

FURTHER RESOLVED, that the County Executive, on behalf of the County of Broome, is hereby authorized to sign such lease/rental agreement, subject to approval, as to form, by the Broome County Law Department, and to sign such other necessary documents, papers and agreements as he may deem from time to time necessary to implement the intent and purpose of this Resolution.

**Carried.**

Mr. Howard moved, seconded by Mr. Pasquale, to **adjourn** at 5:37pm. The adjournment **carried**.

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
JULY 17, 1997**

The Legislature convened at 4:05PM with a call to order by the Chair, Daniel A. Schofield. The Deputy Clerk, Laurie L. Tracy, read the fire exit announcement and called the Attendance Roll: Present-18, Absent-1 (O'Day).

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. Shafer moved, seconded by Mr. Howard, that the minutes of the Regular Session of June 19, 1997 be approved as prepared and presented by the Clerk. **Carried.**

Mr. Schofield noted that the committee minutes from June 13, 1997 through July 10, 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.

REGULAR SESSION OF JULY 17, 1997

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. Miller and seconded by Mr. Pasquale. **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 M. Kotchick to membership on Youth Bureau Advisory Board.
- 2.Nominating 5 persons to membership on Health Advisory Board.
- 3.Nominating 7 persons to membership on Environmental Management Council Board of Directors.

County Executive Kraham addressed the Legislature, encouraging them to approve Resolution No. 97-298 authorizing a labor agreement with Broome County Sheriff's Law Enforcement Officers Association, AFSCME Council 82, Local 8500.

PETITIONS: None

COMMUNICATIONS:

1. Minutes from:
  - a. Office for Aging Advisory Council
  - b. Public Library Board of Trustees
  - c. Emergency Medical Services Advisory Board
  - d. Nanticoke Landfill Citizens Advisory Committee
  - e. Environmental Management Council
  - f. EMC Solid Waste Committee
  - g. EMC's Natural Resources Committee
  - h. EMC Ad Hoc Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
  - i. Industrial Development Agency (minutes and various materials)
2. 1997-98 Broome Community College Recommended Budget.
3. Binghamton Regional Airport (Master Plan Update).
4. Resolutions:
  - a. Town of Chenango: (Effective 1998, Town opts to receive all sales tax proceeds-Tax Law, Section 1262C).
  - b. Steuben County: (Requesting NYS to reimburse counties 100%-actual costs for parole violation assigned counsel).
  - c. Southern Tier East Regional Planning Development Board (STERPDB): (Urging State/Federal support for improvements to federally designated highways within the Southern Tier); (Endorsing request that NYS Route 17 through Southern Tier be redesignated as Interstate 86).
5. Broome County Historical Society (Acknowledgement of receipt: A. Lincoln appointment card for John Lloyd Broome; card of John J. Cunningham, Pay Director-U.S.Navy; envelope addressed to Col. J.S. Broome, November 9, 1861).

NOTICES: None

REPORTS:

REGULAR SESSION OF JULY 17, 1997

1.Monthly Reports:

- a.Broome Community College (Budget Transfers, May 1997)
- b.Department of Social Services (March 1997)

2.Department of Audit and Control: Audit of Youth Bureau-NYS Division of Youth program vendor contracts; Payroll Audit for Drug Awareness Center and Public Defender.

3.1996 Annual Report from CASA.

4.1996 Annual Report (Correction from Public Defender's Office).

5.Audited Comprehensive Annual Financial Report (Year Ended December 31, 1996.

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE:**

Letters from the Chair, Daniel A. Schofield:

1.Appointing the following Legislators for Thomas A. Hull:

- a.Brian K. Mather as voting representative, Education, Culture and Recreation Committee, July 8, 1997.
- b.David L. Lindsey as Acting Chair, Education, Culture and Recreation Committee, July 8, 1997.
- c.William H. Miller as voting representative, Community and Social Services and Inter-Governmental Committees, July 9, 1997.

2.Appointing Louis P. Augostini as voting representative for William H. Miller, Health Services Committee, July 8, 1997.

3.Appointing Wanda Hudak as voting representative for Wayne L. Howard, County Administration, Economic Development and Planning Committee, July 10, 1997.

Mr. Hull spoke briefly on activities relating to Cornell Cooperative Extension and the Soil and Water Conservation District.

Mr. Brunza moved, seconded by Mr. Shafer, 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.

Ms. Hudak and Mr. Pasquale were designated as participants in the 'Short Roll Call'. Mr. Miller seconded the Preferred Agenda.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION (June 19, 1997)

**RESOLUTION NO. 230** (held over by Ms. Hudak)  
by Public Works Committee

**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** Ms. Hudak moved to table the resolution to the August 21, 1997 Session, seconded by Mr. Shafer. The **motion to table carried**, Ayes-16, Nays-2 (Coffey, Miller), Absent-1 (O'Day).

**RESOLUTION NO. 231** (held over by Ms. Hudak)  
by Public Works Committee

**DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO REHABILITATION OF TWIST RUN ROAD, TOWN OF UNION, AND RENDERING A**

**"NEGATIVE DECLARATION" WITH RESPECT THERETO**

Ms. Hudak moved to table the resolution to the August 21, 1997 Session, seconded by Mr. Shafer. The **motion to table carried**, Ayes-16, Nays-2 (Coffey, Miller), Absent-1 (O'Day).

**RESOLUTION NO. 282A** (held over by Mr. Schofield)

by Personnel and Health Services Committees

**AUTHORIZING A PERSONNEL CHANGE REQUEST FOR THE MENTAL HEALTH DEPARTMENT**

Mr. Schofield moved to table the resolution to the budget deliberations, seconded by Mr. Wike. The **motion to table carried**, Ayes-13, Nays-5 (Augostini, Coffey, Howard, Lindsey, Sweet), Absent-1 (O'Day).

**RESOLUTION NO. 298** (held over by Mr. Harbachuk)

by Personnel, Public Safety & Emergency Services and Finance Committees

**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**

The resolution **carried**. Ayes-10, (Brunza, Howard, Hudak, Hull, Lindsey, Mather, Shafer, Sweet, Wike, Schofield); Nays-8 (Augostini, Burger, Coffey, Harbachuk, Kavulich, Miller, Pasquale, Whalen); Absent-1 (O'Day)

**RESOLUTIONS INTRODUCED AT THIS SESSION:**

**RESOLUTION NO. 300**

by TRANSPORTATION, COUNTY ADMINISTRATION,  
ECONOMIC DEVELOPMENT & PLANNING AND FINANCE  
COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AGREEMENT WITH**

**AUTOMATED BUSINESS SOLUTIONS, INC. FOR  
PARATRANSIT COMPUTER SOFTWARE AND SUPPORT  
SERVICES FOR THE DEPARTMENT OF PUBLIC  
TRANSPORTATION FOR 1997**

WHEREAS, the Acting Commissioner of Public Transportation requests authorization for an agreement with Automated Business Solutions, Inc. for the period from July 17, 1997 to September 30, 1998, at a cost not to exceed \$24,500.00, and

