

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
JUNE 19, 1997**

The Legislature convened at 4:00 P.M. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll: Present-19

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

Mr. Miller moved, seconded by Mr. Hull, that the minutes of the Regular Session of May 15, 1997, be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes from May 9, 1997 through June 12, 1997 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. O'Day and seconded by Mr. Wike. **Carried.**

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, Jeffrey P. Kraham:

- 1.Nominating S. Waldron and J. Purtell to membership on Central Library Board of Trustees.
- 2.Nominating L. Picciano and S. Dyer to membership on Broome

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Community College Board of Trustees.

- 3.Nominating 32 persons to membership on Emergency Medical Services Advisory Board.
- 4.Nominating 9 persons to membership on Private Industry Council.
- 5.Nominating 8 persons to membership on Foster Grandparent Advisory Council.
- 6.Nominating R. Greene, P. Guy and B. Madigan to membership on Local Conditional Release Commission.
- 7.Nominating 12 persons to membership on Community Alternatives Systems Agency.
- 8.Nominating 6 persons to membership on Office for Aging Advisory Council.
- 9.Designating order of succession in the event of absence of County Executive.
- 10.Announcing Edward Hart as Acting Commissioner of Parks and Recreation.

The County Executive briefly addressed the Legislature concerning the proposed contract with the Sheriff's Deputies. (See Resolution # 97-298)

"I'D LIKE TO SPEAK TO YOU BRIEFLY ABOUT THE SHERIFF'S CONTRACT WHICH YOU'LL HAVE AN OPPORTUNITY TO VOTE ON TODAY. DESPITE WHAT YOU'VE SEEN IN THE MEDIA, AND THE CONCERNS SOME OF YOU AROUND THIS TABLE HAVE EXPRESSED TO ME, THIS IS NOT ABOUT PERCENTAGES.

THIS CONTRACT IS ABOUT PAYING A FAIR AND DECENT SALARY TO COUNTY EMPLOYEES WHO PUT THEIR LIVES ON THE LINE EVERY DAY FOR THE RESIDENTS OF BROOME COUNTY - IT MIGHT SOUND LIKE A CLICHÉ... BUT IT ISN'T.

LAW ENFORCEMENT IS GETTING MORE AND MORE

DANGEROUS EVERY DAY, ESPECIALLY AT THE LOCAL LEVEL - DEPUTIES & DETECTIVES WORK CRAZY, INCONSISTENT AND LONG HOURS.

IN SOME CASES, OUR DEPUTIES OWN NEIGHBORS DON'T EVEN KNOW WHAT THEY DO FOR A LIVING - MANY OF THEM COULDN'T BE HERE TODAY TO SHOW SUPPORT FOR FEAR THAT SOME DRUG DEALER WOULD SEE THEM ON TELEVISION.

WE'RE TALKING ABOUT OUR DETECTIVES WHO RECENTLY INITIATED A MULTI-YEAR, COMPLICATED, AND DANGEROUS INVESTIGATION INVOLVING MANY DIFFERENT LAW ENFORCEMENT AGENCIES.....

OUR SHERIFF'S DEPARTMENT WHO SPEARHEADED "OPERATION GOLDEN ROAD" TO STEM THE FLOW OF MILLIONS OF DOLLARS IN DRUGS, GUNS, AND UNDESIRABLE SCUM INTO THIS COMMUNITY - AND WE'RE TALKING ABOUT OUR DEPUTIES WHO WERE THE ONES KICKING DOWN THE DOORS.....

SHOULDER-TO-SHOULDER WITH LAW ENFORCEMENT OFFICERS FROM THROUGHOUT BROOME COUNTY AND NEW YORK STATE.....

MANY OFFICERS WHO WORK FOR OUR TOWNS AND VILLAGES HERE IN BROOME ALSO PUT THEIR LIVES ON THE LINE JUST LIKE OUR DEPUTIES.....

BUT IN MANY CASES THEY HAVE MORE AND BETTER RESOURCES, AND THEY ARE PAID A MUCH MORE FAIR SALARY FOR DOING IT.

WE'RE TALKING ABOUT OUR OWN SHERIFF'S DEPARTMENT, WHO HAVE HAD FROZEN SALARIES FOR THE PAST 18 MONTHS.... AND IT'S PAST THE TIME THAT WE ESTABLISH SOME SALARY PARITY FOR THESE DEDICATED INDIVIDUALS.

THIS CONTRACT GIVES SHERIFF DEANGELO MORE OF THE MANAGEMENT TOOLS HE NEEDS TO EFFECTIVELY FIGHT CRIME.....

AS A COUNTY, WE MUST KEEP AN UPPER HAND ON THIS WAR ON DRUGS....
LET'S SUPPORT THESE OFFICERS INSTEAD OF INSULTING THEM AGAIN IN THIS ROUND OF CONTRACT NEGOTIATIONS.... LET'S LET THEM KNOW THAT THIS COMMUNITY STANDS FIRMLY BEHIND THEM....

IF YOU WANT TO TALK ABOUT PERCENTAGES, I BET I COULD OFFER MANY PEOPLE IN THIS ROOM A 100 PERCENT INCREASE OVER WHAT THESE DEPUTIES MAKE TODAY..... AND YOU WOULDN'T WANT TO PUT ON A BULLET PROOF VEST AND KICK-IN A DOOR, OR PULL OVER A STOLEN CAR DRIVEN BY AN ARMED INDIVIDUAL 15 MILES FROM THE NEAREST BACK-UP UNIT.

I URGE YOU TO SUPPORT THIS CONTRACT AND VOTE UNANIMOUSLY IN FAVOR OF IT..... BECAUSE IT'S THE RIGHT THING TO DO FOR THESE DEPUTIES AND DETECTIVES..... AND BECAUSE IT'S THE RIGHT THING TO DO FOR YOUR CONSTITUENTS THROUGHOUT BROOME COUNTY."

**PRESENTATION OF PETITIONS, COMMUNICATIONS,
NOTICES & REPORTS:**

PETITIONS: NONE

COMMUNICATIONS:

- 1.State Equalization Rates for 1996 Assessment Rolls
- 2.Minutes from:
 - a.Cornell Cooperative Extension
 - b.Soil and Water Conservation District
 - c.Environmental Management Council
 - d.EMC Solid Waste Committee
 - e.EMC Ad Hoc Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
 - f.EMC's Natural Resources Committee
 - g.Industrial Development Agency (minutes and various materials)
- 3.An Analysis of the Elimination of the Sales Tax on Clothing (prepared for NYS Association of Counties and NYS County Executives Association)
- 4.1997 Broome County Salary Schedule
- 5.Broome Community College 1997-98 Proposed Budget
- 6.Invitation to dedication ceremony at Korean War Memorial (Courthouse), June 25, 1997 at 11:00 a.m.
- 7.Letter from Acting Director of Library regarding repair, renovation and expansion of 78 Exchange St.
- 8.Guidelines for Fee Waiver Program (Solid Waste Management)

NOTICES:James Humphrey against Broome County (Sheriff's Department)

REPORTS:

- 1.Monthly Reports:
 - a.Department of Social Services: January and February 1997

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- b. Broome Community College: Above Minimum Hires, April and May 1997; Quarterly Income Statements and Balance Sheets
- 2. 1996 Annual Report:
 - a. Public Defender
 - b. Parks and Recreation
 - c. Community Mental Health Services
- 3. Willow Point Nursing Facility: Financial Statements (Dec. 31, 1996 and 1995)
- 4. Airport Master Plan Update
- 5. Department of Audit and Control:
 - a. Payroll/Payout Audit (District Attorney and CASA)
 - b. Bank Transfer Testing (April 1996 through March 1997)
 - c. Representative Payee Accounts Audit (Departments of Social Services and Mental Health)
 - d. Letter regarding follow-up audit of Mental Health Department.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE:

Letters from the Chair, Daniel A. Schofield:

- 1. Appointing Louis P. Augostini as voting representative for Wayne L. Howard, Public Works Committee, May 19, 1997.
- 2. Appointing Patrick F. O'Day as voting representative for Thomas A. Hull, Education, Culture and Recreation Committee, June 10, 1997.
- 3. Appointing William H. Miller as voting representative for Thomas A. Hull, Community and Social Services Committee, June 11, 1997.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE:

Letters from the Chair, Daniel A. Schofield (continued):

- 4. Appointing Patrick F. O'Day as voting representative for Wanda Hudak, Health Services Committee, June 10, 1997.
- 5. Appointing the following Legislators for Brian K. Mather:
 - a. Arthur J. Shafer as Acting Chair and Chris W. Burger as voting

- representative, Personnel Committee, June 9, 1997.
- b.Arthur J. Shafer as voting representative, Public Safety and Emergency Services Committee, June 10, 1997.
- c.Louis P. Augostini as voting representative, Finance Committee, June 12, 1997.
- 6.Appointing the following Legislator for Wanda Hudak:
- a.Louis P. Augostini as Acting Chair and voting representative, Community and Social Services Committee, June 12, 1997.
- b.Louis P. Augostini as voting representative, Public Works Committee, June 12, 1997.
- 7.Appointing the following Legislators for David L. Lindsey:
- a.William H. Miller as voting representative, Education, Culture and Recreation Committee, June 10, 1997.
- b.William H. Miller as Acting Chair and Patrick F. O'Day as voting representative, Public Safety and Emergency Services Committee, June 10, 1997.

Mr. Brunza moved, seconded by Mr. Whalen to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1997 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried.**

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

Mr. Hull and Mr. Kavulich were designated as participants in the 'Short Roll Call.' Mr. Wike seconded the 'Preferred Agenda.'

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION
(May 15, 1997):

RESOLUTION NO. 216 (held over by Mr. Howard)
by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT &
PLANNING and FINANCE COMMITTEES

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RESOLUTION REQUESTING AN AMENDMENT OF THE NEW YORK STATE TAX LAW REGARDING HOTEL OR MOTEL OCCUPANCY TAXES IN BROOME COUNTY.

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

The call of the question **carried**.

Ayes-15, Nays-4 (Augostini, Brunza, Hull & Kavulich)

The resolution **lost**. Ayes-2 (Hudak & Hull), Nays-17

RESOLUTION NO. 220 (held over by Mr. Pasquale)
by FINANCE and TRANSPORTATION COMMITTEES
Seconded by Mrs. Hudak

RESOLUTION AMENDING THE 1995 CAPITAL IMPROVEMENT PROGRAM.

Carried.

RESOLUTIONS INTRODUCED AT THIS SESSION:

RESOLUTION NO. 230

by PUBLIC WORKS COMMITTEE Seconded by Mr. Wike

RESOLUTION DECLARING REHABILITATION OF TWIST RUN ROAD, TOWN OF UNION AND VILLAGE OF ENDICOTT, 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 Rehabilitation of Twist Run Road has been identified as an unlisted action under the New York State Environmental Quality Review Act having no substantial effect on the environment in that it involves only the installation of a closed drainage system, widening of the roadway and other safety improvements, and

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

WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is “de minimis” in nature, said determination being based upon the fact that the project involves only the installation of a closed drainage system, widening of the roadway and other safety improvements, having no substantial effect on the environment, and that only four permanent easements from four property owners will be required for the project now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Rehabilitation of Twist Run Road, Town of Union, to be “de minimis” in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

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

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

RESOLUTION NO. 231

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Wike

RESOLUTION DESIGNATING THE BROOME COUNTY

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LEGISLATURE AS LEAD AGENCY WITH RESPECT TO REHABILITATION OF TWIST RUN ROAD, TOWN OF UNION, AND RENDERING A “NEGATIVE DECLARATION” WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake the Rehabilitation of Twist Run Road in the Town of Union, to install closed drainage system, widening of the roadway and other safety improvements, and

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

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

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

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

RESOLVED, that this County Legislature hereby declares its intention to seek “Lead Agency” status with respect to the environmental review of the Rehabilitation of Twist Run Road, 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 Rehabilitation of Twist Run Road in the Town of Union will not have significant effect on the environment, and be it

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

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

RESOLUTION NO. 232

by TRANSPORTATION COMMITTEE

Seconded by Mr. Wike

RESOLUTION AUTHORIZING BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION TO PROVIDE FREE TRANSPORTATION FOR SUMMER FUN PROGRAMS FOR 1997.

