

(NYSDEC), will decide if and under what conditions a construction permit will be issued, and

WHEREAS, this Legislature desires to insure full due process to all parties involved with the waste-to-energy component of Broome County's MSW management system, and

WHEREAS, this Legislature desires the complete and factual information that will result from the adjudicatory phase of the hearing process to considering modifications to Broome County's integrated plan for MSW management, and

WHEREAS, the adjudicatory phase is anticipated to last approximately six months, and

WHEREAS, a budgetary appropriation is essential to enable the Agency to participate in the hearing process until NYSDEC issues a final decision, and

WHEREAS, the Agency has previously submitted a 1991 Budget (attached hereto), in the amount of \$372,639; now, therefore, be it

RESOLVED, that the Agency is hereby advised and authorized to extend its right to termination of the Service Agreement, pursuant to Section 3.7 thereof, from the second anniversary of that agreement to the date of the NYSDEC's final decision on the construction permit application anticipated to be received by August 31, 1991, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$185,974 for the period January 1, 1991 through August 31, 1991, and be it

FURTHER RESOLVED, that Broome County Resource Recovery Agency submit and file with the Clerk of this Legislature and the County Executive written quarterly reports detailing the agency's use of the funds received from the County during the previous calendar year as well as future goals and related expenses, and be it

FURTHER RESOLVED, should Broome County Resource Recovery Agency request a single lump sum basis, said annual report shall be filed before the lump sum payment is released and any which provides for two or more periodic payments during the term or said annual report shall be filed prior to the release of the second payment provided for by said contract and such payments are further subject to provisions of Resolution 262 of 1978 as amended by Resolution 243 of 1979. At the request of Mr. Bielecki, Resolution 91-10 was held over under the rule.

Mr. Pasquale moved, seconded by Mr. Moppert, to adjourn to the call of the Clerk. Carried at 3:56 p.m.

**REGULAR SESSION
THURSDAY, JANUARY 31, 1991**

AT 4:00 PM, EST.

The Legislature convened at 4:00 pm, EST. Called to order by the Chairman, Arthur J. Shafer.

Roll was called by the Clerk, Richard R. Blythe. Present-19, Absent-0.

Invocation delivered by First Lieutenant Jeffrey S. Bell, Chaplain, Army National Guard, 204th Engineer Combat Battalion.

Mr. Lindsey moved, seconded by Mr. Howard, that the minutes of the December 27, 1990 Regular Session and January 8, 1991 Organizational Meeting be approved as prepared and presented by the Clerk. Carried.

The following communications were presented from the County Executive, Timothy M. Grippen:

Nominating R. Warner, W. Howard and A. Kavulich to membership on Fire Advisory Board.

Nominating nine persons to membership on Criminal Justice Advisory Board.

Nominating seven persons to membership on Office for Aging Advisory Board.

Nominating R. Escott to membership on Arena Board of Directors.

Nominating R. Place to membership on Ethics Board.

Nominating M. Smotherman to membership on Mental Health Advisory Board.

Appointing Susan Standfast, M.D. as Commissioner of Health.

Letters from the Chairman, Arthur J. Shafer:

Appointing Larry E. Seeley as Acting Chairperson for Wanda Hudak at the Community and Social Services Committee on January 22, 1991.

Appointing Emil J. Bielecki designated representative for Kelly J. Wagstaff as voting member at the Community and Social Services Committee on January 22, 1991.

Appointing Robert J. Warner as Acting Chairperson for Kelly J. Wagstaff at the Personnel Committee on January 23, 1991.

Appointing Kelly J. Wagstaff as Acting Chairperson for Wanda Hudak at the Community and Social Services Committee on February 12, 1991.

The following communications were presented to the County Legislature:

Minutes from: Nursing Home Board of Directors; Cornell Cooperative Extension; Association of Municipal Clerks; Public Library; Fire Advisory Board.

List of significant correspondence from Resource Recovery Agency (December 17, 1990 through January 10, 1991).

Employment contract between County of Broome and Broome Administrative and Professional Association.

Notice of Claim: Wendell E. Johnson against County of Broome.

Feasibility study for Colesville Landfill, December 1990 by Wehran-New York, Inc.

Copy of letter from Town of Union Commissioner of Public Works to John Kowalchuk, Solid Waste Management Director, regarding recycling facility on Emma Street.

State Equalization Rates for 1989 Assessment Rolls (Cities, Towns, Villages and Counties).

Resolutions from: Essex County and Wayne County (Opposing Expenditure of Additional County Tax Revenues to Fund State Mandated Programs);

Town of Vestal (Opposing Resolution Authorizing Apportionment and Collection of Election Expense in County); Town of Barker (Landfill Host Community); Putnam County (County to join Catskill Region Off-Track Betting Corporation); Schuyler County (Opposing Reduced Reimbursement Rates to Local Government for State Mandated Programs).

Copies of forms "Schedule of Real Property Taxes Levied by County Legislators for 1991 (16 Towns and City of Binghamton).

Copy of application (Town of Chenango Water District No. 8).

Letter from R. Bathrick, Division of Lands and Forests, regarding Agricultural District No. 2 plan (Town of Sanford). Minority Leader Designation.

The following reports were presented to the County Legislature:

Monthly Reports:

Broome Community College, November 1990; Department of Social Services, November 1990.

Department of Audit & Control: Single Audit Report, Comments on Recommendations Designed to Improve Internal Accounting Controls, Comments on the Report on Compliance;

Price Waterhouse Report for County of Broome, December 31, 1989.

Broome County Department of Personnel New Employee Forms, Position Change Requests Forms, and Change-in-Status Forms.

Fourth Quarterly Report of Sales Tax Collections for 1990.

"Toward a Prosperous Future", submitted by Policy Steering Committee of Governor's Conference on Science and Engineering Education, Research and Development.

The Chair directed that the above be received and filed by the Clerk of the Legislature.

Announcements from the Chair: Chairman Shafer expressed appreciation for the cards and prayers he received after his recent surgery.

RESOLUTION NO. 91-5 by Hon. Arthur J. Shafer, appointing Emil Bielecki to the Broome County Industrial Development Agency, which was held over under the rule at the January 8, 1991 meeting at the request of Mr. Pasquale, was again presented for consideration.

Carried by voice vote.

RESOLUTION NO. 91-7 by Hon. Arthur J. Shafer, appointing Roger V. Brown to the Resource Recovery Agency, which was held over under the rule at the January 8, 1991 meeting at the request of Mrs. Coffey was again presented for consideration.

Carried.

