, this County Legislature hereby authorized the Commissioner of Finance to make the following transfer of funds:

| | <u>Index</u> | <u>Sub-</u> | <u>Project</u> | | |
|-------|--------------|---------------|----------------|---------------------|---------------|
| | <u>Code</u> | <u>object</u> | <u>Code</u> | <u>Title</u> | <u>Amount</u> |
| FROM: | 900184 | 4752 | 101000 | Contingent Account | |
| | | | | | \$18,229 |
| TO : | 280024 | 1000 | 101000 | Salaries, Full-time | |
| | | | | | \$14,174 |
| | 280024 | 1500 | 101000 | Salaries, Part-time | \$ |
| | | | | | 4,055 |

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 260

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL
and FINANCE COMMITTEES

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING REVISION OF THE ANTI-
DRUG ABUSE ACT PROGRAM A/K/A THE C.O.M.B.A.T.
GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN
CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 688 of 1994, authorized the Anti-Drug Abuse Act Program a/k/a the C.O.M.B.A.T. Grant which funds the Broome County District Attorney, Public Defender and Probation Departments for calendar year 1995 and adopted a program budget in connection therewith in the total amount of \$180,000, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Anti-Drug Abuse Act Program a/k/a C.O.M.B.A.T. Grant for the period January 1, 1995 through December 31, 1996, in the total amount of \$360,000, 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 \$360,000 for the period January 1, 1995 through December 31, 1996, and be it

FURTHER RESOLVED, that Resolution 688 of 1994, 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

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FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 261

by FINANCE, HEALTH SERVICES, PUBLIC SAFETY & EMERGENCY SERVICES and PERSONNEL COMMITTEES

Seconded by Mr. Cahill

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF MENTAL HEALTH, PROBATION AND WILLOW POINT NURSING HOME.

RESOLVED, that in accordance with a request from the Department of Mental Health, in order to provide funds for a temporary employee filling in for an employee on a medical leave of absence, as requested by BT# 9274 , this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

| | <u>Index Code</u> | <u>Sub-object</u> | <u>Project Code</u> | <u>Title</u> | <u>Amount</u> |
|-------|-------------------|-------------------|---------------------|---------------------|---------------|
| FROM: | 470013 | 1000 | 101000 | Salaries, Full-time | \$ |
| | 3,000 | | | | |
| TO : | 470013 | 1600 | 101000 | Salaries, Temporary | \$ |
| | 3,000 | | | | |

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Probation, in order to provide funds to reconcile grant expenditures to close out grant, as requested by BT# 9113, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

| | <u>Index Code</u> | <u>Sub-object</u> | <u>Project Code</u> | <u>Title</u> | <u>Amount</u> |
|-------|-------------------|-------------------|---------------------|----------------------|---------------|
| FROM: | 280057 | 1000 | 102940 | Salaries, Full-time | \$ 515 |
| TO : | 280057 | 8010 | 102940 | State Retirement | \$ 412 |
| | 280057 | 8063 | 102940 | Disability Insurance | \$ 103 |

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for outside occupational therapy services required because the part-time occupational therapist resigned. The therapy is mandated and essential to revenue generation. As requested by BT# 10415, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

| | <u>Index Code</u> | <u>Sub-object</u> | <u>Project Code</u> | <u>Title</u> | <u>Amount</u> |
|-------|-------------------|-------------------|---------------------|------------------------------------|---------------|
| FROM: | 160234 | 1500 | 204000 | Salaries, Part-time | \$23,000 |
| TO : | 160234 | 4706 | 204000 | Rehabilitation Therapy Services | \$23,000 |

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 262

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL
and FINANCE COMMITTEES

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING RENEWAL OF PROBATION
DEPARTMENT JUVENILE INTENSIVE SUPERVISION
PROGRAM GRANT, ADOPTING A PROGRAM BUDGET IN
CONNECTION THEREWITH AND AUTHORIZING
AGREEMENTS WITH CATHOLIC CHARITIES AND PROBE
FOR RELATED PROGRAM SERVICES FOR 1996 THROUGH
1997.**

WHEREAS, this County Legislature, by Resolution 274 of 1995, and as revised by companion resolution, authorized and approved the Probation Department Juvenile Intensive Supervision Program Grant and adopted a program budget in the amount of \$143,128 for the period July 1, 1995 through June 30, 1996, and

WHEREAS, said grant program is designed to reduce the number of out of home placements of juvenile delinquents while maintaining community safety and providing treatment services, education, and community service opportunities for targeted youth, and

WHEREAS, it is desired to renew said grant program and renew agreements with Catholic Charities and PROBE for related program services for 1996 through 1997, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$139,000.00 from the New York State Division of Probation and Correctional Alternatives for the Probation Department Juvenile Intensive Supervision Program Grant for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby

approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$144,234.00 for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of agreements with Catholic Charities, 232 Main Street, Binghamton, New York, 13905, and PROBE, 229 State Street, Binghamton, New York, 13901, for related program services for the period July 1, 1996 through June 30, 1997, in the amount of \$54,740, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 280057.4457.102000 (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, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 263

by PUBLIC WORKS, TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH O'BRIEN & GERE ENGINEERS, FOR CONSULTANT ENGINEERING SERVICES FOR REMOVAL OF UNDERGROUND TANKS AT THE BROOME COUNTY TRANSIT FOR 1996.