WHEREAS, this County Legislature, by Resolution 214 of 1996, authorized the Department of Public Transportation to provide free transportation for Summer Fun Program for 1996, hosted by various municipalities within Broome County, and

WHEREAS, the Summer Fun programs provide summer outdoor recreational activities, including field trips, for its participants, and

WHEREAS, it is desired at this time to provide free transportation for such programs in all municipalities hosting said programs during off peak hours on existing fixed routes with no additional costs other than the normal costs of operating such routes for 1997, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Department of Public Transportation to provide free transportation for Summer Fun programs hosted by various municipalities within Broome County during off peak hours, on existing fixed routes for 1997.

Carried.

RESOLUTION NO. 233

by EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEE

Seconded by Mr. Wike

RESOLUTION AUTHORIZING CANCELLATION OF UNCOLLECTIBLE BROOME COUNTY VETERAN'S MEMORIAL ARENA BAD CHECK ACCOUNTS FOR 1995.

WHEREAS, the Commission of Parks and Recreation has advised that for the calendar year 1995, certain amounts owed to the Arena currently remain unpaid and uncollected, and

WHEREAS, repeated efforts have been made to collect these accounts by Broome County Security but have been unsuccessful, either because the individuals cannot be located or the cost involved to bring suit would exceed the potential recovery, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the cancellation and charge off of the uncollectible Arena bad check accounts as follows:

<u>Year</u>	<u>Amount</u>
1995	\$126.00

FURTHER RESOLVED, that the Commissioner of Finance and the Comptroller are hereby authorized to make the necessary accounting entries to implement the intent and purpose of this Resolution.

Carried.

RESOLUTION NO. 234

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, PERSONNEL and FINANCE COMMITTEES Seconded by Mr. Wike

RESOLUTION ADOPTING THE OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) ADMINISTRATIVE BUDGET FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 200 of 1996, authorized and approved the Office of Employment and Training Job Training Partnership Act (JTPA) administrative budget in the amount of \$575,472.00 for the period July 1, 1996 through June 30, 1999, and

WHEREAS, it is desired to adopt the administrative budget for the period July 1, 1997 through June 30, 1998, in the amount of \$655,365.00, now, therefore, be it

RESOLVED, that this County Legislature hereby adopts the Office of Employment and Training Job Training Partnership Act (JTPA) administrative budget for the period July 1, 1997 through June 30, 1998, in the amount of \$655,365.00, which budget is attached hereto as

Exhibit "A", 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.

RESOLUTION NO. 235

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

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) GRANTS AND ADOPTING PROGRAM BUDGETS IN CONNECTION THEREWITH FOR 1997 THROUGH 2000.

WHEREAS, this County Legislature, by Resolution 199 of 1996, authorized and approved the acceptance of various Job Training Partnership Act (JTPA) grants from New York State Department of Labor for the Office of Employment and Training for the Broome County Office of Employment & Training and adopted program budgets in connection therewith for various time periods, and

WHEREAS, said grant programs provide for various work force

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development and training programs for the Counties of Broome, Tioga and Tompkins, and

WHEREAS, said grant programs also provide for the pass through funds for work force development and training programs in the County of Tioga and County of Tompkins, and

WHEREAS, it is desired to renew said grant programs for the amounts indicated on Ex. A for the period July 1, 1997 through June 30, 2000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the amounts listed in Exhibit "A" from New York Department of Labor for the Broome County Office of Employment and Training JTPA Program for the period July 1, 1997 through June 30, 2000, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budgets annexed as Exhibit "A", 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 agreements 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.

RESOLUTION NO. 236

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL
and FINANCE COMMITTEES

Seconded by Mr. Wike

**RESOLUTION AUTHORIZING RENEWAL OF PROBATION
DEPARTMENT JUVENILE INTENSIVE SUPERVISION
PROGRAM GRANT, ADOPTING A PROGRAM BUDGET IN
CONNECTION THEREWITH AND AUTHORIZING AN
AGREEMENT WITH CATHOLIC CHARITIES FOR RELATED
PROGRAM SERVICES FOR 1997 THROUGH 1998.**

WHEREAS, this County Legislature, by Resolution 262 of 1996, authorized and approved the Probation Department Juvenile Intensive Supervision Program Grant and adopted a program budget in the amount of \$144,234 for the period July 1, 1996 through June 30, 1997, 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 the agreement with Catholic Charities for related program services for 1997 through 1998, 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, 1997 through June 30, 1998, 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 \$146,675.00 for the period July 1, 1997 through June 30, 1998, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Catholic Charities, 232 Main Street, Binghamton, New York, 13905, for related program services for the period July 1, 1997 through June 30, 1998, in the amount

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of \$44,055, 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.

RESOLUTION NO. 237

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF THE PROBATION DEPARTMENT PRETRIAL RELEASE PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 396 of 1996, authorized and approved the Probation Department in the Pretrial Release Program Grant and adopted a program budget in the amount of \$81,617 for the period July 1, 1996 through June 30, 1997, and

WHEREAS, said grant funds services designed to reduce the unsentenced inmates at the Broome County jail by the provision of information to the court necessary to enable the court to decide the least restrictive method necessary to secure an inmate's appearance in court without detention and/or for those inmates unable to post bail, and

WHEREAS, it is desired to renew said program grant for the period July 1, 1997 through June 30, 1998, in the amount of \$81,519, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$70,600 from the New York State Division of Probation and Correctional Alternatives for the Probation Department Pretrial Release Program Grant for the period July 1, 1997 through June 30, 1998, 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 \$81,519 for the period July 1, 1997 through June 30, 1998, 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.

RESOLUTION NO. 238

by PERSONNEL, COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF SOCIAL SERVICES.

RESOLVED, that in accordance with a request of the Acting Commissioner of the Department of Social Services, as contained in PCR#97-273, this County Legislature authorizes the abolishment of the Community Service Worker position at budget line 0034.1000.103000, minimum salary \$15,318, grade 8, and be it

FURTHER RESOLVED, that in accordance with a request from the Acting Commissioner of the Department of Social Services, as contained in PCR#97-270, this County Legislature authorizes the creation of a Social Services Examiner position at budget line 0034.1000.103000, minimum salary \$17,986, grade 11, and be it

FURTHER RESOLVED, that in accordance with a request by the Acting Commissioner of the Department of Social Services, as contained in PCR#97-271, this County Legislature authorizes the abolishment of a Managed Care Coordinator position at budget line 0034.1000.103000, minimum salary \$24,801, grade 17, and be it

FURTHER RESOLVED, that in accordance with a request by the Acting Commissioner of the Department of Social Services, as contained in PCR#97-274, this County Legislature authorizes the creation of a Caseworker position at budget line 0034.1000.103000, minimum salary \$23,506, grade 16, and be it

FURTHER RESOLVED, that in accordance with a request by the Acting Commissioner of the Department of Social Services, as contained in PCR#97-272, this County Legislature authorizes the reclassification of the Maintenance Worker position at budget line 0018.1000.103000, minimum salary \$9.69 per hour to a Custodial Workers position at budget line 0018.1000.103000, minimum salary \$8.63 per hour.

Carried.

RESOLUTION NO. 239

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

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF THE DEPARTMENT OF SOCIAL SERVICES CHILD CARE AND DEVELOPMENT BLOCK (CCDBG) GRANT PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 528 of 1996, authorized the Department of Social Services Child Care and Development Block Grant (CCDBG) Program for the period October 1, 1996 through September 30, 1997, and adopted a program budget in connection therewith in the total amount of \$316,642, and

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

WHEREAS, it is necessary to revise said grant program for the period October 1, 1996 through September 30, 1997 to include additional allocations in the total amount of \$574,727, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the Child Care and Development Block Grant (CCDBG) from New York State Department of Social Services for the Department of Social Services Child Care and Development Block Grant (CCDBG) Program for the period October 1, 1996 through September 30, 1997, in the total amount of \$574,727, 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 \$574,727 for the period October 1,

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1996 through September 30, 1997, and be it

FURTHER RESOLVED, that Resolution 528 of 1996 to the extent consistent herewith, shall continue 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.

RESOLUTION NO. 240

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF DEPARTMENT OF SOCIAL SERVICES HOME ENERGY ASSISTANCE PROGRAM (HEAP) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 97-94, authorized the continued participation by the Department of Social Services and the Home Energy Assistance Program (HEAP) for the period November 15, 1996 through November 15, 1997, and adopted a program budget in connection therewith in the total amount of

\$1,964,207.00, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in grant appropriations and to include specific provisions authorizing acceptance of additional funds as become available during the program year, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes a revision of the Home Energy Assistance Program (HEAP) for the period November 15, 1996 through November 15, 1997, in the total amount of \$2,095,017, 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 \$2,095,017, and be it

FURTHER RESOLVED, that Resolution 97-94 as amended, 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 (670455.4594.104080), Non-Public Assistance (670455.4593.104080) or Emergency

Components (670455.4591.104080), 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, the Comptroller and the Clerk of the Legislature reflecting the additional Home Energy Assistance program funds allocated to Broome County, and be it

FURTHER RESOLVED, that the County Executive or his duly appointed representative is not authorized to accept any additional funds for the administrative costs of this program without approval of this County Legislature.

Carried.

RESOLUTION NO. 241

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF SERVICES AND TRAINING RESOURCES FOR INDIVIDUALS IN VOCATIONAL EDUCATION (STRIVE) PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998, AND AUTHORIZING AN AGREEMENT WITH BROOME COMMUNITY COLLEGE FOR SERVICES IN CONNECTION THEREWITH.

WHEREAS, this County Legislature, by Resolution 204 of 1996, authorized and approved the Services and Training Resources for Individuals in Vocational Education (STRIVE) Program Grant in the amount of \$52,472.00 for the period July 1, 1996 through June 30, 1997, and

WHEREAS, said grant program provides eligible recipients of Aid

to Dependent Children to achieve economic independence by successfully completing vocationally oriented associate degree programs for the purpose of entering into long-term stable employment in their field of study, and

WHEREAS, said grant program expires by its terms on June 30, 1997, and it is desired to renew said grant for the period July 1, 1997 through June 30, 1998, in the amount of \$50,846.00, and

WHEREAS, it is requested that the agreement for contract services with Broome Community College to provide programs for the individuals in this STRIVE Program be renewed for this same period, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$40,836.00 from the United States Department of Health & Human Services and \$10,010.00 from the New York State Department of Social Services for the period July 1, 1997 through June 30, 1998, 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 \$50,846.00 for the period July 1, 1997 through June 30, 1998, and be it

FURTHER RESOLVED, that this County Legislature hereby approves the continued agreement with Broome Community College to provide programs for individuals within the STRIVE Program for the period July 1, 1997 through June 30, 1998, 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.