RESOLUTION NO. 91-10 by Finance and Environment Committees authorizing financing appropriation for Broome County Resource Recovery Agency, which was held over under the rule at the Special Meeting of January 31, 1991 at the request of Mr. Bielecki was again presented for consideration. Mr. Malley moved, seconded by Mr. Kavulich to table the resolution. Motion failed by the following vote: Ayes-5, Nays-14 (Augostini, Bielecki, Brown, Howard, Lindsey, Moppert, Pazzaglini, Schofield, Seeley, Warner, Yeager, Shafer, Hudak, Wagstaff). Mr. Bielecki moved, seconded by Mr. Pasquale to amend Resolution No. 91-10 by deleting the 7th

Whereas paragraph and the Resolved paragraph.

Resolution as amended was carried by the following:

Ayes-10; Nays-9 (Bielecki, Kavulich, Lindsey, Malley, Pasquale, Shafer, Coffey, Greenmun, Wagstaff).

RESOLUTION NO. 11

By Health and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH H. SONNY SPERA, D.D.S. FOR DENTAL SERVICES AND EXAMINATION OF RESIDENTS AT WILLOW POINT NURSING HOME FOR 1991

WHEREAS, this County Legislature, by Resolutions 438 and 518 of 1989, and Resolution 293 of 1990 authorized an agreement with H. Sonny Spera, D.D.S to provide dental services to residents at Willow Point Nursing Home for October 1, 1989 through December 31, 1990, at a cost not to exceed \$20,300, and

WHEREAS, said agreement expired by its terms on December 31, 1990 and it is desired to renew said agreement on substantially similar terms terms and conditions with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreement with H. Sonny Spera, D.D.S., 151 Riverside Drive, Binghamton, New York 13905 to provide dental services to residents at Willow Point Nursing Home for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$58,765 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160218.4712.204000 (Physician 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.

Carried.

RESOLUTION NO. 12

By Health Services and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH REVEREND GLENN SEAVER FOR CHAPLAINCY SERVICES AT WILLOW POINT NURSING HOME FOR 1991

WHEREAS, this County Legislature, by Resolution 517 of 1989, authorized an

agreement with Reverend Glenn Seaver for Protestant Chaplaincy services at Willow Point Nursing Home for 1990 at a total cost of \$2,088, and

WHEREAS, said agreement expired by its terms on December 31, 1990 and it is desired at this time to renew said agreement on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreement with Reverend Glenn Seaver, 3809 Gates Road, Vestal, New York 13850, for Protestant Chaplaincy services at Willow Point Nursing Home for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Reverend Glenn Seaver \$174 per month, total payment not to exceed \$2,088 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove shall be made from budget line 160184.4747.204000 (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.

Carried by the following:

Ayes-10, Nays-9 (Augustini, Bielecki, Brown, Kavulich, Lindsey, Malley, Pasquale, Pazzaglini, Coffey).

RESOLUTION NO. 13

By Education, Culture and Recreation and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH H.W. WILSON COMPANY FOR COMPUTER SEARCH INFORMATION SERVICES AT BROOME COUNTY PUBLIC LIBRARY FOR 1991

WHEREAS, this County Legislature, by Resolution 483 of 1989, authorized an agreement with H.W. Wilson Company for computer search information services known as Wilson Line at a cost not to exceed \$1,750 for calendar year 1990, and

WHEREAS, said agreement expired by its terms on December 31, 1990 and it is desired at this time to renew said agreement on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreement with H.W. Wilson Company, 930 University Avenue, Bronx, New York 10452 for computer search information services known as Wilson Line for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services the County shall pay the contractor a predetermined user fee, said amount not to exceed \$1,500 for the

term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 8410007.4372.304131 (Reference Materials), 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.

RESOLUTION NO. 14

By Education, Culture and Recreation, County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Seeley

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 1, 1991 ENTITLED "A LOCAL LAW ESTABLISHING COUNTY HISTORIAN FEES"

RESOLVED, that Local Law Intro. No. 1, 1991 entitled "A Local Law establishing County Historian Fees" be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 1 OF 1991
A LOCAL LAW ESTABLISHING COUNTY HISTORIAN FEES**

Be it enacted, by the County Legislature of the County of Broome, as follows:

Section 1 Purpose The purpose of this law is to establish and set fees for the Office of the County Historian.

Section 2 Schedule of fees

(a) The following fees are established for the office of the County Historian

1. Photocopy charges, the charge shall be 15 cents per copy
2. Research fees for out-of-state inquiries requiring searching records and files, the charge shall be \$5.00 per search.

Section 3 This Local Law shall take effect immediately upon its filing with the Secretary of State following a public hearing before and approval by the County Executive in the manner provided by Law.

Carried.

RESOLUTION NO. 15

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

Seconded by Mr. Bielecki

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 3, 1991, ENTITLED
"A LOCAL LAW AMENDING LOCAL LAW NO. 11 OF 1990 ENTITLED A
LOCAL LAW AMENDING THE BROOME COUNTY CHARTER AND
ADMINISTRATIVE CODE WITH RESPECT TO BROOME COMMUNITY
COLLEGE, AS AMENDED.**

RESOLVED, that Local Law Intro. No. 3, 1991, entitled "A Local Law Amending Local Law No. 11 of 1990 entitled A Local Law Amending the Broome County Charter and Administrative Code with Respect to Broome Community College, as amended be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 3, 1991 A LOCAL LAW AMENDING LOCAL
LAW NO. 11, 1990, ENTITLED "A LOCAL LAW AMENDING THE
BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE WITH
RESPECT TO BROOME COMMUNITY COLLEGE", AS AMENDED.**

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

Section 1. Local Law No. 11 of 1990 as amended, be and hereby is amended as follows:

Section 2305-A

c) In all other respects the Board of Trustees and the Administration of Broome Community College shall be directly responsible for all personnel matters including, but not limited to, compliance with all civil service laws and employment laws under this Charter, state laws, federal laws and local laws. The [Personnel Officer of Broome County] Board of Trustees of Broome Community College shall negotiate all labor contracts on behalf of the College. [The Board of Trustees shall appoint a voting member to the County negotiating team.]

Section 2. That this local law shall take effect immediately. Key: Material in brackets [] is deleted.

Material in underlining is added.

At the request of Mr. Yeager, Resolution No. 15 was held over under the rule.

RESOLUTION NO. 16

By Environment Committee

Seconded by Mrs. Wagstaff

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE
LEAD AGENCY WITH RESPECT TO THE PROPOSED BROOME
COUNTY SOLID WASTE MANAGEMENT PLAN**

WHEREAS, this County Legislature, by Resolution 617 of 1988, established the Solid Waste Management Division to consider the development and implementation of a County-wide solid waste program, and

WHEREAS, this County Legislature, by Resolution 134 of 1989 authorized the filing of an application for the purpose of seeking funds for solid waste management planning activities and did designate Broome County as the planning

unit for the County of Broome Solid Waste Management, and official representative of Broome County, and

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

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the proposed Broome County Solid Waste Management Plan.

