

**REGULAR SESSION  
THURSDAY, APRIL 25, 1991  
AT 4:00 P.M.**

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

The Clerk, Richard R. Blythe, read the fire exit announcement and then called the attendance roll: Present-17; Absent-2 (Warner, 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.

Mr. Moppert moved, seconded by Mrs. Coffey that the minutes of the April 4, 1991 Regular Session be approved as prepared and as presented by the Clerk. Carried.

The following written presentations were made by the County Executive, Timothy M. Grippen:

Letter nominating J. Ellis, K. Crump to membership on the Youth Bureau Advisory Board.

The following communications were presented to the County Legislature:

List of significant correspondence from Resource Recovery Agency (March 25 through April 5, 1991).

Minutes from: Airport Advisory Board; County Public Library. Solid Waste Weekly Update, April 5, 1991.

Resolutions from: Tioga County (Requesting Repeal of Wick's Law); Madison County (Support of Reducing State Mandates and Maintaining Current Levels of State Aid for Social Services); Orange County (Requesting State Comptroller to Investigate Defeated Environmental Quality Bond Act of 1990).

Letter to Hon. Daniel Louis enclosing response of coapplicants to letter from Joseph Slocum to John Murray.

Notice of Petition, Town of Dickinson vs. the County of Broome and the County Legislature in regard to the Public Safety Complex Project.

The following reports were presented to the County Legislature:

1990 Annual Reports: Foster Wheeler Corporation; Broome County Chamber of Commerce.

Monthly Reports: Department of Social Services (January 1991); Cornell Cooperative Extension (February and March 1991). Broome Community College March 1991 Budget Transfers. Broome County Department of Personnel New Employee Forms, Position Change Request Forms, and Change-in-Status Forms.

Audit Findings on contract with Health Department and Trinity Memorial Church.

Quarterly Report (pending projects) from Department of Public Works. Broome County Arts Council and LIFT: Final 1990 Report; First Quarterly Report 1991.

Mr. Moppert moved, seconded by Mrs. Greenmun that the reports be received and filed and any pertinent portions thereof be placed in the Journal of Proceedings. Carried.

The Chairman, Mr. Shafer, called upon Diane Knack from Cooperative Extension to give a brief summary on the plans and goals for Cooperative Extension. Mrs. Knack invited the members of the Legislature to meet with the Cooperative Extension staff at their location on Thursday, May 2, 1991, at 4:00 pm. The purpose of the meeting is to make the Legislature aware of the changes which Cooperative Extension has been responsible for since their inception in 1911.

Mr. Kavulich requested Anthony DesCipio of 428 Ferndale Drive, Town of Dickinson, be allowed to speak to the issue of the proposed Jail. The Chairman reminded the Legislature that the County is currently in litigation regarding this issue. The County Attorney advised that there be no discussion. Mr. DesCipio was given permission to speak, with no discussion to follow, by roll call vote, Ayes-16, Nays-1 (Coffey), Absent-2 (Pasquale, Warner).

**RESOLUTION NO. 115** by Environment Committee directing the Broome County Division of Solid Waste Management to take action to permit ash disposal at the Nanticoke Landfill, held over at April 4 session by Mr. Yeager.

Resolution carried by the following roll call:  
Ayes-13, Nays-4 (Coffey, Greenmun, Kavulich, Malley); Absent-2 (Pasquale, Warner).

**RESOLUTION NO. 118** by Finance Committee authorizing the Director of Real Property Tax Services to advertise the sale of real property owned by Broome County situated on Hospital Hill Road (Chenango Bridge Nursing Home) in the Town of Chenango, held over at April 4 session by Mr. Malley. Mrs. Coffey requested to amend the resolution eliminating any reference to subdividing the property into parcels, Mr. Malley seconded. After discussion, Mr. Malley withdrew his second. No vote took place due to lack of a second. Mr. Moppert moved, seconded by Ms. Greenmun, to change the second FURTHER RESOLVED from "...within 60 days..." to read "...within 90 days..." Amendment carried by the following roll call: Ayes-17, Nays-0, Absent-2 (Pasquale, Warner).

Resolution as amended carried by the following roll call:  
Ayes-17, Nays-0, Absent-2 (Pasquale, Warner).

**RESOLUTION NO. 151**

By County Administration, Economic Development and Planning Committees

Seconded by Mr. Augustini

**RESOLUTION TO SEEK ENACTMENT OF A CONSTITUTIONAL AMENDMENT LIMITING THE STATE LEGISLATURE'S AUTHORITY TO IMPOSE ANY NEW OR EXPANDED MANDATED SERVICES UPON LOCAL GOVERNMENTS WITHOUT PROVIDING CONCOMITANT FUNDING.**

WHEREAS, counties in New York State, continue to be caught between the rising cost of state-mandated services and decreasing state assistance to pay for them, and

WHEREAS, the federal government has passed more and more responsibility to the state to carry out activities it has previously performed, and

WHEREAS, the state has turned to local and county government to carry out these functions without providing concomitant funding and consequently, county governments are shouldering more of the financial burden, relying almost completely on the limited revenues derived from the property tax, and