RESOLUTION NO. 242

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH ENCOREPLUS, YWCA FOR BREAST AND CERVICAL CANCER SCREENING, DATA COLLECTION AND OUTREACH SERVICES FOR THE HEALTH DEPARTMENT FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 96-244 authorized an agreement with Encoreplus, YWCA for breast and cervical cancer screening, data collection and outreach services at a cost not to exceed \$8,000 for the term July 1, 1996 through June 30, 1997, and

WHEREAS, it is necessary to authorize the amendment to said agreement to include an additional temporary part time position, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Encoreplus, YWCA, 80 Hawley Street, Binghamton, New York 13901 for breast and cervical cancer screening, data collection and outreach services with the additional temporary part time position 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 \$8,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4458.101045 (Other Program

Expense), and be it

FURTHER RESOLVED, that Resolution 96-244 to the extent consistent herewith shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 243

by COMMUNITY & SOCIAL SERVICES COMMITTEESecoded by Mr. Wike

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY OFFICE FOR AGING ADVISORY COUNCIL.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 165 of 1973, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Office for Aging Advisory Council for the terms indicated:

NAME

TERM EXPIRING

Richard McKane 25 Woodland Drive Binghamton, New York 13901	Reappointment Term Expires 12/31/99
---	--

NAME

TERM EXPIRING

John Morris 20 Willow Lane Conklin, New York 13748	New Appointment Term Expires 12/31/99
--	--

Mary (Molly) Siedlarczyk	New Appointment
--------------------------	-----------------

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3 Briar Court Term Expires 12/31/99
Binghamton, New York 13905

Norma M. Seymour New Appointment
PO Box 116 Term Expires 12/31/99
7 Village Court
Harpursville, New York 13787

Scott Bowen New Appointment
5 Johnson Avenue Term Expires 12/31/99
Binghamton, New York 13905

Marilyn M. Myers New Appointment
425 Jensen Road Term Expires 12/31/99
Vestal, New York 13850

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 165 of 1973, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 165 of 1973, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Office for Aging Advisory Council in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 244

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

**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 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 247 of 1996, 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, 1996 through May 31, 1997 at a cost of \$9,053.00, and

WHEREAS, said agreement expired by its terms on May 31, 1997, and it is desired at this time to renew said agreement for the period June 1, 1997 through May 31, 1998, 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, 1997 through May 31, 1998, 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 480301.4422.104xxx (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.

RESOLUTION NO. 245

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Wike

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 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 241 of 1996, 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, 1996 through June 30, 1997, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1997 through June 30, 1998, 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, 1997 through June 30, 1998, 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, 1997 through June 30, 1998, 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.

RESOLUTION NO. 246

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT HIV/AIDS TRAINING SERVICES PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolutions 240 of 1996, and 59 of 1997, authorized and approved the Health Department HIV/AIDS Training Services Program Grant and adopted a program budget in the amount of \$104,135 for the period July 1, 1996 through June 30, 1997, and

WHEREAS, said program grant provides training for health and human services providers involved in the delivery of care to Health Department HIV/AIDS clientele, and

WHEREAS, it is desired to renew said program grant for the amount of \$107,837, for the period July 1, 1997 through June 30, 1998, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$80,800 from the State of New York Department of Health for the Health Department HIV/AIDS Training Services Program Grant period July 1, 1997 through June 30, 1998, 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 \$107,837 for the period July 1, 1997 through June 30, 1998, 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.

RESOLUTION NO. 247

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF HEALTH HIV SEROPREVALENCE STUDY PROGRAM GRANT FOR THE HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, the Health Department requests this County Legislature to authorize the acceptance of New York State Department of Health HIV Seroprevalence Study Program Grant in the amount of \$18,000 for the period July 1, 1997 through June 30, 1998, and

WHEREAS, said program grant will allow the Broome County Health Department STD Clinic to participate in a blinded HIV Seroprevalence Study in order to expand local knowledge of the nature and scope of the HIV epidemic among Broome County population, and provide important information necessary to enhance local prevention strategies, now, therefore, be it

RESOLVED, that this Co. Legislature hereby authorizes and approves acceptance of \$18,000 from the N.Y.S. Dept. of Health for Health Dept. HIV Seroprevalence Study Program Grant for the period July 1, 1997 through June 30, 1998, 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 \$18,000 for the period July 1, 1997 through June 30, 1998, 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.

RESOLUTION NO. 248

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH BARBARA COYLE FOR TRAINING/EDUCATION HIV/AIDS SERVICES FOR THE HEALTH DEPARTMENT FOR 1996 THROUGH 1997.

WHEREAS, the Broome County Board of Acquisition and Contract authorized an agreement with Barbara Coyle for HIV/Aids Education/Training Services for the Health Department for the period July 1, 1996 through June 30, 1997 at a cost not to exceed \$2,500, and

WHEREAS, it is necessary to authorize the amendment of said agreement to allow for an increase in services and costs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Barbara Coyle, RR2 Box 177, Ulster, Pennsylvania 18850 for HIV/Aids Training/Education Services for the Health Department 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 \$4,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4458.104056 (Other Program Expense), and be it

FURTHER RESOLVED, that the Broome County Board of Acquisition and Contract authorization to the extent consistent herewith shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 249

by COMMUNITY & SOCIAL SERVICES and FINANCE
COMMITTEES

Seconded by Mr. Wike

**RESOLUTION AUTHORIZING REVISION OF THE ONGOING
CHILD ABUSE PREVENTION AND EDUCATION GRANT
PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET
IN CONNECTION THEREWITH.**

WHEREAS, this County Legislature, by Resolution 105 of 1989, as amended by subsequent resolutions, the last being Resolution 57 of 1997, authorized the continued participation in the Ongoing Child Abuse Prevention and Education Grant Program and adopted a program budget in connection therewith in the total amount of \$95,315.55, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Ongoing Child Abuse Prevention and Education Grant Program in the total amount of \$96,834.30, 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 \$96,834.30, and be it

FURTHER RESOLVED, that Resolution 57 of 1997, and all subsequent resolutions, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 250

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF COORDINATED CHILDREN'S SERVICES INITIATIVE GRANT, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC CHARITIES TO FACILITATE THIS PROGRAM FOR 1997.

WHEREAS, This County Legislature, by Resolution 401 of 1995, authorized and approved acceptance of a Coordinated Children's Services Initiative Grant in the amount of \$42,500.00 for the period October 1, 1995 through September 30, 1996, and an agreement with Catholic Charities to implement this program, and

WHEREAS, said grant program provides a collaborative system of services designed to reduce the residential placement of children, and

WHEREAS, said grant program is set to expire on September 30, 1996, and

WHEREAS, it is desired to renew said grant program and the agreement with Catholic Charities to facilitate this program for the period January 1, 1997 through December 31, 1997 in the amount of \$41,105.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$41,105.00 from the New York State Office of Mental Health for the period January 1, 1997 through December 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 \$41,105.00 for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905 for services under the Coordinated Children's Services Initiative Grant project for the period January 1, 1997 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 \$41,105.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670430.4457.102000 (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.

RESOLUTION NO. 251

by FINANCE COMMITTEE

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT

WITH THE JOHNSON CITY SCHOOL DISTRICT FOR THE PURCHASE OF PRESCRIPTION DRUG BENEFITS FROM PCS HEALTH SYSTEMS, INC. FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 202 of 1996, authorized an agreement with the Johnson City School District for prescription drug benefits for their eligible employees, retirees, survivors, and COBRA members, and

WHEREAS, said agreement expires by its terms on June 30, 1997, and it is desired at this time to renew said agreement for the period July 1, 1997 through June 30, 1998, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the County of Broome, the Johnson City School District and PCS Health Systems, Inc., for prescription drug benefits for eligible employees, retirees, survivors and COBRA members of the two municipal corporations for the period July 1, 1997 through June 30, 1998, and be it

FURTHER RESOLVED, that said contract with PCS Health Systems, Inc., will be at the rate of \$.50 per paid claim, and be it

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

Carried.

RESOLUTION NO. 252

by FINANCE COMMITTEE

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JOHNSON & HIGGINS FOR THE BROOME COUNTY PROPERTY AND LIABILITY PROGRAM FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 304 of 1996, authorized an agreement with Johnson & Higgins to provide insurance coverage of various kinds for the period July 1, 1996 through July 31, 1997, and

WHEREAS, said agreement expires by its terms on July 31, 1997, and it is desired at this time to renew said agreement for the period August 1, 1997 through July 31, 1998, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Johnson & Higgins, 1700 Midtown Tower, Rochester, New York, 14604, whereby said firm will provide the following coverages for fees not to exceed the sums indicated:

Aviation	\$39,522 (1997/1998)	\$38,802 (1996/1997)
Property	\$67,229 (1997/1998)	\$69,000 (1996/1997)

for the period August 1, 1997 through July 31, 1998, and be it

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

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

Carried.

RESOLUTION NO. 253

by FINANCE COMMITTEE

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH JOHNSON & HIGGINS FOR EMPLOYEE BOND INSURANCE FOR THE DEPARTMENT OF RISK AND INSURANCE FOR 1997 THROUGH 1998.

WHEREAS, the Risk Manager requests authorization for an agreement with Johnson & Higgins for employee bond insurance for the period July 1, 1997 through June 30, 1998, at a cost not to exceed \$5,775, 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, 1997 through June 30, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,775 for the term of this agreement, and be it

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

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

Carried.

RESOLUTION NO. 254

REGULAR SESSION OF JUNE 19, 1997

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and PUBLIC WORKS COMMITTEES. Seconded by Mr. Wike
RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5, 1997, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE WITH REGARD TO LANDFILL REGULATIONS."

RESOLVED, that Local Law Intro. No. 5, 1997, entitled: "A Local Law Amending Chapter 179 of the Broome County Charter and Code with regard to Landfill Regulations" be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law, and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 5, 1997

A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE

WITH REGARD TO LANDFILL REGULATIONS

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

SECTION 1. Section 179-6(E) shall be amended to read as follows:

E. All vehicles transporting solid waste to [and/or] entering, and/or exiting the landfill site shall have loads appropriately covered or confined in the vehicle by use of tarpaulins, nets, or other devices to prevent paper, litter and other substances from blowing out or falling from the vehicle. Vehicles traveling to and/or entering the landfill with loads not appropriately covered or confined shall be charged with a violation of this article. Vehicles exiting the landfill with loads not appropriately covered, such that paper, litter, and/or other substances are blowing out or falling from the vehicle shall be charged with a violation of this article. For permitted vehicles, three (3) or more violations

of this section during the term of the aforesaid permit shall result in revocation of the permit as provided under §179-5.

Material underlined is added/Material in [brackets] is deleted
Carried.

RESOLUTION NO. 256

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

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE OFFICE FOR AGING, DISTRICT ATTORNEY AND DRUG AWARENESS CENTER

RESOLVED, that in accordance with a request from the Director of the Office for Aging in order to revise appropriations for the HUD-Administration grant budget for 1996-97 as requested by BT# 000368 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:	760850	1000	104095	Salaries, FT	
					\$27,535
	760850	8010	104095	State Retirement	\$
1,498					
	760850	8030	104095	Social Security	\$
2,107					
	760850	8040	104095	Worker's Comp.	
\$ 400					
	760850	8050	104095	Life Insurance	
\$ 15					
	760850	8060	104095	Health Insurance	\$
1,260					
	760850	8063	104095	Disability Ins.	\$
82					

TO: 760850 4457 104095 Subcontracted Exp.
\$ 1,000
760850 4610 104095 Personal Srvs Chrgbk
\$31,897

and be it

FURTHER RESOLVED, that in accordance with a request from the District Attorney in order to decrease salary due to increase in fringe benefits as requested by BT# 000445 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

FROM: 330043 1000 104061 Salaries, FT \$
309
TO: 330043 8010 104061 State Retirement \$
266
330043 8040 104061 Worker's Comp.
\$ 16
330043 8060 104061 Health Insurance \$

27

and be it

FURTHER RESOLVED, that in accordance with a request from the District Attorney in order to transfer funds to meet budget line as requested by BT# 000753 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

FROM: 330043 4734 104041 Witness Exp. \$
2,490
TO: 330043 1000 104041 Salaries, FT \$
2,068
330043 8010 104041 State Retirement \$
223
330043 8030 104041 Social Security \$

146

330043	8040	104041	Worker's Comp.	
\$	39			
330043	8060	104041	Health Insurance	\$

14

and be it

FURTHER RESOLVED, that in accordance with a request from the Acting Director of the Drug Awareness Center in order to revise grant budget for 1996-097 to reflect program expenditures as requested by BT# 010112, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u> <u>Title</u>	<u>Amount</u>
FROM:	470146	1000	104064 Salaries, FT	\$
300				
TO:	470146	4463	104064 Ed/Training	\$
300				

and be it

FURTHER RESOLVED, that in accordance with a request from the Acting Director of the Drug Awareness Center in order to revise grant budget for 1996-97 to reflect program expenditures as requested by BT# 010113, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u> <u>Title</u>	<u>Amount</u>
FROM:	470146	1000	104065 Salaries, FT	\$
300				
TO:	470146	4463	104065 Ed/Training	\$
300				

Carried.