Mr. Warner moved, seconded by Mrs. Coffey to amend Resolution 17 by inserting a fourth WHEREAS paragraph stating "WHEREAS, in accepting the Solid Waste Management Plan as a draft, the Legislature is not endorsing the contents of the plan or making a policy decision, but simply acknowledging receipt of the document, to activate the necessary comment period as outlined by the SEQRA Act, now, therefore, be it". Motion to amend carried by the following roll call: Ayes-11, Nays-8 (Augostini, Bielecki, Brown, Greenmun, Howard, Moppert, Pazzaglini, Schofield).

Resolution No. 16, as amended, carried by the following roll call: Ayes-12, Nays-7 (Augostini, Bielecki, Brown, Howard, Pazzaglini, Schofield, Greenmun).

RESOLUTION NO. 17

By Finance Committee

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING THE SALE OF ABANDONED BUILDING OWNED BY BROOME COUNTY LOCATED ON THE LEE FARM IN THE TOWN OF COLESVILLE, NEW YORK

WHEREAS, Broome County is the owner of real & personal property located on land known as the Lee Farm in the Town of Colesville, Broome County, New York, more particularly described in a copy of the deed annexed hereto as exhibit "A", and

WHEREAS, contained on said land are three buildings, a house, barn and shed, which are not required for public use, and

WHEREAS, Broome County desires to sell these buildings at public auction, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the sale of the three buildings, located on land known as the Lee Farm which is owned by Broome County in the Town of Colesville, Broome County, New York more particularly described in a copy of the deed annexed hereto as Exhibit "A", and be it

FURTHER RESOLVED, that the County Executive or his duly authorized

representative is hereby authorized to execute any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

Carried.

RESOLUTION NO. 18

By Health Services and County Administration, Economic Development and Planning Committees

Seconded by Mr. Bielecki

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 2 1991, ENTITLED "A LOCAL LAW AMENDING THE BROOME COUNTY SANITARY CODE REQUIRING COMPULSORY ANTI-RABIES VACCINATION OF ALL CATS IN BROOME COUNTY"

RESOLVED, that Local Law Intro. 2, 1991, entitled "A Local Law amending the Broome County Sanitary Code requiring compulsory anti-rabies vaccination of all cats in Broome County be and the same is hereby adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

A LOCAL LAW AMENDING THE BROOME COUNTY SANITARY CODE REQUIRING COMPULSORY ANTI-RABIES VACCINATION OF CATS IN BROOME COUNTY.

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

Section 1. Purpose The purpose of this law is to require compulsory anti-rabies vaccination of all cats in Broome County.

Section 2. The Broome County Sanitary Code be and hereby is amended to create a new section as follows:

PART IX
FELINE RABIES CONTROL

SECTION 9.1 -DEFINITIONS

- (a) Cat - means all members of the domesticated feline (felis, catus), 3 months of age or older.
- (b) Owner - means any person who keeps or harbors a cat or who has it in his care or permits it to remain on or about any premises occupied by him.
- (c) Rabies Vaccine - means an animal rabies vaccine licensed by the United States Department of Agriculture and administered according to the recommendations of the National Association of State Public Health

Veterinarians.

- (d)Vaccination - means the administration of rabies vaccine by a licensed veterinarian or under the supervision of a licensed veterinarian. A cat is considered vaccinated only during the time the vaccine has given it an immunity to rabies.
- (e)Bite - means to be seized by the teeth so that the skin of the person or animal has been nipped or gripped, wounded or pierced and includes probable contact of saliva with a break, abrasion of the skin or with any mucous membrane.
- (f)Animal Control Official - means any person, persons or organization contracted by a municipality for the control of animals.
- (g)Rabid Terrestrial Animal - means an animal or animals, that by its nature feeds on the ground, that is infected with rabies.
- (h)Significantly reported - means the verbal or written report of a confirmed rabid terrestrial animal infected with a strain of virus that is expected to rapidly spread to other terrestrial animals.

SECTION 9.2 VACCINATION

- (a)The owner of every cat which is 3 months of age or older shall have the cat vaccinated against rabies.
 - 1.The duration of the vaccine's immunity shall be consistent with the specifications of the rabies vaccine used.
 - 2.Evidence of vaccination shall consist of a certificate signed by a licensed veterinarian with the original certificate given to the owner and a copy retained by the person administering the vaccine.

3. The certificate shall legibly include a description of the cat, its age, sex, breed, and the name and address of the owner, and the name of the manufacturer of the vaccine, its type and lot number used, and the date the cat shall be revaccinated.
- (b) The vaccination requirement shall not apply to cats owned by a non-resident while passing through Broome County for a period not exceeding 15 days, to cats confined to the premises of incorporated societies devoted to the care of lost, strayed or homeless animals, or confined to the premises of public or private hospitals devoted to the treatment of sick animals or confined for the purposes of research to the premises of colleges or other educational or research institutions.

SECTION 9.3 -ENFORCEMENT

- (a) As long as terrestrial rabies is not significantly reported in Broome County, owners of cats shall be subject to a notice of violation and to a penalty when the cat(s) is found to be unvaccinated at the following times:
 1. When the cat is reported to have bitten a person.
 2. When the cat is reported to have bitten or been bitten by other domestic or wild warm-blooded animals other than rodents.
 3. When the cat has been impounded by an animal control official and is redeemed by the owner.
- (b) When the terrestrial rabies is significantly reported in Broome County, the owners of cats shall be subject to a notice of violation and to a penalty when the cat(s) is found, at any time, to be unvaccinated.

Section 3. Validity - If any portion of this Local Law is adjudged to be invalid by a court of competent jurisdiction such adjudication shall be limited in its effect to the particular portion so adjudged, and the balance of this law shall remain in full force and effect.

Section 4. Except as amended herein, the Broome County Sanitary Code shall remain in full force and effect.

Section 5. Effective Date

This Local Law shall take effect on June 1, 1991 upon its filing with the Secretary of State, following a public hearing before and approval by the County Executive in the manner provided by law.

At the request of Mr. Howard, Resolution No. 18 was held over under the rule.

RESOLUTION NO. 19

By Personnel Committee
Seconded by Mr. Moppert

**RESOLUTION CONFIRMING APPOINTMENT OF RICHARD PLACE TO
MEMBERSHIP ON ETHICS BOARD**

WHEREAS, Timothy M. Grippen, Broome County Executive pursuant to the powers vested in him by Resolution No. 109 adopted April 20, 1971 (Local Law No. 2, 1971) has duly designated and appointed pending confirmation of this Legislature, Richard Place, 3806 Country Club Road, Endwell, New York, 13760, to membership on the Ethics Board, for a term expiring December 31, 1993, and

WHEREAS, it is desired at this time, in accordance with the provisions of Resolution No. 109 adopted on April 20, 1971 (Local Law No. 2, 1971) to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 109 adopted on April 20, 1971 (Local Law No. 2, 1971) does hereby confirm the appointment of Richard Place to membership on the Ethics Board in accordance with his appointment by the County Executive.