WHEREAS, the experience of other states which have attempted to deal with the problem of mandated indicates that statutory solutions often prove unworkable, and are easily circumvented by subsequent Legislatures, therefore, be it

WHEREAS, the state has turned to local and county government to carry out these functions without providing concomitant funding and consequently, county governments are shouldering more of the financial burden, relying almost completely on the limited revenues derived from the property tax, and

WHEREAS, the experience of other states which have attempted to deal with the problem of mandated indicates that statutory solutions often prove unworkable, and are easily circumvented by subsequent Legislatures, now, therefore, be it

RESOLVED, that Broome County seeks the enactment of a constitutional amendment limiting the state Legislature's authority to impose any new or expanded mandated service upon local governments unless 100% of state funding is provided, or the service/program is optional or it is at the request of the local government, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a copy of this Resolution to Honorable Mario Cuomo, Honorable Thomas Libous, Honorable James Tallon, Honorable Richard Miller, Honorable Ralph Marino, and the Honorable Melvin Miller.

Carried.

**RESOLUTION NO. 152**

By County Administration, Economic Development and Planning, and Finance Committee

Seconded by Mr. Augostini

**RESOLUTION AUTHORIZING AGREEMENT WITH INVESTMENT PROPERTY ASSOCIATES FOR LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF EMPLOYMENT AND TRAINING FOR 1991 THROUGH 1995**

WHEREAS, the Department of Employment and Training requests authorization for an agreement with Investment Property Associates for lease of office space located at 30 Wall Street in the City of Binghamton, and

WHEREAS, said lease is necessary for the relocation of the Department's Youth Counselors and Basic Education Class, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the agreement with Investment Property Associates, 20-24 Wall Street, Binghamton, New York, 13901, for lease of 1,000 square feet of office space at 30 Wall Street in the City of Binghamton for the Department of Employment and Training for the period May 1, 1991 through April 30, 1996, and be it

FURTHER RESOLVED, that in consideration of said lease, the County shall pay to Investment Property Associates \$11.00 per square foot per year, including utilities, total cost not to exceed \$55,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 720722.4422.308000 (Building and Land Rentals), 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.

Resolution carried by the following roll call:

Ayes-15; Nays-2 (Greenmun, Hudak); Absent-2 (Pasquale, Warner).

**RESOLUTION NO. 153**

By County Administration, Economic Development & Planning Committee and All Members

Seconded by Mr. Augustini

**RESOLUTION HONORING AND COMMENDING METRO PLAZA APARTMENTS ON TEN YEARS OF COMMUNITY SERVICES TO BROOME COUNTY**

WHEREAS, Metro Plaza Apartments located at 110 Chenango Place in the City of Binghamton celebrated ten years of service to Broome County on April 4, 1991, and

WHEREAS, for ten years, Metro Plaza Apartments has provided affordable housing, with recreational activities, for elderly persons and handicapped persons of Broome County, and

WHEREAS, it is desired at this time to honor and commend Metro Plaza Apartments on 10 years of community service to Broome County, now, therefore, be it

RESOLVED, that this County Legislature commends the Metro Plaza Apartments, located at 110 Chenango Place in the City of Binghamton, on ten years of community service to Broome County, and be it

FURTHER RESOLVED, that the Clerk of this Legislature be and hereby is directed to send a certified copy of this resolution to Metro Plaza Apartments, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Carried.

**RESOLUTION NO. 154**

By County Administration, Economic Development and Planning, Finance Committee

Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT**

WHEREAS, that in accordance with a request from the Department of Planning and Economic Development, in order to provide funds to facilitate the purchase and implementation of software required to run the computerized mapping and geographic information system for Redistricting, as requested by BT #218, 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>
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FROM:	440016	1000	101000	Salaries, full-time	\$12,600
TO:	440016	4359	101000	Computer Software	\$12,600
	Carried.				

**RESOLUTION NO. 155**

By Community and Social Services Committee

Seconded by Mr. Augostini

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE YOUTH BUREAU ADVISORY BOARD**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 163, adopted July 6, 1971 and Resolution No. 133, adopted April 6, 1976, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Youth Bureau Advisory Board for the terms indicated:

NAME	TERM EXPIRING
John Ellis 43 Lathrop Avenue Binghamton, New York 13905 (to fill unexpired term)	December 31, 1991
Capt. Kenneth Crump Box 120 Bean Hill Road Endicott, New York 13760 (to fill unexpired term)	December 31, 1991

and

WHEREAS, it is desired at this time, in accordance with the provisions of Resolution No. 163, adopted July 6, 1971 and Resolution No. 133, adopted April 6, 1976, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 163, adopted July 6, 1971 and Resolution No. 133, adopted April 6, 1976, does hereby confirm the appointments of the above-named individuals to membership on the Youth Bureau Advisory Board in accordance with their appointment by the County Executive.

Carried.