RESOLUTION NO. 257

by Education, Culture & Recreation Committee Seconded by Mrs. Hudak

RESOLUTION HONORING THE MAINE-ENDWELL MIDDLE SCHOOL SCIENCE OLYMPIAD TEAM - 1997

WHEREAS, the Science Olympiad is an international science competition, open to over 13,000 schools and this program is designed to promote science education and to measure students' science ability through teamwork, technology and knowledge based events, and

WHEREAS, the Maine-Endwell Middle School Science Olympiad team consisting of twenty members in grades six through nine recently competed in various levels of the NYS Science Olympiad, and

WHEREAS, the Maine-Endwell Team placed first in regional

competition and in March of 1997 and then won the NYS championship in April of 1997, and most recently competed in the national championship in Raleigh, North Carolina, receiving a gold medal and placing thirteenth against fifty-two other competing teams, and

WHEREAS, the Science Olympiad program offers a unique opportunity to participate in challenging and motivating activities both inside and outside of the regular classroom, and

WHEREAS, teams from the Maine-Endwell District have journeyed to the national finals, four times since 1994 and have compiled a record of success worthy of recognition, now therefore be it

RESOLVED, that the Broome County Legislature and County Executive, acting on behalf of the citizens of Broome County, do hereby recognize the dedication and talent of the following advisors and students and commend them for their efforts:

JOHN MALIWACKI, HEAD COACH	SUE	RICE,
ASSISTANT COACH		
Andrew Bailey	Jim Boyle	Ryan Capobianco
Eugene Lin		
Steven Pasewark	Darren Roblyer	Phillip Badger
Meg Boyle		
Stephanie Cheng	Matt Cole	Rajitha Devadoss Adam
Foldes		
Caleb Roepke	Jade Rothman	Allison Berical
Diana Cheng		
T. J. Meehan	Kenneth Moss	Matt Scudder Andrew
Treimen,		

and be it

FURTHER RESOLVED, that this County Legislature and County Executive commends the 1997 Maine-Endwell Science Olympiad Team for their success in becoming NYS Champions and ably representing their community at the national finals, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby authorized and directed to present an original copy of this resolution to the members of the Maine-Endwell Science Olympiad Team at a regular session of the Broome County Legislature held on the 19th. day of June, 1997.

Carried.

RESOLUTION NO. 258

by COMMUNITY & SOCIAL SERVICES and FINANCE
COMMITTEES

Seconded by Mr. Wike

**RESOLUTION AUTHORIZING REVISION OF THE
CORPORATION FOR NATIONAL SERVICE FOSTER
GRANDPARENTS ACTION PROGRAM AND ADOPTING A
REVISED PROGRAM BUDGET IN CONNECTION
THEREWITH FOR 1997.**

WHEREAS, this County Legislature, by Resolution 537 of 1996, authorized the continued participation by the Office for Aging in the Foster Grandparents Action Grant Program for the calendar year 1996 and adopted a program budget in connection therewith in the total amount of \$240,943.00, and

WHEREAS, it is necessary to revise said grant program to reflect an increase in appropriations in the total amount of \$262,972.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the revision of the Foster Grandparents Action Grant Program for the period January 1, 1997 through December 31, 1997, in the total amount of \$262,972, 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 \$262,972 for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLED, that Resolution 537 of 1996, to the extent consistent herewith, shall continue 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.

RESOLUTION NO. 259

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING CAREGIVER RESOURCE CENTER GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 117 of 1997, authorized and approved the Office for Aging Caregiver Resource Center Grant and adopted a program budget in the amount of \$20,000 for the period April 1, 1997 through March 31, 1998, and

WHEREAS, said grant program provides educational programs to family caregivers of impaired elderly in Broome County, including programs on personal care, community services, medical problems of aging and maintaining the mental health of the caregiver, and

WHEREAS, it is necessary to revise said grant program to reflect an

increase in grant appropriations for the period April 1, 1997 through March 31, 1998, in the amount of \$22,493, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$22,493 from New York State Office for Aging for the period April 1, 1997 through March 31, 1998, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$22,493 for the period April 1, 1997 through March 31, 1998, 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.

RESOLUTION NO. 260

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF THE HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT FOR OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996

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THROUGH 1997.

WHEREAS, this County Legislature, by Resolutions 351 of 1996 authorized and approved the renewal of the Home Energy Assistance Program (HEAP) Grant and adopted a program budget in the amount of \$12,290 for the period October 1, 1996 through September 30, 1997, and

WHEREAS, it is necessary to revise said grant program to reflect an increase in appropriations for the period October 1, 1996 through September 30, 1997, in the amount of \$16,231, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$16,231 from the New York State Department of Social Services for the period October 1, 1996 through September 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 \$16,231 for the period October 1, 1996 through September 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.

RESOLUTION NO. 261

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF ADMINISTRATION BUDGET FOR OFFICE FOR AGING EMPLOYMENT PROGRAMS GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 253 of 1996, authorized and approved the Office for Aging Senior Community Service Employment Programs (SCSEP) Administration Grant and adopted a program budget in the amount of \$97,704 for July 1, 1996 through June 30, 1997, 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, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1997 through June 30, 1998, in the amount of \$105,182, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$105,182 for the Administration Budget for Office for Aging Employment Programs Grant for the period July 1, 1997 through June 30, 1998, 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 \$105,182 for the period July 1, 1997 through June 30, 1998, and be it

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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.

RESOLUTION NO. 262

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Wike

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 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 255 of 1996, as amended by Resolution 122 of 1997, 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 \$55,818 for July 1, 1996 through June 30, 1997, 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, 1997 through June 30, 1998, in the amount of \$55,818, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$55,818 for the New York State Office for Aging Senior Community Service Employment Program (SOFA) for the period July 1, 1997 through June 30, 1998, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$55,818 for the period July 1, 1997 through June 30, 1998, 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.

RESOLUTION NO. 263

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by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING NATIONAL COUNCIL ON AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (NCOA) GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 254 of 1996, as revised by Resolution 123 of 1997, 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 \$234,700 for the period July 1, 1996 through June 30, 1997, 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, 1997 through June 30, 1998, in the amount of \$234,700, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$234,700 for the Office for Aging National Council on Aging Senior Community Service Employment Program (NCOA) for the period July 1, 1997 through June 30, 1998, 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 \$234,700 for the period July 1, 1997 through June 30, 1998, 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.

RESOLUTION NO. 264

by PUBLIC WORKS and TRANSPORTATION COMMITTEES Seconded by Mr. Wike

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO EXTERIOR PAINTING OF HANGAR NO. 2 AT BINGHAMTON REGIONAL AIRPORT PROJECT.

WHEREAS, it is necessary to undertake the Exterior Painting of Hangar No. 2 at Binghamton Regional Airport Project, and

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

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

WHEREAS, this County Legislature is the only involved agency, as

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defined in the State Environmental Quality Review Act, reviewing the aforementioned project, and

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the Exterior Painting of Hangar No. 2 at Binghamton Regional Airport Project, 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 Exterior Painting of Hangar No. 2 at Binghamton Regional Airport Project will not have a significant effect on the environment, and be it

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

Carried.

RESOLUTION NO. 265

by PUBLIC WORKS and FINANCE COMMITTEES Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH ATLANTIC TESTING LABORATORIES, LIMITED FOR QUALITY CONTROL TESTING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1997 AND 1998.

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Atlantic Testing Laboratories, Limited for quality control testing services for 1997 and 1998, at a cost not to exceed \$15,000, and

WHEREAS, said services are necessary for the advancement of highway and bridge projects, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Atlantic Testing Laboratories, Limited, 406 North Street,

Endicott, New York 13760 for quality control testing services, for the period June 20, 1997 through May 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 030122.XXXX.301000, and be it

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

Carried.

RESOLUTION NO. 266

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING REVISION OF THE BROOME COUNTY STOP-DWI PROGRAM HOLIDAY CLASSIC BASKETBALL TOURNAMENT GRANT, ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH, AND AUTHORIZING THE ACCEPTANCE OF A GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 406 of 1996, authorized the Broome County STOP-DWI Program Holiday Classic Basketball Tournament Grant and adopted a program budget in connection therewith in the amount of \$84,748 for the period September 1, 1996 through August 31, 1997, and

WHEREAS, it is desired to revise said grant term and accept a Governor's Traffic Safety Committee Grant in the amount of \$11,620 for

the period November 1, 1996 through September 30, 1997, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the revision of the Broome County STOP-DWI Program Holiday Classic Basketball Tournament Grant for the period November 1, 1996 through September 30, 1997, in the amount of \$84,748, and be it

FURTHER RESOLVED, that this County Legislature authorizes the acceptance of a Governor's Traffic Safety Committee Grant in the amount of \$11,620 for the period November 1, 1996 through September 30, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$84,748 for the period November 1, 1996 through September 30, 1997, and be it

FURTHER RESOLVED, that Resolution 96-406, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

RESOLUTION NO. 267

by FINANCE and EDUCATION, CULTURE AND RECREATION COMMITTEES

Seconded by Mr. Wike

RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE 1997-1998 PROPOSED BROOME COMMUNITY COLLEGE BUDGET AND COUNTY EXECUTIVE'S MESSAGE IN CONNECTION THEREWITH.

WHEREAS, the County Executive will present a tentative 1997-1998 Broome Community College budget, and

WHEREAS, pursuant to Article XXIII-a, this Legislature, or committee designated by this Legislature, must hold a public hearing on the submitted Broome Community College budget, 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 be it

FURTHER RESOLVED, that this County Legislature hereby designates Thursday, July 10, 1997 at 5:00 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 of the proposed budget for distribution not less than five (5) 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 and Administrative Code.

Carried.

RESOLUTION NO. 268

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by PUBLIC WORKS and FINANCE COMMITTEES seconded by Mr. Wike
**RESOLUTION AUTHORIZING AMENDMENT TO THE
COLESVILLE LANDFILL REMEDIAL AGREEMENT AND
COLESVILLE LANDFILL REMEDIAL FUND AGREEMENT.**

WHEREAS, the County of Broome entered into agreements with GAF Corporation regarding the Colesville Landfill Remediation, and

WHEREAS, the agreements required each party to post financial security for the benefit of the other with regards to the remediation of the Colesville Landfill, and

WHEREAS, the remediation project is nearly complete and both parties are desirous of amending the agreements to eliminate the need for financial security, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the Colesville Landfill Remedial Agreement and Colesville Landfill Remedial Fund Agreement to eliminate the requirement for mutual letters of credit, and be it

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

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

Carried.