At the request of Mrs. Coffey Resolution No. 19 was held over under the rule.

RESOLUTION NO. 20

By Personnel Committee

Seconded by Mr. Lindsey

RESOLUTION AUTHORIZING CHANGE IN STATUS FOR THE DISTRICT ATTORNEY'S OFFICE

RESOLVED, that in accordance with a request contained in CIS# 91-9 from the District Attorney's Office, this County Legislature hereby authorizes the filing of a full-time Chief Assistant District Attorney position, grade K, at an annual salary of \$51,400, at budget line 330035.1000.101000 effective January 1, 1991.

Carried by the following roll call:

Ayes-14, Nays-5 (Augostini, Howard, Yeager, Greenmun, Hudak).

RESOLUTION NO. 21

By Personnel and Finance Committees

Seconded by Mr. Kavulich

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE PUBLIC DEFENDER, CENTRAL FOODS, AND HEALTH DEPARTMENTS AND A TRANSFER OF FUNDS FOR THE HEALTH DEPARTMENT

FURTHER RESOLVED, that in accordance with a request from the Public Defender, as contained in PCR# 91-76, this County Legislature hereby authorizes the elimination of one full-time Stenographer position at budget line 530006.1000.101000, grade 7, minimum salary \$13,038 and the establishment of one full-time Receptionist-Typist position at budget line 530006.1000.101000, grade 6, minimum salary \$12,357, effective January 1, 1991, and be it

FURTHER RESOLVED, that in accordance with a request from the department of Central Foods as contained in PCR# 91-14, this County Legislature hereby authorizes the establishment of one full-time Deputy Director of Central Foods position at budget line 230045.1000.251000, grade 22, minimum salary \$28,219, effective January 1, 1991, and be it

FURTHER RESOLVED, that in accordance with a request from the Health Department as contained in PCR #91-91, this County Legislature hereby authorizes the changing of a full-time Supervising Senior Account Clerk position at budget line 480038.1000.101000, grade 12, minimum salary \$17,040 to a full-time Supervising

Senior Account Clerk position at budget line 480020.1000.101000, grade 12, minimum salary \$17,040 effective January 1, 1991, and be it

FURTHER RESOLVED, that in accordance with a request from the Health Department, in order to provide funds for the transfer of a full-time Supervising Senior Account Clerk from the Medical Billing Unit to the Fiscal Unit, as requested by BT# 2356, 2357, 2358, and 2359, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subsubject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	480038	1000	101000	Salaries, Full-time	\$ 21,009
	480038	8010	101000	Retirement	1,324
	480038	8030	101000	FICA	1,607
	480038	8050	101000	Life Insurance	30
	480038	8060	101000	Health Insurance	4,375
	480038	8063	101000	Disability	65
	480038	8040	101000	Workers Comp.	631
	480038	4319	101000	Office Supplies	685
	480038	4411	101000	Postage & Freight	100
	480038	4419	101000	General Office Exp.	100
	480038	4462	101000	Travel/Hotel/Meals	90
	480038	4463	101000	Educ. & Training	20
	480038	4617	101000	Dphg/Prntg. Chgb.	500
	480038	4618	101000	Office Supply Chgb.	740
	480038	4620	101000	Telephone Chgb.	490
	480038	4751	101000	Salary/Long. Paym.	1,492
TO:	480020	1000	101000	Salaries, full-time	21,009
	480020	8010	101000	Retirement	1,324
	480020	8030	101000	FICA	1,607
	480020	8050	101000	Life Insurance	30
	480020	8060	101000	Health Insurance	4,375
	480020	8063	101000	Disability	65
	480020	8040	101000	Workers Comp	631
	480020	4319	101000	Office Supplies	685
	480020	4411	101000	Postage & Freight	100
	480020	4419	101000	Gen. Office Exp.	100
	480020	4462	101000	Travel/Hotel/Meals	90
	480020	4463	101000	Educ. & Training	20
	480020	4617	101000	Dphg/Prntg. Chgb.	500
	480020	4618	101000	Office Supply Chgb.	740

480020	4620	101000	Telephone Chgb.	490
480020	4751	101000	Salary/Long. Paym.	1,492

At the request of Mr. Warner, the second Further Resolved paragraph (PCR#91-14) was held over under the rule.

Balance of the resolution carried by the following roll call:

Ayes-18, Nays-1 (Brown).

RESOLUTION NO. 22

By Public Safety and Emergency Services and Finance Committees

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING LEASE AGREEMENT WITH COURT & HENRY STREET DEVELOPMENT, INC., FOR THE OFFICE OF THE PUBLIC DEFENDER FOR 1991 THROUGH 1995

WHEREAS, the Broome County Legislature, by Resolution No. 630 of 1990, authorized an agreement with Investment Properties Associates for the lease of premises for the office of the Public Defender for 1991 through 1995 and

WHEREAS, Investment Properties Associates has since withdrawn their offer to enter into a lease agreement, and

WHEREAS, it is necessary to enter into a lease agreement in that the Public Defender's Office must relocate as part of the implementation of the Court Facilities Implement Plan, and

WHEREAS, Court & Henry Street Development, Inc., is willing to rent the fifth and sixth floor at 227-229 State Street, Binghamton, New York, an area of 9,072 square feet to Broome County at the rate of \$8.50 per square foot (\$6,426.00 per month), which rate will escalate at 4% per year, gas, heat and electric to be paid by the County, said lease agreement to be for a five (5) year period, with a renewable option, and will include the use of approximately 4,000 sq. feet for storage located in the basement, twenty (20) parking spaces on site and five (5) additional parking spaces located at the Metrocenter Lot, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with Court & Henry Street Development, Inc., 49 Court Street, Binghamton, New York for the fifth and sixth floors at 227-229 State Street, Binghamton, New York, an area of 9,072 square feet, including use of basement, twenty (20) parking spaces on site and five (5) additional spaces located at the Metrocenter Lot for a five (5) year period with a renewable option, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor \$8.50 per square foot per month, \$6,426.00 per month, which rate will escalate at 4% per year, plus gas, heat and electric for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 530006.4422.101000 (Building and Land Rental) 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 by the following roll call:
Ayes-18, Nays-1 (Augostini).