**RESOLUTION NO. 156**

By Community and Social Services and Finance Committees

Seconded by Mr. Augostini

**RESOLUTION AUTHORIZING RENEWAL OF THE DEPARTMENT OF SOCIAL SERVICES LOW INCOME DAY-CARE PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992**

WHEREAS, this County Legislature, by Resolution 136 of 1990, and Resolution 24 of 1991 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 \$228,372, and

WHEREAS, said Grant Program expired by its terms on March 31, 1991 and it is desired at this time to renew said grant program for the period April 1, 1991 through March 31, 1992, 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, 1991 through March 31, 1992, 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, 1991 through March 31, 1992, and be it

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

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

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

Carried.

**RESOLUTION NO. 157**

By Education, Culture & Recreation, Personnel and Finance Committees

Seconded by Mr. Augostini

**RESOLUTION AUTHORIZING REVISION OF NATURAL TRUST GRANT FOR BROOME COUNTY DEPARTMENT OF PARKS AND RECREATION AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991**

WHEREAS, this County Legislature, by Resolution 549 of 1989, authorized

and approved the Natural Heritage Trust Grant and adopted a program budget in connection therewith in the amount of \$12,000 for January 1, 1990 through December 31, 1990, and

WHEREAS, it is desired at this time to renew said grant program for 1991 in the amount of \$11,640, now, therefore, be it



RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$11,640 from the New York State Department of Parks, Recreation and Historic Preservation for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts a program budget annexed hereto as Exhibit "A" in the total amount of \$11,640 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 empowered to execute any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

Carried.

**RESOLUTION NO. 158**

By Environment Committee

Seconded by Mr. Augustini

**RESOLUTION DIRECTING INITIATION OF ENVIRONMENTAL REVIEW OF AGRICULTURAL DISTRICT NO. 3 UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, pursuant to the Agricultural and Markets Law, this County Legislature heretofore established Agricultural District No. 3, and

WHEREAS, the State Environmental Quality Review Act requires Agricultural Districts to be reviewed every eight years for a determination of environmental impact, and

WHEREAS, Broome County Agricultural District No. 3 is scheduled for an eight year review, and

WHEREAS, this County Legislature has responsibility for SEORA compliance when Agricultural Districts undergo an eight year review, and

WHEREAS, it is therefore, necessary to initiate procedures with respect to the State Environmental Quality Review Act, 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 Broome County Agricultural District No. 3, and be it

FURTHER RESOLVED, that this County Legislature hereby designates the Environmental Management Council as coordinator for such review.

Carried.

**RESOLUTION NO. 159**

By Environment Committee

Seconded by Mr. Augostini

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF SOLID WASTE FOR PREPARATION OF THE SOLID WASTE MANAGEMENT PLAN FOR THE DIVISION OF SOLID WASTE FOR 1990 THROUGH 1991**

WHEREAS, this County Legislature, by Resolution 134 of 1989, and Resolution 481 of 1990 authorized an agreement with the New York State Department of Environmental Conservation Division of Solid Waste to develop a Solid Waste Management Team, and

WHEREAS, it is necessary to authorize the amendment of said agreement to allow for a no cost time extension of contract, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the New York State Department of Environmental Conservation Division of Solid Waste, 50 Wolf Road, Albany, New York for a time extension for the period May 1, 1991 through December 31, 1991 at no cost to Broome County, and be it

FURTHER RESOLVED, that Resolution 263 of 1989 and Resolution 481 of 1990 consistent herewith, shall remain in full force and effect, and be it 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. 160**

By Finance Committee

Seconded by Mr. Augostini

**RESOLUTION AUTHORIZING REMOVAL OF CERTAIN PARCELS FROM THE 1987 IN REM FORECLOSURE**

WHEREAS, the Director of Real Property Tax Services advises that the below listed parcel is presently on the 1987 In Rem Foreclosure List, and

WHEREAS, for the reasons hereinafter set forth, it is necessary to authorize the

removal of this parcel from the 1987 In Rem Foreclosure, now, therefore, be it

RESOLVED, that the below listed parcel shall be removed from the 1987 In Rem Foreclosure:

Town	Parcel	Property Owner	Reason
Kirkwood	5-4	Sheldon and Elsa Havtur	Bankruptcy

Carried.

**RESOLUTION NO. 161**

By Finance Committee

Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON A PARCEL IN THE TOWN OF WINDSOR**

WHEREAS, the Town of Windsor now owns a certain parcel of real property and it is necessary to clear the tax records of this parcel of real property, now, therefore, be it

RESOLVED, that taxes will be cancelled on a parcel of real property located in the Town of Windsor, parcel 3-5-B-15X, owner Town of Windsor amount to be cancelled \$168.00, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to remove the above state properties from the County tax rolls.

Carried.

