

**Carried** by the following: Ayes-15; Nays-2 (Greenmun, Warner); Absent-2 (Brown, Coffey).

Mr. Pasquale moved, seconded by Mr. Moppert to adjourn to the call of the Clerk at 5:55 p.m. Carried.

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, JUNE 18, 1992**

The Legislature convened at 4:06 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-18; Absent-1 (Pazzaglini).

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. Warner moved, seconded by Mr. Coffey that the minutes of the May 21, 1992 Regular Session and May 29, 1992 Special Session be approved as prepared and as presented by the Clerk. Carried.

Written or oral presentations of the County Executive, Timothy M. Grippen:  
Nominating Judith Peckham to membership on Broome Community College Board of Trustees.

Nominating Lizabeth Fauci and Lou Sebesta to membership on the Environmental Management Council Board of Directors.

Nominating Michael E. Davis and Timothy C. Coughlin to membership on the Emerging Business Assistance Advisory Board.

The following communications were presented to the County Legislature:  
Minutes from: Cornell Cooperative Extension; Emerging Business Advisory Board Meeting; Binghamton Regional Airport; Willow Point Nursing Facility.

Map of Agricultural District #4.

Employee Agreement - County of Broome and Amalgamated Transit Union (Local #1145).

Resolutions: Seneca and Allegany Counties (Supervisors Request Mandate Relief Lobbying Day); Essex County (Supporting Opposition to Further Legislation-Regulations on the Adirondacks); Orleans, Columbia and Essex Counties (Opposing part of Omnibus Revenue Bill-\$1.00 fee for paging devices beginning June 1, 1992)

Letter for Union Supervisor John Bertoni adding approval for the easement for Mr. Malarkey (Resolution 92-85).

NYS Low-Level Radioactive Waste Citizen Advisory Committee meeting, June 22, 1992, 10:30 a.m. Legislative Office Building, Albany, New York.

Letter from Maine Supervisor Theodore Woodward regarding amendment to the Town's Zoning Ordinance (Signs).

Copy of Supreme County order directing County to perform full EIS for Public Safety Complex.

Letter from Supervisor Donald T. Moran regarding Town of Dickinson Sewer Use Law (County Jail violations).

The following reports were presented to the County Legislature:

Monthly Reports: Broome Community College (Budget Transfers and above Minimum Hire - April 1992)

Mortgage Tax Receipts and Disbursements (Semi-Annual Report).

Environmental Management Council: 1991 Annual Report; 1992 Environmental Directory.

A supplemental report concerning the illegal dumping law was presented by Mr. Kowalchyk, Director of the Division of Solid Waste Management. Chairman Shafer directed this be attached to their annual report for 1991 and that the entire report be placed on the Legislative agenda of July 16, 1992.

The Chairman wished to acknowledge receipt of the recommended BCC budget on June 15, 1992. One correction was noted on Page 63 that the Faculty Association contract expires in 1993 and not 1992.

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

Written or oral presentations of the County Legislature:

Presentations:

Mrs. Hudak, Legislator of the 15th District, presented the Seal of the County to Michael Dunham, Goaltender for the USA Hockey Team at the 1992 Olympics.

Comments by Diane Knack, Cornell Cooperative Extension.

A presentation was made by the MRB Group on the draft EIS Statement, concerning the Public Safety Complex.

Letters from the Chairman, Arthur J. Shafer:

Appointing Wayne L. Howard as voting representative for Daniel Schofield, Transportation Committee, June 8, 1992.

Appointing Roger Brown as voting representative for David Lindsey, Health Services Committee, June 8, 1992.

Appointing Robert J. Warner, as voting representative for Michael Pazzaglini, Environment Committee, June 9, 1992.

Appointing Louis Augustini as voting representative for Michael Pazzaglini, Transportation Committee, June 9, 1992.

Appointing Louis P. Augustini, as voting representative for Robert J. Moppert, Education, Culture and Recreation Committee, June 11, 1992.

Appointing David Lindsey as voting representative for Robert Warner, County Administration, Economic Development and Planning Committee, June 11, 1992.