WHEREAS, said services are necessary to provide paratransit automated scheduling, dispatching and data management software and support services, now therefore be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Automated Business Solutions, Inc., 55 State Road, Media, Pennsylvania 19063 for paratransit automated scheduling, dispatching and data management software and support services, for the period from July 17, 1997 to September 30, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$24,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 225086.2851.502241 (Software), and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 301**

by FINANCE COMMITTEE

Seconded by Mr. Miller

**RESOLUTION APPROVING SALE OF 1993 IN REM**

REGULAR SESSION OF JULY 17, 1997

**FORECLOSURE PROPERTIES TO FORMER OWNERS**

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of the completion of proceedings and foreclosure in rem for year 1993, and

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

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

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



<u>TOWN</u>	<u>TAX MAP #</u>	<u>FORMER OWNER</u>	<u>SALE AMOUNT</u>
Chenango	111.12-5-4	David Hickox	\$7,738.99
Dickinson	145.55-1-11	Russell Smith	\$1,446.37
Kirkwood	162.05-2-29	Ctr. For Independent Living	\$101,431.14
Nanticoke	033.04-1-10	Glenn and Jean	
Crowningshield		\$2,658.65	
Sanford	203.06-1-5	Lee VanPelt and Kevin McKee	0.00
Sanford	219.02-1-1	Richard and Donna Smith	\$10,095.85
Union	3H8-Y-16	Mark Bennett	\$16,262.32
Windsor	182.02-1-4	Joseph and June Bonczek	\$7,902.94
Windsor	181.04-1-29	James and Mary Jones	\$2,510.18

and, be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 302**

by COMMUNITY SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING REVISION OF COORDINATED CHILDREN'S SERVICES INITIATIVE GRANT, ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AMENDMENT OF THE AGREEMENT WITH CATHOLIC CHARITIES TO FACILITATE THIS PROGRAM FOR 1995 to 1996**

WHEREAS, this County Legislature, by Resolution 401 of 1995, authorized and approved the acceptance of a Coordinated Children's

Services Initiative Grant in the amount of \$65,000, and an agreement with Catholic Charities to implement this program for the period October 1, 1995 through September 30, 1996, and

WHEREAS, it is necessary to revise said grant to reflect an increase in appropriations and to extend the period of the grant until December 31, 1996, and

WHEREAS, it is necessary to amend the agreement with Catholic Charities to facilitate this program for the extended time period with the additional appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$72,079 from the New York State Office of Mental Health for the period October 1, 1995 through December 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts a revised program budget for the period October 1, 1995 through December 31, 1996 in the amount of \$72,079, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes amendment of the agreement with Catholic Charities, 232 Main Street, Binghamton, New York 13905 for services under the Coordinated Children's Initiative Grant project for the period October 1, 1995 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, that the County shall pay the Contractor an amount not to exceed \$72,079.00 for the term of this agreement, and be it

FURTHER RESOLVED, that payments hereinabove authorized shall be made from budget line 670430.4457.102000 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 401 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 303**

by COMMUNITY AND SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING ACCEPTANCE OF A WORK NOW PROGRAM GRANT BY THE DEPARTMENT OF SOCIAL SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT WITH THE BINGHAMTON CITY SCHOOL DISTRICT FOR IMPLEMENTATION OF SAID PROGRAM FOR 1997 THROUGH 1998**

WHEREAS, the Acting Commissioner of the Department of Social Services requests authorization to accept a WORK NOW Program Grant in the amount of \$100,957 for the period July 1, 1997 through June 30, 1998, and

WHEREAS, said grant program provides funds to enhance employment programs for recipients of public assistance, and

WHEREAS, the Binghamton City School District is ready, willing and able to provide job preparation and job search skills programs for eligible individuals, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and

approves acceptance of \$100,957 from the New York State Department of Labor 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 \$100,957 for the period July 1, 1997 through June 30, 1998, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Binghamton City School District, 98 Oak Street, Binghamton, New York 13905 to implement the WORK NOW Program 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 \$100,957 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670455.4747.104140 (Other Fees for Services), and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the

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

**Carried**, Ayes-17, Nays-0, Absent-1 (O'Day), Abstain-1 (Coffey).

[**Legislative Note:** At the request of Legislator Coffey and the direction of the Chair, Mrs. Coffey was recorded as an abstention.]

**RESOLUTION NO. 304**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING RENEWAL OF DEPARTMENT OF SOCIAL SERVICES DAY CARE HOMES REGISTRATION GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998**

WHEREAS, this County Legislature, by Resolution 330 of 1996, authorized the acceptance by the Department of Social Services a Day Care Homes Registration Program Grant from the New York State Department of Social Services in the amount of \$61,700 for the period August 1, 1996 through July 31, 1997, and

WHEREAS, it is desired to renew said grant program in the amount of \$65,000, for the period August 1, 1997 through July 31, 1998, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$65,000 from the New York State Department of Social Services for a Day Care Homes Registration Program for the period August 1, 1997 through July 31, 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 \$65,000 for the period August 1, 1997 through July 31, 1998, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 305**

by PUBLIC WORKS AND FINANCE COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AGREEMENT WITH S.C. HANSEN INC., FOR LEASE OF ONE LANDFILL COMPACTOR FOR USE AT THE NANTICOKE SANITARY LANDFILL**

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with S.C. HANSEN INC. for the lease of one landfill compactor for the period October 1, 1997 through September 30, 2001, at a cost not to exceed \$284,796.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with S.C. HANSEN INC., 6936 State Route 434, Apalachin, New York, 13732, for the lease of one new and unused landfill compactor for use at the Nanticoke Sanitary Landfill for the period October 1, 1997 through September 30, 2001, and be it

FURTHER RESOLVED, that in consideration of said lease, the County shall pay the Contractor an amount not to exceed \$71,199 per year, total amount not to exceed \$284,796.00 and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4512.206000 (Outside Rental),

and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 306**

by PUBLIC SAFETY & EMERGENCY SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AGREEMENT WITH THE TOWN OF DICKINSON FOR THE PURCHASE OF GASOLINE AT THE BROOME COUNTY PUBLIC SAFETY FACILITY**

WHEREAS, the Town of Dickinson has requested to purchase gasoline from the County of Broome at the Public Safety Facility, and,

WHEREAS, the Broome County Sheriff recommends that the county enter into such an agreement with the Town of Dickinson, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Dickinson, 842 Front Street, Binghamton, New York 13901, for the purchase of gasoline at the Broome County Public Safety Facility for town vehicles, and be it

FURTHER RESOLVED, that in consideration of said services, the Town shall pay to the County at a rate equal to the County's cost for such gasoline plus five cents per gallon, 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.

REGULAR SESSION OF JULY 17, 1997

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 307**

by PUBLIC SAFETY & EMERGENCY SERVICES AND FINANCE  
COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING ACCEPTANCE OF  
ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE  
GRANT FOR THE SHERIFF'S DEPARTMENT AND  
ADOPTING A PROGRAM BUDGET IN CONNECTION  
THEREWITH FOR 1997**

WHEREAS, the Sheriff's Department requests authorization to accept an Organized Crime Drug Enforcement Task Force Grant in the amount of \$3,000.00 for the period January 1, 1997 through September 30, 1997, and

WHEREAS, said grant provides reimbursement to the Sheriff's Department for overtime expenses for the department while assisting with the Organized Crime Drug Enforcement Task Force, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$3,000.00 from the federal Organized Crime Drug Enforcement Task Force for the period January 1, 1997 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 \$3,000.00 for the period January 1, 1997 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,** Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 308**

by HEALTH SERVICES COMMITTEE                      Seconded by Mr. Miller  
**RESOLUTION AUTHORIZING ACCEPTANCE BY WILLOW POINT NURSING FACILITY OF A HEWLETT PACKARD LASER JET 4L PRINTER**

WHEREAS, the Administrator of Willow Point Nursing Facility requests authorization to accept a Hewlett Packard Laser Jet 4L Printer valued at \$499.99 from an anonymous donor at no cost to the County, and

WHEREAS, said printer will help facilitate and enhance the quality of the office correspondence and increase the efficiency of computer work at the facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a Hewlett Packard Laser Jet 4L Printer at no cost to the County, and be it

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

purpose of this Resolution.