**RESOLUTION NO. 162**

By Finance Committee  
Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING THE ADVERTISING FOR SALE OF 1987  
IN REM FORECLOSURE PROPERTIES OWNED BY BROOME COUNTY**

WHEREAS, the County of Broome owns certain parcels of property acquired by in rem proceedings during 1987, and

WHEREAS, said properties have been reviewed by the appropriate county officials and the Finance Committee of this County Legislature and have been found to be of no retentive value to the County, and

WHEREAS, the Director of Real Property Tax Service and the Finance Committee of this County Legislature have reviewed said 1987 in rem properties and said Committee has established upset prices for the sale of said parcels in accordance with procedures established by this County Legislature, and

WHEREAS, the Director of Real Property Tax Service and your sponsoring Committee request authorization of this County Legislature to proceed with the advertisement and sale of the 1987 in rem properties, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of the Real Property Tax Service to advertise for the sale of and to sell the in rem properties acquired by this County for the year 1986, said advertising and sale to be subject to the pertinent laws and procedures concerning the sale of County-owned real property established by this County Legislature and in accordance with the terms of other appropriate laws concerning the sale of real property.

Carried.

**RESOLUTION NO. 163**

By Finance Committee  
Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPUTY  
COUNTY HISTORIAN TO COMPILE PROFILES OF FORMER BROOME  
COUNTY LEGISLATORS**

WHEREAS, that in accordance with a request from the County Historian, in order to provide funds for the Deputy County Historian to compile profiles of former Broome County Legislators, as requested by BT# 1566, 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:	900084	4752	101000	Contingency	\$1,400
TO: 550004	1500	101000	Salaries, part-time	\$1,400	

Carried.

**RESOLUTION NO. 164**

By Finance Committee

Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING REVISION OF AGREEMENT WITH CORPORATE CARE MANAGEMENT FOR CASE MANAGEMENT MONITORING OF BROOME COUNTY'S WORKERS COMPENSATION PROGRAM FOR 1991 TO 1992**

WHEREAS, this County Legislature, by Resolution 107 of 1991, authorized an agreement with Corporate Care Management for case management of the County's Workers Compensation claims as a cost of \$.76 per plan participant, total cost not to exceed \$54,000.00 for the term March 1, 1991 through February 28, 1992, and

WHEREAS, it is necessary at this time to authorize a revision to said agreement due to an increase in costs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes revision of the agreement with Corporate Care Management, 70 Corporate Drive, Binghamton, New York for case management monitoring of the Workers Compensation Program, including identification of cases amenable to case management, monitoring costs of services and rehabilitation, therapists and vocational counselors, and submission of written progress reports filed on a monthly basis with recommendations to achieve rehabilitation goals, for the period March 1, 1991 through February 28, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor \$.76 per plan participant, total payment not to exceed \$54,583.20 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050013.4747.602000 (Other Fees for Services), and be it

FURTHER RESOLVED, that Resolution 107 of 1991, to the extent consistent therewith, 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. 165**

By Health Services and Finance Committees

Seconded by Mr. Augustini

#### **RESOLUTION AUTHORIZING REVISION OF AGREEMENT WITH BENDER HYGIENIC LABORATORY, INCORPORATED, FOR LABORATORY SERVICES IN CONNECTION WITH THE HEALTH DEPARTMENT CHILDHOOD LEAD POISONING PREVENTION PROGRAM FOR OCTOBER 1, 1990 THROUGH DECEMBER 31, 1991**

WHEREAS, this County Legislature, by Resolution 90 of 1991, authorized an agreement with Bender Hygienic Laboratories, Inc., to perform free erythrocyte protoporphyrin (FEP) and blood level analysis to identify children with excessive lead absorption for the period October 1, 1990 through January 31, 1991 at a cost not to exceed \$4,400, and

WHEREAS, it is necessary at this time to revise said agreement to provide for an extension of the agreement, until December 31, 1991, and to authorize the costs associated with utilizing this lab service until December 31, 1991, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes revision of the agreement with Bender Hygienic Laboratories, Inc., 9 Samaritan Drive, Albany, New

York 12203 for laboratory services including blood lead analysis and FEP for the period October 1, 1990 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 \$7,504 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480343.4703.102530 (Lab Services) and 480343.4703.102541 (Lab 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. 166**

By Health Services and Finance Committees

Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING AN AGREEMENT WITH PETER MONDI FOR OCCUPATIONAL THERAPY SERVICES FOR THE HEALTH DEPARTMENT HOME HEALTH SERVICES PROGRAMS FOR 1991**

WHEREAS, the Health Department requests authorization for an agreement with Peter Mondy for Occupation Therapy services for the Health Department Home Health Services Programs, and

WHEREAS, said services are necessary for the Health Department's Home Health Services Programs to assist patients in learning to do specific activities to overcome disabilities and in relearning activities of daily living to regain independence, and

WHEREAS, said services are third party reimbursable, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Peter Mondy, P.O. Box 134, Binghamton, New York 13904-134 for Occupational Therapy Services for the Health Department Home Health Services for the term March 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor \$45.00 per visit, plus \$0.275 per traveled mile, total cost not to exceed \$3,850 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480061.4706.101046 (Rehabilitation & Therapy 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. 167**

By Health Services, Personnel and Finance Committees

Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING REVISION OF THE DEPARTMENT OF HEALTH HIV PRIMARY CARE GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1990 THROUGH 1991**