WHEREAS, the County Engineer/Commissioner of Public Works requests authorization for an agreement with O'Brien & Gere Engineers for consultant engineering services for removal of underground tanks at the Broome County Transit at a cost of \$6,000, and

WHEREAS, said services will include on-site review during tank excavation and removal to address any concerns which may arise due to existing contamination of groundwater and soils below the tanks, and coordination with New York State Department of Environmental Conservation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with O'Brien & Gere Engineers, 441 Commerce Road, Vestal, New York, 13850, for consultant engineering services, for the period June 1, 1996 through October 1, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 225011.4746.501306 (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. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 264

by FINANCE COMMITTEE Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES OF THE 1996 TAX SALE AUCTION (1992 IN REM FORECLOSURE) AND REJECTING CERTAIN BIDS RECEIVED IN CONNECTION THEREWITH.

WHEREAS, the County of Broome now owns certain parcels of real property as a result of the 1992 in rem tax foreclosure action, and

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

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 1996 was held and tabulation of all bids submitted was undertaken by the Director of Real Property Tax Service and requests authorization to convey certain real property to successful bidders, and

WHEREAS, the Director also requests certain bids received be rejected inasmuch as authorization has been granted by companion resolution to sell the properties back to former owners, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 1996 Broome County tax sale auction as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that this County Legislature hereby rejects the following bids inasmuch as authorization has previously been granted by companion resolution to sell the properties to former owners as follows:

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| <u>TOWN</u> | <u>TAX MAP NO.</u> | <u>REJECTED BIDDER</u> | <u>BID AMOUNT</u> |
|-------------|--------------------|------------------------|-------------------|
| Barker | 4-10 | Laura Farrow | \$ 2,500.00 |
| Conklin | 6-3-A-26 | John Kelly | 4,100.00 |
| Conklin | 6-3-B-39/6-3-B-40 | Gerald Galazyn | 3,100.00 |
| Union | 2-H5-F-37X | Amedeo Trotta | 15,500.00 |
| Union | 3-H7-P-87 | Ann Obsharsky | 47,300.00 |

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

**EXHIBIT A
TABULATION OF AUCTION BIDS - 1996**

| <u>TAX MAP NO.</u> | <u>TOWN OF BARKER</u> | <u>BID</u> |
|--------------------|--|------------|
| 3-20 | Tony DePaolo D/B/A/ Hawkins Home Brokerage Box 800 Harpursville, NY 13787 | \$ 1,700 |
| 5-1-6X | Craig Fritsch 34 Chenango St Binghamton, NY 13901 | \$ 80 |

| <u>TAX MAP NO.</u> | <u>TOWN OF BINGHAMTON</u> | <u>BID</u> |
|--------------------|---------------------------|------------|
|--------------------|---------------------------|------------|

| | | |
|----------|--|----------|
| 2-10-19 | Alan Campbell 194 Depot Hill Rd Port Crane, NY 13833 | \$ 400 |
| 5-3-1 | Richard McManamon 44 Edison Rd Maine, NY 13802 | \$ 200 |
| 5-3-1-S2 | C.P. & M. Newbury 143 Place Rd Windsor, NY 13865 | \$ 450 |
| 6-24-S13 | Kevin Aikane 2911 Hance Rd Binghamton, NY 13903 | \$ 4,600 |
| 6-32 | David L. & Christine C. Matthews 694 Hance Rd Binghamton, NY 13903 | \$ 1,500 |

TAX MAP NO. **TOWN OF CHENANGO** **BID**

| | | |
|------|--|----------|
| 3-34 | Theodore Fendick 166 Swift Rd Binghamton, NY 13905 | \$22,500 |
|------|--|----------|

TAX MAP NO. **TOWN OF CHENANGO** **BID**

| | | |
|---------|---|----------|
| 2-25-S5 | Willard Thomas 18 Peninsula Dr Binghamton, NY 13901 | \$ 2,000 |
|---------|---|----------|

| | | |
|------------|------------------|--------|
| 5-15-S13 & | Timothy Molinari | \$ 400 |
|------------|------------------|--------|

5-15-S14 65 Badger Rd
 Binghamton, NY 13904

5-3-12X Stanton M. Drazen \$ 100
 98 State St
 Binghamton, NY 13901

TAX MAP NO. **TOWN OF CHENANGO** **BID**

6-7-A-116-S1 & Stanton M. Drazen \$ 148
6-7-A-117 & 98 State St
6-7-A-118 Binghamton, NY 13901

6-11-22 Richard Wolanski \$ 50
 15 Charmel Dr
 Binghamton, NY 13901

6-18-B-9 & Elias Boumourad \$ 2,100
6-18-B-10 & 4101 Maritta Dr
6-18-B-11 & Vestal, NY 13850
6-18-B-12

7-3-A-1 & Walter Bahriak \$ 115
7-3-A-2 & 278 Ransom Rd
7-3-A-3 Binghamton, NY 13901