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 309**

by PUBLIC WORKS AND FINANCE COMMITTEESeconded by Mr. Miller

**RESOLUTION AUTHORIZING AGREEMENT WITH O'BRIEN & GERE ENGINEERS INC. FOR ASBESTOS SAMPLING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1997 AND 1998**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with O'Brien & Gere Engineers, Inc. for asbestos sampling for the period May 16, 1997 through May 15, 1998, at a cost not to exceed \$14,999.00, and

WHEREAS, said services are necessary to provide asbestos sampling for various projects as the need arises, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with O'Brien & Gere Engineers Inc., 441 Commerce Road, Vestal, New York 13850, for asbestos sampling services for various projects, the period May 16, 1997 through May 15, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,599.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from various budget lines, and be it

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

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 310**

by FINANCE COMMITTEE

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES OF THE 1997 TAX SALE AUCTION (1993 IN REM FORECLOSURE)**

WHEREAS, the County of Broome now owns certain parcels of real property as a result of the 1993 in rem foreclosure action, and

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

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 1997 was held and tabulation of all bids submitted was undertaken by the Director of Real Property Tax Service, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 1997 Broome County tax sale as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that this County Legislature hereby rejects the following bids in as much as authorization had previously been granted to sell the properties to former owners as follows:

<u>TOWN</u>	<u>TAX MAP NO.</u>	<u>REJECTED BIDDER</u>	<u>BID AMOUNT</u>
Chenango	111.12-5-4	John P. Manculich	\$6,800.00
Chenango	6-3-B-39 & 6-3-B-40	Gerald Galazyn	\$3,100.00
Nanticoke	033.04-1-10	Darleen Brady	\$5,200.00

REGULAR SESSION OF JULY 17, 1997

Sanford	219-.02-1-1	Lawrence T. and Barbara B. Lepak	\$35,500.00
Union	3-H8-Y-16	Susan O'Connor	\$51,000.00
Windsor	181.04-1-29	Christina Millward	\$3,500.00
Windsor	182.02-1-4	Thomas Schlick	\$7,800.00

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 successful bidders in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

Mr. Mather requested that the portion which refers to the Town of Union Tax Map No. 3-H8-Y-16 be **held over** under the rules. The resulting resolution regarding that property will be considered Permanent No. 97-310A at the next session. The balance of the resolution **carried**.

**RESOLUTION NO. 311**

by HEALTH SERVICES COMMITTEES                      Seconded by Mr. Miller  
**RESOLUTION CONFIRMING APPOINTMENTS TO  
MEMBERSHIP ON THE BROOME COUNTY HEALTH  
ADVISORY BOARD**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article VII, Section 703 of the Broome County Charter and Code, has duly designated and appointed, pending confirmation by this Legislature, the

following named individuals to membership on the Broome County Health Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
John Oakes	Reappointment
Deposit Central Schools 171 Second Street Deposit, New York 13754-1397	Term Expires 12/31/99

Dr. Daniel Young	Reappointment
PO Box 307 Windsor, New York 13865	Term Expires 12/31/99

Margaret Manley, RN	Reappointment
42 St. John Avenue Binghamton, New York 13905	Term Expires 12/31/99

Dr. F. Keith Kennedy	Reappointment
51 Kenilworth Road Binghamton, New York 13903	Term Expires 12/31/99

William Stanton	Reappointment
BC Council of Churches 81 Main Street Binghamton, New York 13905	Term Expires 12/31/99

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article VII, Section 703 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 VII, Section 704 of the Broome County Charter and Code does hereby confirm the appointments of the above-named individuals to membership on the Broome County Health Advisory Board in accordance with their appointment by the County Executive.

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 312**

by COMMUNITY & SOCIAL SERVICES COMMITTEES Seconded by Mr. Miller

**RESOLUTION CONFIRMING AN APPOINTMENT TO  
MEMBERSHIP ON THE BROOME COUNTY YOUTH BUREAU  
ADVISORY BOARD**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 163 of 1971 and Resolution 133 of 1976, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Youth Bureau Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Michael Kotchick 59 Buttercup Hill Road Windsor, New York 13865	New Appointment Term Expires 12/31/98

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 163 of 1971 and Resolution 133 of 1976, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 163 of 1971 and Resolution 133 of 1976, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Youth Bureau Advisory Board in accordance with their appointment by the County Executive.

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 313**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Miller

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL BOARD OF DIRECTORS**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980 has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Environmental Management Council Board of Directors for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Wayne Jennings 64 Fuller Road Binghamton, New York 13901	Reappointment Term Expires 12/31/98

Duke Holdsworth PO Box 77 Kirkwood, New York 13795	Reappointment Term Expires 12/31/98
--	--

REGULAR SESSION OF JULY 17, 1997

Karen McElwee Reappointment  
23 Laurel Avenue Term Expires 12/31/98  
Binghamton, New York 13905

Amy Zaref Reappointment  
145 Schubert Street Term Expires 12/31/98  
Binghamton, New York 13905

Frank Cardullo Reappointment  
678 West Chenango Road Term Expires 12/31/98  
Binghamton, New York 13905

Ruth Weber New Appointment  
9 Cherry Lane Term Expires 12/31/98  
Binghamton, New York 13901  
and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980 to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976 and Resolution 341 of 1980 does hereby confirm the appointments of the above-named individuals to membership on the Broome County Environmental Management Council Board of Directors in accordance with their appointment by the County Executive.

**Carried,** Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 314**

by FINANCE, PERSONNEL AND HEALTH SERVICES  
COMMITTEES Seconded by Mr. Miller



**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS AND BUDGET TRANSFERS FOR WILLOW POINT NURSING HOME**

RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#97-301, this County Legislature hereby authorizes the creation of a part time RPN/LPN with benefits at budget line 160085.1500.204000, minimum salary \$26,200/21,147 FTE, grade 14/10 and the abolishment of 1 part time LPN without benefits, at budget line 160085.1500.204000, minimum salary \$18,241 FTE, grade 10, effective date 7/28/97, and be it

FURTHER RESOLVED, that the following transfer, BT 000253 will fund the requested position.

<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM: 160085	1950	204000	Salary Adjustment	2,784
TO: 160085	1500	204000	Salaries, Part Time	1,658
160085	8010	204000	Retirement	191
160085	8030	204000	FICA	53
160085	8040	204000	Wkrs Comp.	34
160085	8050	204000	Life	8
160085	8060	204000	Health	816
160085	8070	204000	Disability	24

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#97-302, this County Legislature hereby authorizes the creation of 14 part time CNA/NAT positions with benefits at budget line 160085.1500.204000, minimum salary \$16002 FTE, grade 6 and the abolishment of 14 part time CNA/NAT positions without benefits, at budget line 160085.1500.204000, minimum salary \$16002 FTE, grade 6 effective date 7/28/97, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of WPNH, as contained in PCR#97-303, this County

Legislature hereby authorizes the creation of 1 clerk positions with benefits at budget line 160127.1500.204000, minimum salary \$13,360 FTE, grade 6 and the abolishment of 1 clerk position without benefits, at budget line 160127.1500.204000, minimum salary \$13,360 FTE, grade 6 effective date 7/28/97, and be it

FURTHER RESOLVED, that the following transfer, BT 000281 will fund the requested position.