WHEREAS, this County Legislature by Resolution 309 of 1990 authorized the participation by the Health Department in the HIV primary care program for the term July 1, 1990 through June 30, 1991 and adopted a program budget in connection



therewith in the total amount of \$81,605, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Department's HIV primary care grant for the period July 1, 1990 through June 30, 1991 in the total amount of \$39,080, and be it

FURTHER RESOLVED, that this Count Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$39,080 for the period July 1, 1990 through June 30, 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 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. 168**

By Personnel and Finance Committees

Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING EXTENSION OF HEALTH BENEFITS AND PAY FOR BROOME COUNTY EMPLOYED RESERVISTS CALLED UP TO ACTIVE DUTY**

WHEREAS, this County Legislature, by Resolution 442 of 1990, extended assistance to Broome County-employed Reservists called to active duty by authorizing paying the difference between military pay and County pay for up to six months when the Reservist's military pay was less than his/her County pay, and also to provide health insurance benefits, if necessary, for the period between when active duty terminates and the Reservist returns to County employment for a period not to exceed 90 days, and

WHEREAS, said assistance period for this pay differential expires on May 8, 1991 and it is desired at this time to extend this differential pay for an additional six months as some or all of the Reservists affected may not be released from active duty prior to May 8, 1991, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes to pay the difference between military pay and County pay for any County-employed Reservist called to active duty for an additional 6 month period from May 8, 1991 through November 8, 1991, and

FURTHER RESOLVED, that Resolution 442 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. 169**

By Personnel and Finance Committees

Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS AND  
TRANSFER OF FUNDS FOR THE COUNTY PUBLIC LIBRARY**

RESOLVED, that in accordance with a request from the Broome County Public Library, as contained in PCR# 91-191 this County Legislature hereby authorizes the elimination of a full-time Librarian 11 position, at budget line 841007.1000.304000, minimum salary \$23,561, Grade 18, and the establishment of one (1) part-time Librarian I position at budget line 842005.1500.304000, minimum salary \$21,168, Grade 16, one (1) part-time Librarian 1 position at budget line 841007.1500.304000, minimum salary \$21,168, Grade 16, and one (1) part-time Library Clerk position at budget line 842005.1500.304000, minimum salary \$12,393, Grade 6, effective March 4, 1991, and be it

FURTHER RESOLVED, that in accordance with a request from the Broome County Public Library, in order to provide funds for three part-time positions; two Librarian 1 positions and one Library Clerk position, as requested by BT# 91-1387, 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:	841007	1000	304000	Salaries, Full-time	\$11,000
	842005	4614	304000	Other Chargeback Exp.	\$12,500
TO:	841007	1500	304000	Salaries, Part-time	\$10,000
	841007	4359	304000	Computer Software	\$ 1,000
	842005	1500	304000	Salaries, Part-time	\$12,500
	Carried.				

**RESOLUTION NO. 170**

By Public Safety and Emergency Services and Finance Committees  
 Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE UNIFIED COURT SYSTEM OF THE STATE OF NEW YORK FOR SECURITY SERVICES IN THE COURTS OF BROOME COUNTY FOR 1990 THROUGH 1991**

WHEREAS, with the takeover of the County Courts by New York State in 1977 the State also assumed the obligation to pay for the costs of providing security services to said courts, and

WHEREAS, such court security services have been and will be provided through the Broome County Sheriff's Department by the employment and appointment of temporary Court Attendants and Deputy Sheriffs, and

WHEREAS, this County Legislature by Resolution 104 of 1990 authorized an agreement with the Unified Court System of the State of New York for the provision of court security for the period April 1, 1990 through March 31, 1991 with payment of \$199,250.00 to reimburse the County for expenses, and

WHEREAS, a tentative agreement has been reached with the State for the provision of such services at a cost of \$241,000.00, and

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

RESOLVED, that this County Legislature hereby authroizes an agreement with the Unified Court System of the State of New York, for the Sixth Judicial District, Centre Plaza Building, Fifth Floor, Binghamton, New York 13901 for the provision of security services in Broome County Family, Supreme and County Courts for the period April 1, 1991 through March 31, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, Unified Court System of the State of New York shall pay the County \$241,000.00 for the term of this agreement, 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. 171**

by Public Works and Finance Committees

Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR BRIDGE INSPECTION SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, this County Legislature, by Resolution 251 of 1981, authorized an agreement with New York State Department of Transportation for Bridge Inspection Services, at a cost of \$8,160, and

WHEREAS, it is necessary to authorize the amendment of said agreement due to increased costs associated with the inspections, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with New York State Department of Transportation for bridge inspection services, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor \$9,597.58, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 030122.4747.301000 (Other Fees For Services), and be it

FURTHER RESOLVED. that Resolution 251 of 1981, 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. 172**

