

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
WEDNESDAY, AUGUST 20, 1997**

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

Present-17, Absent-2 (Mrs. Coffey & Mr. Lindsey)(Mr. Wike, while not present for the roll call arrived at approximately 4:30 P.M.)

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.

APPROVAL OF MINUTES:

Mr. Miller moved, seconded by Mr. Brunza, that the minutes of the June 12, 1997 Special Session be approved as prepared and presented by the Clerk.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Lindsey & Wike)

Mr. Hull moved, seconded by Mr. O'Day, that the minutes of the July 8, 1997 Special Session be approved as prepared and presented by the Clerk.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Lindsey & Wike)

Mr. O'Day moved, seconded by Mr. Miller, that the minutes of the July 17, 1997 Regular Session be approved as prepared and presented by the Clerk.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Lindsey & Wike)

Mr. Shafer moved, seconded by Mr. Brunza, that the minutes of the August 12, 1997 Special Session be approved as prepared and presented by the Clerk.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Lindsey & Wike)

Mr. Schofield noted that the committee minutes from July 11, 1997

through August 14, 1997 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. Kavulich and seconded by Mr. Burger.

Carried. Ayes-16, Nays-0, Absent-3 (Coffey, Lindsey & Wike)

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 Jane R. Sweet to membership on Health Advisory Board.
- 2.Nominating Gary Corey to membership on Airport Advisory Board.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

PETITIONS: NONE

COMMUNICATIONS:

- 1.Minutes from:
 - a.Soil and Water Conservation District
 - b.EMC Solid Waste Committee
 - c.Industrial Development Agency (minutes and various materials)
- 2.Broome Community College Adopted Budget for 1997-1998

COMMUNICATIONS (continued):

- 3.Resolution from Essex County (In Opposition to H.R. 971 -The Northern Forest Stewardship Act)

- NOTICES: 1. Michael A. Homza (Administrator for estate of James J. Homza, Sr.) against Broome County
2. Dennis R. Brandt vs. County of Broome

REPORTS:

1. 1996 Annual Report
 - a. Office of the Sheriff
 - b. Division of Solid Waste Management
 - c. Division of Information Services
2. Ross Park Zoo (January through June 1997)
3. Broome County Arts Council (January through June 1997)
4. Monthly Reports:
 - a. Broome Community College (Above Minimum Hires and Budget Transfers, June 1997)
 - b. Department of Social Services (April and May 1997)
5. Second Quarterly Report of 1997 Sales Tax Collections.
6. Department of Public Works: Quarterly Report and Department Report).
7. Copy of resignation letter from Richard A. Hogan, Broome County Clerk.
8. County Law Department: Per Resolution 95-222, no expended funds for expert witness fees (ending June 30, 1997).
9. Department of Social Services: Per Resolution 96-402, receipt of additional HEAP funds.
10. Letter from KPMG Peat Marwick LLP regarding 1996 Audit.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE:

Letters from the Chair, Daniel A. Schofield:

1. Appointing the following Legislators as voting representatives for Wayne L. Howard:
 - a. Louis P. Augustini, Finance Committee, July 15, 1997.
 - b. Brian K. Mather, County Administration, Economic Development and Planning Committee, July 15, 1997.

Mr. Brunza moved, seconded by Mr. Burger 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. Ayes-16, Nays-0, Absent-3 (Coffey, Lindsey & Wike)

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

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

Mr. Brunza seconded the 'Preferred Agenda.'

Mr. Kavulich requested the 'Privilege of the Floor' for Marion Percik who wished to address the Legislature concerning sewage from the Public Safety Facility entering Cutler Pond in the Town of Dickinson. The 'Privilege' was **not granted**.

Ayes-5 Brunza, Harbachuk, Kavulich, Pasquale & Whalen

Nays-11 Augostini, Burger, Howard, Hudak, Hull, Mather, Miller,

O'Day, Shafer, Sweet & Schofield.

Absent-3 Coffey, Lindsey & Wike

RESOLUTIONS TABLED FROM PREVIOUS SESSION OF JULY 17, 1997:

RESOLUTION NO. 230

by Public Works Committee

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

Mrs. Hudak moved, seconded by Mr. Burger to **table** the resolution.

The tabling **carried.** Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 231

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**

Mrs. Hudak moved, seconded by Mr. Pasquale to table the resolution.
The tabling **carried**. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

**RESOLUTION RECALLED FOR RECONSIDERATION FROM
THE SESSION OF JULY 17, 1997:**

Mr. Mather moved, seconded by Mr. Shafer to **recall** Resolution No.
301. The recall for reconsideration **carried**. Ayes-17, Nays-0, Absent-2
(Coffey & Lindsey)

RESOLUTION NO. 301

by FINANCE COMMITTEE

Seconded by Mr. Miller

**RESOLUTION APPROVING SALE OF 1993 IN REM
FORECLOSURE PROPERTIES TO FORMER OWNERS**

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

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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.

Mr. Mather moved, seconded by Mr. Miller to remove the following line from the list:

Union 3H8-Y-16 Mark Bennett \$16,262.32

The removal **carried**. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

The revised list is as follows:

| <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 |
| Windsor | 182.02-1-4 | Joseph and June Bonczek | \$7,902.94 |
| Windsor | 181.04-1-29 | James and Mary Jones | \$2,510.18 |

Mr. Shafer moved, seconded by Mr. Wike to **call the question** on the resolution as amended. The call of the question **carried**.

Ayes-14, Nays-3 (Brunza, Kavulich & Whalen, Absent-2 (Coffey & Lindsey)

The resolution as amended **carried**. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTIONS HELD OVER FROM PREVIOUS SESSION OF JULY 17, 1997:

RESOLUTION NO. 310A (heldover by Mr. Mather)
by Finance Committee

AUTHORIZING SALE OF COUNTY PROPERTY OF THE 1997 TAX SALE AUCTION (1993 IN REM FORECLOSURE)

WHEREAS, the County of Broome now owns real property at Tax Map No. 3-H8-Y-16 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 said property 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 rejects the following bid in as much as authorization had previously been granted to sell the property to the former owner as follows: Town of Union, Tax Map No. 3-H8-Y-16, Susan O'Connor, 10 Theresa Boulevard, Binghamton, NY 13901, for the amount of \$51,000 in the 1997 Broome County tax sale.