RESOLUTION NO. 23

By Personnel and Finance Committees
Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE LAW DEPARTMENT

WHEREAS, that in accordance with a request from the Law Department in order to provide funds for temporary help needed due to maternity leave of employee, as requested by BT#5033, 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 Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	390005	1000	101000	Salary, Full-Time	\$3,000
TO:	390005	1600	101000	Salary, Temporary	\$3,000

RESOLUTION NO. 24

By Community and Social Services and Finance Committees
Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING REVISION OF THE DEPARTMENT OF SOCIAL SERVICES LOW INCOME DAY-CARE PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR

1990 THROUGH 1991

WHEREAS, this County Legislature, by Resolution 136 of 1990, authorized and approved the continued participation by the Department of Social Services in the Low Income Day-Care Program for the period April 1, 1990 through March 31, 1991 and adopted a program budget in connection therewith in the total amount of \$170,586.00, and to reflect an increase in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continuation of the Low Income Day-Care Program by the Department of Social Services for the period April 1, 1990 through March 31, 1991, 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 \$228,372.00 for the period April 1, 1990 through March 31, 1991, and be it

FURTHER RESOLVED, that Resolution 136 of 1990, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 25

By County Administration, Economic Development and Planning and Finance Committees Seconded by Ms. Coffey

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH SEVERAL CONTRACT AGENCIES SUPPORTED BY BROOME COUNTY FOR 1991

WHEREAS, the County has contributed financial support to numerous agencies and organizations involved in various fields of endeavor which benefit, aid or assist with the many needs of the broad spectrum of the Broome County community, and

WHEREAS, these contract agencies which have received or will receive such financial assistance from Broome County include:

Agency

Four County Library System
County Library Aid
Soil and Water Conservation District
PROBE (Alternative Sentencing Program Diversion Programs)
Southern Tier Zoological Society
Southern Tier East Regional Planning
Board

and

WHEREAS, it is the desire of this Legislature to give approval for the execution for the contracts with such agencies, said contracts to be in the general form heretofore used, subject to and conditioned upon the financial allocations made and accounting procedures prescribed by the County Attorney and the County Comptroller, to each respective contract agency in the 1991 Broome County Budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or his duly authorized representative to execute such agreements, approved as to form by the Department of Law, with the aforesaid contract agencies and any other contract agencies for which financial provisions and contributions have been authorized by this County Legislature in the 1991 County Budget, and be it

FURTHER RESOLVED, that said contracts shall be in a form similar to those used in prior years for each specific agency and subject to, conditioned upon and limited to the monetary amount and financial formula and funding distribution criteria set forth and approved in the 1991 County Budget, and to be subject to any necessary approvals required by the State or Federal Governments or for any other valid reason which may require the approval of said State or Federal Governments, and to be conditioned upon the submission and filing with the Clerk of this Legislature and County Executive written quarterly reports, as well as an

annual report, detailing the agency's use of these funds received from the County during the previous calendar year as well as future goals and related expenses, and be it

FURTHER RESOLVED, that any contract which provides for payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released and any contract which provides for two or more periodic payments during the contract term said annual report shall be filed prior to the release of the second payment provided for by said contract and such payments are further subject to provisions of Resolution 262 of 1978 as amended by Resolution 243 of 1979.

Mr. Warner moved, seconded by Mr. Moppert to amend the first Further Resolved paragraph to have the last sentence read "...Clerk of this Legislature and County Executive a written annual report, detailing the agency's use of these funds received from the County during the previous calendar year, and be it". Amendment carried by the following: Ayes-18, Nays-1, (Coffey).

Resolution No. 25, as amended, carried.

A Preferred Agenda was introduced at this time.

RESOLUTION NO. 26

By Community and Social Services

Seconded by Mrs. Coffey

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE OFFICE FOR AGING ADVISORY BOARD

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 165, adopted June 5, 1973 and Resolution No. 397 adopted October 15, 1981, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Office for Aging Advisory Board for the terms indicated:

NAME	TERM EXPIRING
Joseph Ciesielski 110 Bernice Street Johnson City, New York 13790	December 31, 1993 (reappointment)
Zilphia Krembs 73 Aldrich Avenue Binghamton, New York 13903	December 31, 1993 (reappointment)
Cherie Morrison-Davis 8 Leroy Street Binghamton, New York 13905	December 31, 1993 (reappointment)

Margaret Simpson
HC 78 Box 594
Castle Creek, New York 13744

December 31, 1993
(reappointment)

Rowena Dutcher
4605 Madison Drive
Vestal, New York 13850

December 31, 1993
(new appointment)

George T. Mysnyk
213 Ruse Avenue
Vestal, New York 13850

December 31, 1993
(new appointment)

Walter Jankowski
605 June Street
Endicott, New York 13760

December 31, 1993
(new appointment)

WHEREAS, it is desired at this time, in accordance with the provisions of Resolution No. 165, adopted June 5, 1973 and Resolution No. 397 adopted October 15, 1981, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 165, adopted June 5, 1973 and Resolution No. 397 adopted October 15, 1981, does hereby confirm the appointments of the above-named individuals to membership on the Office for Aging Advisory Board in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 27

By Community and Social Services and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH STAF CARE OF NEW YORK, INCORPORATED, FOR PERSONAL CARE AIDE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES MEDICAID PROGRAM FOR 1991 AND 1992

WHEREAS, this County Legislature, by Resolution 585 of 1989 authorized an agreement with Stafcare of New York for personal care services for Medicaid recipients at a cost of \$10.44 per hour and \$15.67 per hour on holidays, and

WHEREAS, said services are necessary to provide personal care services for Medicaid's recipients and said services are reimbursed, in part by Medicaid, and be it

WHEREAS, said agreement expires by its terms on December 31, 1990 and it is desired to renew said agreement on substantially similar terms and conditions with an increase in cost, and be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Stafcare of New York, Incorporated, d/b/a Americare, 38 Court Street, P.O. Box 1855, Binghamton, New York 13902 for personal care services provided in the homes of Medicaid recipients for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services the County shall pay the contractor \$10.90 per hour and \$16.35 per hour on holidays pending approval by New York State, and be it

FURTHER RESOLVED, that the County shall pay the contractor \$10.44 per hour and \$15.67 per hour on holidays until New York State approval of the increased fees is received, and be it

FURTHER RESOLVED, that the County Legislature hereby authorizes continuation of said agreement through calendar year 1992 at the rate last approved by New York State, and be it

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

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

RESOLUTION NO. 28

By Community and Social Services and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH KIMBERLY QUALITY CARE FOR PERSONAL CARE SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES MEDICAID PROGRAM FOR 1991 AND 1992

WHEREAS, this County Legislature, by Resolution 135 of 1990, authorized an agreement with Kimberly Quality Care for personal care services, at a cost of \$10.64 per hour for personal care services, \$69.00 per day for sleep-in services, \$115.00 per day for live-in services, and \$15.96 per hour for holiday personal care services, and

WHEREAS, said services are necessary to provide personal care services for Medicaid recipients and said services are reimbursed in part by Medicaid, and

WHEREAS, said agreement expired by its terms on December 31, 1990 and it is desired at this time to renew said agreement on substantially similar terms and conditions with an increase in costs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreement with Kimberly Quality Care, 30 West State Street, Binghamton, New York 13901 for personal care services in connection with the Department of Social Services' Medicaid Eligibility Program for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor \$11.12 per hour for personal care services, \$72.00 per day for sleep-in services \$120.00 per day for live-in services and \$15.12 per hour for holiday personal care services, subject to New York State approval, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the continuation of said agreement through calendar year 1992 at the rate last approved by New York State, and be it