Appointing David Lindsey as Acting Chairman for Robert Moppert, Education, Culture and Recreation Committee, June 11, 1992.

Appointing Louis P. Augustini as voting representative for Robert Moppert, Finance Committee, June 11, 1992.

Appointing Emil Bielecki as voting representative for Roger Brown, Education, Culture and Recreation Committee, June 11, 1992.

Appointing Daniel Schofield as voting representative for Michael Pazzaglini, County Administration, Economic Development and Planning Committee, June 11, 1992.

**RESOLUTION NO. 240** by Hon. Wanda Hudak, authorizing acceptance of Traffic Safety Program Grant for the Sheriff's Department was again presented for consideration by Mrs. Hudak. This resolution which had not carried at the May 21, 1992 session was brought to the floor at the request of Mrs. Hudak, seconded by Mr. Howard. Carried by the following roll call: Ayes-17; Nays-1 (Warner); Absent-1 (Pazzaglini). Mrs. Hudak moved, seconded by Mr. Pasquale to amend the resolution as follows: an indication was made throughout that the grant is from the Governor's Traffic Safety Committee. The Title, first WHEREAS and RESOLVED are changed accordingly. The third WHEREAS paragraph dealing with \$66,000 in-kind services and referred to again in the first FURTHER RESOLVED were deleted. Amendments carried by the following: Ayes-18; Nays-0; Absent-1 (Pazzaglini). Resolution as amended carried by the following: Ayes-10 (Bielecki, Coffey, Howard, Hudak, Coffey, Kavulich, Lindsey, Malley, Moppert, Seeley); Nays-8 (Augustini, Brown, Greenmun, Pasquale, Schofield, Wagstaff, Warner, Yeager); Absent-1 (Pazzaglini).

**RESOLUTION NO. 230** by Hon. James Malley, amending the 1992 capital improvement program, which was held over at the May 21, 1992 session at the request of Mr. Kavulich, was again presented for consideration. Mr. Malley moved, seconded by Mr. Kavulich to amend the proposed capital project to \$65,000. Following further debate, Mr. Schofield moved, seconded by Mr. Howard to call the question on the amendment. Carried by the following: Ayes-16; Nays-2 (Malley, Pasquale); Absent-1 (Pazzaglini). Amendment **failed** by the following: Ayes-4 (Coffey, Kavulich, Malley, Pasquale); Nays-14 (Augostini, Bielecki, Brown, Greenmun, Howard, Hudak, Lindsey, Moppert, Schofield, Seeley, Wagstaff, Warner, Yeager, Shafer); Absent-1 (Pazzaglini). Mr. Augostini moved, seconded by Mr. Pasquale to call the question on the resolution. Carried by the following roll call: Ayes-17; Nays-1 (Greenmun); Absent-1 (Pazzaglini). Prior to the final roll call, Resolution No. 230 was **withdrawn** by Mr. Malley with the consent of Mr. Kavulich.

**RESOLUTION NO. 231** by Hon. James Malley, authorizing the issuance of \$200,000 serial bonds for study of compost facility, which was held over at the May 21, 1992 session at the request of Mrs. Coffey, was again presented for consideration. Resolution No. 231 was **withdrawn** by Mr. Malley with the consent of Mrs. Coffey.

**RESOLUTION NO. 233** by County Administration, Economic Development and Planning and Finance Committees, authorizing amendment of agreement with ARC-Atlantic for Computer Services, which was held over at the May 21, 1992 session at the request of Mrs. Coffey, was again presented for consideration. **Carried** by the following: Ayes-16; Nays-2 (Kavulich, Pasquale); Absent-1 (Pazzaglini).

**RESOLUTION NO. 238** by Finance and Education, Culture and Recreation Committees, authorizing amendment of agreement with BC Arts Council, which was held over at the May 21, 1992 session at the request of Mr. Bielecki, was again presented for consideration. Resolution No. 238 **failed** by the following: Ayes-5 (Bielecki, Howard, Lindsey, Moppert, Pasquale); Nays-13 (Augostini, Brown, Coffey, Greenmun, Hudak, Kavulich, Malley, Schofield, Seeley, Wagstaff, Warner, Yeager, Shafer); Absent-1 (Pazzaglini).