Mr. Schofield moved, seconded by Mr. Pasquale to **table** this resolution to the September 18th. Regular Session of the Broome County Legislature.

The tabling **carried**. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 315 (heldover by Mr. Miller)

by Public Works Committee

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

Mr. Miller moved, seconded by Mr. Brunza to **table** this resolution.

The tabling **carried**. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTIONS INTRODUCED AT THIS SESSION:

RESOLUTION NO. 346

by PUBLIC WORKS, TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Hull

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC.,

FOR CONSULTANT ENGINEERING SERVICES FOR REMOVAL OF UNDERGROUND TANKS AT THE BROOME COUNTY TRANSIT GARAGE.

WHEREAS, this County Legislature, by Resolutions 263 and 491 of 1996 and 28 of 1997, authorized an agreement with O'Brien & Gere Engineers, Inc., for consultant engineering services for removal of underground tanks at the Broome County Transit Garage at a cost of \$30,500, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the amount and term to provide for additional groundwater investigation pursuant to the Stipulation Agreement with the Department of Environmental Conservation, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York, 13850, for consultant engineering services for the period October 1, 1996 through September 30, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional \$21,045.00, total amount of contract not to exceed \$51,545.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 225011.4746.501306 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolutions 263 and 491 of 1996 and 28 of 1997 to the extent consistent herewith, shall remain in full force and effect, and be it

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

purpose of this Resolution.

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 347

by COMMUNITY & SOCIAL SERVICES and FINANCE
COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) SUBSIDY PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 352 of 1996, as amended by companion resolution, authorized and approved the renewal of the USDA Subsidy Program Grant and adopted a program budget in the amount of \$195,049 for the period October 1, 1996 through September 30, 1997, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1997 through September 30, 1998, in the amount of \$159,777, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$159,777 from the United States Department of Agriculture (USDA) 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 total amount of \$159,777 for the period October 1, 1997 through September 30, 1998, and be it

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

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 348

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

RESOLUTION AUTHORIZING REVISION OF UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) SUBSIDY PROGRAM GRANT FOR OFFICE FOR AGING AND

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

WHEREAS, this County Legislature, by Resolution 352 of 1996, authorized and approved the renewal of the USDA Subsidy Program Grant and adopted a program budget in the amount of \$151,504 for the period October 1, 1996 through September 30, 1997, and

WHEREAS, it is necessary to revise said grant program to reflect an increase in appropriations for the period October 1, 1996 through September 30, 1997, in the amount of \$195,049 now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$195,049 from the United States Department of Agriculture (USDA) for the period October 1, 1996 through September 30, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$195,049 for the period October 1, 1996 through September 30, 1997, and be it

FURTHER RESOLVED, that Resolution 352 of 1996 to the extent consistent herewith shall continue in full force and effect, and be it

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

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

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 349

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF SOCIAL INTEGRATION FOR THE BLIND GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 318 of 1996, authorized and approved the renewal of the Social Integration for the Blind Grant and adopted a program budget in the amount of \$7,530.00 for October 1, 1996 through September 30, 1997, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1997 through September 30, 1998, in the amount of \$7,530.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$7,530.00 from the State of New York Department of Social Services 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 total amount of \$7,530.00 for the period October 1, 1997 through September 30, 1998, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to extend the terms of

the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 350

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT FOR OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 260 of 1997 authorized and approved the continued participation of the Office for Aging in the Home Energy Assistance Program (HEAP) Grant Program and adopted a program budget in the amount of \$16,231 for the period October 1, 1996 through September 30, 1997, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1997 through September 30, 1998, in the amount of \$13,866, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$13,866 from the New York State Department of Social Services 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 total amount of \$13,866 for the period October 1, 1997 through September 30, 1998, and be it

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

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 351

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

RESOLUTION AUTHORIZING AGREEMENT WITH ANDY WALKER'S AUCTIONS UNLIMITED FOR AUCTIONEERING SERVICES FOR THE PURCHASING DIVISION, FOR ANNUAL AUCTION SCHEDULED FOR SEPTEMBER 13, 1997, AT GRIPPEN PARK IN ENDICOTT, NEW YORK AND RELATED SERVICES.

WHEREAS, the Purchasing Division requests authorization for an agreement with Andy Walker's Auctions Unlimited for auctioneering services for the annual auction of surplus supplies, equipment, materials and vehicles on September 13, 1997, at a cost of \$800 for expenses and 5.5 percent of the auctioneer's gross receipts, exclusive of sales taxes, for Broome County Government, and

WHEREAS, all political subdivisions of Broome County shall be eligible to offer surplus supplies, materials, equipment and vehicles for sale at the auction, and

WHEREAS, all political subdivisions, including Broome Community College, shall pay a fee of 8 percent of the auctioneer's gross receipts attributable to its property, exclusive of sales taxes, with 5.5 percent of said fee payable to auctioneer and 2.5 percent to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Andy Walker's Auctions, Unlimited, 134 Elaine Drive, Binghamton, New York, 13905, for auctioneer services for the September 13, 1997, auction, and be it

FURTHER RESOLVED, that in consideration of auction services, the Contractor shall retain \$800 for advertising, mailing and other expenses, plus 5.5 percent of the auctioneer's gross receipts for the term of this agreement, and be it

FURTHER RESOLVED, that Andy Walker's Auctions Unlimited will pay the Broome County Parks Department, from auction proceeds, an amount not to exceed \$500 for clean up and tipping fees, and be it

FURTHER RESOLVED, the revenue received from the auctions shall be credited to 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-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 352

by FINANCE COMMITTEE

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH ALLEN TUNNELL CORPORATION FOR THE PURCHASE OF SOFTWARE AND CONSULTING SERVICES FOR THE TAKING AND PROCESSING OF RECEIPTS OF PROPERTY TAX BILLS FOR THE DEPARTMENT OF FINANCE.