RESOLUTION NO. 269

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Whalen

RESOLUTION ADOPTING LOCAL LAW INTRO NO. 7, 1997 ENTITLED: "A LOCAL LAW AMENDING LOCAL LAW NO. 7, 1970, AS AMENDED, MODIFYING THE STANDARDS OF CONDUCT FOR OFFICERS AND EMPLOYEES OF THE COUNTY OF BROOME WITH REGARD TO THE RECEIPT OF GIFTS."

RESOLVED, that Local Law Intro. No. 7, 1997, entitled: "A Local Law amending Local Law No 7, 1970, as amended, modifying the standards of conduct for officers and employees of the County of Broome with regard to the receipt of gifts" be and the same hereby is adopted and approved in accordance with the Broome County Charter and Code and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO NO. 7, 1997

"A LOCAL LAW AMENDING LOCAL LAW NO 7 , 1970, AS AMENDED, MODIFYING THE STANDARDS OF CONDUCT FOR OFFICERS AND EMPLOYEES OF THE COUNTY OF BROOME WITH REGARD TO THE RECEIPT OF GIFTS."

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

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SECTION I. Local Law No. 7, 1970 be and hereby is amended and changed as follows:

Subdivision (a) of Section 3 of said Local Law No. 7, 1970, is hereby amended and changed to read as follows:

(a) Gifts. No officer or employee of the County, whether paid or unpaid, shall directly or indirectly solicit any gift or gratuity, or accept or receive any gift or gratuity having a value of seventy-five dollars (\$75.00) or more, whether in the form of money, services, loan, travel, entertainment or any other form, from any person, firm or corporation which is directly or indirectly in any manner whatsoever in any business or professional transaction or dealing with the County or any agency thereof; nor shall any officer or employee, whether paid or unpaid, accept or receive, in any one calendar month, more than one gift or gratuity having a value of less than seventy-five dollars (\$75.00) from a person, firm or corporation which is directly or indirectly in any manner whatsoever in any business or professional transaction or dealing with the County or any agency thereof.

SECTION 2. Except as hereinbefore amended, modified and changed, said Local Law No. 7, 1970 as amended, shall remain in full force and effect.

SECTION 3. This Local Law shall take effect following a public hearing to be held in the manner provided by law.

Carried. Ayes-15, Nays-4 (Coffey, Hudak, Mather & Wike)

RESOLUTION NO. 270

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Wike

RESOLUTION AUTHORIZING ACCEPTANCE OF REINVESTMENT FUNDS FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH FOR THE DEPARTMENT OF MENTAL HEALTH FOR ESTABLISHMENT OF A RECIPIENT AFFAIRS OFFICE AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 AND AUTHORIZING AN AGREEMENT WITH MENTAL HEALTH EMPOWERMENT PROJECT TO ESTABLISH THE SAME.

WHEREAS, the Acting Commissioner of Mental Health requests authorization to accept additional reinvestment funds from the New York State Office of Mental Health in the amount of \$41,000 for calendar year 1997, and

WHEREAS, said funds will be used to fund the establishment of a Recipient Affairs Office run by recipients of Mental Health services providing various services for such recipients, and

WHEREAS, the Acting Commissioner of Mental Health requests authorization for an agreement with Mental Health Empowerment Project to establish a Recipient Affairs Office for calendar year 1997 at a cost not to exceed \$41,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$41,000 in reinvestment funds from the New York State Office of Mental Health for calendar year 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 \$41,000 for the period January 1, 1997 through December 31, 1997, 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

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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 this County Legislature hereby authorizes an agreement with Mental Health Empowerment Project, 261 Central Avenue, Albany, New York 12206 for establishment of a Recipient Affairs Office, for the period January 1, 1997 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 \$41,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470039.4457.104140 (Subcontracted 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.

Carried.

RESOLUTION NO. 271

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH BROOME COMMUNITY PARTNERS AS A CONTRACT AGENCY SUPPORTED BY BROOME COUNTY FOR 1997.

WHEREAS, this County has contributed various forms of support

to numerous mental health related agencies and organizations which benefit, aid or assist with the many needs of a broad spectrum of the Broome County community, and

WHEREAS, the Acting Commissioner of Mental Health recommends that this County provide assistance to Broome Community Partners in the amount of \$10,000 for calendar 1997, and

WHEREAS, it is the desire of this County Legislature to give approval for the execution of a contract with such agency, said contract to be in such form as approved by the County Attorney, subject to and conditioned upon the financial allocations made and accounting procedures prescribed by the County Attorney and the County Comptroller, to said contract agency in the 1997 Broome County Budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Executive to execute an agreement, approved as to form by the Department of Law, with Broome Community Partners in the amount of \$10,000, said contract to be in a form similar to those used in prior years and to be subject to any necessary approvals required by the State or Federal Governments or for any other valid reason which may require the approval of said State or Federal Governments, and to be conditioned upon the submission and filing with the Clerk of the Legislature of a written annual report detailing the agency use of the funds received from the County during the previous calendar year, if any, as well as future goals. Under any contract which calls for a payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released. Under any contract which calls for two or more periodic payments during the contract term, said annual report shall be filed with the Department of Mental Health Commissioner's Annual Report due on or before June 10th in each year. The Acting Commissioner of Mental Health shall make other reports at such times as may be required by the County Legislature, County Executive, or any law or regulation, and be it

FURTHER RESOLVED, that the payments hereinabove authorized

for 1997 shall made in the amount of \$10,000, and

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services) and be it

FURTHER RESOLVED, that the contribution by the County will not cover any amounts not provided by State or Federal funding, and be it

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

Carried.

RESOLUTION NO. 272

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT TO HOST THE 1999 AND/OR 2000 SUMMER CONFERENCE OF THE COUNTY LEGISLATORS AND SUPERVISORS ASSOCIATION OF NEW YORK STATE.

WHEREAS, tourism is an important industry in Broome County, and

WHEREAS, the site(s) for the June, 1999 and June, 2000 Summer Conference of the County Legislators and Supervisors Association of New York State has not yet been scheduled, and

WHEREAS, Broome County offers a variety of facilities capable of meeting the needs of the conference, including a multitude of quality hotels, the proximity of conference sites to public transportation, numerous restaurants and many cultural activities, and

WHEREAS, hosting this convention would boost the economy of Broome County, now, therefore, be it

RESOLVED, that this County Legislature agrees to host the Summer 1999 and/or 2000 Conference of the County Legislators and Supervisors Association of New York State, and be it

FURTHER RESOLVED, that the Chairperson of the Broome County Legislature is hereby authorized to appoint a special committee to work with the Broome County Convention and Visitors Bureau to prepare for and host the aforementioned conference, and be it

FURTHER RESOLVED, that the Clerk of the Legislature is directed to forward a certified copy of this resolution to the Broome County Convention and Visitors Bureau and the County Legislators and Supervisors Association of New York State, 90 State Street, Suite 536, Albany, New York 12207, Attn: Ms. Mary Hanak, Executive Director.

Carried.

RESOLUTION NO. 273

by FINANCE COMMITTEE

Seconded by Mr. Wike

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCEL LOCATED IN THE TOWN OF FENTON.

WHEREAS, the Department of Real Property Tax Services requests this County Legislature to authorize canceling certain real property taxes on property located in the Town of Fenton in that such property is wholly exempt from taxation, now, therefore, be it

RESOLVED, that real property taxes are authorized to be canceled on property located:

In the Town of Fenton

Tax Map No. 057.17-1-3 a/k/a 1-13-S1

Owner: People of the State of New York

Amount to be canceled: \$59.44

Reason: New York State is tax exempt.

Carried.

RESOLUTION NO. 274

by FINANCE and EDUCATION, CULTURE & RECREATION COMMITTEES Seconded by Mr. Wike

RESOLUTION AUTHORIZING AN INCREASE OF PETTY CASH FUND FOR THE BROOME COUNTY LIBRARY.

WHEREAS, the Broome County Library currently has a petty cash fund in the amount of \$225 which is inadequate for its current needs, and

WHEREAS, the library has requested an increase of \$185 of said

petty cash fund in order to have funds sufficient to meet its daily needs, and

WHEREAS, the Commissioner of Finance has determined that the petty cash fund should be increased by \$185, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and increases the petty cash fund for the Broome County Library by \$185 to the total amount of \$410, and further authorizes the Commissioner of Finance to transfer \$185 to the petty cash fund previously established, 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.

RESOLUTION NO. 275

by FINANCE and COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AN INCREASE OF PETTY CASH FUND FOR THE ENVIRONMENTAL MANAGEMENT COUNCIL

WHEREAS, the Environmental Management Council currently has a petty cash fund in the amount of \$100 which is inadequate for its current needs, and

WHEREAS, the council has requested an increase of \$100 of said petty cash fund in order to have funds sufficient to meet its daily needs, and

WHEREAS, the Commissioner of Finance has determined that the petty cash fund should be increased by \$100, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and

increases the petty cash fund for the Environmental Management Council by \$100 to the total amount of \$200, and further authorizes the Commissioner of Finance to transfer \$100 to the petty cash fund previously established, 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.

RESOLUTION NO. 276

by EDUCATION, CULTURE AND RECREATION COMMITTEESeconded by Mr. Wike

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY CENTRAL LIBRARY BOARD OF TRUSTEES.

WHEREAS, Jeffrey P. Kraham, 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, the following named individuals to

membership on the Broome County Central Library Board of Trustees for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Sonja Waldron PO Box 324 Windsor, New York 13865	Reappointment Term Expires 12/31/98
Joan Purtell 40 Riverside Street Binghamton, New York 13904 (City of Binghamton Appointment)	New Appointment Term Expires 12/31/01

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 221 of 1984, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Central Library Board of Trustees in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 277

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEE Seconded by Mr. Wike

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY EMERGENCY MEDICAL SERVICES ADVISORY BOARD.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article XXIV, Section 2410 of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, the following

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named individuals to membership on the Broome County Emergency Medical Services Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Thomas Pudish 2534 Airport Road Johnson City, New York 13790 Binghamton Regional Airport Medical Team	New Appointment Term Expires 12/31/97
Michael Washington 38 Hawley Street Binghamton, New York 13901 Binghamton Fire Department	Reappointment Term Expires 12/31/97
Glenn Roberts 610 Milan Avenue Endicott, New York 13760 Broome County Security Division	New Appointment Term Expires 12/31/97
Thomas Francisco 895 NY Route 369, Lot 40 Chenango Forks, New York 13746 Broome Volunteer Emergency Squad	Reappointment Term Expires 12/31/97

<u>NAME</u>	<u>TERM EXPIRING</u>
Karl Zimmerman 1394 NY Route 11N Castle Creek, New York 13744 Castle Creek Medical Team	Reappointment Term Expires 12/31/97

Wilson Starr 27 Palmer Road	Reappointment Term Expires 12/31/97
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Binghamton, New York 13901
Chenango Bridge Rescue

Joanne Eikenberry New Appointment
206 Bear Swamp Road Term Expires 12/31/97
Chenango Forks, New York 13746
Chenango Fire Company

David Conklin Reappointment
13 Baker Road Term Expires 12/31/97
Binghamton, New York 13901
Chenango Fire Company

Sally Merritt New Appointment
Oak Grove Drive, Box A275 Term Expires 12/31/97
Chenango Forks, New York 13746
Chenango Forks Fire Medical Team

Tim Kolb Reappointment
1202 Airport Road Term Expires 12/31/97
Binghamton, New York 13905
Choconut Center Fire Rescue Team

Brad McAvoy Reappointment
PO Box 62 Term Expires 12/31/97
Harpursville, New York 13787
Colesville Emergency Squad