The preferred agenda was introduced at this time (Resolutions No. 245-290), seconded by Mr. Brown. At the request of various legislators, five items were pulled from the preferred agenda for separate consideration: Permanent Nos. 264, 283, 286, 287, 288. For the purposes of clarity, all resolutions are presented in numerical order. The balance of the preferred agenda carried by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).



**RESOLUTION NO. 245**

By Community and Social Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING'S JOB TRAINING PARTNERSHIP ACT JOB CLUB PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolution 241 of 1991, authorized and approved the Office for Aging's Job Training Partnership Act Job Club Grant and adopted a program budget in connection therewith in the total amount of \$26,925 for the period July 1, 1991 through June 30, 1992, and

WHEREAS, said grant program is designed to assist low-income eligible persons aged fifty-five and over to re-enter the labor market through a job search club program, counselling and job referral, and

WHEREAS, it is necessary at this time to revise said program for the period July 1, 1991 through June 30, 1992 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 Job Training Partnership Act Job Club for the period July 1, 1991 through June 30, 1992, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$27,925 for the period July 1, 1991 through June 30, 1992, and be it

FURTHER RESOLVED, that Resolution 241 of 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, 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** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 246**

By Community and Social Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING'S  
JOB TRAINING PARTNERSHIP ACT JOB CLUB PROGRAM AND  
ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR  
1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 241 of 1991, as amended authorized and approved the Office for Aging's Job Training Partnership Act Job Club Grant and adopted a program budget in the amount of \$27,925 for the period July 1, 1991 through June 30, 1992, and

WHEREAS, said grant program is designed to assist low-income eligible persons aged fifty-five and over to re-enter the labor market through a job search club program, counselling and job referral, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1992 through June 30, 1993 in the amount of \$30,920, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$30,920 for the Office for Aging's Job Training Partnership Act Job Club for the period July 1, 1992 through June 30, 1993, 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 \$30,920 for the period July 1, 1992 through June 30, 1993, 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** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 247**

By Community and Social Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING'S SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SOFA) GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolution 240 of 1991, authorized and approved the Office for Aging's Senior Community Service Employment Program (SOFA) and adopted a program budget in connection therewith in the total amount of \$57,643 for the period July 1, 1991 through June 30, 1992, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged fifty-five and older, including part-time jobs for applicants in not-for-profit agencies, classroom training, on the job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is necessary at this time to revise said program in order to modify the grant budget to assured full expenditure of federal funds, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's Senior Community Service Employment Program (SOFA) grant for the period July 1, 1991 through June 30, 1992 in the total amount of \$57,643, and

be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$57,643 for the period July 1, 1991 through June 30, 1992, and be it

FURTHER RESOLVED, that Resolution 240 of 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, 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** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 248**

By Community and Social Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING'S SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SOFA) GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 240 of 1991, as amended, authorized and approved the Office for Aging's Senior Community Service Employment Program (SOFA) and adopted a program budget in the amount of \$57,643 for the period July 1, 1991 through June 30, 1992, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged fifty-five and older including part-time jobs for applicants in not-for-profit agencies, classroom training, on the job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1992 through June 30, 1993 in the amount of \$57,666, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$57,666 for the Office for Aging's Senior Community Service Employment Program for the period July 1, 1992 through June 30, 1993, 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 \$57,666 for the period July 1, 1992 through June 30, 1993, 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** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 249**

By Community and Social Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING'S SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (NCOA) GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolution 243 of 1991, authorized and approved the Office for Aging's Senior Community Service Employment Program (NCOA) Grant and adopted a program budget in connection therewith in the total amount of \$238,000 for the period July 1, 1991 through June 30, 1992, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged fifty-five and older, including part-time jobs for applicants in not-for-profit agencies, classroom training, on-the-job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is necessary at this time to revise said program budget to maximize expenditure of federal funds, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's Senior Community Service Employment Grant Program for the period July 1, 1991 through June 30, 1992 in the total amount of \$238,000, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$238,000 for the period July 1, 1991 through June 30, 1992, and be it