WHEREAS, the Director of Finance requests authorization for an

agreement with Allen Tunnell Corporation for the purchase of software and consulting services for the taking and processing of receipts of property tax bills, at a cost not to exceed \$8,500.00, and

WHEREAS, said services are necessary to provide effective tax collection services for the Pilot Tax Collection Program between Broome County and the Town of Union, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Allen Tunnell Corporation, 1043 Upper Front Street, Binghamton, New York, 13905, for the purchase of software and consulting services for the taking and processing of receipts of property tax bills, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$8,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 340000.4359.101000 (Computer Software and Supplies), and be it

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

Carried. Ayes-16, Nays-1 (Sweet), Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 353

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING MODIFICATION OF AGREEMENT WITH THE LAW OFFICES OF BURR & REID FOR COLLECTION SERVICES IN CONNECTION WITH RECOVERING COSTS OF PUBLIC ASSISTANCE OVERPAYMENTS

WHEREAS, New York's Codes, Rules, and Regulations authorizes

a local social services district to contract for legal services pertaining to recovering costs of public assistance overpayments, and

WHEREAS, due to the complexity of administering public assistance programs local social services departments, including Broome County's Department of Social Services, are subjected to fraudulent practices in the public assistance application process as well as practices that result in public assistance overpayments, and

WHEREAS, the Law Offices of Burr & Reid specializes in collection and litigation services and is ready, willing, and able to perform such services for the Broome County Department of Social Services as an enhancement to Social Services' current recovery programs, and

WHEREAS, this County Legislature previously authorized an agreement with the Law Offices of Burr & Reid, 400 Plaza Drive, P.O. Box 2038, Binghamton, New York 13902, by Resolution 396 of 1994, for collection and litigation services in connection with non-recoupment recoveries of costs of public assistance for the Broome County Department of Social Services not to exceed 25% of amounts recovered through collection efforts for a one year term with three options to renew, which such options to renew provides for agreements from October 12, 1997 through October 11, 1998, and

WHEREAS, to continue such collection efforts, the Law Offices of Burr & Reid have found it necessary to increase their fee as a result of the complexity in administering the collection of public assistance overpayment referrals, and

WHEREAS, the aforesaid agreement has proven to be successful and Broome County's Department of Social Services requests three additional options to renew be authorized, through October 11, 2001, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a modification of the agreement with the Law Offices of Burr & Reid, 400 Plaza Drive, P.O. Box 2038, Binghamton, New York 13902, to provide for payment to the Contractor of a sum not to exceed 25% for amounts

recovered prior to the commencement of legal action and 35% for amounts recovered after commencement of legal action, not including recoupment amounts, for the period October 12, 1997 through October 11, 1998, with the option to renew to provide for agreements through October 11, 2001, and be it

FURTHER RESOLVED, that said fees shall be paid from budget line 670081.4736.103000 (Legals Charges and Fees), and be it

FURTHER RESOLVED, that the County Executive, the Commissioner of Social Services, or their duly authorized representatives, are hereby authorized to execute any such papers, documents, or contracts approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Held over under the 'Rules' by Mr. Hull.

RESOLUTION NO. 354

by FINANCE AND HEALTH SERVICES COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH DELOITTE & TOUCHE, L.L.P., FOR AUDITING SERVICES FOR THE WILLOW POINT NURSING FACILITY FOR 1997.

WHEREAS, this County Legislature, by Resolution 83 of 1997, authorized an agreement with Deloitte & Touche, L.L.P., for auditing services for the Willow Point Nursing Facility for the period February 1, 1997 through December 31, 1997 at a cost not to exceed \$10,000.00, and

WHEREAS, it is necessary at this time to amend said agreement to reflect an increase in the cost based upon the unanticipated complexity of services to be provided, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment of the agreement with Deloitte & Touche, L.L.P., 2200 Chase Square, Rochester, New York, 14604-1998, for auditing services, for the period February 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 \$14,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that Resolution 83 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.

Carried. Ayes-16, Nays-1 (Pasquale), Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 355

by TRANSPORTATION and FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC TRANSPORTATION TO APPLY FOR FEDERAL SECTION 18 OPERATING ASSISTANCE AWARD FOR BC COUNTRY FOR 1997.

WHEREAS, the Department of Public Transportation has submitted a request for a grant of funds to the New York State Department of Transportation and the United States Department of Transportation, pursuant to Section 18 of the Urban Mass Transportation Act of 1964, as amended, for a project to provide public mass transportation service on a continuing basis for the operation of BC Country, a curb-to-curb, dial a ride transportation service provided for residents of the non-urbanized portion of Broome County for 1997, and

WHEREAS, the Department of Public Transportation and the State of New York have entered into a continuing agreement for a ten year period which authorizes the undertaking of the Project and payment of the Federal share, identified as State contract C002353, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the submission of the grant application for funds from the United States

Department of Transportation pursuant to Section 18 of the Urban Mass Transportation Act of 1964, and be it

FURTHER RESOLVED, that the County Executive is authorized to act on behalf of Broome County to sign the annual grant application and to progress and complete the above-named project, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 356

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING & FINANCE COMMITTEES

Seconded by Mr. Howard

RESOLUTION AUTHORIZING AGREEMENT WITH PITNEY BOWES, INC. FOR RENTAL OF A SPECTRUM FOLDER/INSERTING SYSTEM FOR VARIOUS COUNTY DEPARTMENTS FOR 1997 THROUGH 2001.