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

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

RESOLUTION NO. 29

By Community and Social Services and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH

STAFKINGS HEALTHCARE SYSTEMS FOR PERSONAL CARE SERVICES IN CONNECTION WITH SOCIAL SERVICES MEDICAID PROGRAM FOR 1991 AND 1992

WHEREAS, this County Legislature by Resolution 402 of 1989 authorized an agreement with Stafkings Healthcare Systems for personal care services, at a cost of \$9.30 per hour for calendar year 1990, and

WHEREAS, said services are necessary to provide personal care services for Medicaid recipients and said services are reimbursed in part by Medicaid, and

WHEREAS, said agreement expired by its terms on December 31, 1990 and it is desired at this time to renew said agreement on substantially similar terms and conditions with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stafkings Healthcare Systems, P.O. Box 1015, Binghamton, New York 13902, for

personal care aide services for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services the County shall pay the contractor \$10.71 per hour for personal care aide services and \$15.03 per hour for holiday personal care aide services, subject to New York State approval, and be it

FURTHER RESOLVED, that this County Legislature authorizes the continuation of said agreement through calendar year 1992 at the rate last approved by New York State, and be it

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

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

RESOLUTION NO. 30

By Community and Social Services and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING APPLICATION FOR STATE AID AND EXECUTION OF CONTRACT FOR THE 1991 YOUTH BUREAU PROGRAMS

WHEREAS, this County Legislature, by Resolution 592 of 1990, authorized Youth Bureau State Aid Applications and established appropriations for 1991 Youth Bureau Service Programs, and

WHEREAS, it is necessary to revise said programs to reflect a decrease in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the submission of applications for those 1991 Youth Service programs listed in Exhibit "A", and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes and approves the execution of agreements, documents, papers or contracts with the several local Youth Service Program Agencies listed in Exhibit "A" attached hereto, said agreements to be approved as to form by the Department of Law necessary to implement the intent and purposes of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to sign any and all necessary applications for the New York State Division of Youth State Aid in connection with the Broome County Youth Bureau for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any such papers, documents, agreements, or contracts approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution within the budgetary limitations imposed by this Legislature in this Resolution and in the 1991 Budget, and be it

FURTHER RESOLVED, that the County Comptroller and the Commissioner of Finance are hereby authorized to establish any additional accounts or supplemental accounts in connection with said Youth Service and Recreation Programs, and to make such other necessary bookkeeping accounting entries, adjustments and transfers as may be needed to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the Youth Bureau is authorized to apply for reimbursement of up to \$2,595.00 from New York State for Youth Bureau Administrative planning and evaluation for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that Resolution 592 of 1990 to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the programs described more fully in the documents on file with the Clerk of this Legislature are hereby approved and subcontract with the appropriate agencies are hereby authorized and approved, 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.

RESOLUTION NO. 31

By Community and Social Services, Personnel and Finance Committees
Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING REVISION OF THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1990 THROUGH 1991

WHEREAS, this County Legislature, by Resolution 83 of 1990, authorized and approved the Expanded In-Home Services for the Elderly Program for the Office for Aging and adopted a program budget in the amount of \$262,184 for the period April 1, 1990 through March 31, 1991, and

WHEREAS, said grant program provides expanded in-home services for the elderly, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's Expanded In-Home Services for the Elderly Program for the period April 1, 1990 through March 31, 1991, in the total amount of \$305,388, 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 \$305,388 for the period April 1, 1990 through March 31, 1991, and be it

FURTHER RESOLVED, that Resolution 83 of 1990, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 32

By County Administration, Economic Development and Planning and Finance Committees Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PETTY CASH FUND FOR THE LAW DEPARTMENT'S LEGAL STAFF AT THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Law Department requests authorization to establish a petty cash fund in the amount of \$250.00 for the Department of Social Services Legal Staff, and

WHEREAS, said petty cash fund will be used to pay witness fees, subpoena fees and other related costs, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the establishment of a petty cash fund in the amount of \$250.00 for the Department of Social Services Legal staff and further authorizes the Commissioner of Finance to transfer \$250.00 to establish the petty cash fund, and be it

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

Carried.

RESOLUTION NO. 33

By Education, Culture and Recreation Committee

Seconded by Mrs. Coffey

RESOLUTION ENDORSING "THE LIBRARY COMPACT"

WHEREAS, a White House Conference on Library and Information Services is scheduled to be held on July 9-13, 1991 in Washington, D.C. and this conference is expected to indicate the federal library policy through and into the coming decade, and

WHEREAS, the Broome County Public Library, along with other libraries across the county have been collecting endorsements for "The Library Compact" a statement reaffirming public belief and supporting libraries, a copy of which is annexed hereto as Exhibit "A", to be presented by a national organization, Friends of Libraries, U.S.A., to the President and Congress during the conference, and

WHEREAS, Carlton Sears, the Director of the Broome County Public Library and your sponsoring committee request this Legislature's endorsement of the Library Compact, now, therefore, be it

RESOLVED, that this County Legislature hereby endorses "The Library Compact" attached hereto as Exhibit "A", and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to forward a certified copy of this resolution to Friends of Libraries, U.S.A. for presentment to the President and Congress.

Carried.

RESOLUTION NO. 34

By Education, Culture and Recreation and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PETTY CASH FUND FOR THE COUNTY HISTORIAN

WHEREAS, the County Historian requests authorization to establish a petty cash fund in the amount of \$25.00, and

WHEREAS, said petty cash fund will be used to handle incoming monies from fees for photocopy charges and research fees, now, therefore, be it

RESOLVED, that the County Legislature hereby approves the establishment of a petty cash fund in the amount of \$25.00 for the County Historian and further authorizes the Commissioner of Finance to transfer \$25.00 to establish the petty cash fund, and be it

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

Carried.

RESOLUTION NO. 35

By Finance Committee

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING CONVEYANCE TO FORMER OWNER OF CERTAIN 1986 IN REM FORECLOSURE PROPERTIES TAKEN DURING BANKRUPTCY PROCEEDINGS

WHEREAS, the County of Broome now holds title to certain parcels of real property by virtue of completion of proceedings in foreclosure in rem for the year 1986, and

WHEREAS, the foreclosures occurred after bankruptcy proceedings concerning the owner had been initiated and therefore was in violation of federal law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of the following properties to their former owner:

<u>Town</u>	<u>Tax Map Number</u>	<u>Owner</u>	<u>Name and Address</u>
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Binghamton 2-2-18, 2-219, James Tallo
2-2-20, 2-2-22 1862 Pennsylvania Ave.
Binghamton, NY 13903

and be it

FURTHER RESOLVED, that the County Executive is hereby authorized to execute quit claim deeds in the form approved by the Department of Law, conveying the properties referred to herein to the former owner or to take any action necessary to secure compliance with federal law.