By Community and Social Services and Public Works Committees

Seconded by Mr. Lindsey

**RESOLUTION AUTHORIZING THE PLACEMENT OF TWO FLAGPOLES FLYING A UNITED STATES AND POW FLAG AND A UNITED NATIONS FLAG, IN HONOR OF THE KOREAN CONFLICT ON THE BROOME COUNTY COURTHOUSE LAWN**

WHEREAS, this County Legislature, by Resolution 357 of 1990, authorized a stone monument commemorating and honoring the brave men and women in our community who served our country in the Korean conflict, and

WHEREAS, the stone monument is located on the lawn at the west side entrance/exit of the Broome County Courthouse on the north side of the walkway, and

WHEREAS, the Korean Conflict Memorial Fund, a division of the Broome County Veterans Memorial Association, Inc. desires to further honor the brave men and women who served our country in the Korean conflict by erecting two flagpoles in order to fly United States and POW flags from one pole and a United Nations flag from the second pole, and,

WHEREAS, the location of these two flagpoles is to be determined by the Architect involved in the Courthouse steps renovations, now, therefore, be it

RESOLVED, that the Korean Conflict Memorial Fund is hereby authorized to place two flagpoles on the Court House Lawn, the specific location to be determined by the Architect involved in the Court House steps renovations, approximately thirty feet in height from which will be flown a United States flag and a POW flag, and a United Nations flag.

Carried by the following:

Ayes-16, Nays-1 (Yeager), Absent-2 (Pasquale, Warner).

**RESOLUTION NO. 173**

By Environment Committee

At the request of Mr. Schofield, Resolution No. 173 was held over under the rules.

**RESOLUTION ESTABLISHING THE POLICY OF THE BROOME COUNTY LEGISLATURE IN REFERENCE TO THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY**

WHEREAS, it is the primary goal of the Broome County Legislature to establish a Materials Recovery Facility in 1991, and

WHEREAS, the Legislature believes the County should own the Material Recovery Facility, including the property upon which it is located, the building/buildings and the Materials Recovery Facility equipment, and

WHEREAS, the Legislature believes that the Materials Recovery Facility should be operated by a private operator for maximum efficiency, and

WHEREAS, to implement the above, the County should undertake to contract with a competent company, experienced in the field of recycling, for the design, construction and operation (including marketing of materials) of a Materials Recovery Facility on the said County property, now, therefore, be it

RESOLVED, that the Division of Solid Waste Management pursue these goals and take the necessary steps to achieve these goals, and be it

FURTHER RESOLVED, that these goals be and hereby are declared to be the policy of this Broome County Legislature for the establishment of a Materials Recovery Facility for Broome County.

Held over by Mr. Schofield.

**RESOLUTION NO. 174**

By County Administration, Economic Development and Planning and Environment Committees

At the request of Mr. Schofield, Resolution No. 174 was held over under the rules.

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 8, 1991, ENTITLED "A LOCAL LAW AMENDING LOCAL LAW INTRO. NO. 9 OF 1986, AS AMENDED BY LOCAL LAW INTRO. NO. 5 OF 1988, PROVIDING FOR THE MANAGEMENT OF SOLID WASTE GENERATED, ORIGINATED OR BROUGHT WITHIN THE COUNTY OF BROOME**

WHEREAS, it is the desire of this County Legislature to provide a clear message to the citizens and residents of Broome County in that Broome County is committed to take all efforts necessary to promote the maximum reduction and recycling of the County's waste stream, and

WHEREAS, the lifetime and usage of Section 2 of the Nanticoke Landfill is diminishing rapidly and it is in the best interest of Broome County Residents to preserve the life and usage of this section for as long as possible, and



WHEREAS, there is adequate capacity to handle the inclusion of the remaining non-recycling households in Broome County at the present material recovery facility, and

WHEREAS, this County Legislature, by Local Law Intro. No. 9 of 1986, as amended by Local Law Intro. No. 5 of 1988, provided for the management of solid waste generated, originated or brought within the County of Broome, and

WHEREAS, said local law, as amended, provided for a twelve (12) month adjustment and education period, beginning December, 1990, whereby violations of the local law which occurred during this period were not subject to ordinary enforcement and penalties but were to be handled as follows:

- i)verbal warning or instruction to the person in violation;
- ii)written warning or instruction to the person in violation; or
- iii)meeting with person in violation to determine the reasons for such violation and to educate or assist such person to achieve compliance,

and,

WHEREAS, it is desired at this time to change the above-mentioned education and adjustment period from 12 months to seven (7) months thus having the education and adjustment period end on July 31, 1991, and

WHEREAS in order to change the education and adjustment period it is necessary to amend Local Law Intro. No. 9 of 1986 and Local Law Intro. No. 5 of 1988, now, therefore, be it

RESOLVED, that Local Law Intro. No. 8, 1991, entitled: "A Local Law Amending Local Law Intro. No. 9 of 1986, as amended by Local Law Intro. No. 5 of 1988, providing for the Management of Solid Waste Generated, Originated or Brought within the County of Broome" be and the same is adopted and approved in accordance with the Broome County Charter, and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 8, 1991

"A LOCAL LAW AMENDING LOCAL LAW INTRO NO. 9 OF 1986, AS AMENDED BY LOCAL LAW INTRO. NO. 5 OF 1988, PROVIDING FOR THE MANAGEMENT OF SOLID WASTE GENERATED, ORIGINATED OR BROUGHT WITHIN THE COUNTY OF BROOME"

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

SECTION 1. Section 9 of Local Law Intro. No. 9 of 1986, as amended by Section 3 of Local Law Intro. No. 5 of 1988, is hereby amended to read as follows:

This local Law shall take effect following a public hearing before and approval by the County Executive in the matter provided by law.