WHEREAS, the Director of Information Technology requests authorization for an agreement with Pitney Bowes, Inc., for rental of a Spectrum Folder/Inserter System for use by various County Departments for the calendar year 1997 through 2001, at a cost not to exceed \$444.02 per month for the first three months and \$595.02 per month for the remaining thirty-six months, and

WHEREAS, said services are necessary to fold and insert bulk mailings by various County Departments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Pitney Bowes, Inc., P. O. Box 308, 119 Rano Boulevard, Vestal, New York 13851, for the rental of a Spectrum Folder/Inserter System for use by various County Departments for the folding and inserting of bulk mailings, for the period 12/1/97 through 2/28/01, and

be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$444.02 per month for the first three months and \$595.02 per month for the remaining thirty-six months for the term of this agreement, total cost not to exceed \$22,752.78 and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 340000.4419.101000 and 370007.4419.101000 (General Office Expenses), and be it

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

Held over under the 'Rules' by Mr. Pasquale.

RESOLUTION NO. 357

by PUBLIC WORKS and FINANCE COMMITTEES Seconded by Mr. Wike

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC., FOR ENVIRONMENTAL ENGINEERING SERVICES IN CONNECTION WITH DEMOLITION OF THE JAIL BARRACKS AND SHOOTING RANGE REMEDIATION FOR 1996 THROUGH 1998.

WHEREAS, this County Legislature, by Resolutions 320 of 1996 and 157 of 1997, authorized an agreement with O'Brien & Gere Engineers, Inc., for environmental engineering services in connection with the demolition of the Broome County Jail Barracks at a cost of \$113,153, and

WHEREAS, it is necessary to authorize the amendment of said agreement because of additional costs associated with lead abatement engineering services for the jail demolition and also further investigation and remediation design for lead abatement of the soils at the former

Sheriff's Shooting Range and asbestos abatement air testing, and

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

RESOLVED, this County Legislature authorizes amendment of an agreement with O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York, 13850, for environmental engineering services in connection with the demolition of the Broome County Jail Barracks for the period September 3, 1996 through May 1, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$53,052, the total amount not to exceed \$166,205, 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 Resolutions 320 of 1996 and 157 of 1997, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Held over under the 'Rules' by Mr. Wike.

RESOLUTION NO. 358

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF STUDENT ASSISTANCE PREVENTION SERVICES PROGRAM GRANT FROM THE SUSQUEHANNA VALLEY SCHOOL DISTRICT AND ADOPTING A PROGRAM BUDGET IN CONNECTION

THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 49 of 1997, as revised by Resolution 102 of 1997, authorized and approved the acceptance of a Student Assistance Prevention Services Program Grant from the Susquehanna Valley School District and adopted a program budget in the amount of \$6,500 for the period February 17, 1997 through June 30, 1997 and

WHEREAS, said grant program provides student assistance prevention services at the Susquehanna Valley School District, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1997 through June 30, 1998 in the amount of \$16,138, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$16,138 from the Susquehanna Valley School District for the period September 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 \$16,138 for the period September 1, 1997 through June 30, 1998, and be it

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

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 359

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY DRUG AWARENESS CENTER STUDENT ASSISTANCE PROGRAM GRANT FROM THE UNION-ENDICOTT SCHOOL DISTRICT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 325 of 1996, authorized and approved the operation of the Broome County Drug Awareness Center Student Assistance Program for the Union-Endicott School District for the period September 1, 1996 through August 31, 1997, and adopted a program budget in the amount of \$29,650, and

WHEREAS, it is desired to renew said grant for the period September 1, 1997 through July 31, 1998, in the amount of \$29,650,

now therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with and approves acceptance of \$29,650 from the Union-Endicott School District for the Broome County Drug Awareness Center Student Assistance Program for the period September 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 \$29,650 for the period September 1, 1997 through July 31, 1998, and be it

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

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 360

by HEALTH SERVICES, PERSONNEL and FINANCE
COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF STUDENT ASSISTANCE PROGRAM GRANT FROM DEPOSIT CENTRAL SCHOOL DISTRICT FOR THE DRUG AWARENESS CENTER AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 326 of 1996, authorized renewal of the Student Assistance Program Grant from Deposit Central School District for the Drug Awareness Center and adopted a program budget in the amount of \$55,685 for the period September 1, 1996 through June 30, 1997, and

WHEREAS, said grant program provides student assistance programs and counseling services for grades K-12, and

WHEREAS, it is desired to renew said grant for the period September 1, 1997 through June 30, 1998, in the amount of \$54,500, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with and approves acceptance of \$54,500 from the Deposit Central School District for the Student Assistance Program for the period September 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 \$54,500 for the period September 1, 1997 through June 30, 1998, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to extend the terms of

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the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 361

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JOHN MACE FOR JOB TRAINING SERVICES, WRITING AND MONITORING ON THE JOB TRAINING CONTRACTS FOR THE OFFICE OF EMPLOYMENT AND TRAINING SOUTHERN TIER CAREER CENTER FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 395 of 1996, authorized an agreement with John Mace for job training services, and writing and monitoring On the Job Training contracts for the Office of Employment and Training Southern Tier Career Center for July 1, 1996 through June 30, 1997, at a cost not to exceed \$20,000, plus mileage, and

WHEREAS, said services assist the current staff of Broome County Office of Employment and Training, Broome County Office for Aging, and Broome County Office of Mental Health currently staffing the Southern Tier Regional Career Center by providing enhanced job placement services and On the Job Training contracting expertise, and

WHEREAS, said agreement expired by its terms on June 30, 1997, and it is desired at this time to renew said agreement for the period July 1, 1997 through

June 30, 1998, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with John Mace, 81 State Street, Binghamton, New York, 13901, for job training and related services for the Office of Employment and Training Southern Tier Career Center, 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 \$10,000, plus mileage, for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 720730.4542.308072 and 720730.4542.308063 (Contracted Training), and be it

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 362

by TRANSPORTATION AND FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH MCFARLAND-JOHNSON INC., FOR THE DEVELOPMENT OF PLANS AND SPECIFICATIONS FOR THE PASSENGER TERMINAL REFURBISHMENT PROJECT FOR THE BINGHAMTON REGIONAL AIRPORT FOR 1997-1998.