FURTHER RESOLVED, that Resolution 243 of 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, 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** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 250**

By Community and Social Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING'S SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (NCOA) GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 243 of 1991, as amended, authorized and approved the Office for Aging's Senior Community Service Employment Program (NCOA) Grant and adopted a program budget in the amount of \$238,000 for the period July 1, 1991 through June 30, 1992, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged fifty-five and older, including part-time jobs for applicants in not-for-profit agencies, classroom training, on-the-job training and efforts to increase the labor market participation of older persons, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1992 through June 30, 1993 in the amount of \$238,000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$238,000 for the Office for Aging's Senior Community Service Employment Program (NCOA) Grant for the period July 1, 1992 through June 30, 1993, 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 \$238,000 for the period July 1, 1992 through June 30, 1993, 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** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 251**

By Community and Social Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDRENS SOCIETY OF BROOME COUNTY, INCORPORATED, FOR FOSTER FAMILY PERSONAL CARE SERVICES FOR ADULTS FOR 1991 AND 1992**

WHEREAS, this County Legislature, by Resolution 587 of 1989, authorized an agreement with Family and Childrens Society of Broome County, Incorporated, for various services in connection with the Department of Social Services Foster Family Care Program at a cost of \$906.66 per month per client, \$30.22 per day for fractions of a month per client, 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 for calendar years 1991 and 1992 on substantially similar terms and conditions with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Childrens Society of Broome County, Incorporated, 257 Main Street, Binghamton, New York, 13905, for personal care services in connection with the Department of Social Services Adult Foster Care Program for the period January 1, 1991 through December 31, 1992, subject to New York State approval and Broome County Legislative approval of the revised 1991 and 1992 rates, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor 922.86 per month per client, \$30.76 per day for fractions of a month per client, and be it

FURTHER RESOLVED, that the requested rates will continue until such a time

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

**Carried** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 252**

By Community and Social Services, Personnel and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AMENDMENT OF FOOD STAMP EMPLOYMENT AND TRAINING GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING AN AMENDED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolution 330 of 1991, authorized and approved the Food Stamp Employment and Training Grant for the Department of Social Services and adopted a program budget in connection therewith in the total amount of \$71,679 for the period October 1, 1991 through September 30, 1992, and

WHEREAS, said grant program provides job readiness training and job search activity to Non-Public Assistance and Home Relief Food Stamp Recipients, and

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

RESOLVED, that this County Legislature hereby authorizes the amendment of the Department of Social Services Food Stamp Employment and Training Grant for the period October 1, 1991 through September 30, 1992 in the total amount of \$71,416, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the amended program budget annexed hereto as Exhibit "A" in the total amount of \$71,416 for the period October 1, 1991 through September 30, 1992, and be it

FURTHER RESOLVED, that Resolution 330 of 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, 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. 253**

By Community and Social Services, Personnel and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAMS (SCSEP) ADMINISTRATION GRANT FOR 1991 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolutions 239 and 489 of 1991, authorized and approved participation by the Office for Aging Senior Community Service Employment Programs (SCSEP) Administration Grant and adopted a

program budget in connection therewith in the total amount of \$115,768 for the period July 1, 1991 through June 30, 1992, and

WHEREAS, said grant program provides for chargebacks and payments of all Office for Aging staff for administration expenses involved in all Office for Aging grants, and

WHEREAS, it is necessary at this time to revise said program for the period July 1, 1991 through June 30, 1992 due to an increase in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's Senior Community Service Employment Programs (SCSEP) Administration Grant for the period July 1, 1991 through June 30, 1992, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$116,768 for the period July 1, 1992 through June 30, 1992, and be it

FURTHER RESOLVED, that Resolutions 239 and 489 of 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, 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. 254**

By Community and Social Services, Personnel and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAMS (SCSEP) ADMINISTRATION GRANT FOR 1992 THROUGH 1993**