Randy Hartz Reappointment
RD 3, Box 3466 Term Expires 12/31/97
Susquehanna, Pennsylvania 18847
Deposit Emergency Squad

John Cobb
27 Shadowbrook Drive
Endicott, New York 13760
Maine Ambulance

New Appointment
Term Expires 12/31/97

Andy Mihalko, Jr.
1042 Nanticoke Road
Maine, New York 13802
Nanticoke Fire Medical Team

Reappointment
Term Expires 12/31/97

John Eldred
875 NY Route 369
Chenango Forks, New York 13746
Port Crane Medical Team

Reappointment
Term Expires 12/31/97

Donna Church
52 Cafferty Hill Road
Harpursville, New York 13787
Sanitaria Springs Medical Team

Reappointment
Term Expires 12/31/97

Robert Kneer
1 Woodhill Court, Apt. 12
Binghamton, New York 13904
Superior Ambulance

New Appointment
Term Expires 12/31/97

Kelly Lindow
621 North Street
Greene, New York 13778
Triangle Medical Team

New Appointment
Term Expires 12/31/97

NAME _____

TERM EXPIRING

William Loller
427 River Terrace, B-2
Endicott, New York 13760
Union Ambulance

New Appointment
Term Expires 12/31/97

Robert Bealo
1702 Witherill Street
Endicott, New York 13760
Union Center Fire Rescue

Reappointment
Term Expires 12/31/97

Mike Wheeler
Box 319 Woodland Drive
Binghamton, New York 13901
Universal Instruments Emergency Med Team

Reappointment
Term Expires 12/31/97

Michael Czuhanych
245 Anderson Road
Vestal, New York 13850
Vestal Ambulance

Reappointment
Term Expires 12/31/97

Helen Lampman
1469 Colesville Road
Harpursville, New York 13787
West Colesville Medical Team

Reappointment
Term Expires 12/31/97

Timothy Dahulich
1006 West Avenue
Endicott, New York 13760
West Corners Fire Rescue Team

New Appointment
Term Expires 12/31/97

Margaret Jones
2789 Hickory Street
Whitney Point, New York 13862

New Appointment
Term Expires 12/31/97

Barbara Kane
1 Briar Court
Binghamton, New York 13901

Reappointment
Term Expires 12/31/99

Linda Baker
116 Grand Boulevard
Binghamton, New York 13905

Reappointment
Term Expires 12/31/99

Evelyn Rozunick
3607 Royal Road
Endwell, New York 13760

Reappointment
Term Expires 12/31/99

Mary Lou Faust
144 Leroy Street
Binghamton, New York 13905

Reappointment
Term Expires 12/31/99

Wanda Hudak
945 Squires Avenue
Endicott, New York 13760

Reappointment
Term Expires 12/31/99

Lesley Barden
607 Midvale Road
Vestal, New York 13850

New Appointment
Term Expires 12/31/99

Kathleen Bunnell
1112 Airport Road
Binghamton, New York 13905

New Appointment
Term Expires 12/31/99

Robert Garrett
13 Calgary Lane
Binghamton, New York 13901

New Appointment
Term Expires 12/31/99

MEMBERSHIP ON BROOME COUNTY FOSTER GRANDPARENT ADVISORY COUNCIL.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 61 of 1973, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Foster Grandparent Advisory Council for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Beverly Bronson 5 Buell Road Windsor, New York 13865	New Appointment Term Expires 12/31/98
Kathleen Condon Volunteer Services Lourdes Hospital 169 Riverside Drive Binghamton, New York 13905	Reappointment Term Expires 12/31/99
Gerald Fitch 43 Pierce Street Binghamton, New York 13903	Reappointment Term Expires 12/31/99
Irene Whipple 26 Lyons Street Binghamton, New York 13901	Reappointment Term Expires 12/31/99
Lori Coe Day Nursery Association 32 Stuyvesant Street Binghamton, New York 13901	New Appointment Term Expires 12/31/99
<u>NAME</u>	<u>TERM EXPIRING</u>

Director of Real Property Tax Service to sell such properties 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 owner of one of the aforesaid properties has requested to have the property sold back to it, and the Director and your sponsoring committee recommend that such request be granted based on the unusual circumstances of this case as reviewed and approved by your sponsoring committee, now, therefore, be it

RESOLVED, that the sale back to the former owner of the parcel listed below for the amount as stated is hereby approved by this County Legislature, as determined by your sponsoring committee as well as the undue hardship to the former owner that the failure to approve such sales would cause:

<u>TOWN</u>	<u>TAX MAP #</u>	<u>FORMER OWNER</u>	<u>SALE AMOUNT</u>
KIRKWOOD	4-1-26-S1X	CENTER FOR INDEPENDENT LIVING, INC.	\$101,181.14

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.

RESOLUTION NO. 281

by HEALTH SERVICES and FINANCE COMMITTEES seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CONSTANCE G. ALEXANDER FOR SPEECH THERAPY SERVICES FOR THE WILLOW POINT NURSING FACILITY FOR 1997.

WHEREAS, this County Legislature, by Resolution 592 of 1996, authorized an agreement with Constance G. Alexander for speech therapy services at a cost of \$52.53 per hour, total cost not to exceed \$16,389 for the period January 1, 1997 through December 31, 1997, and

WHEREAS, said agreement is necessary in that Medicare regulations require speech therapy be provided to Willow Point Nursing Facility residents that require same, and

WHEREAS, and it is necessary to amend said agreement for 1997 to reflect an increase in cost in the total amount of \$19,389, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Constance G. Alexander, 505 Magnolia Drive, Vestal, New York, 13850 for speech therapy services for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$52.53 per hour, total cost not to exceed \$19,389 for the term of this agreement, and be it

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

FURTHER RESOLVED, that Resolution 592 of 1996 to the extent consistent herewith shall continue in full force and effect, and be it

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

Carried.

RESOLUTION NO. 282

by PERSONNEL, HEALTH SERVICES, COUNTY

REGULAR SESSION OF JUNE 19, 1997

ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING
and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING PERSONNEL CHANGE
REQUESTS FOR HEALTH DEPARTMENT, LAW
DEPARTMENT, MENTAL HEALTH, PERSONNEL and AUDIT
AND CONTROL**

RESOLVED, that in accordance with a request from the Acting Director of the Health Department, as contained in PCR#97-277, this County Legislature hereby authorizes the creation of an Education for Handicapped Children Program Coordinator at budget line 480293.1000.101000, minimum salary \$23,506, grade 16 and the Abolishment of an Early Intervention Service Coordinator, at budget line 480293.1000.101000, minimum salary \$23,506, grade 16, and be it

RESOLVED, that in accordance with a request from the Acting Director of the Health Department, as contained in PCR#97-291, this County Legislature hereby authorizes the creation of a Quality Assurance Specialist at budget line 480293.1000.101000, minimum salary \$22,281, grade 15, and be it

RESOLVED, that in accordance with a request from the County Attorney, as contained in PCR#97-266, this County Legislature hereby authorizes the creation of a Secretary at budget line 390005.1000.101000, minimum salary \$21,315, grade 14 and the Abolishment of a Keyboard Specialist, at budget line 390005.1000.101000, minimum salary \$16,777, grade 9, and be it

RESOLVED, that in accordance with a request from the County Attorney, as contained in PCR#97-180, this County Legislature hereby authorizes the creation of a Assistant County Attorney II at budget line 390005.1000.101000, minimum salary \$36,807, grade 25 and the Abolishment of a Senior Assistant County Attorney, at budget line 390005.1000.101000, minimum salary \$45,120, grade 29, and be it

RESOLVED, that in accordance with a request from the Personnel Officer, as contained in PCR#97-261, this County Legislature hereby authorizes the creation of a Clerk at budget line 400002.1500.101000, minimum salary \$15,276 FTE, grade 7 and the Abolishment of a Personnel Clerk, at budget line 400002.1500.101000, minimum salary \$16,777 FTE, grade 9, and be it

RESOLVED, that in accordance with a request from the Acting Director of Mental Health, as contained in PCR#97-292, the County Legislature authorizes the upgrade of a Recreation Therapist at budget line 470013.1000.101000, minimum salary \$26,166 FTE, grade 18, from minimum salary \$22,281 grade 15 as recommended by Personnel, and be it

RESOLVED, that in accordance with a request from the Department of Audit and Control, this County Legislature hereby authorizes, at budget line 360008.1000.101000, the elimination of one full time Auditor II, grade 18, minimum salary \$27,889, the elimination of one full time Inventory Control Specialist, grade 11, minimum salary \$19,171, the elimination of one full time Secretary to the Comptroller, grade 14, minimum salary \$22,581, the creation of a full time Audit and Control Office Manager, grade 16, minimum salary \$24,909, and at budget line 360008.1500.101000, the creation of a part time Secretary, grade 13 (CSEA), minimum salary \$20,021 FTE.

PCR#97-292 was **held over** under the 'Rules' by Mr. Schofield.
The balance of the resolution **carried**.

RESOLUTION NO. 283

by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH STEARNS & WHELER/HAWK ENGINEERING, FOR ENGINEERING SERVICES ASSOCIATED WITH THE DESIGN OF AN EXPANSION AT THE NANTICOKE LANDFILL.

WHEREAS, the Acting Director of Solid Waste Management requests authorization for an agreement for engineering design services associated with an 8 acre expansion at the Nanticoke Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns & Wheler/Hawk Engineering, for consulting engineering services for the Division of Solid Waste Management associated with the design of an 8 acre expansion 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 \$63,000 for the 12 month term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235044.4545.502284 (Contracted Services), and be it

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

Carried.

RESOLUTION NO. 284

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Wike

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A USED WALK-UP TELLER WINDOW AND A FLOOR SAFE.

WHEREAS, the MATCO GROUP, Inc. is the owner of real

property located at 59 Court Street, Binghamton, New York and is in the process of renovating same, and

WHEREAS a walk-up teller window and floor safe are located on the premises and no longer are needed by the MATCO GROUP, and

WHEREAS the MATCO GROUP is willing to donate the walk-up teller window and safe to Broome County at no cost to the County on condition that the County will remove the walk-up teller window and the safe from the premises at no cost to the MATCO GROUP, now, therefore, be it

RESOLVED that this County Legislature hereby authorizes and approves the acceptance from the MATCO GROUP, INC. of a used walk-up teller window and floor safe, and be it

FURTHER RESOLVED that the Broome County Department of Public Works is hereby authorized to remove the walk-up teller window and floor safe from the MATCO GROUP premises located at 59 Court Street, Binghamton, New York, and be it

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

Carried.

RESOLUTION NO. 285

by FINANCE and PUBLIC WORKS COMMITTEES seconded by Mr. Howard

RESOLUTION AMENDING THE 1997 AND 1993 CAPITAL IMPROVEMENT PROGRAMS.

RESOLVED, that the 1997 and 1993 Capital Improvement Programs are hereby amended as follows:

FROM: ESTIMATED CONSTRUCTION COSTS

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How Financed	
	<u>86,500</u>
Bond	Current Revenue

ESTIMATED CONSTRUCTION COSTS

Z-231 (501277)

<u>Tax Map Mandate</u>	<u>2,492,486</u>	<u>2,492,486</u>	<u>1993</u>
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5

Code & Project Name	Total	State	Federal	County	YrStart
YPU					

How Financed	
	<u>2,400,000</u>
Bond	Current Revenue
	<u>92,486</u>

Mr. Shafer moved, seconded by Mr. Lindsey to **call the question** on the resolution.

The call of the question **carried**.

Ayes-15, Nays-4 (Augustini, Brunza, Kavulich & Mather)

The resolution **carried**.