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with McFarland-Johnson, Inc., for the development of plans and specifications for the Passenger Terminal Refurbishment Project for 1997-1998, at a cost not to exceed \$999,620 and

WHEREAS, said services are necessary to refurbish the Airport's

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Passenger Terminal Facility which suffers from serious functional and operating inefficiencies, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., 171 Front Street, P.O. Box 1980, Binghamton, New York 13902, for the development of plans and specifications for the Passenger Terminal Refurbishment Project, for the one year term of this agreement, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$999,620 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211029.2011.502295 (Improvements/Alterations), 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 (Coffey & Lindsey)

RESOLUTION NO. 363

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL AND FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING THE OFFICE OF EMERGENCY SERVICES TO PROVIDE DISPATCH SERVICES TO THE VILLAGE OF ENDICOTT FIRE DEPARTMENT AND UNION VOLUNTEER EMERGENCY SQUAD.

WHEREAS, the Director of Emergency Services requests authority to provide dispatch services to the Village of Endicott Fire Department and the Union Volunteer Emergency Squad, effective immediately, and

WHEREAS, it is projected that providing such service to the Village of Endicott Fire Department will increase annual call volume by approximately 1,000 emergency calls and that providing such service to the Union Volunteer Emergency Squad will increase call volume by approximately 5,000 calls, for a total increase of 6,000 emergency calls, and

WHEREAS, such an increased call volume will necessitate the addition of two Emergency Services Dispatchers and one Senior Emergency Services Dispatcher, as is provided in a companion resolution to authorize Position Change Requests and a Budget Transfer to cover the cost thereof for the balance of 1997, and

WHEREAS, the providing of emergency services dispatch services for the Village of Endicott Fire Department and the Union Volunteer Emergency Squad will advance the cause of increased consolidation of municipal services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Office of Emergency Services to provide emergency dispatch services for the Village of Endicott Fire Department and the Union Volunteer Emergency Squad for an indefinite period, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Village of Endicott and Union Volunteer Emergency Squad to provide such service without charge to the Village of Endicott or Union Volunteer Emergency Squad, and be it

FURTHER RESOLVED, that the cost thereof shall be paid from budget line 46006.1000.101000, 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 (Coffey & Lindsey)

RESOLUTION NO. 364

by HEALTH SERVICES, PERSONNEL and FINANCE
COMMITTEES Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF HEALTH
DEPARTMENT COMMUNITY TRAFFIC SAFETY PROGRAM
AND ADOPTING A PROGRAM BUDGET IN CONNECTION
THEREWITH FOR 1997 THROUGH 1998.**

WHEREAS, this County Legislature, by Resolution 25 of 1997 as revised by companion Resolution, authorized and approved the Health Department Community Traffic Safety Program and adopted a program budget in connection therewith in the amount of \$25,911 for the period March 1, 1997 through September 30, 1997, and

WHEREAS, said grant program supports local programs which reduce morbidity and mortality associated with traffic related accidents, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1997 through September 30, 1998, in the amount of \$50,000.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000.00 from the Governor's Traffic Safety Committee, NYS Department of Motor Vehicles for the Health Department Comprehensive Traffic Safety Program 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 total amount of \$50,000.00 for the period October 1, 1997 through September 30, 1998, and be it

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

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 365

by HEALTH SERVICES AND FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING ACCEPTANCE OF COMMUNITY-BASED DIABETES SERVICES PROGRAM GRANT FOR DIABETES DETECTION AND EDUCATION SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1999.

WHEREAS, the Acting Director of the Department of Health requests authorization to accept a Community-Based Diabetes Services Program Grant in the amount of \$10,000 for the period September 1, 1997 through June 30, 1999, and

WHEREAS, said grant program provides community-based diabetes detection and education services programming, now, therefore,

be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$ 10,000 from the Diabetes Control Program, New York State Department of Health, Corning Tower, Empire State Plaza, Albany, New York 12237, for the period September 1, 1997 through June 30, 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$ 10,000 for the period September 1, 1997 through June 30, 1999, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered 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-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 366

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING REVISION OF HEALTH DEPARTMENT COMMUNITY TRAFFIC SAFETY PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997.

WHEREAS, this County Legislature, by Resolutions 375 of 1995, 99 of 1996 and 25 of 1997, authorized the continued participation by the Health Department in the Community Traffic Safety Program for the period March 1, 1997 through February 28, 1998 and adopted a program budget in connection therewith in the total amount of \$33,642, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in grant appropriations, and to revise the period of the grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Community Traffic Safety Program for the period March 1, 1997 through September 30, 1997 in the total amount of \$25,911, 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 \$25,911 for the period March 1, 1997 through September 30, 1997, and be it

FURTHER RESOLVED, that Resolution 25 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 within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Carried. Ayes-16, Nays-1 (Augostini), Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 367

by COMMUNITY & SOCIAL SERVICES and FINANCE
COMMITTEES

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF BINGHAMTON
UNIVERSITY MASTERS DEGREE PROGRAM GRANT FOR
1997 THROUGH 1998.**

WHEREAS, this County Legislature, by Resolution 400 of 1996, authorized and approved the Binghamton University Masters Degree Program grant for the Department of Social Services in the amount of \$133,644 for the period August 23, 1996 through August 22, 1997, and

WHEREAS, said grant program provides for selected Department of Social Services employees to enroll on a part-time basis in the Master of Arts in Public Administration (MPA) Program at Binghamton University, and

WHEREAS, said program is funded by State grant funds at no cost to Broome County, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1997 through August 31, 1998, in the amount of \$140,289, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$140,289 from New York State Department of Social Services for the Masters Degree Program at Binghamton University for Department of Social Services employees for the period September 1, 1997 through August 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 \$140,289 for the period September 1, 1997 through August 31, 1998, and be it

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

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 368

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF BINGHAMTON UNIVERSITY BACHELOR OF ARTS DEGREE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 546 of 1996 authorized the acceptance of a Bachelor of Arts Degree Program Grant in the amount of \$47,081 for the period September 1, 1996 through August 31, 1997, by the Department of Social Services; and

WHEREAS, said grant program provides for selected Department of Social Services employees to enroll on a part-time basis in the

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Bachelor of Arts in Applied Social Sciences Program at Binghamton University, and

WHEREAS, it is desired to renew said grant program, at no cost to Broome County, for the period August 1, 1997 through July 31, 1998, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$47,217 from New York State Department of Social Services for the Bachelor of Arts Degree Program at Binghamton University 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 \$47,217 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 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.