WHEREAS, this County Legislature, by Resolutions 239 and 489 of 1991, as amended, authorized and approved the Office for Aging Senior Community Service Employment Programs (SCSEP) Administration Grant and adopted a program budget in the amount of \$116,768 for the period July 1, 1991 through June 30, 1992, and

WHEREAS, said grant program provides for chargebacks and payments of all Office for Aging staff for administration expenses involved in all Office for Aging grants, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1992 through June 30, 1993 in the amount of \$120,392, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$120,392 for the Office for Aging's Senior Community Service Employment Programs (SCSEP) Administration Grant for the period July 1, 1992 through June 30, 1993, 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 \$120,392 for the period July 1, 1992 through June 30, 1993, 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. 255**

By County Administration, Economic Development and Planning Committee.

Seconded by Mr. Brown.

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON EMERGING BUSINESS ASSISTANCE ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 454, adopted December 6, 1983, and Resolution 320 adopted August 15, 1991, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Emerging Business Assistance Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Michael E. Davis 64 Conklin Avenue Binghamton, New York 13905	To fill an unexpired term Term Expires 12/31/93

Timothy C. Coughlin 319 Andrews Avenue Johnson City, New York 13790	To fill an unexpired term Term Expires 12/31/94
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and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 454, adopted December 6, 1983, and Resolution 320 adopted August 15, 1991, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 454, adopted December 6, 1983, and Resolution 320 adopted August 15, 1991, does hereby confirm the appointments of the above-named individuals to membership on the Emerging Business Assistance Advisory Board in accordance with their appointment by the County Executive.

**Carried.**

**RESOLUTION NO. 256**

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

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING THE BROOME COUNTY CHAMBER OF COMMERCE TO ACT AS THE AGENCY IN BROOME COUNTY FOR TOURISM AND CONVENTION PROMOTION FOR 1993**

WHEREAS, the Broome County Chamber of Commerce desires to act as the agency for tourism and convention promotion in Broome County, and

WHEREAS, the State of New York may make available grants for such tourism and convention promotion, and

WHEREAS, such grants are given to the County of Broome to fund the participating agency, and

WHEREAS, this County Legislature, by Resolution 305 of 1991, authorized the Broome County Chamber of Commerce to act as the agency in Broome County for

tourism and convention promotion for the period October 1, 1991 through December 31, 1992, and

WHEREAS, it is necessary at this time to authorize the Broome County Chamber of Commerce to be the tourism and convention promoter in Broome County for 1993 so that the appropriate applications may be timely filed for New York State grant monies, now, therefore, be it

RESOLVED, that this County Legislature hereby names and authorizes the Broome County Chamber of Commerce to be the tourism and convention promoter in Broome County for the period of January 1, 1993 through December 31, 1993, and be it

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

FURTHER RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the Broome County Chamber of Commerce to provide tourism and convention promotion for Broome County subject to funding by sources and matching funds by the Broome County Chamber of Commerce, which payment shall be made in accordance with said grants, and be it

FURTHER RESOLVED, that upon approval of said grants, the County Executive is authorized to execute any agreements, documents, or papers, approved as to form by the Department of Law, and the Commissioner of Finance and the Comptroller of Broome are authorized to establish the appropriate and necessary budget accounts to carry out the intent and purpose of this resolution, and be it

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

**Carried.**

**RESOLUTION NO. 257**

By County Administration, Economic Development and Planning and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF THE OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT ADMINISTRATION AND TITLE IIA PROGRAMS AND ADOPTING PROGRAM BUDGETS IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 245 of 1991, and Resolutions 44, 207, 208 and 209 of 1992, authorized and approved, through the Office of Employment and Training, the Administrative Program, the 78% Program, the 8% Education Grant Program, the 6% Program and the 3% Program for the

period July 1, 1991 through June 30, 1992, and

WHEREAS, it is desired at this time to continue participation in such programs for the period July 1, 1992 through June 30, 1993, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the continued participation in the above listed programs for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" for the Administrative Budget in the total amount of \$526,319 for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "B" for the 78% funds in the total amount of \$1,091,271 for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "C" for the 8% Education Grant Program in the total amount of \$111,217 for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "D" for the 6% funds in the total amount of \$60,186 for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "E" for the 3% funds in the total amount of \$54,456 for the period July 1, 1992 through June 30, 1993, 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 Exhibits "A", "B", "C", "D", and "E" as attached hereto provided that said budget transfers do not affect a personnel line.