	<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>		<u>Amount</u>
FROM:	160085	1950	204000	Salary Adjustment	15,143	
	160127	1700	204000	Salary Overtime	1,043	
TO:	160085	8010	204000	Retirement	3,267	
	160085	8050	204000	Life	116	
	160085	8060	204000	Health	11,422	
	160085	8070	204000	Disability	338	
	160127	8010	204000	Retirement	195	
	160127	8050	204000	Life	8	
	160127	8060	204000	Health	816	
	160127	8070	204000	Disability	24	

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 315**

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING THE DEDICATION OF A PORTION OF HIGHWAY GARAGE PROPERTY TO THE TOWN OF CHENANGO FOR PURPOSES OF CONSTRUCTING A PUBLIC ROADWAY**

WHEREAS, the Broome County Superintendent of Highway recommends that a portion of the Highway Garage property, more particularly described in Exhibit "A" attached hereto, be dedicated to the Town of Chenango for purposes of constructing a public roadway, and

WHEREAS, the Town of Chenango is in favor of said dedication,

now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the dedication of a portion of Highway Garage property to the Town of Chenango for purposes of constructing a public roadway, as more particularly described in Exhibit "A" attached hereto, 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 this Resolution shall take effect immediately.

**Held over** under the rules by Mr. Miller.

**RESOLUTION NO. 316**

by PUBLIC WORKS AND FINANCE COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AGREEMENT WITH CLARK PATTERSON/MARTIN ASSOCIATES, FOR ENGINEERING DESIGN ADMINISTRATIVE SERVICES FOR SUNRISE TERRACE SANITARY SEWERS FOR THE TOWN OF DICKINSON FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1997**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Clark Patterson/Martin Associates for engineering design administrative services during the reconstruction of the Sunrise Terrace subdivision sanitary sewers for the period August 1, 1997 through December 31, 1997, at a cost not to exceed \$5,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Clark Patterson/Martin Associates, 45 Washington Street, P.O. Box 2084, Binghamton, New York 13902-2084, for engineering design administrative services during the reconstruction of

REGULAR SESSION OF JULY 17, 1997

the Sunrise Terrace subdivision sanitary sewers, for the period August 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 \$5,000.00 for the term of this agreement, and be it

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

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

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 317**

by PUBLIC WORKS AND FINANCE COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AGREEMENT WITH HAWK ENGINEERING, P.C., FOR FIELD CONSTRUCTION OBSERVATION SERVICES FOR SUNRISE TERRACE SANITARY SEWERS FOR 1997**

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Hawk Engineering, P.C. for field construction observation services for the Sunrise Terrace Sewer Reconstruction Project in the Town of Dickinson for the period August 1, 1997 to December 31, 1997 at a cost not to exceed \$13,920.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Hawk Engineering, P.C., P.O. Box 427, Binghamton, New York 13902-0427, for field construction observation services, for the period August 1, 1997 to 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 \$13,920.00 for the term of this agreement, and be it

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

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

REGULAR SESSION OF JULY 17, 1997

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 318**

by ENVIRONMENT and PUBLIC WORKS COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING A PERMANENT EASEMENT AGREEMENT WITH NEW YORK STATE ELECTRIC & GAS FOR AN EASEMENT LOCATED ON THOMAS ROAD IN THE TOWN OF CHENANGO**

WHEREAS, New York State Electric & Gas (NYSEG) has requested an easement through land owned by Broome County located at Thomas Road in the Town of Chenango, and

WHEREAS, the Department of Public Works has determined that granting this easement would not interfere with the existing land use, now, therefore, be it

RESOLVED, that this County Legislature hereby grants New York State Electric & Gas, P.O. Box 3607, Binghamton, NY, 13902-3607, a permanent easement running through land owned by Broome County at Thomas Road in the Town of Chenango, as more fully described in a map and property description referred to as Exhibit "A," and be it

FURTHER RESOLVED, that in consideration of the aforesaid easement, New York State Electric & Gas will pay Broome County the sum of \$1.00, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 319**

by TRANSPORTATION COMMITTEE Seconded by Mr. Miller

**RESOLUTION AUTHORIZING FORMAL APPROVAL AND**

**ADOPTION OF BINGHAMTON REGIONAL AIRPORT MASTER PLAN UPDATE**

WHEREAS, in recognition of changing aviation needs, Broome County has prepared an up-to-date master plan study for Binghamton Regional Airport, and

WHEREAS, a current airport master plan study is also required by both state and federal agencies in order for the Department of Aviation to be eligible for grant funding and passenger facility charge revenues, and

WHEREAS, the Federal Aviation Administration requires adoption of the master plan update by local policy making boards before conferring final Federal Aviation Administration approval, and

WHEREAS, the Broome County Department of Aviation recommends adoption of the Binghamton Regional Airport master plan update by the Broome County Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the Binghamton Regional Airport master plan update on file with the Broome County Legislative Clerk.

Mr. Shafer moved to call the question, seconded by Mr. Howard. The **call of the question carried**, Ayes-17, Nays-1 (Brunza), Absent-1 (O'Day). The resolution **carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

**RESOLUTION NO. 320**

by TRANSPORTATION and FINANCE COMMITTEES seconded by Mr. Miller

**RESOLUTION AUTHORIZING AGREEMENT WITH CLOUGH HARBOUR AND ASSOCIATES FOR ENGINEERING SERVICES AT THE BINGHAMTON REGIONAL AIRPORT**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Clough Harbour and Associates for engineering services to develop an independent cost estimate for two proposed airport capital projects at a cost not to exceed \$6,000.00, and

WHEREAS, said agreement is recommended by the county Department of Public Works and Department of Aviation to develop independent cost estimate for the runway 10/28 rehabilitation and passenger terminal refurbishment-design project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Clough Harbour and Associates, 13 South Fitzhugh Street, Rochester, New York, 14614-1497, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,000.00, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 321**

by TRANSPORTATION AND FINANCE COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION WITH REGARD TO FUTURE AIRPORT IMPROVEMENT PROGRAM GRANTS**

WHEREAS, the Federal Aviation Administration has developed a master grant agreement to be executed between the County of Broome and the FAA which will be applicable to all future airport improvement program grants, and

WHEREAS, the master agreement will contain the grant assurances, general conditions and typical special conditions previously included in each grant agreement and will be incorporated into every grant agreement by reference, and

WHEREAS, it is recommended that the County authorize the execution of this master grant agreement with the Federal Aviation



Administration, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the execution of a master grant agreement with the Federal Aviation Administration for all future airport improvement program grants for the Binghamton Regional Airport, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 322**

by FINANCE, PUBLIC WORKS and TRANSPORTATION COMMITTEES  
Seconded by Mr. Shafer

**RESOLUTION AMENDING THE 1997 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 1997 Capital Improvement Program as authorized by Resolution 417 of 1996 for the Department of Aviation is hereby amended as follows:

**FROM:**

Project Code/Name **C267 Terminal Building Renovations Phase I**

Estimated Construction Cost

Total:	\$1,000,000	<u>How Financed</u>	
State:	\$ 100,000	Year Start:	1997
Federal:	\$ 800,000	YPU:	NA
County:	\$ 100,000	Bond:	0
		Current Revenue:	\$200,000

**TO:**

Project Code/Name **C267 Passenger Terminal Refurbishment-Design**

Estimated Construction Cost

Total:	\$ 999,620	<u>How Financed</u>	
State:	\$ 27,777	Year Start:	1997
Federal:	\$ 500,000	YPU:	NA
County:	\$ 471,843	Bond:	0
		Current Revenue:	\$499,620

Description: Development of the planning, engineering and design data for renovating the terminal facility. The project will also develop the phasing strategies which will help insure the facility remains operational during construction, and be it,

FURTHER RESOLVED, that the 1997 Capital Improvement Program is hereby amended as follows:

**Create:**

Project Code/Name **RUNWAY 10/28 REHABILITATION**

Estimated Construction Cost

Total:	\$2,200,000	<u>How Financed</u>	
State:	\$ 110,000	Year Start:	1997
Federal:	\$1,980,000	YPU:	NA
County:	\$ 110,000	Bond:	0
		Current Revenue:	\$220,000

Description: This project will consist of milling off the top three inches of pavement, treating cracks, improving drainage, and overlaying with new asphalt. The project will begin in the third quarter of 1997 and be closed out by the third quarter of 1998, and be it

FURTHER RESOLVED, that the 1997 Capital Improvement Program for the Department of Aviation is hereby amended as follows:

**Create:**

Project Code/Name **Equipment Replacement**

Estimated Construction Cost

Total:	\$ 800,000	<u>How Financed</u>	
State:	\$ 15,502	Year Start:	1997
Federal:	\$ 279,043	YPU:	NA
County:	\$ 505,455	Bond:	0
		Current Revenue:	\$520,957

Description: Replacement of snow removal equipment which has surpassed its useful life. Equipment which is scheduled to be replaced includes a 1968 sweeper, a 1975 rollover snowplow, and a 1984 snowblower.

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

**RESOLUTION NO. 323**

by FINANCE and EDUCATION, CULTURE & RECREATION COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PIAKER & LYONS FOR AUDITING SERVICES OF BROOME COMMUNITY COLLEGE FINANCIAL ACCOUNTS FOR YEAR END 1997, 1998 AND 1999**

WHEREAS, this County Legislature, by Resolution 248 of 1994, authorized an agreement with Piaker & Lyons for auditing services of Broome Community College financial accounts for the years ending August 31, 1995 and 1996 in an amount not to exceed \$25,600 for each year, and

WHEREAS, Local Law Intro. No. 8, 1990, entitled: "A Local Law Amending the Broome County Charter and Administrative Code with Respect to Broome Community College" requires that an annual audit be conducted of the finances of Broome Community College and said auditor will be selected from a list of firms approved by the County Comptroller, and

WHEREAS, it is necessary at this time to undertake an audit at Broome Community College for the year ending August 31, 1997, and

WHEREAS, the County Comptroller and the Broome Community College Board of Trustees Finance and Facilities Committee have recommended a three-year extension to the existing contract, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves an audit of Broome Community College's financial records and accounts by the accounting firm Piaker & Lyons, P.C., 2521 Vestal Parkway East, Vestal, New York, 13850, for the years ending August 31, 1997, August 31, 1998, and August 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the College shall pay the Contractor an amount not to exceed \$22,500 for year ending August, 1997, and not to exceed \$22,500 for year ending August, 1998, and not to exceed \$22,500 for year ending August, 1999, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 190785.4446 (General Institutional

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

**RESOLUTION NO. 324**

by EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEE

Seconded by Mr. Miller

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

WHEREAS, the Acting Commissioner of Parks and Recreation has advised that for the calendar year 1995 a certain amount owed to the Arena currently remain unpaid and uncollected, and

WHEREAS, repeated efforts have been made to collect this account 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 account for 1995 in the amount of \$8.00 (Messina), and be it

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

**RESOLUTION NO. 325**

by EDUCATION, CULTURE, RECREATION AND PUBLIC WORKS COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AN EXTENSION OF THE LEASE AGREEMENTS WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR OTSININGO PARK**

WHEREAS, this County Legislature, by Resolution 126 of 1973, authorized a lease agreement with the New York State Department of Transportation for the use and maintenance of a riverfront park on the east bank of the Chenango River, and

WHEREAS, the terms of said lease included the following:

1. That the lease run 10 years, expiring on June 7, 1987, with Broome County possessing a right of renewal at ten year intervals for an additional forty years.
2. That the New York State Department of Transportation as landlord construct said park.
3. That Broome County maintain and repair said park.
4. That there shall be no rent paid by Broome County to New York State Department of Transportation.

WHEREAS, this County Legislature by Resolution 99 of 1987 authorized a renewal of said lease agreement for a 10 year period ending on June 7, 1997, and

WHEREAS, this County Legislature by Resolution 159 of 1994 authorized an amendment to said lease agreement to include the takeover of the Exit #5 New York State Department of Transportation rest stop and a parcel of property along the Chenango River for use as a river walkway at no further cost to the County, for the period September 1, 1995 through July 7, 1997, and

WHEREAS, said agreements have expired by their terms and it is desired at this time to renew the same on the same terms and conditions, now therefore be it

RESOLVED, that this County Legislature hereby authorizes a renewal of the agreements with the New York State Department of Transportation for Otsiningo Park as enlarged to include the former Exit #5 New York State Department of Transportation rest stop and river walkway for an additional 10 years from the date of termination thereof to June 7, 2007, and be it

FURTHER RESOLVED, that the terms and conditions of the said lease agreements shall remain substantially the same as the existing agreements, and shall be at no further cost to the County, and be it

FURTHER RESOLVED, that Resolutions 126 of 1973, 99 of 1987 and 159 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 326**

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING RENEWAL OF THE HEALTH DEPARTMENT DENTAL SEALANT GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR**

**1997 THROUGH 1998**

WHEREAS, this County Legislature, by Resolutions 311 of 1996, authorized and approved the Broome County Health Department Dental Sealant Project Grant Program for the period October 1, 1996 through September 30, 1997 and adopted a program budget in the amount of \$46,000.00, and

WHEREAS, this grant program promotes good oral hygiene to Broome County school children by providing dental exams, cleanings, sealants and educational services, and

WHEREAS, the Broome County Health Department recommends renewal of said program grant for the period October 1, 1997 through September 30, 1998 in the amount of \$46,000.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the Health Department Dental Health Sealant Project Grant for the period October 1, 1997 through September 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 amount of \$46,000.00, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).