7-3-A-127 C. P. & M. Newbury \$ 20
 143 Place Rd
 Windsor, NY 13865

7-9-B-1 Town of Chenango \$ 200
 1137 Front St
 Binghamton, NY 13905

TAX MAP NO. **TOWN OF COLESVILLE**
BID

| | | |
|----------|--|----------|
| 5-2-46X | Harold Tripp Sr. PO Box 425 Harpursville, NY 13787 | \$10,500 |
| 6-21-S13 | Brad & Shaela Schmidt 1133 Vestal Ave Binghamton, NY 13903 | \$ 8,200 |
| 10-9-7 | Timothy Molinari 65 Badger Road Binghamton, NY 13904 | \$ 2,500 |

TAX MAP NO. **TOWN OF COLESVILLE**
BID

| | | |
|---------|---|----------|
| 13-6-S8 | Mathew & Veronica Gorecki 155 Old Commack Rd Kings Park, NY 11754 | \$ 1,600 |
|---------|---|----------|

TAX MAP NO. **TOWN OF CONKLIN** **BID**

| | | |
|----------|---|----------|
| 1-3-B-47 | James O'Dell 1 Midway Dr Binghamton, NY 13903 | \$ 9,600 |
| 1-6-A-96 | Robert A. Cron PO Box 78 Corbettesville, NY | \$ 400 |
| 2-2-1 | William Whitman | \$ 200 |

211 Foster Road

2-4 Fredrick Cobb \$ 3,000
9 Rosewood Lane
Deonville, NJ 07834

2-4-4 Fredrick Cobb \$ 7,000
9 Rosewood Lane
Deonville, NJ 07834

6-33-S2 Gerald R. Newby \$ 350
4018 Main St
Windsor, NY 13865

TAX MAP NO. **TOWN OF DICKINSON** **BID**

3-1-A-24 C. P. & M. Newbury \$ 1,000
143 Place Rd
Windsor, NY 13865

3-1-A-132 Ronald M. & Virginia M. Brown \$11,625
255 Bevier St
Binghamton, NY 13904

3-2-A-18 & Mark Begley \$ 2,000
3-2-A-18-S1 219 Beview St
Binghamton, NY 13904

TAX MAP NO. **TOWN OF FENTON**
BID

1-1-2 Robert Cantos \$ 100
76 Patterson Rd

Windsor, NY 13865

6-6-18 & Craig R. Fritsch \$ 200
6-6-18-S2 34 Chenango St
Binghamton, NY 13901

TAX MAP NO. **TOWN OF FENTON**

BID

7-10-S1 Charles Fenson \$85,100
231 Floral Ave
Johnson City, NY 13790

10-9-S2 Donald Grunder & Arthur Bradley \$11,000
16 Niles Rd
Binghamton, NY 13901

TAX MAP NO. **TOWN OF KIRKWOOD**

BID

1-11-S7 Richard Kocak \$ 75
210 Clinton St
Binghamton, NY 13905

3-8-S4 Charles Fenson \$ 4,200
231 Floral Ave
Johnson City, NY 13790

TAX MAP NO. **TOWN OF LISLE** **BID**

1-8-45 Earl R. Sessions \$ 2,500
5 Huntscorners Rd
Richford, NY 13835

2-6S2 Tony DePaolo \$ 2,100
D/B/A/ Hawkins Home Brokerage
Box 800
Harpursville, NY 13787

4-1-21-S1 Russell & Sandra Burghardt \$ 2,200
PO Box 145

TAX MAP NO. **TOWN OF MAINE** **BID**

1-40-S3 Joel D. Newton \$ 1,100
5681 NV Maine Rd
Newark Valley, NY 13811

1-1 Stanton M. Drazen \$ 5,000
98 State St
Binghamton, NY 13901

2-1-42 Joe F. & James S. Hess \$ 20
3215 East Main St
Endwell, NY 13760

2-4-23-S8 Joel D. Newton \$ 110
5681 NV Maine Rd
Newark Valley, NY 13811

5-4-11-S1 & Gale Bennett \$ 40
5-4-12-S1 2961 Route 206
Whitney Point, NY 13862

TAX MAP NO. **TOWN OF MAINE** **BID**

6-5-19 C. P. & M. Newbury \$ 10
143 Place Rd

Windsor, NY 13865

| | | |
|--------|---|----------|
| 9-3-9 | Joseph J. & Melinda Murcko III 305 Hannah St Apt. 1 Endicott, NY 13760 | \$14,000 |
| 9-10-9 | Nelson L. Whitney 184 Haze Rd | \$ 300 |

| <u>TAX MAP NO.</u> | <u>TOWN OF SANFORD</u> | <u>BID</u> |
|--------------------|------------------------|------------|
|--------------------|------------------------|------------|

| | | |
|----------|--|----------|
| 1-1-68 | Village of Deposit 146 Front St Deposit, NY 13754 | \$ 50 |
| 1-1-215 | Tammy J. Drake 2430 Route 11 Kirkwood, NY 13795 | \$ 2,500 |
| 9-22-S8 | Tammy J. Drake 2430 Route 11 Kirkwood, NY 13795 | \$11,200 |
| 9-10-A-7 | Gerald R. Newby 4018 Main St Windsor, NY 13865 | \$ 500 |
| 10-22-S1 | Stanton M. Drazen 98 State St Binghamton, NY 13901 | \$ 500 |
| 11-18 | Ken Sodon | \$ 225 |

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205 N. Duane Ave
Endicott, NY 13760