**Carried.**

**RESOLUTION NO. 258**

By County Administration, Economic Development and Planning and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF LABOR FOR PRE-EMPLOYMENT AND OJT SERVICES FOR THE OFFICE OF EMPLOYMENT AND TRAINING FOR 1991 THROUGH 1992.**

WHEREAS, the Office of Employment and Training requests authorization for an agreement with the New York State Department of Labor for pre-employment and OJT services to Title IIA eligible/ certified clients for the period July 1, 1991 through June 30, 1992, at a cost not to exceed \$81,685, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Department of Labor, State Campus, Building 12, Albany, New York, 12240, for pre-employment and OJT services to Office of Employment and Training Title IIA eligible/certified clients for the period July 1, 1991 through June 30, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$81,685 for the term of this agreement, this amount will be withheld from the total allocation to Broome County by New York State, and be it

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

**Carried.**

**RESOLUTION NO. 259**

By County Administration, Economic Development and Planning and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT TITLE III PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolutions 246 of 1991 and 206 of

1992, authorized the continued participation by the Office of Employment and Training in the Job Training Partnership Act Title III Program for the purpose of transitioning and training dislocated workers from Broome, Tioga and Tompkins Counties for the period July 1, 1991 through June 30, 1992, in the amount of \$418,666, and

WHEREAS, it is desired at this time to authorize the renewal of said program for the period July 1, 1992 through June 30, 1993, in the amount of \$351,705, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the Office of Employment and Training Job Training Partnership Act Title III Program for the period July 1, 1992 through June 30, 1993 in the amount of \$351,705, 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 \$351,705 for the period July 1, 1992 through June 30, 1993, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 260**

By County Administration, Economic Development and Planning and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AMENDMENT OF REAL PROPERTY LEASE AGREEMENT WITH COURT AND HENRY STREET DEVELOPMENT, INCORPORATED, FOR THE OFFICE OF THE PUBLIC DEFENDER FOR 1991 THROUGH 1996**

WHEREAS, this County Legislature, by Resolutions No. 22 and 363 of 1991, and 197 of 1992, authorized an agreement with Court and Henry Street Development, Inc., for lease of premises at 227-229 State Street, Binghamton, New York, at a cost of \$8.50 per square feet, \$6,426.00 per month, for a five year period and renovations of 4,000 square feet of storage space at a cost not to exceed \$29,803, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for increased costs of the renovations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Court and Henry Street Development, Inc., 49 Court Street, Binghamton, New York, 13901, with respect to the renovation costs only, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$34,856 for said renovations, and be it

FURTHER RESOLVED, that in accordance with a request from the Public Defender's Office, in order to adjust the budget to reflect modification authorized by New York State, as requested by BT# 2926, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	300046	1000	102590	Pers.Serv - FT	\$ 4,988

300046 4419 102590 Gen. Ofc. Exp. 65  
TO :300046 2011 102590 Improv./Altera. \$ 5,053  
and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300046.2011.102590 (Improvements/ Alterations), and be it

FURTHER RESOLVED, that Resolutions No. 22 and 363 of 1991, and 197 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

**Carried.**

**RESOLUTION NO. 261**

By Education, Culture and Recreation Committee.

Seconded by Mr. Brown.

**RESOLUTION CONFIRMING APPOINTMENT OF JUDITH PECKHAM TO MEMBERSHIP ON THE BROOME COMMUNITY COLLEGE BOARD OF TRUSTEES**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article XXIII-A of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, Judith Peckham, 12 Campbell Road, Binghamton, New York, 13905, to membership on the Broome Community College Board of Trustees, for a term expiring December 31, 2001, and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIII-A of the Broome County Charter, does hereby confirm the appointment of Judith Peckham to membership on the Broome Community College Board of Trustees in accordance with her appointment by the County Executive.