**RESOLUTION NO. 327**

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Miller

**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 \$9,324.59.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480368.4422.102XXX (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

REGULAR SESSION OF JULY 17, 1997

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 328**

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH ROYAL CARE PHARMACY SERVICES FOR UNIT DOSE MEDICATION SERVICES FOR THE WILLOW POINT NURSING FACILITY FOR 1997 THROUGH 1998**

WHEREAS, this County Legislature, by Resolution 210 of 1997, authorized an agreement with Royal Care Pharmacy Services for unit dose medication services for the Willow Point Nursing Facility, at a cost of \$3.22 per patient per day for the first year of said contract, for a total amount not to exceed \$75,229 for the period June 1, 1997 through July 31, 1997, and

WHEREAS, it is desired to renew said agreement for the period August 1, 1997 through July 31, 1998 with a full charge structure to be developed and an option for annual renewals as approved by this Legislature until the year 2000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Royal Care Pharmacy Services, 274 Tompkins Street, Cortland, New York, 13045, for unit dose medication services for the period August 1, 1997 through July 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$610,000 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 160200.4367.204000 (Unit Dosage SNF), and be it

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

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 329**

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FREDERICK JOHNSON, D.D.S., FOR DENTAL SUPERVISION AND SCREENING SERVICES IN CONNECTION WITH THE BROOME COUNTY HEALTH DEPARTMENT DENTAL SEALANT PROJECT GRANT FOR 1997 THROUGH 1998**

WHEREAS, this County Legislature, by Resolution 312 of 1996, authorized an agreement with Frederick Johnson, D.D.S., for dental supervision, direction of dental hygienist, and screening services for the Broome County Health Department Dental Sealant Project Grant for the period October 1, 1996 through September 30, 1997, at a cost of \$40.00 per hour, total cost not to exceed \$1,500.00, and

WHEREAS, said services are necessary to provide dental supervision, direction of dental hygienist, and screening services for the Broome County Health Department Dental Sealant Grant operated during the school year for children of low socio-economic status, and

WHEREAS, said agreement expires by its terms on September 30, 1997, and it is desired at this time to renew said agreement for the period October 1, 1997 through September 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 Frederick Johnson, D.D.S., Broome Community College Dental Hygiene Clinic, P.O. Box 1077, Binghamton, New York, 13902, for dental supervision, direction of dental hygienist, and screening services in connection with the Broome County Health Department Dental Sealant Project grant for the period October 1, 1997 through September 30, 1998, and be it

REGULAR SESSION OF JULY 17, 1997

FURTHER RESOLVED, that in consideration of said services, the County shall pay Dr. Johnson at a rate of \$40.00 per hour, total amount not to exceed \$1,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4715.104XXX (Other Professional Services), and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 330**

by HEALTH SERVICES AND FINANCE COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AGREEMENT WITH CORTLAND COUNTY HEALTH DEPARTMENT, FOR TB SERVICES IN CORTLAND COUNTY PURSUANT TO PCI GRANT FOR PERIOD SEPTEMBER 1, 1996 THROUGH AUGUST 31, 1998**

WHEREAS, the Director of the Broome County Health Department requests authorization for an agreement with the Cortland County Health Department for TB Services pursuant to the PCI grant for the period September 1, 1996 through August 31, 1998, at a cost not to exceed \$21,882.00, and

WHEREAS, said services are necessary pursuant to the terms of the grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Cortland County Health Department, for TB services pursuant to the PCI grant, for the period September 1, 1996 through August 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$21,882.00 for

the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4458.104107, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 331**

by HEALTH SERVICES AND FINANCE COMMITTEES seconded by Mr. Miller

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH ECKERD CORPORATION FOR PHARMACY SERVICES FOR THE HEALTH DEPARTMENT CLINICS FOR 1997**

WHEREAS, this County Legislature, by Resolution 444 of 1996, authorized an agreement with Eckerd Corporation for pharmacy services for the Health Department Clinics for 1997, at a cost \$8,200.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement for 1997, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Eckerd Corporation for pharmacy services for the Health Department for the period 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor not to exceed \$14,200.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480301.4365.104107; 480228.4715.xxxx; and 480228.4365.xxxx, and be it

FURTHER RESOLVED, that Resolution 444 of 1996, to the extent

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

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 332**

by HEALTH SERVICES, PERSONNEL AND FINANCE COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING REVISION OF THE HEALTH DEPARTMENT PRIMARY CARE INITIATIVE GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH**

WHEREAS, this County Legislature, by Resolution 616 of 1996, authorized the participation by the Health Department in the Primary Care Initiative Grant Program for the period September 1, 1996 through August 31, 1998 and adopted a program budget in connection therewith in the total amount of \$77,718, and

WHEREAS, it is necessary at this time to revise said program budget to reflect a change in personnel and program requirements and to adopt a revised program budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Primary Care Initiative Program Grant budget for the period September 1, 1996 through August 31, 1998 in the total amount of \$77,718, 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 \$77,718 for the period September 1, 1996 through August 31, 1998, and be it

FURTHER RESOLVED, that Resolution 616 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached hereto, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 333**

by HEALTH SERVICES AND FINANCE COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH LINDA SWARTHOUT FOR HIV/AIDS TRAINING SERVICES FOR PERIOD JULY 1, 1996 THROUGH JUNE 30, 1997**

WHEREAS, previously the BAC on or about June 26, 1996 authorized an agreement with Linda Swarthout dated August 27, 1996 whereby Linda Swarthout would provide training and education relating to HIV/AIDS on an as needed basis in connection with an HIV/AIDS Training Grant, and

REGULAR SESSION OF JULY 17, 1997

WHEREAS, the agreement provided for Ms. Swarthout to be compensated at the rate of \$35.00 per hour not to exceed an aggregate of \$2,500.00, and

WHEREAS the Health Department wishes to amend said agreement to raise the ceiling to \$4,000.00, and

WHEREAS, there are funds in the program grant to pay for this increase, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Linda Swarthout for training and education services in connection with an HIV/AIDS training grant 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 at the rate of \$35.00 per hour not to exceed \$4,000.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301-4458-104056, and be it

FURTHER RESOLVED, that the agreement dated August 27, 1996 to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 334**

by HEALTH SERVICES, PERSONNEL AND FINANCE  
COMMITTEES

Seconded by Mr. Miller



**RESOLUTION AUTHORIZING REVISION OF HEALTH DEPARTMENT HIV/AIDS TRAINING SERVICES PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997**

WHEREAS, this County Legislature, by Resolution 240 of 1996, authorized the Health Department HIV/AIDS Training Services Program Grant for the period July 1, 1996 through June 30, 1997, and adopted a program budget in connection therewith in the total amount of \$103,023, and

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

WHEREAS, said program was revised by resolution 59 of 1997 to reflect an increase in grant appropriations and,

WHEREAS, said grant ends on June 30, 1997 and it is necessary to adjust said program budget for purposes of final accounting and reconciliation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Department HIV/AIDS Training Services Program Grant for the period July 1, 1996 through June 30, 1997 not to exceed the total amount of \$104,155, 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 \$104,155 for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that Resolution 240 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

FURTHER RESOLVED, that the County Executive or his duly

authorized representative is hereby authorized to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 335**

by FINANCE AND HEALTH SERVICES COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DRUG AWARENESS CENTER and WILLOW POINT NURSING HOME**

RESOLVED, that in accordance with a request from the Acting Director of the Drug Awareness Center in order to revise budget for 1996-97 to reflect program expenditures as requested by BT# 010114 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	470021	1000	101000	Salaries, Full Time	5,320
TO:	470021	4326	101000	Fuel & Heat	500
	470021	4329	101000	Bldg/Grnd Supplies	300
	470021	4419	101000	Gen. Office Exp	800
	470021	4609	101000	Data Process chrgbk	3,000
	470021	4618	101000	Office sup Chrgbk	720