RESOLUTION NO. 286

by PERSONNEL, EDUCATION, CULTURE AND RECREATION
and FINANCE COMMITTEES

Seconded by Mr. Wike

**RESOLUTION APPROVING THE OFFERING OF A
RETIREMENT INCENTIVE TO ELIGIBLE EMPLOYEES AT
BROOME COMMUNITY COLLEGE.**

REGULAR SESSION OF JUNE 19, 1997

WHEREAS, the Broome Community College Board of Trustees elected to offer the retirement incentive program authorized by Chapter 41 of the Laws of 1997 to its employees who are members of the New York State Teachers' Retirement System or New York State and Local Employees' Retirement System or the Optional Retirement Program, and

WHEREAS, the County must adopt a resolution approving the incentive before it can become effective, now, therefore, be it

RESOLVED, that this County Legislature does hereby approve of Broome Community College providing the benefits of the 1997 Retirement Incentive Program pursuant to Chapter 41 of the Laws of 1997 to employees who are members of the New York State Teachers' Retirement System or New York State and Local Employees' Retirement System or the Optional Retirement Program and who wish to retire with an effective date of retirement during the fifty (50) day open period beginning June 27, 1997 and ending August 15, 1997, and who are otherwise eligible to participate in such programs, and be it

FURTHER RESOLVED, a certified copy of this Resolution shall be filed within seven (7) days with each retirement system.

Carried.

RESOLUTION NO. 287

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, PERSONNEL and FINANCE COMMITTEES Seconded by Mr. Shafer

A RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 6, 1997 ENTITLED: "A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY CHAPTER 41, LAWS OF 1997 FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF BROOME."

RESOLVED, that Local Law Intro. No. 6, 1997 entitled: "A Local Law Electing a Retirement Incentive Program as Authorized by Chapter 41, Laws of 1997 for the Eligible Employees of the County of Broome,"

be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 6, 1997
A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY CHAPTER 41, LAWS OF 1997 FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF BROOME.

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

- §1. The County of Broome hereby elects to provide all of its eligible employees with a retirement incentive program authorized by Chapter 41, Laws of 1997.
- §2. The commencement date of the retirement incentive program shall be July 1, 1997.
- §3. The open period during which eligible employees may retire and receive the additional retirement benefit, shall be 60 days in length.
- §4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five 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.
- §5. This act shall take effect June 30, 1997.

Carried.

RESOLUTION NO. 288

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEE

Seconded by Mr. Wike

REGULAR SESSION OF JUNE 19, 1997

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY LOCAL CONDITIONAL RELEASE COMMISSION.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 467 of 1989, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Local Conditional Release Commission for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Ronald L. Greene 2609 E. Main Street Endicott, New York 13760	New Appointment Term Expires 12/31/00
Patrick D. Guy 2609 E. Main Street Endicott, New York 13760	New Appointment Term Expires 12/31/00

<u>NAME</u>	<u>TERM EXPIRING</u>
Brian C. Madigan 84 Court Street, Suite 201 Binghamton, New York 13901	New Appointment Term Expires 12/31/00

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 467 of 1989, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Local Conditional Release Commission in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 289

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Wike

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY PRIVATE INDUSTRY COUNCIL.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 337 of 1983, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Private Industry Council for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Dr. Lawrence Kiley Broome-Tioga BOCES 435 Glenwood Road Binghamton, New York 13905 (Education Agency)	Reappointment Term Expires 12/31/99
Willis Vermilya Broome-Tioga BOCES 435 Glenwood Road Binghamton, New York 13905	Reappointment Term Expires 12/31/99
Mary Hughes Crowley Foods 49 Court Street Binghamton, New York 13901	Reappointment Term Expires 12/31/99
Mike McNally	New Appointment

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Human Resources Term Expires 12/31/99
UHS Hospitals
33-57 Harrison Street
Johnson City, New York 13790

Deborah Quackenbush New Appointment
Doron Precision Systems Term Expires 12/31/99
PO Box 400
Binghamton, New York 13902-0400

<u>NAME</u>	<u>TERM EXPIRING</u>
Patricia Wrobel	New Appointment
Universal Instruments	Term Expires 12/31/99
PO Box 825	
Binghamton, New York 13902-0825	

Chris Wood	New Appointment
NYSEG	Term Expires 12/31/98
4500 Vestal Parkway East	
Vestal, New York 13850	

Maureen Wilson	New Appointment
Robert A. Mead, Inc.	Term Expires 12/31/98
300 Main Street	
Vestal, New York 13850	

Richard Andres	New Appointment
VESID	Term Expires 12/31/98
State Office Building, Room 705	
44 Hawley Street	
Binghamton, New York 13901-4470	

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 337 of 1983, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Private Industry Council in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 290

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Wike

RESOLUTION AUTHORIZING PAYMENT OF LEGAL FEES AND EXPENSES OF SHERIFF'S DEPARTMENT PERSONNEL NAMED AS INDIVIDUAL DEFENDANTS IN PENDING CIVIL ACTION.

WHEREAS, in May, 1997, an action was commenced in the United States District Court for the Northern District of New York under 42 U.S.C. §1983, by Charles E. Monta, Jr., plaintiff, against Sheriff Geno DeAngelo, Office of the Sheriff of Broome County, and Jeffrey Katen, Corrections Officer, Broome County Public Safety Building, and

WHEREAS, based on the facts alleged, the interests of the County and Sheriff DeAngelo may be in conflict with those of Corrections Officer Katen; and

WHEREAS, because of the potential conflict of interest the Broome County Attorney cannot represent the County and Sheriff DeAngelo along with Corrections Officer Katen; and

WHEREAS, Section 18(3)(B) of the Public Officers Law of the State of New York and the Collective Bargaining Agreement between the Sheriff's Deputies and the County both provide for the defense and

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indemnification by the County of employees named as defendants in actions or proceedings absent proof that the employee acted outside the scope of his or her employment and/or in a willful and/or grossly negligent manner; now therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with legal counsel of Corrections Officer Katen's own choosing to represent him in this pending litigation; and be it

FURTHER RESOLVED, that in consideration of such legal services and representation the County shall pay to the attorney selected by Corrections Officer Katen the following hourly rates:

Partner.....\$135.00/hour
Associate.....\$115.00/hour
Paralegal.....\$ 70.00/hour

together with all reasonable and necessary expenses including, but not limited to, photocopy expense, long distance telephone expense, postage, filing fees, investigation, and expenses for travel and accommodations subject to the prior approval of the County Attorney; and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 390005.4736.101000 (Legal Charges and Fees); and be it

FURTHER RESOLVED, that the Broome County Executive or his duly authorized representative is hereby authorized and empowered to make, execute and deliver 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 in the event it is proven that Corrections Officer Katen acted outside the scope of his employment and/or was grossly and/or wilfully negligent Corrections Officer Katen shall not be entitled to indemnification and the County Attorney is authorized to recover from him all expenses and costs the County has incurred in his defense as herein provided.

Legislature hereby authorizes the creation of a Physical Therapy Assistant at budget line 160226.1000.204000, minimum salary \$19,245, grade 11 and be it further resolved that the following transfer, BT 000275 will fund the requested position.

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>		<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	
FROM:	160010	4801	204000	Depreciation – Building	
					\$13,263
TO:	160226	1000	204000	Salaries- FT	\$
					9,623
	160226	8010	204000	State Retirement	\$
					125
	160226	8030	204000	Social Security	\$
					472
	160226	8050	204000	Life Insurance	
					\$ 736
	160226	8060	204000	Health Insurance	\$
					20
	160226	8063	204000	Disability Insurance	\$
					2,229
	160226	1940	204000	Other Personal Services	
					\$ 58

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#97-289, this County Legislature hereby authorizes the creation of a Social Work Assistant at budget line 160184.1500.204000, minimum salary \$21,122 FTE, grade 14 and be it further resolved that the following transfer, BT 000274 will fund the requested position.

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>		<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	
FROM:	160010	4801	204000	Depreciation – Building	
					\$ 6,525

TO:	160184	1000	204000	Salaries- FT	\$
5,281					
	160184	8010	204000	State Retirement	\$
259					
	160184	8030	204000	Social Security	\$
404					
	160184	8050	204000	Life Insurance	
\$ 10					
	160184	8060	204000	Health Insurance	\$
557					
	160184	8063	204000	Disability Insurance	\$

14
and be it

FURTHER RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#97-288, this County Legislature hereby authorizes the creation of a FT Stores Clerk at budget line 160101.1000.204000, minimum salary 17,050, grade 10 and the abolishment of a PT Stores Clerk at budget line 160101.1500.204000, minimum salary 17,050 FTE, grade 10 and be it further resolved that the following transfer, BT 000273 will fund the requested position.

	<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:	160010	4801	204000	Depreciation – Building	
\$ 6,014					

TO:	160101	1000	204000	Salaries- FT	\$
4,263					
	160101	8010	204000	State Retirement	\$
63					
	160101	8030	204000	Social Security	\$
209					
	160101	8050	204000	Life Insurance	

\$ 326
 160101 8060 204000 Health Insurance \$
 10
 160101 8063 204000 Disability Insurance \$
 1,114
 160101 1940 204000 Other Personal Services
 \$ 29

and be it

RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#97-282, this County Legislature hereby authorizes the creation of (2) RPN/LPN at budget line 160085.1000.204000, minimum salary \$18,241(LPN)/22,600(RPN), grade 10/14 and be it

RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#97-283, this County Legislature hereby authorizes the creation of (8) PT RPN/LPN at budget line 160085.1500.204000, minimum salary \$18,241(LPN)/22,600(RPN)FTE, grade 10/14 and be it

RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#97-286, this County Legislature hereby authorizes the creation of (2) Clerk at budget line 160085.1000.204000, minimum salary \$14,725 grade 6 and be it

RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#97-287, this County Legislature hereby authorizes the creation of (12) Certified Nursing Assistants/Nursing Assistant Trainees at budget line 160085.1500.204000, minimum salary \$15,167 FTE grade 6 and be it

FURTHER RESOLVED, that the following transfer, BT 000752 will fund the requested position.

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>
FROM:	160010	4801	204000	Depreciation – Building
				\$196,078

TO:	160085	1000	204000	Salaries- FT	\$
42,491					
	160085	1500	204000	Salaries- PT	
\$101,974					
	160085	1940	204000	Other Personal Services	
\$ 1,500					
	160085	8010	204000	State Retirement	\$
7,079					
	160085	8030	204000	Social Security	\$
11,051					
	160085	8050	204000	Life Insurance	
\$ 480					
	160085	8060	204000	Health Insurance	\$
30,692					
	160085	8063	204000	Disability Insurance	\$
811					

Carried.

RESOLUTION NO. 292

by FINANCE and PUBLIC WORKS COMMITTEES Seconded by Mr. Wike

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CHASE MANHATTAN BANK FOR FINANCIAL SERVICES IN CONNECTION WITH THE COLESVILLE LANDFILL REMEDIAL PROGRAM.

WHEREAS, this County Legislature, by Resolution 516 of 1986, authorized an agreement with Chase Lincoln First Bank, N.A. First City Division for financial services in connection with the Colesville Landfill Remedial Program, and

WHEREAS, 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 Chase Manhattan Bank, 55 Water Street,

Room 1702, New York, New York 10041, as follows:

1. Chase will execute an instrument, approved as to form by the Department of Law, whereby it will provide financial security (\$1 million aggregate) for the County's performance under the "Colesville Landfill Remedial Agreement" and companion "Colesville Landfill Remedial Fund Agreement";
2. In consideration of said services, the County will pay annually to Chase one-half of one percent of the aggregate amount payable under such instrument;
3. The term of such agreement shall be for the period April 1, 1996 through June 30, 1997,

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4723.501262 (Bond and Note Issue Expense), and be it

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

Carried.