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 369

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF FEDERAL EVENSTART FAMILY LITERACY PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES THROUGH THE BINGHAMTON CITY SCHOOL DISTRICT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 448 of 1996, authorized and approved the Federal Even Start Family Literacy Program Grant through the Binghamton City School District and adopted a program budget in the amount of \$35,184 for the period September 1, 1996 through August 31, 1997, and

WHEREAS, said grant program provides assessment, employability planning, and case management services to families in need of literacy programs, and

WHEREAS, it is necessary at this time to renew said grant program for the period September 1, 1997 through August 31, 1998 in the amount of \$35,184, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$35,184 from the Federal Even Start Family Literacy Program for the period September 1, 1997 through August 31, 1998, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the program budget annexed hereto as Exhibit "A" in the total amount of \$35,184 for the period September 1, 1997 through August 31, 1998, and be it

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

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purpose of this Resolution, and be it

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 370

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID MANAGED CARE (MAX) PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 23 of 1997, authorized the continued participation by the Department of Social Services in the Medicaid Managed Care (MAX) program for the period April 1, 1996 through March 31, 1997, and adopted a program budget therewith in the total amount of \$82,898.70, and

WHEREAS, it is desired to renew said program for the period April 1, 1997 through March 31, 1998, in the amount of \$7,000.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a renewal of the Medicaid Managed Care (MAX) Program for the Department of Social Services for the period April 1, 1997 through March 31, 1998, in the total amount of 7,000.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the program budget annexed hereto as Exhibit "A" in the total amount of \$7,000.00 for the period April 1, 1997 through March 31, 1998, and be it

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

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 371

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Brunza

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

WHEREAS, this County Legislature, by Resolution 105 of 1989, as amended by subsequent resolutions, the last being Resolution 249 of 1997, authorized the continued participation in the Ongoing Child Abuse Prevention and Education Grant Program and adopted a program budget in connection therewith in the total amount of \$96,834.30, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Ongoing Child Abuse Prevention and Education Grant Program in the total amount of \$98,660.05, 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 \$98,660.05, and be it

FURTHER RESOLVED, that Resolution 249 of 1997, and all subsequent resolutions, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 372

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTH DEPARTMENT WOMEN, INFANTS AND CHILDREN (WIC) PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolutions 434 of 1995, 160 and 310 of 1996, authorized and approved the Health Department Women, Infants and Children (WIC) Program Grant and adopted a program budget in the amount of \$807,508 for the period October 1, 1996 through September 30, 1997, and

WHEREAS, said program grant is a special supplemental food program for women, infants and children, and

WHEREAS, it is desired to renew said program grant for the period October 1, 1997 through September 30, 1998, in the amount of \$740,631, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Health Department Women, Infants and Children (WIC) Program 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 total amount of \$740,631 for the period October 1, 1997 through September 30, 1998, and be it

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

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

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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", provided that said budget transfers do not affect a personnel line.

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 373

by TRANSPORTATION AND FINANCE COMMITTEES Seconded by Mr. Brunza

RESOLUTION AUTHORIZING A MASS TRANSPORTATION CAPITAL PROJECT AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR SEVERAL TRANSIT PROJECTS.

WHEREAS, the Acting Commissioner of Transportation has requested authority to enter into a Mass Transportation Capital Project Agreement with respect to the following projects for the Broome Transit public transportation program:

| <u>PIN</u> | <u>Project</u> | <u>Total</u> | <u>Federal</u> | <u>State</u> | <u>Local</u> |
|------------|------------------------------------|--------------|----------------|--------------|--------------|
| | | <u>Cost</u> | <u>Share</u> | <u>Share</u> | <u>Share</u> |
| 9820.33 | ADA Paratransit Scheduling Project | \$100,000 | \$80,000 | \$10,000 | \$10,000 |
| 9820.43 | Replacement of Garage HVAC System | \$80,000 | ----- | \$80,000 | ---- |
| 9820.44 | Refurbishment of Transit Facility | \$83,000 | ----- | \$83,000 | ---- |

| <u>PIN</u> | <u>Project</u> | <u>Total</u> | <u>Federal</u> | <u>State</u> | <u>Local</u> |
|------------|--|--------------|----------------|--------------|--------------|
| | | <u>Cost</u> | <u>Share</u> | <u>Share</u> | <u>Share</u> |
| 9820.45 | Replacement of Coin --- Counting Machine | \$ 7,000 | ----- | | \$ 7,000 --- |
| 9820.46 | Radio Equipment | \$64,000 | | \$51,200 | \$ 6,400 \$ |
| 9820.47 | Electronic \$28,000 Fareboxes | \$280,000 | | \$224,000 | \$28,000 |

and,

WHEREAS, certain of these projects are eligible for funding under Title 23, United States Code, as amended, that calls for the apportionment of the costs thereof to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, State Mass Transportation Capital aid is available to fund the non-federal aid-eligible portion of projects approved by the Commissioner of Transportation, provided such State funds shall not be used in substitution for the non-federal share of the federally funded portion thereof, and

WHEREAS, this County Legislature desires to advance said projects, now, therefore, be it

RESOLVED, that the County Executive of the County of Broome be and is hereby authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or State Mass Transit Capital Aid on behalf of Broome County with the New York State Department of Transportation in connection with the

advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it

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

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 374

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH THE VILLAGE OF ENDICOTT FOR THE LEASE OF REAL PROPERTY FOR THE INSTALLATION AND MAINTENANCE OF A RADIO TRANSMITTER TOWER.