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Willow Point Nursing Home in order to create temporary positions to cover Leave of Absence positions that are currently vacant as requested by BT# 000282 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	160085	1000	204000	Salaries, Full-Time	95,176
	160085	1950	204000	Salaries, Adjustment	2,008
	160085	1910	204000	Out of Title	2,521
TO:	160085	1600	204000	Salaries, Temporary	95,176
	160085	8030	204000	FICA	3,034

160085	8040	204000	Wrks Comp.	1,181
160085	8070	204000	Disability	314

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 336**

by PERSONNEL AND HEALTH SERVICES COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE MENTAL HEALTH DEPARTMENT AND THE HEALTH DEPARTMENT**

RESOLVED, that in accordance with a request from the Acting Director of Mental Health, as contained in PCR#97-318, this County Legislature hereby authorizes the effective date of 5/16/97 as contained in PCR#97-243 be changed to reflect the actual start date of 2/24/97, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Health, as contained in PCR#97-315, this County Legislature hereby authorizes the abolishment of 1 FT senior clerk, at budget line 480301.1000.104073, minimum salary \$15,318, grade 8.

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 337**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING THE BROOME COUNTY CHAMBER OF COMMERCE TO ACT AS THE AGENCY IN BROOME COUNTY FOR TOURISM AND CONVENTION PROMOTION FOR 1998**

WHEREAS, this County Legislature, by Resolution 298 of 1995, authorized the Broome County Chamber of Commerce to act as the agency in Broome County for tourism and convention promotion for calendar year 1997, and

WHEREAS, it is desired at this time to authorize the Broome County Chamber of Commerce to be the tourism and convention promoter for Broome County for 1998 so that appropriate applications may be filed timely for New York State grant monies, now, therefore, be it

RESOLVED, that this County Legislature hereby names and authorizes the Broome County Chamber of Commerce to be the tourism and convention promoter for Broome County for calendar year 1998, and be it

FURTHER RESOLVED, that the Broome County Chamber of Commerce is hereby authorized to make application for any grants from the State of New York for tourism and convention promotion in Broome County, and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to enter into agreement(s) with the Broome County Chamber of Commerce to provide tourism and convention promotion in Broome County, subject to funding sources and matching funds by the Broome County Chamber of Commerce, and be it

FURTHER RESOLVED, that upon approval of said grants, the County Executive is authorized to execute any agreements, documents, or papers, approved by the Department of Law, necessary to carry out

REGULAR SESSION OF JULY 17, 1997

the intent and purpose of this resolution, and be it

FURTHER RESOLVED, that the Broome County Chamber of Commerce shall submit a quarterly written report to this Legislature as to the disposition of said grant monies.

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 338**

by FINANCE COMMITTEE

Seconded by Ms. Hudak

**SUPERSEDING BOND RESOLUTION DATED JULY 17, 1997**

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,165,000.00 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY PART OF THE COST OF THE RECONSTRUCTION OF THE GOVERNMENT PLAZA DECK IN AND FOR SAID COUNTY, AND SUPERSEDING THE BOND RESOLUTION ADOPTED FOR SUCH PURPOSE ON OCTOBER 17, 1996.**

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

Section 1. The object or purpose to be financed by the County of Broome, New York, pursuant to this Resolution, and its maximum cost is as follows:

<u>Project Code</u>	<u>Project Name</u>	<u>Maximum Est. Cost</u>
F-25A	Reconstruction of Government Plaza Deck	\$3,230,000.00

Section 2. The plan for the financing of such maximum estimated cost is as follows:

- a) By the issuance of \$1,165,000.00 serial bonds of said County, hereby authorized to be issued therefor pursuant to the Local Finance Law;
- b) By the appropriation and expenditure of \$1,131,00.00 to be received from the State of New York; and

c)By the appropriation and expenditure of \$934,000.00 to be received from the City of Binghamton as its share of such cost.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specified object or purpose is twenty years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law, computed from April 15, 1997, the date of the first bond anticipation note issued therefor.

It is hereby further determined that the project herein authorized constitutes a new and different project from the government plaza deck projects authorized by bond resolutions adopted by this County Legislature on May 9, 1989, on March 6, 1990, and on January 20, 1994. To the extent that obligations still remain to be issued pursuant to such bond resolutions, such bond resolutions are hereby rescinded and repealed.

This Resolution shall supersede the bond resolution dated October 17, 1996, duly adopted by the County Legislature on said date.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of

validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 8. This Resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this Resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This Resolution, which takes effect upon its approval by the County Executive, shall be published in full in the manner provided by law and as heretofore provided by this County Legislature pursuant to



Resolution No. 96-320, together with a notice to the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

**Carried by full roll call vote**, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

**RESOLUTION NO. 339**

by FINANCE AND PUBLIC WORKS COMMITTEES Seconded by Mr. Brunza

**RESOLUTION AMENDING THE 1996 CAPITAL IMPROVEMENT PROGRAM**

WHEREAS, this County Legislature by Resolution 498 of 1996 approved capital project F-25 Reconstruction of Government Plaza Deck, now, therefore, be it

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

**FROM:**

Project Code/Name **F-25A Reconstruction of Government Plaza Deck**

Estimated Construction Cost

Total:	\$1,002,600	<u>How Financed</u>	
State:	\$ 0	Year Start:	1996
Federal:	\$ 0	YPU:	20
County:	\$1,002,600	FAMIS Code:	501330
		Bond:	\$1,002,600

**TO:**

Project Code/Name **F-25A Reconstruction of Government Plaza Deck**

Estimated Construction Cost

Total:	\$1,165,000	<u>How Financed</u>	
State:	\$ 0	FAMIS Code:	501330
Federal:	\$ 0	Year Start:	1996
County:	\$1,165,000	YPU:	20

Bond: \$1,165,000

Description: County's share of the removal of the government plaza decks and reconstruction of plaza deck area.

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

**RESOLUTION NO. 340**

by PUBLIC WORKS AND FINANCE COMMITTEES Seconded by Mr. Miller

**RESOLUTION AUTHORIZING AN AMENDMENT OF THE AGREEMENT WITH THE STATE OF NEW YORK AND THE CITY OF BINGHAMTON FOR RECONSTRUCTION OF THE GOVERNMENT PLAZA DECK FOR 1996 THROUGH 1999**

WHEREAS, the Commissioner of Public Works requests authorization for an amendment of the agreement with the State of New York and the City of Binghamton for reconstruction of the Government Plaza deck at a cost (County share) not to exceed \$1,062,359, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment of the agreement with the State of New York and the City of Binghamton for reconstruction of the Government Plaza deck for the period August 1, 1996 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration thereof the County shall pay to the State of New York an amount not to exceed \$1,062,359 for the term of this agreement and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035113.2011.501218, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 341**

by FINANCE and EDUCATION, CULTURE, RECREATION  
COMMITTEES

Seconded by Mr. Miller

**RESOLUTION ADOPTING THE BUDGET FOR BROOME  
COMMUNITY COLLEGE FOR 1997 THROUGH 1998**

WHEREAS, Broome Community College receives funding from four major areas: Broome County Government and other sponsor's support; tuition; and State aid as well as miscellaneous revenue offset for its specific and general expenses, and

WHEREAS, New York State Law sets ceilings for tuition charges and State aid to ensure an equitable distribution of financial responsibility among sponsoring local government, students and State government, and