13-10-S4 & Duane Daddis \$ 3,100
13-11 18 Kelsey Rd
Deposit, NY 13754

14-1-51 & Tammy J. Drake \$ 9,000
14-1-51-S1 & 2430 Route 11
14-1-51-S2 Kirkwood, NY 13795

TAX MAP NO. **TOWN OF TRIANGLE** **BID**

4-E-4 C. P. & M. Newbury \$ 900
143 Place Rd
Windsor, NY 13865

TAX MAP NO. **TOWN OF TRIANGLE** **BID**

6-1-19 Gary & Kim Smith \$11,100
3713 Route 206
Chenango Forks, NY 13746

TAX MAP NO. **TOWN OF UNION** **BID**

1-F13-C-93 Stanton M. Drazen \$27,300
98 State St
Binghamton, NY 13901

1-G13-J-2 Joe F. & James S. Hess \$30,500
3215 East Main St
Endwell, NY 13760

| | | |
|------------|--|----------|
| 1-H13-4 | Village of Johnson City 243 Main St Johnson City, NY 13790 | \$20,000 |
| 1-H13-A-2 | Phelps Corporation PO Box 330 Binghamton, NY 13902 | \$47,000 |
| 1-H13-B-2 | Phelps Corporation PO Box 330 Binghamton, NY 13902 | \$ 7,500 |
| 2-H6-A-358 | Charles Fenson 231 Floral Ave Johnson City, NY 13790 | \$11,100 |
| 3-B5-13 | Roger Katchuk 1945 Bradley Creek Rd Endicott, NY 13760 | \$ 500 |
| 3-F5-6 | William Whitman 211 Foster Rd | \$ 500 |
| 3-H7-C-10X | Brian A. Bromka 499 S. Warren St Suite 305 Syracuse, NY 13202 | \$27,500 |
| 3-K8-B-144 | C. P. & M. Newbury 143 Place Rd Windsor, NY 13865 | \$ 10 |

TAX MAP NO.

TOWN OF VESTAL

BID

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3-3-C-9 Tammy J. Drake \$30,000
 2430 Route 11
 Kirkwood, NY 13795

TAX MAP NO. TOWN OF WINDSOR BID

1-1-83 Robert Florance \$ 3,600
 PO Box 75
 Corbettsville, NY

1-1-205 Clifford R. Galusha \$ 500
 152 Bridge St
 Windsor, NY 13865

3-33-S5 Raymond L. & Wanda S. Osterhout \$ 6,100
 1169 Route 17
 Windsor, NY 13865

3-2-A-8 & David Thomas \$ 7,100
3-2-A-9 370 Route 96 #57
 Owego, NY 13827

11-3-80 Andre R. Delage \$ 600
 628 Conklin Rd

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 265

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION APPROVING SALE OF 1992 IN REM

FORECLOSURE PROPERTIES TO FORMER OWNERS

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of the completion of proceedings and foreclosure in rem for year 1992, and

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

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

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

| <u>TOWN</u> | <u>TAX MAP #</u> | <u>FORMER OWNER</u> | |
|---------------------|------------------|---|----|
| <u>SALE AMOUNT</u> | | | |
| Barker 4,041.06 | 4-10 | Lawrence & Ella Marna Farrow 102 Davis Road Glen Aubrey, NY 13777 | \$ |
| Conklin 4,212.11 | 6-3-A-26 | Genevieve E. Cron 74 Stillwater Road Corbettsville, NY 13749 | \$ |

| | | | |
|--------------------|------------------|---------------------|--|
| <u>TOWN</u> | <u>TAX MAP #</u> | <u>FORMER OWNER</u> | |
| <u>SALE AMOUNT</u> | | | |

| | | | |
|----------|------------|---|----|
| Conklin | 6-3-B-39 & | Thomas & Betty Merrill | \$ |
| 3,755.03 | 6-3-B-40 | P.O. Box 75, Stillwater Road Corbettsville, NY 13749 | |

| | | | |
|-------------|------------|--|--|
| Union | 2-H5-F-37X | Michael Vanuga | |
| \$11,852.13 | | 2706 King Street Endicott, NY 13760 | |

| | | | |
|-------------|-----------|---|--|
| Union | 3-H7-P-87 | Ann Obsharsky | |
| \$14,312.66 | | 3003 Country Club Road Endwell, NY 13760 | |

and, be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 266

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH

JOHNSON & HIGGINS FOR EMPLOYEE BOND INSURANCE FOR THE DEPARTMENT OF RISK AND INSURANCE FOR 1996 THROUGH 1997.

WHEREAS, the Risk Manager requests authorization for an agreement with Johnson & Higgins for employee bond insurance for the period July 1, 1996 through June 30, 1997, at a cost not to exceed \$5,950, and

WHEREAS, said services are necessary to provide insurance for employees, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Johnson & Higgins, 1700 Midtown Tower, Rochester, New York, 14604, for employee bond insurance, for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,950 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050062.4521.307000 (Insurance Premiums), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 267

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL

REGULAR SESSION OF JUNE 27, 1996

and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING ACCEPTANCE OF STATE AND LOCAL OVERTIME AND EXPENSE PROGRAM GRANT FROM UNITED STATES DEPARTMENT OF JUSTICE FOR THE BROOME COUNTY SHERIFF'S DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996.