WHEREAS, the Village of Endicott is willing to lease to the County of Broome a portion of Village owned property on the Twist Run water tower site, Tax Map No. 3-B7-3-S1, 375 Twist Run Road, Town of Union, to permit the County to install a radio transmitter tower and accompanying transmitter building on said property, and

WHEREAS, as consideration for this lease the County will provide the Village of Endicott tower space for the radio antennas at no cost to the Village, and

WHEREAS, the construction of this radio tower will provide better radio coverage for Emergency Services in the Western part of Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Village of Endicott, 1009 East Main Street, Endicott, New York 13760, for the lease of a portion of Village owned property located off Twist Run Road, said property being the Twist Run water tower site at 375 Twist Run Road, Tax Map No. 3-B7-3-S1 for the purpose of installing a radio transmitter tower and transmitter building for the County of Broome, and be it

FURTHER RESOLVED, that in consideration of said lease the County will provide the Village tower space for their radio antennas at no cost to the Village, 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 (Coffey & Lindsey)

RESOLUTION NO. 375

by TRANSPORTATION COMMITTEE Seconded by Mr. Brunza

RESOLUTION CONFIRMING APPOINTMENT OF GARY COREY TO MEMBERSHIP ON THE BROOME COUNTY AIRPORT ADVISORY BOARD

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution 195 of 1987, has duly designated and appointed Gary Corey, pending confirmation by this Legislature, to membership on the Broome County Airport Advisory Board, for a term expiring December 31, 1999, and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 195 of 1987, does hereby confirm the

appointment of Gary Corey to membership on the Broome County Airport Advisory Board in accordance with his appointment by the County Executive.

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 376

by PERSONNEL, HEALTH SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE WILLOW POINT NURSING FACILITY

RESOLVED, that in accordance with a request from the Administrator of WPNF, as contained in PCR#97-330, this County Legislature hereby authorizes the reclassification of 1 FT Custodial Worker at budget line 160143.1000.204000, minimum salary \$14,725, grade 06, to 1 FT Assistant Housekeeping Supervisor, at budget line 160143.1000.204000, minimum salary \$19,245, grade 11, effective date 8/11/97, and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of WPNF, as contained in PCR#97-331, this County Legislature hereby authorizes the reclassification of 1 FT Housekeeper at budget line 160143.1000.204000, minimum salary \$19,245, grade 11, to 1 FT Housekeeping Supervisor, at budget line 160143.1000.204000, minimum salary \$23,380, grade 14, effective date 8/11/97.

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 377

by FINANCE, PERSONNEL and PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING BUDGET TRANSFER AND

PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT OF EMERGENCY SERVICES

RESOLVED, that in accordance with a request from the Director of Emergency Services, as contained in PCR#97-333, this County Legislature hereby authorizes the creation of (2) Full Time Emergency Services Dispatchers at budget line 460006.1000.101000, minimum salary \$22,600 grade 14, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Emergency Services, as contained in PCR#97-334, this County Legislature hereby authorizes the creation of (1) Full Time Senior Emergency Services Dispatcher at budget line 460006.1000.101000, minimum salary \$28,963 grade 18, and be it

FURTHER RESOLVED, that the following transfer, BT 009238 will fund the requested position.

| | <u>Index Code</u> | <u>Sub-object</u> | <u>Project Code</u> | <u>Title</u> | <u>Amount</u> |
|-------|-------------------|-------------------|---------------------|------------------|---------------|
| FROM: | 900084 | 4752 | 101000 | Contingency | |
| | | | | | \$29,007 |
| TO: | 460006 | 1000 | 101000 | Salaries – FT | |
| | | | | | \$23,051 |
| | 460006 | 8010 | 101000 | State Retirement | \$ |
| 807 | | | | | |
| | 460006 | 8030 | 101000 | Social Security | \$ |
| 1,763 | | | | | |
| | 460006 | 8050 | 101000 | Life Insurance | |
| \$ 66 | | | | | |
| | 460006 | 8060 | 101000 | Health Insurance | \$ |
| 3,260 | | | | | |
| | 460006 | 8063 | 101000 | Disability | \$ |
| 60 | | | | | |

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 378

by FINANCE AND COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT AND PLANNING COMMITTEES

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH THE PUBLIC ARCHEOLOGY FACILITY AT BINGHAMTON UNIVERSITY FOR DATA RECOVERY AT THE "GARDEN PLOT" SITE.

WHEREAS, Broome County and Newman Development Group of Dickinson, L.L.C. "Garden Plot" have, pursuant to Resolution 97-227, entered into an agreement providing for the sale by Broome County to the Newman Development Group of Dickinson, L.L.C. of the "Garden Plot" site in the Town of Dickinson, and

WHEREAS, a portion of said "Garden Plot" site is located within the "Broome Tech" site which is eligible for the National Register of Historic Places, and

WHEREAS, stage one and stage two archeological studies of the "Garden Plot" site have been completed, and

WHEREAS, in order for development of the site to occur a "Data Recovery Plan" for the site must be implemented as approved by the New York State Office of Parks, Recreation and Historic Preservation, and

WHEREAS, a data recovery plan has been received from the Public Archeology Facility at Binghamton University with a cost estimate offering to perform the needed data recovery in two parts, Part A and Part B, at a cost of \$30,143 for Part A and \$66,780 for the combined Part A and Part B, (see cost estimate attached hereto as Exhibit "A"), and

WHEREAS, the Planning Department is recommending completion of Part A only at this time, and

WHEREAS, said services are necessary in order to complete the sale of the site to the Newman Development Group of Dickinson, L.L.C, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Public Archeology Facility of Binghamton University for Part A data recovery at the "Garden Plot" site in the Town of Dickinson pursuant to the data recovery plan submitted by the Public Archeology Facility, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Public Archeology Facility of Binghamton University an amount not to exceed \$30,143.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440016.4747.101000 (other fees for services), and be it

FURTHER RESOLVED, that this agreement shall be contingent on approval by the New York State Office of Parks, Recreation, and Historic Preservation of the data recovery plan to be implemented by this agreement, 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 (Coffey & Lindsey)