Carried.

RESOLUTION NO. 36

By Health Services, Personnel and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AMENDMENT OF BROOME COUNTY HEALTH DEPARTMENT'S CHILDHOOD LEAD POISONING CONTROL PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1989 THROUGH 1990

WHEREAS, this County Legislature, by Resolution 375 of 1990, authorized the Broome County Health Department's Lead Poisoning Program Grant for the period October 1, 1990 through September 30, 1991 and adopted a program budget in connection therewith in the total amount of \$51,295, and

WHEREAS, the New York State Health Department has recently changed the grant year to a calendar year basis effective January 1, 1991, and

WHEREAS, it is desired at this time to amend the aforesaid grant to change the term of the grant and adopt a program budget in connection therewith, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the acceptance and continuation of Broome County Health Department's Childhood Lead Poisoning Control Program Grant for the period October 1, 1990 through December 31, 1990, 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 \$12,301 for the period October 1, 1990 through December 31, 1990, 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 and unexpended grant funds and be it

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

Carried.

RESOLUTION NO. 37

By Health Services, Personnel and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF BROOME COUNTY HEALTH DEPARTMENT'S CHILDHOOD LEAD POISONING CONTROL PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991

WHEREAS, this County Legislature, by Resolution 375 of 1990, as amended, authorized the Broome County Health Department's Lead Poisoning Program Grant for the period October 1, 1990 through December 31, 1990 and adopted a program budget in connection therewith in the total amount of \$12,301, and

WHEREAS, it is desired at this time to renew the aforesaid grant for 1991 in the amount of \$51,295 and adopt a program budget in connection therewith, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the acceptance and continuation of Broome County Health Department's Childhood Lead Poisoning Control Program Grant for the period January 1, 1991 through December 31, 1991

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$51,295 for the period January 1, 1991 through December 31, 1991, 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 and unexpended grant funds, and be it

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

Carried.

RESOLUTION NO. 38

By Public Safety and Emergency Services Committee
Seconded by Mrs. Coffey

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON
THE BROOME COUNTY FIRE ADVISORY BOARD**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article XIX of The Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Fire Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Robert J. Warner 837 Main Street Vestal, New York 13850	December 31, 1991 (new appointment)
Wayne L. Howard Old Route 7 Box 9 Port Crane, New York 13833	December 31, 1991 (new appointment)
Andrew Kavulich 261 N. Baldwin Street Johnson City, New York 13790	December 31, 1991 (new appointment)

and

WHEREAS, it is desired at this time, in accordance with the provisions of Article XIX of the The Broome County Charter to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XIX of The Broome County Charter, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Fire Advisory Board in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 39

By Public Safety and Emergency Services Committee
Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NEW YORK
STATE POLICE FOR THE "ENHANCED 911 SYSTEM"**

WHEREAS, Broome County is in the process of installing an "Enhanced 911 System", and

WHEREAS, the County and the New York State Police agree that the State

Police should be a part of the "Enhanced 911 System" for Broome County, and

WHEREAS, the County and State Police have agreed that the State Police should be a secondary answering point and will provide "backup" for the Broome County Office of Emergency Services Communications Center, now, therefore, be it

RESOLVED, that this County Legislature authorizes an agreement with the New York State police as a participant in the Broome County "Enhanced 911 System", and be it

FURTHER RESOLVED, that the agreement shall include the terms contained in the draft letter of understanding attached hereto as Exhibit "A", and be it

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

Carried.

RESOLUTION NO. 40

By Public Safety and Emergency Services Committee
 Seconded by Mrs. Coffey

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON
 CRIMINAL JUSTICE ADVISORY BOARD**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 61 adopted February 13, 1985 in accordance with Chapters 907 and 908 of the laws of the State of New York of 1984, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Criminal Justice Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
T. Kevin Tobin 64 Oak Street Binghamton, New York 13905	December 31, 1992 (reappointment) (County Executive's Designee)
Pearl Mall 4669 Vestal Parkway Binghamton, New York 13903 (Representative of PROBE)	December 31, 1992 (reappointment)
Robert M. O'Leary 4620 Duke Drive Binghamton, New York 13903 (Public Defender)	December 31, 1992 (reappointment)
William N. Kenville 59 Crary Avenue Binghamton, New York 13905 (Probation)	December 31, 1992 (reappointment)
Gerald P. Mollen 4209 Emerson Place Binghamton, New York 13903 (District Attorney)	December 31, 1992 (reappointment)
James T. O'Neil 64 Grand Boulevard Binghamton, New York 13905 (Police Chief)	December 31, 1992 (reappointment)

Geno DeAngelo
50 2nd Street
Binghamton, New York 13903
(Sheriff) December 31, 1992
(new appointment)

Richard C. Meltzer
265 Riverside Drive
Binghamton, New York 13905 December 31, 1992
(new appointment)

Robert J. Warner
837 Main Street
Vestal, New York 13850 December 31, 1992
(Legislature's Designee) (reappointment)

and

WHEREAS, it is desired at this time, in accordance with the provisions of Resolution No. 61 adopted February 13, 1985 in accordance with Chapters 907 and 908 of the laws of the State of New York of 1984, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 61 adopted February 13, 1985 in accordance with Chapters 907 and 908 of the laws of the State of New York of 1984, does hereby confirm the appointments of the above-named individuals to membership on the Criminal Justice Advisory Board in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 41

By Public Safety and Emergency Services and Finance Committees.

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH RESEARCH FOUNDATION OF STATE UNIVERSITY OF NEW YORK FOR PSYCHOLOGICAL SERVICES IN CONNECTION WITH THE PROBATION DEPARTMENT'S PERSONS IN NEED OF SUPERVISION PROGRAM FOR 1991

WHEREAS, this County Legislature, by Resolution 646 of 1989, authorized an agreement with the Research Foundation of the State University of New York for Psychological Services in connection with the Probation Department's Persons in Need of Supervision Program at a cost of \$8,000.00 for calendar year 1990, and

WHEREAS, said agreement expired by its terms on December 31, 1990 and it is desired at this time to renew said agreement on substantially similar terms and

conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizing renewal of the agreement with Research Foundation of State University of New York, P.O. Box 9, Albany, New York 12201, for Psychological Services in connection with the Probation Department's Persons in Need of Supervision Program for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$8,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 280024.4715.101000 (Other Health and Medical 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.

Carried.