Section 4(B) of this Local Law shall be effective throughout the County no later than December 31, 1990, and following a public hearing before and approval by the County Executive in the manner provided by law. The County Executive or his designee shall, within ninety (90) days of the signing of this Local Law, file with the Clerk of the Broome County Legislature and of each municipality within the County a schedule for implementation of this Local Law, giving the date that this Law will be effective in each Town, City, and Village within the County.

An adjustment and education period of [12] 7 months from the effective date of this Local Law is hereby established. During such adjustment and education period, any violation of this Local Law shall not be subject to ordinary enforcement and penalties, but shall instead be handled as follows:

- i) verbal warning or instruction to the person in violation;
- ii) written warning or instruction to the person in violation; or
- iii) meeting with the person in violation to determine the reasons for such violation and to educate or assist such person to achieve compliance.

SECTION 2. Except as hereinabove amended, Local Law Intro. No. 9 of 1986, as amended by Local Law Intro No. 5 of 1988, shall remain in full force and effect.

SECTION 3. This Local Law shall take effect following a public hearing before the County Executive in the manner provided for by law.

Note: Material in brackets [] is deleted. Material in underlining is added.

Held over by Mr. Schofield.

**RESOLUTION NO. 175**

By Personnel and Finance Committees

Seconded by Mr. Pazzaglini and Mrs. Coffey

Mr. Pasquale arrived shortly after this resolution was introduced.

**RESOLUTION AUTHORIZING THE IMPLEMENTATION OF THE CLASSIFICATION OF DESIGNATED COUNTY PERSONNEL POSITIONS**

WHEREAS, this Legislature, by Resolution 409 of 1988, authorized the acceptance of services from the New York State Department of Civil Service Municipal Service Division for position classification and evaluation, salary study and the development of salary structures for designated County positions, and

WHEREAS, the classification phase has been completed, a copy which is on file with the Clerk of the Legislature, and it is desired at this time to implement this classification and transfer funds in accordance with this classification phase, and

WHEREAS, there may be further reclassifications during 1991 as a result of this study, and

WHEREAS, this County Legislature appropriated the necessary costs of implementing the classification in the 1991 County budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the implementation of the classification study on file with the Clerk of the Legislature, and be it

RESOLVED, incumbents in the classified listed positions will receive appropriate salary adjustments retroactive to date of entry into position but no earlier than the effective date of this resolution. Also, employees receiving salary adjustments must be in the classified position at time Legislative action is taken, and be it

FURTHER RESOLVED, that salary adjustments due to classification shall be administered as follows:

- 1.all employees will remain in current step position within new grade of the reclassified position.
- 2.an employee whose current salary is higher than the maximum step/performance increment eligibility of the reclassified position will remain at current salary level.
- 3.an employee whose classified position is at a lower grade than current position will not receive a salary adjustment and will remain at current salary. If such employee was eligible for 1991 step/performance increment in the higher grade such increment will not be withheld.
- 4.this action does not supersede contractual obligations to provide general wage increase, and be it

FURTHER RESOLVED, that for any supplemental reclassification approved by this Legislature during 1991 from the ongoing classification study, the incumbents in the classified listed positions will receive appropriate salary adjustments retroactive to the date of entry into the position, but no earlier than the effective date of this resolution. Employees receiving salary adjustments must be in the classified position at the time Legislative action is taken on the resolution to receive retroactive salary considerations, and

FURTHER RESOLVED, that the Budget Director and Commissioner of Finance are authorized to make all necessary budget transfers to satisfy the costs of

implementing the reclassification study.