WHEREAS, pursuant to the Broome County Charter and Administrative Code, Article XXIII-a, Broome Community College has submitted a proposed budget for the year commencing September 1, 1997 and ending August 31, 1998, and

WHEREAS, on July 10, 1997, a public hearing was held on this proposed budget and the Budget Message submitted by the County Executive and copies of the proposed budget and the Budget Message

have been available for inspection and/or procurement for at least seven days prior to this hearing pursuant to this County's Charter and Administrative Code, now, therefore, be it

RESOLVED, that the proposed unrestricted Budget of Broome Community College, as corrected and amended in the amount of \$27,607,461 be and hereby is adopted for said Broome Community College for the year commencing September 1, 1997 and ending August 31, 1998, and be it

FURTHER RESOLVED, that Broome County shall provide \$4,850,393 as an appropriation for its annual contribution to the support of Broome Community College's operating budget, and be it

FURTHER RESOLVED, that the above adopted budget, as corrected and amended, is summarized as follows:

	Operating Budget Totals (unrestricted)
Appropriations:	27,607,461
Estimated Revenues:	
Misc. Offsets to Expenses	1,676,360
State Aid	7,982,920
Student Tuition	9,855,048
Sponsor's Tuition	
Broome's Contribution (Sponsor's Contribution)	4,850,393
Other Counties Chargebacks	1,678,551
Out-of-State Tuition	643,367
Appropriate Fund Bal.	<u>920,822</u>
Total Revenues:	\$27,607,461

and be it

FURTHER RESOLVED, that the Director of Budget and Research is hereby authorized, empowered and directed to correct any modifications, changes, and/or typographical errors, including additions, and to file same with the Clerk of the Broome County Legislature.

Mr. Pasquale moved to increase the County Share by \$364,818 in order to eliminate the increase in Student Tuition. Mr. Kavulich seconded the motion.

**The amendment failed.**

Ayes-7 Brunza, Harbachuk, Hull, Kavulich, Mather, Pasquale & Whalen

Nays-10 Augustini, Burger, Coffey, Howard, Hudak, Miller, Shafer, Sweet, Wike & Schofield

Absent-2 Lindsey, O'Day

Mr. Pasquale moved to **call the question**, seconded by Mr. Howard. The **call of the question carried**, Ayes-13, Nays-4 (Burger, Coffey, Kavulich, Mather), Absent-2 (Lindsey, O'Day).

The resolution **carried**, Ayes-17, Nays-0, Absent-2 (Lindsey, O'Day).

**RESOLUTION NO. 342**

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING REVISION OF STUDENT ASSISTANCE PREVENTION SERVICES PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997**

WHEREAS, this County Legislature, by Resolution 49 of 1997 as revised by Resolution 102 of 1997, authorized the continued participation by the Drug Awareness Center in the Student Assistance Prevention Services Program for the calendar year 1997 and adopted a program budget in connection therewith in the total amount of \$6,500.00, and

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

RESOLVED, that this County Legislature hereby authorizes a

revision of the Student Assistance prevention Services Program for the Drug Awareness Center for the period February 17, 1997 through August 31, 1997 in the total amount of \$9,634.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$9,634.00 for the period February 17, 1997 through August 31, 1997, and be it

FURTHER RESOLVED, that Resolution 49 of 1997, as revised by Resolution 102 of 1997, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 343**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES   Seconded by Mr. Miller  
**RESOLUTION AUTHORIZING AGREEMENT WITH STEPHENS SQUARE REALTY ASSOCIATES FOR BUILDING RENTAL AT 81 STATE STREET FOR THE SOUTHERN TIER REGIONAL CAREER CENTER (STRCC) FOR THE PERIOD JULY 1, 1997 THROUGH DECEMBER 31, 1998**

WHEREAS, the Office of Employment and Training requests authorization for an agreement with Stephens Square Realty Associates for building rental at 81 State Street for the Southern Tier Regional Career Center (STRCC) for the period July 1, 1997 through December 31, 1998, at a cost not to exceed \$108,000 annually, and

WHEREAS, said services are necessary to conduct the affairs of the Souther Tier Regional Career Center (STRCC), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stephen Square Realty Associates for building rental at 81 State Street for the Southern Tier Regional Career Center (STRCC), for the period July 1, 1997 through December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$108,000 annually for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized

shall be made from budget line various.4422.308044 and 308045 (Building and Land Rental), and be it

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

**Carried**, Ayes-18, Nays-0, Absent-1 (O'Day).

**RESOLUTION NO. 344**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING AND FINANCE COMMITTEES Seconded by Mr. Miller  
**RESOLUTION AUTHORIZING AN AMENDMENT TO THE SETTLEMENT AGREEMENT BETWEEN THE TOWN OF DICKINSON AND BROOME COUNTY DATED JUNE 18, 1993**

WHEREAS, the County and the Town of Dickinson (Town) entered into an agreement on June 18, 1993 to settle litigation regarding the proposed construction of the Public Safety Facility in the Town, and

WHEREAS, as part of the agreement, the parties thereto defined their rights and obligations with regard to marketing and selling the real property on Upper Front Street in the Town, commonly known as the Garden Plots, and

WHEREAS, the Town to date has not formally created an LDC for the purpose of exercising the rights under the agreement and the Town has not otherwise exercised its option to purchase the premises, and

WHEREAS, the County has entered into an agreement with Newman Development Group of Dickinson, LLC, to sell the Garden Plots which agreement is acceptable to the Town, and

WHEREAS, the County and the Town now desire to amend the agreement with regard to the Garden Plots as follows: 1) to provide that the development and marketing timetable is tolled during the pendency of the current offer to



purchase the Garden Plots; 2) to set forth the actual development timetable, and

WHEREAS, an outline of these terms is set forth in Exhibit "A" hereto, now, therefore, be it

RESOLVED, that this County Legislature authorizes an amendment to the above-referenced settlement agreement with the Town of Dickinson, and be it

FURTHER RESOLVED, that the terms of the amendment shall be as substantially provided in Exhibit "A" annexed hereto, 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 of purpose of this Resolution.

EXHIBIT "A"

AN OUTLINE OF TERMS OF THE AMENDMENT  
TO THE JUNE 18, 1993 SETTLEMENT AGREEMENT  
BETWEEN BROOME COUNTY AND THE TOWN OF DICKINSON

- 1)An acknowledgement of the fact that the Town has never exercised its option to purchase the property known as the Garden Plots;
- 2)An agreement to toll the development and marketing timetable set forth in the agreement from the date of the acceptance by the County of the Newman offer (or any other offer) to the date (if any) of notification to the Town by the County that the purchase offer is no longer valid;
- 3)An acknowledgement of the actual marketing and development timetable, as it currently stands, said timetable being as follows:

9/1/93                      County to retain appraiser

REGULAR SESSION OF JULY 17, 1997

1/1/95            Appraisal completed

7/1/95            County's marketing to commence

7/1/95-7/1/96 County has exclusive rights to market for one year

7/1/96-12/31/97 If County accepted no offers during one-year period, Town has 18 mos. to create LDC to exercise option to purchase. County continues to market until option exercised.

12/31/97-12/31/98    Town has one-year period to market land

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

Mr. Augostini moved, seconded by Mr. Pasquale, to **adjourn** at 5:40pm. The adjournment **carried**, by voice vote.