WHEREAS, the Sheriff requests authorization to accept a State and Local Overtime and Expense Program Grant from United States Department of Justice in the amount of \$6,099 for the period January 1, 1996 through March 31, 1996, and

WHEREAS, said grant program allows the Task Force to assist local law enforcement agencies such as the Sheriff's Department in the fight against drugs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$6,099 from United States Department of Justice for the period January 1, 1996 through March 31, 1996, 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 \$6,099 for the period January 1, 1996 through March 31, 1996, 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 to 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 is hereby authorized to execute any budget

transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 268

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING ACCEPTANCE OF AT RISK LOW INCOME CHILD CARE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996.

WHEREAS, the Commissioner of the Department of Social Services requests authorization to accept the At Risk Low Income Child Care (ARLICC) Program Grant in the amount of \$37,967.00 for the period April 1, 1996 through June 30, 1996, and

WHEREAS, said grant program provides funds for day care subsidies for low income working families who are considered at risk for needing AFDC Public Assistance, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$37,967.00 from the Department of Health and Human Services for the period April 1, 1996 through June 30, 1996, 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 \$37,967.00 for the period April 1, 1996 through June 30, 1996, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such

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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 to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 269

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING REVISION OF DEPARTMENT OF SOCIAL SERVICES HOME ENERGY ASSISTANCE PROGRAM (HEAP) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.

WHEREAS, this County Legislature, by Resolutions 448 of 1995, and 83 of 1996 authorized the continued participation by the Department of Social Services in the Home Energy Assistance Program (HEAP) for the period November 1, 1995 through November 15, 1996, and adopted a program budget in connection therewith in the total amount of \$580,432.00, and

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

RESOLVED, this County Legislature hereby authorizes a revision

of the Home Energy Assistance Program (HEAP) for the period November 15, 1995 through November 15, 1996, in the total amount of \$608,998.00, 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 \$608,998.00, and be it

FURTHER RESOLVED, that Resolutions 448 of 1995 and 83 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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 authorized to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to accept any additional funds that may become available during this program year for benefits provided to clients under the Public Assistance, Non-Public Assistance or Emergency Components of the Home Energy Assistance Program, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative will immediately submit an amended budget to the Chairperson of the Legislature, the Chairperson of the Finance

Committee, and the Comptroller reflecting the additional Home Energy Assistance Program funds allocated to Broome County.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 270

by TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CITY OF BINGHAMTON SCHOOL DISTRICT FOR THE TRANSPORTATION OF STUDENTS DURING THE 1996-1997, 1997-1998, AND 1998-1999 SCHOOL YEARS.

WHEREAS, this County Legislature, by Resolution 331 of 1993, authorized an agreement with the City of Binghamton School District for the transportation of students during the 1993-1994, 1994-1995, and 1995-1996 school years, and

WHEREAS, said agreement expires by its terms on the last school day of the 1995-1996 school year, 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 the City of Binghamton School District for the transportation of students for the next three school years at the rates as follows:

| <u>Academic Year</u> | <u>Formula</u> |
|----------------------|------------------------|
| 1996/1997 | \$151,318 + CPI |
| 1997/1998 | 1996/1997 Amount + CPI |
| 1998/1999 | 1997/1998 Amount + CPI |

and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 220004.0095.203000 (Binghamton School District Contract), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 271

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH HAWK ENGINEERING, P.C., FOR ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT.

WHEREAS, the Director of Solid Waste Management requests authorization for an agreement with Hawk Engineering, P.C., for engineering services, at a cost not to exceed \$9,897.00, and

WHEREAS, said services are necessary to provide professional engineering design and construction review services associated with repair of leachate outbreaks along closed section of Nanticoke Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Hawk Engineering, P.C., for engineering services, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,897.00 for the term of this agreement, and be it

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 272

by HEALTH SERVICES COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH BLUE CROSS BLUE SHIELD OF CENTRAL NEW YORK.

WHEREAS, this County Legislature, by Resolution 646 of 1995, authorized an agreement with Blue Cross Blue Shield of Central New York to allow direct payment as a member facility for calendar year 1996, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period of the original agreement to an indefinite term and to hold Blue Cross Blue Shield of Central New York harmless in the case of their insolvency or other termination of the agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Blue Cross Blue Shield of Central New York, 344 South Warren Street, P.O. Box 4809, Syracuse, New York 13221, for direct payments to member facilities commencing May 1, 1996, and for an indefinite period thereafter unless the agreement herein is terminated, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 160010.0523.204000 (SNF Medicare), and be it

FURTHER RESOLVED, that there is no cost to Willow Point Nursing Facility for this agreement, and be it

FURTHER RESOLVED, that Resolution 646 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 273

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 8, 1996, ENTITLED: "A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY CHAPTER 30, LAWS OF 1996 FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF BROOME".

RESOLVED, that Local Law Intro. No. 8, 1996, entitled, "A Local Law Electing a Retirement Incentive Program as Authorized by Chapter 30, Laws of 1996 for the Eligible Employees of the County of Broome," be and the same is hereby adopted and approved in accordance with the Broome County Charter, Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 8, 1996

A LOCAL LAW ELECTING A RETIREMENT INCENTIVE AS AUTHORIZED BY CHAPTER 30, LAWS OF 1996 FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF BROOME.