**Carried.**

**RESOLUTION NO. 262**

By Education, Culture and Recreation Committee.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF PROPERTY LEASE AGREEMENT WITH THE SECRETARY OF THE UNITED STATES ARMY FOR WHITNEY POINT DAM AND RESERVOIR AREA FOR USE AS A BROOME COUNTY PUBLIC PARK FOR 1992 THROUGH 2017 AND RESCINDING A PRIOR RESOLUTION (1992-PERM # 211)**

WHEREAS, the Board of Supervisors, by Resolution 131 of 1964 and Resolution 325 of 1967 and the County Legislature by Resolution 69 of 1983, authorized an agreement with the Secretary of the U.S. Army for use of the Whitney Point Dam and Reservoir Area at no cost to Broome County for a 25 year period, later amended to reflect a 28 year period and,

WHEREAS, Resolution 211 of 1992 extended said agreement through the year 2014 instead of 2017 and it is necessary to correct the dates used in said resolution and,

WHEREAS, said agreement as amended commenced on October 19, 1964 and ended May 14, 1992 and,

WHEREAS, said agreement ended by its terms on May 14, 1992 and it is desired at this time to renew said agreement for the period May 15, 1992 through May 14, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Secretary of the U.S. Army, U.S. Army Corps of Engineers, Baltimore District, Real Estate Division, Civil Projects Support Branch, P. O. Box 1715, Baltimore, MD, 21203-1715 for the Whitney Point Dam and Reservoir Area for use as a Broome County Public Park for the period May 15, 1992 through May 12, 2017 at no cost to Broome County, and be it

FURTHER RESOLVED, that this resolution shall replace and supersede 1992 resolution 211, and be it

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

**Carried.**

**RESOLUTION NO. 263**

By Environment Committee.

Seconded by Mr. Brown.

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE ENVIRONMENTAL MANAGEMENT COUNCIL BOARD OF DIRECTORS.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 277, adopted September 21, 1971 and the provisions of Resolution No. 64, adopted February 6, 1973, Resolution No. 366, adopted December 21, 1976 and Resolution No. 341, adopted October 1, 1980, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Environmental Management Council Board of Directors for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Lizabeth Fauci 415 Groveland Avenue Endwell, New York 13760 (Member-at-large)	To fill an unexpired term  Term Expires 12/31/92
Lou Sebesta 100 Grand Boulevard Binghamton, New York 13905 (City of Binghamton Conservation Comm.)	To fill an unexpired term  Term Expires 12/31/92

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 277, adopted September 21, 1971 and the provisions of Resolution No. 64, adopted February 6, 1973, Resolution No. 366, adopted December 21, 1976 and Resolution No. 341, adopted October 1, 1980, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 277, adopted September 21, 1971 and the provisions of Resolution No. 64, adopted February 6, 1973, Resolution No. 366, adopted December 21, 1976 and Resolution No. 341, adopted October 1, 1980, does hereby confirm the

appointments of the above-named individuals to membership on the Environmental Management Council Board of Directors in accordance with their appointment by the County Executive.

**Carried.**

**RESOLUTION NO. 264**

By Environment Committee.

Seconded by Mr. Brown.

**RESOLUTION REQUESTING THAT THE NEW YORK STATE LEGISLATURE AMEND TWO REAPPROPRIATIONS FOR THE 1972 ENVIRONMENTAL QUALITY BOND ACT IN THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION BUDGET WITHIN THE NEW YORK STATE CAPITAL PROJECTS BUDGET, CHAPTER 54 OF THE LAWS OF 1992, TO ALLOW THE USE OF THESE REAPPROPRIATIONS FOR DEVELOPMENT OF AGGRESSIVE WASTE REDUCTION, RECYCLING AND COMPOSTING PROGRAMS**

WHEREAS, there exists two reappropriations of the proceeds of the 1972 Environmental Quality Bond Act in the New York State Department of Environmental Conservation Budget within the New York State Capital Projects Budget, Chapter 54 of the Laws of 1992, designated for construction of a resource recovery project in Broome County, and