Mr. Schofield and Mrs. Wagstaff introduced three amendments, seconded by Mr. Pazzaglini. Amendment #1: In the second RESOLVED replace January 1, 1991 with "the effective date of this resolution" and delete "on this resolution to receive retroactive salary consideration". Amendment #2: Following the second WHEREAS insert the following: WHEREAS, there may be further reclassifications during 1991 as a result of this study, and following the first FURTHER RESOLVED insert the following: FURTHER RESOLVED, that for any supplemental reclassification approved by this Legislature during 1991 from the ongoing classification study, the incumbents in the classified listed positions will receive appropriate salary adjustments retroactive to the date of entry into the position, but no earlier than the effective date of this resolution. Employees receiving salary adjustments must be in the classified position at the time Legislative action is taken on the resolution to receive retroactive salary considerations. Amendment #3: Add a final FURTHER RESOLVED, that due to uncertainties of state and federal funding the Department of Personnel shall cease its efforts at completing the pay equity study currently planned until further direction from this legislature. After a lengthy discussion, Mrs. Coffey requested a separate vote on each amendment and called the question, seconded by Ms. Wagstaff, the resulting vote being Ayes - 18, Nays - 0, Absent - 1 Warner. Amendment #1 carried by the following roll call: Ayes - 11; Nays - 7 Coffey, Greenmun, Kavulich, Malley, Pasquale, Seeley, Shafer; Absent - 1 Warner. Amendment #2 carried by the following roll call: Ayes - 15; Nays - 3 Coffey, Kavulich, Malley; Absent - 1 Warner. Amendment #3 failed by the following roll call: Ayes - 9 Augostini, Bielecki, Howard, Lindsey, Moppert, Pazzaglini, Schofield, Wagstaff, Yeager; Nays - 9 Brown, Coffey, Greenmun, Kavulich, Hudak, Malley, Pasquale, Seeley, Warner, Shafer; Absent - 1. After discussion, Mr. Augostini called the question, seconded by Ms. Wagstaff. The result of a roll call vote was Ayes - 18, Nays - 0, Absent - 1 Warner.

Resolution No. 175 as amended carried by the following vote:

Ayes-16, Nays-2 (Schofield, Howard), Absent-0 (Warner).

**RESOLUTION NO. 176**

By Public Safety, Personnel, County Administration, Economic Development & Planning and Finance Committees

Seconded by Ms. Hudak

**RESOLUTION AUTHORIZING ACCEPTANCE OF ANTI-DRUG ABUSE PROGRAM GRANT FROM THE STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH, AND AUTHORIZING AN AGREEMENT WITH THE CITY OF BINGHAMTON FOR PARTIAL ADMINISTRATION**

**THEREOF**

WHEREAS, the New York State Legislature has appropriated funds to the New York Division of Criminal Justice Services for the Anti-Drug Abuse Act Program for use in reducing the street trafficking and use thereof of narcotics in the City of Binghamton downtown business district and develop a support network between and among businesses, police and community residents, and

WHEREAS, the New York State Division of Criminal Justice Services has awarded Broome County \$332,143 for the above-mentioned program, and

WHEREAS, additionally Broome County will contribute \$30,998, and the City of Binghamton will provide \$84,000 of in-kind services in support for this program, total program expenditures being \$447,141, and

WHEREAS, this program will be implemented by the Broome County District Attorney, Probation, Public Defender and the City of Binghamton Police Department, and

WHEREAS, it is desired to accept said grant monies from the State of New York Division of Criminal Justice Services in the amount of \$332,143 and to authorize an agreement with the City of Binghamton for that portion of the grant which the City of Binghamton is required to effectuate for the period January 1, 1991 through December 31, 1991, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$332,143 from the New York State Division of Criminal Justice Service for the period January 1, 1991 through December 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 \$332,143 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 empowered to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

Carried.

**RESOLUTION NO. 177**

By Public Works, Education, Culture & Recreation, and Finance Committees

Seconded by Mr. Pazzaglini

**RESOLUTION AMENDING THE 1991 CAPITAL IMPROVEMENT PROJECT FOR BROOME COMMUNITY COLLEGE**

WHEREAS, the 1991 Capital Improvement Project, E-112 - Asbestos Remediation project description provides for abatement of asbestos in the Broome Community College Library, and

WHEREAS, it is desired to amend said Capital Improvement Project project description to add the Broome Community College Student Center to the project description in that it is more cost effective for Broome Community College's asbestos remediation program to complete all necessary removal of asbestos in the Broome Community College Student Center and the Broome Community College Library utilizing 1991 Capital Improvement Project Funds, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the amendment of the 1991 Capital Improvement Project, E-112 Asbestos Remediation project description by adding the Broome Community College Student Center to the areas to receive asbestos abatement, and be it

FURTHER RESOLVED, that Capital Improvement Project 1991 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. 178**

By Environment and Finance Committees

Seconded by Ms. Greenmun

**RESOLUTION AUTHORIZING THE DIVISION OF SOLID WASTE TO CONTRACT FOR AN APPRAISAL AND ENVIRONMENTAL AUDIT FOR A PERMANENT MATERIALS RECOVERY FACILITY**

WHEREAS, the Broome Division of Solid Waste Management and this Legislature desires an appraisal of a property (Tax Map Number IH13-13-S2) for purposes of providing a site specific location for the possible location of a permanent materials recovery facility, and

WHEREAS, the Division of Solid Waste and this Legislature also desires an Environmental Audit of said property, now, therefore, be it

RESOLVED, that the Division of Solid Waste is hereby authorized to secure said services and have the said reports prepared for presentation to the Environment Committee, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor, an amount not to exceed \$1,500 for Appraisal and an amount not to exceed \$3,000 for the Audit, total cost not to exceed \$4,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.2010.501226 (Original Acquisition Cost), 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.

Ms. Hudak moved, seconded by Ms. Wagstaff to adjourn to the call of the Clerk. Carried.