RESOLUTION NO. 293

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Wike

RESOLUTION AUTHORIZING AGREEMENT WITH ZIMMET-HECHT, FOR APPEAL REVIEW AND PREPARATION OF THE 1994, 1995 AND 1996 MEDICARE PER DIEM RATE FOR WILLOW POINT NURSING FACILITY FOR 1997 THROUGH 1998.

WHEREAS, the Administrator of Willow Point Nursing Facility requests authorization for an agreement with Zimmet-Hecht Associates for review and preparation of appeals of the Medicare per diem rate for Willow Point Nursing Facility for the years 1994, 1995 and 1996 said

agreement to be for the period July 1, 1997 through July 1, 1998 at no cost to Broome County; and

WHEREAS, said services are necessary to determine if Willow Point Nursing Facility is eligible for retroactive Medicare reimbursement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Zimmet-Hecht Associates, LLC, Health Care Consultants, 801 Second Avenue, New York, New York 10017-4779, for review and preparation of appeals of the Medicare per diem rate for Willow Point Nursing Facility for the years 1994, 1995 and 1996 said agreement to be for the period July 1, 1997 through July 1, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor will be paid only a portion of the actual amount recovered, if any, with no additional cost to Broome County, and be it

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

Carried.

RESOLUTION NO. 294

by COMMUNITY AND SOCIAL SERVICES COMMITTEESecoded by Mr. Augustini

RESOLUTION RECOGNIZING AND HONORING THE BINGHAMTON BUILDING TRADES ASSOCIATION FOR THEIR WORK WITH THE BROOME COUNTY OFFICE FOR AGING IN ESTABLISHING AN EMERGENCY HOME REPAIR PROGRAM.

WHEREAS, in order to promote the ethic of service in communities in New York State, the Governor of New York State established the Commission on National & Community Service, and

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WHEREAS, the Community Service Awards program has been established to encourage and salute the outstanding efforts being made by volunteers in our state, and

WHEREAS, the citizen-driven board received nominations from organizations and businesses across the state, and

WHEREAS, members of the Electricians, Carpenters and Roofers Unions, under the auspices of the Binghamton Building Trades Association, were nominated by the Broome County Office for Aging for their assistance in establishing an Emergency Home Repair Program, and

WHEREAS, this program consists of union members who volunteer their expertise and solicit donations of materials from area businesses to correct housing problems that are a threat to the health and safety of low-income, frail elderly homeowners, and

WHEREAS, as a recipient of the 1997 Governor's Community Service Award, the Binghamton Building Trades Association was formally recognized at the State's special ceremonies in observance of National Volunteer Month in April 1997, now therefore be it

RESOLVED, that the citizens of Broome County are requested to join this Legislature and Executive in saluting the outstanding and unselfish actions by this organization which represent the true spirit of community service and volunteerism, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby authorized and directed to present an original copy of this resolution to the members of the Binghamton Building Trades Association at a regular session of the Broome County Legislature held on the 19th day of June, 1997.

Carried.

RESOLUTION NO. 295

by EDUCATION, CULTURE AND RECREATION COMMITTEESecoded by Mr. Wike

RESOLUTION CONFIRMING APPOINTMENTS TO

MEMBERSHIP ON BROOME COMMUNITY COLLEGE BOARD OF TRUSTEES.

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

<u>NAME</u>	<u>TERM EXPIRING</u>
Louis Picciano 3400 Vestal Parkway East Vestal, New York 13850	New Appointment Term Expires 6/30/05
Sharon Dyer, Esq. Levene, Gouldin & Thompson Binghamton, New York 13902	Reappointment Term Expires 6/30/05

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIII-A of the Broome County Charter and Code, does hereby confirm the appointments of the above-named individuals to membership on the Broome Community College Board of Trustees in accordance with their appointment by the County Executive.

Following the reading of the resolution, the Clerk indicated that the County Executive had withdrawn Mr. Picciano's name from consideration due to a short term potential conflict of interest.

Mr. Augostini made a **point of order** that the name should be removed from the resolution by the sponsoring committee or by amending the resolution.

Mr. Shafer moved, seconded by Mr. Pasquale to **remove** Mr. Picciano's name from the resolution. The removal **carried**.

The resolution as amended **carried**.

RESOLUTION NO. 296

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Wike

RESOLUTION DECLARING OLD VESTAL ROAD IMPROVEMENTS PROJECT, TOWN OF VESTAL, 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 Old Vestal Road Improvements Project, Town of Vestal, has been identified as an unlisted action under the New York State Environmental Quality Review Act having no substantial effect on the environment in that it involves only the removal of an abandoned railroad bridge over Old Vestal Road and realignment of said road in the vicinity of said bridge, and

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

by purchase or condemnation, and

WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the project involves only removal of an abandoned railroad bridge over Old Vestal Road and realignment of said road in the vicinity of said bridge having no substantial effect on the environment, and that only one drainage easement and one property in fee will be required for the project now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Old Vestal Road Improvements Project, Town of Vestal, to be "de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

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

Carried.

RESOLUTION NO. 297

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Wike

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO OLD VESTAL ROAD IMPROVEMENTS PROJECT, TOWN OF VESTAL, AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake the Old Vestal Road Improvements Project in the Town of Vestal, to remove an abandoned railroad bridge over Old Vestal Road and realign said road in the vicinity of said bridge, and

WHEREAS, it has been determined that such project is subject to

the requirements of the State Environmental Quality Review Act (SEQRA), and it therefore necessary to initiate procedures with respect thereto, and

WHEREAS, this County Legislature has determined that it is the agency with the broadest governmental powers for investigation of the impact of the proposed

action and has the greatest capability for providing the most thorough environmental assessment of the project, and

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

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

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of the Old Vestal Road Improvements Project, 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 Old Vestal Road Improvements Project in the Town of Vestal will not have significant effect on the environment, and be it

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

Carried.

RESOLUTION NO. 298

by PERSONNEL, PUBLIC SAFETY & EMERGENCY SERVICES
and FINANCE COMMITTEES

Seconded by Mr. Harbachuk

**RESOLUTION AUTHORIZING A LABOR AGREEMENT WITH
BROOME COUNTY SHERIFF'S LAW ENFORCEMENT
OFFICERS ASSOCIATION AFSCME COUNCIL 82, LOCAL
8500 FOR JANUARY 1, 1997 THROUGH DECEMBER 31, 1999.**

WHEREAS, the County of Broome under the provisions of the Civil Service Law (Taylor Law) has heretofore recognized Broome County Sheriff's Law Enforcement Officers Association AFSCME Council 82, Local 8500 as an employee organization for those certain Broome County employees represented by said union, and

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WHEREAS, a tentative agreement has been reached with the Broome County Sheriff's Law Enforcement Officers Association for the period January 1, 1997 through December 31, 1999, 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, AFSCME Council 82, Local 8500, setting forth the terms and conditions of employment for those employees represented by said union, for the period January 1, 1997 through December 31, 1999, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 1994 through 1996 written labor agreement with the exception of those changes listed on Exhibit A attached hereto, and be it

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

**TENTATIVE AGREEMENT BETWEEN
BROOME COUNTY AND AFSCME COUNCIL 82, LOCAL 8500**

Article 6.6.1 Change "Roll Call Room at the P.S.F." to "Male Locker Room, Highway Patrol" "Female Locker Room, Highway Patrol"

Article 6.8.1 Change "5 employees" to "3 employees"

Article 6.9.1 Change "5 employees" to "4 employees"

Article 6.10.1 After "with a copy to the Personnel Officer" add "with a

copy to the Division Commander"

Article 6.10.3 After "on at least 24 hours notice" add "with a copy to the Division Commander". After "monthly basis the amount of time" add "spent during working hours conducting union business"

Article 7.5 Step 1 - Change "union steward" to "union president"

Article 10.2 Remove "2. Communications". Renumber remainder of list

Article 11.2.3 Employees of the Detective Division may be assigned to work one work shift on Saturdays and Sundays. Such an employee who is required to work one work shift on both Saturday and Sunday within the same weekend shall be given the Monday before and the Friday after the weekend worked as days off.

Article 11.2.6 Detective Pay - Employees assigned to the Detective Bureau by the Sheriff who are required to work weekends and holidays, shall be paid a \$1,550.00 stipend per year for assignments lasting less than a year, or some portion of a year, shall be prorated appropriately. Detectives required to work the weekend shall be accessible via pager, cellular phone and/or dispatch. Detectives so assigned shall take a County vehicle home for weekends on duty.

Article 11.2.9 All K-9 officers will be paid from the time they sign on prior to the beginning of their shift until the time they sign off at the end of their shift. It is assumed the sign on will be fifteen (15) minutes before the employee reports for briefing.

All K-9 officers will leave the highway office ½ hour prior to the official end of the shift to go home and will sign off when arriving home. It is assumed the sign off will occur fifteen (15) minutes after leaving the highway office.

All K-9 officers will continue to have a vehicle available to transport the K-9 to and from work.

All K-9 officers will receive one (1) "floating day off" per quarter to be used in the calendar year. Such day cannot be carried over and will be lost if not used prior to the end of the year.

Article 11.3.4 Effective on the date of execution of this agreement, all employees within Highway Patrol who work in a shift operation shall be allowed to bid on existing work shifts on the basis of seniority.

Article 11.3.4 Such work shifts shall be rebid once every 4 months. This (continued) bidding procedure shall be conducted from November 1 to November 30 for the period January 1 through April 30, March 1 to March 31 for the period May 1 through August 31, and July 1 to July 31 for the period September 1 through December 31. The Sheriff shall be responsible for the determination of the number of work shift slots on each shift which are available in each Division.

Article 20.2.2 Vacation schedules shall be posted in each operating unit once every four months. The vacation bid periods shall be January to April, May to August and September to December. Vacation bids shall be conducted from December 1 to December 31 each

year, from April 1 to April 30 each year and again from August 1 to August 31 each year. For example, bids for January 1, 1998 to April 30, 1998 shall be made in December 1997. Employees may split their vacation periods into two or more segments.

Employees will be notified in writing if their request is approved or denied no later than ten (10) business days from the date the bidding was closed. Reasons for denial will be given.

WAGE PROPOSAL FOR 1997 (Effective October 1, 1997)

	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>
Deputy Sheriff Deputy Sheriff, Det.	27,477	30,369	33,258	36,152
Deputy Sheriff, Sgt. Deputy Sheriff, Det. Sgt.			38,903	
Deputy Sheriff, Lt.				40,994

WAGE PROPOSAL FOR 1998 (Effective January 1, 1998)

	<u>STEP 1</u>	<u>STEP2</u>	<u>STEP 3</u>	<u>STEP 4</u>
Deputy Sheriff Deputy Sheriff, Det.	29,477	32,869	36,258	39,652

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Deputy Sheriff, Sgt. 42,903
Deputy Sheriff, Det. Sgt.

Deputy Sheriff, Lt. 45,494

*STEP MOVEMENT WILL BE FROZEN IN 1998

WAGE PROPOSAL FOR 1999 (Effective January 1, 1999)

STEP 1 STEP2 STEP 3 STEP 4

Deputy Sheriff 31,477 35,369 39,258 43,152
Deputy Sheriff, Det.

Deputy Sheriff, Sgt. 46,903
Deputy Sheriff, Det. Sgt.

Deputy Sheriff, Lt. 49,994

The resolution was **held over** under the 'Rules' by Mr. Harbachuk.

Mr. Howard moved, seconded by Mr. Shafer to **adjourn** at 5:05 P.M.
The adjournment **carried**.