RESOLUTION NO. 42

By Public Works and Environment Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY BY PURCHASE OR CONDEMNATION FOR CERTAIN REPLACEMENT/REHABILITATION PROJECTS AND DETERMINING SUCH PROJECTS TO BE "DE MINIMIS" IN NATURE AND EXEMPT FROM THE REQUIREMENTS OF THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, the following projects have been identified as TYPE 11 actions under the New York State Environmental Quality Review Act in that they are replacements of existing facilities having no substantial effect on the environment:

- (1) Ballyhack Road Bridge, Project BR 90-01 in the Town of Fenton, involving the replacement/rehabilitation of an existing bridge including 100 linear feet of roadway reconstruction. Two small easements will be acquired from two property owners.
- (2) Old Route 17 Bridge, project BR 90-02 in the Town of Windsor, involving the rehabilitation of an existing bridge including 100 linear feet of roadway reconstruction. One small easement will be acquired from one property owner.
- (3) Jennings Creek Road Bridge, project BR 90-02 in the Town of Lisle, involving the rehabilitation of an existing bridge including 100 linear feet of roadway reconstruction. Two small easements will be acquired from two property owners.
- (4) West Hill Road Bridge, project BR 91-02 in the Town of Vestal, involving the rehabilitation of an existing bridge including 100 linear feet of roadway reconstruction. Two small easements will be acquired from two property owners.

and

WHEREAS, the Department of Public Works desires to acquire the property rights necessary to commence the aforesaid projects and has therefore requested authorization from this Legislature to acquire said lands by purchase or condemnation, and

WHEREAS, the Public Works Committee of this Legislature has reviewed the scope of these projects and has recommended that they be found to be exempt from the public hearing requirements of the Eminent Domain Procedure Law because they are "de minimis" in nature, said determination being based on the fact that there will be no adverse effect upon the residents of the locality or the environment and that small and relatively few parcels of land will have to be acquired, and

WHEREAS, the Public Works Committee also recommends that these projects be found to be exempt from the requirements of the New York State Environmental Quality Review Act because they involve rehabilitation/reconstruction of existing facilities involving no substantial change to the area, now, therefore, be it

RESOLVED, that this County Legislature hereby finds and determines that the projects hereinabove listed are "de minimis" in nature and therefore exempt from the public hearing requirements of the Eminent Domain Procedure Law, and be it

FURTHER RESOLVED, that this County Legislature hereby finds and determines that the projects hereinabove listed are exempt from the requirements of the New York State Environmental Quality Review Act for the reason that they involve rehabilitation/reconstruction of existing facilities involving no substantial change to the area, and be it

FURTHER RESOLVED, that this County Legislature further authorizes the

acquisition by purchase or condemnation of the real property rights necessary to undertake and perform said project in accordance with the designs and specifications, the cost of said land acquisitions to be paid from the appropriate Capital Project accounts.

Carried.

RESOLUTION NO. 43

By Public Works and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AGREEMENT WITH EMPIRE SOILS INVESTIGATIONS, INC. FOR CONCRETE TESTING FOR COUNTY BRIDGES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1991

WHEREAS, three County bridges are scheduled for rehabilitation/replacement in 1991, and

WHEREAS, it is necessary to do concrete testing on the three bridges in order for the Department of Public Works Engineering Division to complete their analysis of replacement versus rehabilitation, and

WHEREAS, quotes were solicited for the concrete testing and Empire Soil Investigations, Inc. submitted the lowest quote, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Empire Soils Investigation, Inc., 105 Corona Avenue, Groton, New York 13073 for concrete testing for three county bridge projects for the Department of Public Works, and be it

FURTHER RESOLVED, that in consideration of said services, the county shall pay the Contractor an amount not to exceed \$5,495.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035014.4746.501204 (Engineering and Architectural 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.

Carried.

RESOLUTION NO. 44

By Public Works and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR STATE AID LOCAL BRIDGE PROGRAM FOR LOCAL BRIDGE PROJECTS FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, this County Legislature by Resolution 141 of 1990 authorized an agreement with the New York State Department of Transportation for the Department of Public Works on behalf of the Town of Colesville, Windsor, Vestal and Broome County for the State Aid Law Local Bridge Program for improvements to bridges located at Dutchtown Road/Susquehanna; Main Street/Big Choconut Creek; Tuscarora Creek and Osborn Creek a/k/a Ballyhack Creek and further authorized Broome County to act as a conduit for the local municipalities share of state aid for improvement to local bridges, and

WHEREAS, it is necessary at this time to amend said agreement to indicate the amount of state and local shares of the costs involved for these projects, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the New York State Department of Transportation, 81 State

Street, Binghamton, New York 13901 for the State Aid Local Bridge Program for improvements to bridges located at Dutchtown Road/Susquehanna; Main Street/Big Choconut Creek, Tuscarora Creek and Osborn Creek a/k/a Ballyhack Creek, and be it

FURTHER RESOLVED, that the agreement with the State of New York Department of Transportation shall contain the following provisions:

<u>Project</u>	<u>Total Cost</u>	<u>State Share</u>	<u>Local Share</u>	<u>Anticipated Letting</u>
Dutchtown Rd. Susquehanna Main Street	\$350,000	\$280,000	\$ 70,000	May 1990
Big Choconut Creek	\$262,500	\$210,000	\$52,500	June 1990
Tuscarora Creek 1990	\$167,500	\$134,000	\$33,500	December
Osborn Creek Project a/k/a Ballyhack Creek 1990	\$220,000	\$176,000	\$44,000	December

FURTHER RESOLVED, that Resolution No. 141 of 1990, 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.

RESOLUTION NO. 45

By Public Works, Transportation and Finance Committees

Seconded by Mrs. Coffey

RESOLUTION AUTHORIZING A PERMANENT EASEMENT AGREEMENT WITH NEW YORK TELEPHONE COMPANY FOR AN EASEMENT LOCATED ON AIRPORT ROAD IN THE TOWN OF MAINE

WHEREAS, New York Telephone Company has requested a fiber optic telephone line easement through land owned by Broome County located on Airport Road in the Town of Maine in order to provide enhanced telephone service to airport facilities, and

WHEREAS, the Departments of Public Works and Aviation have 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 Telephone

Company a permanent easement running through land owned by Broome County on Airport Road in the Town of Maine, 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 Telephone Company 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 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.

Mr. Pasquale moved, seconded by Mr. Moppert to adjourn to the call of the Clerk.
Carried.

**SPECIAL SESSION
THURSDAY, FEBRUARY 21, 1991
AT 3:50 P.M.**

The Legislature convened at 3:50 p.m., EST. Called to order by the Chairman, Arthur J. Shafer.

Roll was called by the Clerk, Richard R. Blythe and the fire exit announcement was made. Present-18, Absent-1, (Pasquale).

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

RESOLUTION NO. 46

By Environment Committee

Seconded by Mr. Bielecki

**RESOLUTION CONFIRMING LEGISLATIVE INTENT TO SUPPORT
CONTRACTUAL OBLIGATIONS**

WHEREAS, in 1988 Broome County and the Broome County Resource Recovery Agency (Agency) entered into an Intermunicipal Solid Waste Management Agreement