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

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Section 1.The County of Broome hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 30, Laws of 1996.

Section 2.The commencement date of the retirement incentive shall be September 5, 1996.

Section 3.The open period during which eligible employees may retire and receive the additional retirement benefit, shall be ninety (90) days in length.

Section 4.The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this Local Law shall be paid in five (5) annual installments. The amount of the annual payment shall be determined by the actuary of the New York State and Local Employees Retirement System, and it shall be paid by the County of Broome for each employee who receives the retirement benefits payable under this Local Law.

Section 5.This act shall take effect on August 1, 1996.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 274

by EDUCATION, CULTURE & RECREATION, PERSONNEL and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF THE NATURAL HERITAGE TRUST GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996.

WHEREAS, this County Legislature, by Resolution 636 of 1994, authorized and approved the Natural Heritage Trust Grant and adopted a program budget in the amount of \$11,407 for the period January 1, 1995 through December 31, 1995, and

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

WHEREAS, it is desired to renew said grant program for the Natural Heritage Trust Grant in the amount of \$9,344, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$9,344 for the period January 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$9,344 for the period January 1, 1996 through December 31, 1996, 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 to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 275

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT &

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PLANNING, PERSONNEL and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF PARTNERSHIP 2000/COUNCIL OF GOVERNMENTS GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 657 of 1995, authorized and approved the Partnership 2000/Council of Governments Grant and adopted a program budget in the amount of \$5,500 for the period January 1, 1996 through June 30, 1996, and

WHEREAS, said grant program funds a research associate position which provides Partnership 2000/Council of Governments support, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1996 through June 30, 1997, in the amount of \$11,000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,560 from Council of Governments for the period July 1, 1996 through June 30, 1997, 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 \$11,000 for the period July 1, 1996 through June 30, 1997, 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 to 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 is hereby authorized to execute any budget

transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 276

by EDUCATION, CULTURE, & RECREATION COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE 1996-1997 PROPOSED BROOME COMMUNITY COLLEGE BUDGET AND COUNTY EXECUTIVE'S MESSAGE IN CONNECTION THEREWITH

WHEREAS, pursuant to the Broome County Charter & Administrative Code, a proposed Broome Community College Budget has been submitted for the year commencing September 1, 1996 and ending August 31, 1997, and

WHEREAS, the County Executive, pursuant to Article VI of the Broome County Charter, has prepared and submitted to this Legislature a budget message in connection with the Broome Community College Budget, and

WHEREAS, pursuant to Article XXIII-a, this County Legislature, or a Committee designated by this Legislature, must hold a public hearing on the submitted Broome Community College budget and the accompanying County Executive budget message, now, therefore, be it

RESOLVED, that this County Legislature hereby designates the Education and Finance Committees of this Legislature to hold a joint public hearing on the proposed Broome Community College budget and the budget message submitted by the County Executive, and be it

FURTHER RESOLVED, that this County Legislature hereby designates July 18, 1996 at 4:00 p.m. in the Legislative Chambers, as the date, time, and place said joint public hearing is to take place, and be it

FURTHER RESOLVED, that in accordance with Article XXIII-a of the Broome County Charter, the Clerk of this Legislature is hereby directed to cause to be printed or otherwise reproduced, sufficient copies

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of the proposed budget and budget message for distribution not less than five days prior to the public hearing, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to cause to be published the appropriate notices of said public hearing in accordance with the Broome County Charter & Administrative Code.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 277

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Mather

RESOLUTION AUTHORIZING ACCEPTANCE OF JOB TRAINING PARTNERSHIP ACT TITLE II 8% NON-TRADITIONAL WORK FOR WOMEN PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING, AND AGREEMENTS WITH BROOME-TIOGA BOCES FOR RELATED PROGRAM SERVICES, AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.

WHEREAS, the Director of Office of Employment and Training requests authorization to accept a Job Training Partnership Act (JTPA) Title II 8% Non-Traditional Work for Women Program Grant in the amount of \$40,000 for the period October 1, 1995 through December 31, 1996, and

WHEREAS, said grant program provides training for women interested non-traditional careers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$40,000 from New York State Education Department for the Office of Employment and Training Job Training Partnership Act (JTPA) Title II 8% Non-traditional Work for Women Program Grant for the period October 1, 1995 through December 31, 1996, 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 \$40,000 for the period October 1, 1995 through December 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature authorizes an agreement with Broome-Tioga BOCES for related program services necessary to implement the aforementioned grant, total cost not to exceed \$30,000 for the period June 1, 1996 through December 31, 1996, 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 to 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 is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 278

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH JOHNSON & HIGGINS FOR INSURANCE COVERAGE FOR THE DEPARTMENT OF RISK AND INSURANCE.

WHEREAS, this County Legislature, by Resolution 309 of 1995, authorized an agreement with Johnson & Higgins to provide insurance

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coverage of various kinds for the period July 1, 1995 through June 30, 1996, in an amount not to exceed \$78,853, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for an extension of the term of the agreement, and

WHEREAS, the Risk Manager has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Johnson & Higgins, 1700 Midtown Tower, Rochester, New York, 14604, for boiler and machinery and property insurance for the period July 1, 1996 through August 1, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$5,835, total amount not to exceed \$84,688 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050062.4521.307000 (Insurance Premium), and be it

FURTHER RESOLVED, that Resolution 309 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 279

by FINANCE COMMITTEE

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH JOHNSON & HIGGINS FOR AVIATION INSURANCE FOR DEPARTMENT OF RISK AND INSURANCE

FOR 1996.