RESOLUTION NO. 379

by FINANCE AND PUBLIC WORKS COMMITTEES Seconded by Mr. Wike

RESOLUTION AMENDING THE 1995 CAPITAL IMPROVEMENT PROGRAM

RESOLVED that the 1995 Capital Improvement Program as authorized by Resolution 454 of 1994 for the Department of Public Works is hereby amended as follows:

FROM:

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| Estimated Construction Cost: | | | | |
|------------------------------|------------------------|-------------------|--------------|----------------|
| <u>Code</u> | <u>Project Name</u> | <u>Total</u> | <u>State</u> | <u>Federal</u> |
| <u>County</u> | | | | |
| D-24 | Bridge | \$398,000 | | |
| | \$398,000 | | | |
| | Reconstruction | | | |
| | | <u>Year Start</u> | <u>YPU</u> | <u>Bond</u> |
| | <u>Current Revenue</u> | | | |
| | | 1995 | 20 | \$398,000 |

TO:

| Estimated Construction Cost: | | | | |
|------------------------------|------------------------|-------------------|--------------|----------------|
| <u>Code</u> | <u>Project Name</u> | <u>Total</u> | <u>State</u> | <u>Federal</u> |
| <u>County</u> | | | | |
| D-24 | Bridge | \$563,000 | | |
| | \$563,000 | | | |
| | Reconstruction | | | |
| | | <u>Year Start</u> | <u>YPU</u> | <u>Bond</u> |
| | <u>Current Revenue</u> | | | |
| | | 1995 | 20 | \$398,000 |
| | \$165,000 | | | |

Description: To provide monies for construction phase – CR 20 bridge per NYSDOT. Monies to come from contingency.

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

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RESOLUTION NO. 380

by PUBLIC WORKS AND FINANCE COMMITTEES Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND FUNDING OF THE FEDERAL AID-ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, TO FULLY FUND THE LOCAL SHARE OF FEDERAL-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS, AND APPROPRIATING FUNDS THEREFOR.

WHEREAS, a Project in the Towns of Kirkwood and Conklin for the County Road 20 over NY Route 11 (BIN 1008070), County Road 20 over the Delaware and Hudson/ Canadian Pacific Railroad and the Susquehanna River (BIN 3349250), County Road 20 over County Road 209 (BIN 3349360) and County Road 20 over Conrail (BIN 3349370) Towns of Conklin and Kirkwood, Broome County P.I.N. 9751.82 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Broome desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of the Construction and Construction Supervision and Inspection, and

WHEREAS, that this County Legislature has included the Project in the 1995 Capital Improvement programs as Project D-24, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the above-subject project; and be it

FURTHER RESOLVED, that the Broome County Commissioner of Finance is authorized to pay the non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof, with the Federal share of such costs to be applied Directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement; and be it

FURTHER RESOLVED, that the sum of \$510,380 as previously appropriated pursuant to the 1995 C.I.P. as amended is made available to

cover the cost of participation in the above phase of the Project; and be it

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

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

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

RESOLVED, that this Resolution shall take effect immediately.

Carried. Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

RESOLUTION NO. 381

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

Seconded by Mr. Brunza

RESOLUTION AUTHORIZING AGREEMENT WITH NEW

REGULAR SESSION OF AUGUST 20, 1997

WORLD SYSTEMS CORPORATION FOR THE IMPLEMENTATION OF HERMES MULTI-JURISDICTIONAL MOBILE COMMUNICATIONS SOLUTION AND THE DATARADIO INFRASTRUCTURE SYSTEM INCLUDING TRAINING AND SUPPORT SERVICES FOR 1997-1998.

WHEREAS, the Director of Information Technology requests authorization for an agreement with New World Systems Corporation for the implementation of Hermes Multi-Jurisdictional Mobile Communications Solution and the DataRadio Infrastructure System, including training and support services, for 1997-1998, at a cost not to exceed \$130,000.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New World Systems Corporation, 888 W. Big Beaver Road, Suite 1100, Troy, Michigan 48084, for the implementation of Hermes Multi-Jurisdictional Mobile Communications Solution and the DataRadio Infrastructure System including training and support services, for the period September 1, 1997 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 \$130,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450080.various.104086, 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 (Coffey & Lindsey)

RESOLUTION NO. 382

by FINANCE AND PUBLIC WORKS COMMITTEESeconded by Mr. Shafer

RESOLUTION AUTHORIZING A BUDGET TRANSFER FOR

THE DEPARTMENT OF PUBLIC WORKS

RESOLVED, that in accordance with a request from the Director of Budget in order to revise 1995 Capital Project #501309, DPW-Bridges, as requested by BT# 0000899 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

| | <u>Index</u> | <u>Sub-</u> | <u>Project</u> | | <u>Amount</u> |
|-------|--------------|---------------|----------------|-----------------------|---------------|
| | <u>Code</u> | <u>object</u> | <u>Code</u> | <u>Title</u> | |
| FROM: | 900084 | 4752 | 101000 | Contingency | |
| | | | | | \$165,000 |
| | 039305 | 0227 | 301000 | Tr. From General Fund | |
| | | | | | \$165,000 |
| TO: | 930016 | 9009 | 101000 | Tr. To Special Rev | |
| | | | | | \$165,000 |
| | 030122 | 9004 | 301000 | Tr. To Capital Fund | |
| | | | | | \$165,000 |

Mr. Pasquale moved, seconded by Mr. Miller to remove the middle steps and simply authorize the Commissioner of Finance ..."**to make the budget transfers necessary to effect the following result:**'

| | | | | | |
|--------------|---------------|-------------|---------------|---------------------------|------------------|
| FROM: | 900084 | 4752 | 101000 | Contingency | |
| | | | | | \$165,000 |
| TO: | 930016 | 9009 | 101000 | Tr. To Special Rev | |
| | | | | | \$165,000 |

The amendment **carried.** Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

The resolution as amended **carried.** Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)

Mr. Shafer moved, seconded by Mr. Pasquale to **adjourn** at approximately 5:35 P.M. The adjournment **carried.** Ayes-17, Nays-0, Absent-2 (Coffey & Lindsey)