WHEREAS, this County Legislature, by Resolution 309 of 1995, authorized an agreement with Johnson & Higgins to provide insurance coverage of various kinds for the period July 1, 1995 through June 30, 1996, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the period of coverage with respect to the Aviation insurance to provide for the selection of another insurance carrier, and

WHEREAS, the Risk Manager has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Johnson & Higgins, 1700 Midtown Tower, Rochester, New York, 14604, for aviation insurance for the period July 1, 1996 through July 30, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$2,838, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050062.4521.307000 (Insurance Premiums), and be it

FURTHER RESOLVED, that Resolution 309 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 280

by PERSONNEL, PUBLIC SAFETY & EMERGENCY SERVICES
and FINANCE COMMITTEES

Seconded by Mrs. Coffey

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RESOLUTION AUTHORIZING LABOR AGREEMENT WITH THE BROOME COUNTY SHERIFF'S LAW ENFORCEMENT OFFICERS ASSOCIATION FOR JANUARY 1, 1994 THROUGH DECEMBER 31, 1996.

WHEREAS, the County of Broome, under the provisions of the Civil Service Law (Taylor Law), has heretofore recognized the Broome County Sheriff's Law Enforcement Officers Association as an employee organization for those certain Broome County employees represented by said Union, and

WHEREAS, a tentative agreement has been reached with the Broome County Sheriff's Law Enforcement Officers Association for the period January 1, 1994 through December 31, 1996, and

WHEREAS, it is desired at this time to authorize 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 the Broome County Sheriff's Law Enforcement Officers Association, setting forth the terms and conditions of employment for those employees represented by said Union, for the period January 1, 1994, through December 31, 1996, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 1991 written labor agreement between AFSCME Local 2012 and Broome County 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.

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 281

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING LEASE AGREEMENT WITH SYRACUSE SUPPLY COMPANY FOR THE DIVISION OF SOLID WASTE MANAGEMENT.

WHEREAS, the Director of Solid Waste Management requests authorization for a lease agreement with Syracuse Supply Company for the Division of Solid Waste Management for the period 1996 through 2000, at a total cost not to exceed \$306,180, and

WHEREAS, said services are necessary to lease one 826G Caterpillar Landfill Compactor for the Division of Solid Waste Management, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Syracuse Supply Company, 2909 Vestal Road, Vestal, New York, 13850, for the lease of Caterpillar Landfill Compactor, for the period 1996 through 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$306,180 for the term of this agreement to be paid as follows:

| | |
|-------------------|--------------|
| 1996 payment..... | \$ 38,272.50 |
| 1997 payment..... | \$ 76,545.00 |
| 1998 payment..... | \$ 76,545.00 |
| 1999 payment..... | \$ 76,545.00 |
| 2000 payment..... | \$ 38,272.50 |

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4512.206000 (Outside Rentals - Machinery), and be it

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 282

by FINANCE and HEALTH SERVICES COMMITTEES

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS FOR TEMPORARY NURSING SERVICES FOR WILLOW POINT NURSING FACILITY FOR 1996.

WHEREAS, this County Legislature, by Resolutions 606, 607, and 611 of 1994, authorized agreements with various vendors for nursing services on an as needed basis for 1995 at a cost not to exceed \$190,000.00, and

WHEREAS, said services are necessary to provide Certified Nursing Assistants on an as-needed basis, and

WHEREAS, said agreements expired by their terms on December 31, 1995, and it is desired at this time to renew said agreement for the period June 28, 1996 through December 31, 1996, on substantially similar terms and conditions with a decrease in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreement with Staffings Healthcare Systems, 66 Hawley Street, P.O. Box 1015, Binghamton, New York, 13902, to provide nursing services on an as-needed basis for the period June 28, 1996 through December 31, 1996, at the following rates:

| | <u>Regular</u> | <u>Overtime</u> | <u>Holiday</u> |
|-----------------------------|----------------|-----------------|----------------|
| Certified Nursing Assistant | \$13.50 | \$20.25 | \$20.25 |

total amount not to exceed \$10,000 for the term of this agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of agreement with J. Anthony Associates, Ltd., d/b/a Metropolitan Nursing Services, 70 Court Street, Binghamton, New York, 13901, to provide nursing services on an as-needed basis for the period June 28, 1996 through December 31, 1996, at the following rates:

| | <u>Weekday</u> | <u>Weekday Shift</u> | <u>Weekend</u> |
|-----------------------------|----------------|----------------------|----------------|
| Certified Nursing Assistant | \$12.50 | \$13.00 | \$13.50 |

total amount not to exceed \$5,000 for the term of this agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of agreement with Olsten KQC Staffing, Pinnacle Place, Suite 206, McKown Road, Albany, New York, 12203, to provide nursing services on an as-needed basis for the period June 28, 1996 through December 31, 1996, at the following rates:

| <u>Holiday Time</u> |
|-------------------------------------|
| Certified Nursing Assistant \$13.50 |

total amount not to exceed \$3,700 for the term of this agreement, and be it

FURTHER RESOLVED, that in order to provide funds for these agreements, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

FROM: 160085.1500.204000 Salaries, Part-Time \$18,700

TO: 160085.4902.204000 Nursing Services-Aides \$18,700

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160085.4902.204000 (Nursing Services - Nursing Aides), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 283

by FINANCE and PUBLIC WORKS COMMITTEES

Seconded by Mr. Kavulich

RESOLUTION AMENDING THE 1996 CAPITAL IMPROVEMENT PROGRAMS.

WHEREAS, this County Legislature by Resolution 475 of 1995 approved the 1996 Capital Improvement Program, and

WHEREAS, the Commissioner of Aviation has requested an amendment to the 1996 Capital Program to include Capital Project C-269 Runway 16-34 Slope Repair needed to prevent further erosion of a bank which could lead to unsafe conditions and more expensive solutions, now therefore, be it

RESOLVED, that the 1996 Capital Improvement Program is hereby amended as follows:

CREATE:

| Project Code | Project Title | FAMIS Code | Year Start | Period Probable |
|--------------|---------------------------|------------|------------|-----------------|
| C-269 10 | Runway 16-34 Slope Repair | | N/A | 1996 |

| Project Cost | Distribution of Costs: Federal/Other | County Sources: State | County | Bond |
|--------------|--------------------------------------|-----------------------|--------|------|
| | <u>Transfer</u> | | | |

\$40,000 \$36,000 \$2,000 \$2,000 \$ 0 \$2,000

Project

Description: Repair and stabilize a portion of the rock embankment which has eroded away at the outfall from a storm drainage system.

and be it,

FURTHER RESOLVED, that in order to provide funding this County Legislature authorizes the Commissioner of Finance to make the following transfer of funds:

| | <u>Index Code</u> | <u>Sub-object</u> | <u>Project Code</u> | <u>Title</u> | <u>Amount</u> |
|-------|-------------------|-------------------|---------------------|------------------------|---------------|
| FROM: | 210088 | 4323 | 207000 | Building Main Supplies | \$ 2,000 |
| TO : | 219006 | 9004 | 207000 | Transfer to Capital | \$ 2,000 |

Carried. Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)

RESOLUTION NO. 284

by FINANCE and COMMUNITY & SOCIAL SERVICES COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH KRADRO REALTY CORPORATION FOR RENTAL OF SPACE AT 36-38 AND 40-42 MAIN STREET, BINGHAMTON, NEW YORK FOR THE BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES FOR 1997 THROUGH 2006

WHEREAS, this County Legislature, by Resolution No. 222 of

1986, authorized the renewal of a previously authorized lease agreement with Kradro Realty Corporation for the rental of 54,260 square feet of office space for use by the Broome County Department of Social Services at a base annual cost of \$6.39 per square foot, from January 1, 1987, through December 31, 1991, with a 5% yearly rent escalation clause, and

WHEREAS, this County Legislature, by Resolution No. 222 of 1986, also authorized an option to renew said lease agreement for an additional 5 year period from January 1, 1992, through December 31, 1996, with a rent escalation clause of 5% per year, and

WHEREAS, this County Legislature, by Resolution No. 93-79 of 1993, authorized an additional 6,320 square feet of office space for Broome County Department of Social Services to perform its responsibilities and to meet its requirements, and Kradro Realty Corporation agreed to construct an additional 6,320 square feet of office space at 36-38 Main Street, with no part of the construction or necessary renovation costs to be borne by the County, and

WHEREAS, Broome County's Department of Social Services successfully negotiated a five-year lease renewal dated December 13, 1991, with Kradro Realty Corporation, which expires December 31, 1996, with a reduced 4% yearly escalation clause, and said lease for 1996 provides for payments of \$9.31 per square foot, and

WHEREAS, for the Broome County Department of Social Services to adequately perform its responsibilities and meet its requirements, it is necessary that the building located at 36-38 Main Street be substantially renovated and that additional square footage for suitable office space be made available at 40-42 Main Street, Binghamton, New York, and

WHEREAS, Kradro Realty Corporation in consideration of renewal of their lease agreement having proposed to substantially renovate the building located at 36-38 Main Street and to purchase and renovate for suitable office space the building located at 40-42 Main Street, Binghamton, New York, and to make available through such substantial renovation 78,390 square feet of above ground usable office space, and

an additional 12,116 square feet of below ground storage and other such facilities as may be required by Broome County's Department of Social Services, for a total of 90,506 square feet, with no part of this construction or necessary renovation costs to be borne by the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with Kradro Realty Corporation, Suite One, 49 Court Street, Binghamton, New York 13902, for the lease of substantially renovated buildings located at 36-42 Main Street, Binghamton, New York, for a ten year period, commencing January 1, 1997, with an option for two additional five year renewal periods, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay Kradro Realty Corporation at the rate of \$6.39 per square foot, with a 2% yearly rent escalation clause, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from Budget Line 670018.4422.103000 (Building and Grounds Rental), and be it

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

Carried. Ayes-16, Nays-1 (Shafer), Absent-2 (Lindsey & O'Day)

Mr. Cahill moved, seconded by Mr. Pasquale to **adjourn** at 4:46 PM. The adjournment **carried.** Ayes-17, Nays-0, Absent-2 (Lindsey & O'Day)