WHEREAS, one reappropriation designates \$5.562 million for the County of Broome and the other reappropriation designates \$3.217 million for construction of a resource recovery facility and transfer station for the production of steam, and

WHEREAS, the Broome County resource recovery project was denied a permit to construct by New York State Department of Environmental Conservation Commissioner Thomas Jorling in April of 1992, and

WHEREAS, the Broome County Legislature voted, by a margin of 15 to 4, on March 19, 1992 to advise the Broome County Resource Recovery Agency to cancel any and all contracts with Foster Wheeler of Broome County for construction of a resource recovery facility, and

WHEREAS, it is the intention of Broome County to manage municipal solid waste through expanding waste reduction, recycling and composting programs, now, therefore, be it

RESOLVED, that the Broome County Legislature requests that the New York State Legislature amend the aforementioned reappropriations from the 1972 Environmental Quality Bond Act in the amounts of \$5.562 million and \$3.217 million to designate the use of these reappropriations for the purpose of providing recycling, waste reduction and composting programs, and be it

FURTHER RESOLVED, that in addition to other purposes allowed by law, that the Legislature allow such funds be used for the purpose of acquiring land and making improvements thereon; for the purpose of constructing new structures or purchasing existing structures and making improvements thereon; and, for the purchase of resource recovery equipment as such terms are defined in Section 51-0903 of the Environmental Conservation Law, provided that such purposes are necessary to the implementation of the recycling, waste reduction and composting programs, and be it

FURTHER RESOLVED, that copies of this Resolution be forwarded to Assemblyman James Tallon, Senator Thomas Libous, Assemblyman Richard Miller, the Clerk of the Assembly and the Clerk of the Senate.

At the request of Mr. Pasquale, Resolution No. 264 was **held over** under the rule.

**RESOLUTION NO. 265**

By Environment and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INCORPORATED, FOR WATER QUALITY SAMPLING AND LABORATORY TESTING FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1991 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolution 188 of 1991, authorized an agreement with Buck Environmental Laboratories, Inc., for water quality monitoring at Nanticoke Landfill and Colesville residences for the period May 1, 1991 through April 30, 1992 at a cost not to exceed \$59,410, and

WHEREAS, said services are necessary to perform New York State Department of Environmental Conservation mandated sampling, testing and reporting of water quality at the Nanticoke and Colesville Landfills, and

WHEREAS, it is necessary to authorize an amendment to this agreement to provide for additional testing at Nanticoke Landfill due to construction of Section III and the closure of Section I and the old landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Buck Environmental Laboratories, Inc., 100 Tompkins Street, Cortland, New York, 13045, for water quality sampling and laboratory testing at the Nanticoke and Colesville Landfills, for the period May 1, 1991 through December 31, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$120,722 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4449.206000 (Other Operational Expenses), and be it

FURTHER RESOLVED, that Resolution 188 of 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 empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.**

**RESOLUTION NO. 266**

By Environment and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH WEHRAN ENVIROTECH FOR DIVISION OF SOLID WASTE MANAGEMENT FOR LANDFILL REMEDIATION DESIGN SERVICES OF THE COLESVILLE LANDFILL FOR 1991 THROUGH 1993**

WHEREAS, this County Legislature, by Resolution 233 of 1991, authorized an agreement with Wehran Envirotech for landfill remediation design services of the Colesville Landfill for the Division of Solid Waste Management for the period June 1991 through June 1992, at a cost of \$246,639, and

WHEREAS, it is necessary to authorize the amendment of said agreement for additional services necessary to complete remedial design at Colesville Landfill and accompanying extension of time, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Wehran Envirotech, 666 East Main Street, P.O. Box 2006, Middletown, New York 10940 for landfill remediation design services of the Colesville Landfill for the period June 1991 through June 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall

pay the Contractor an amount not to exceed \$255,639 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035014.4746.501103 (Engineering and Architectural Services) and 035014.4746.501128 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 233 of 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 empowered to execute any such agreements, documents, or papers approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.**

**RESOLUTION NO. 267**

By Environment and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH R.O. ALLEN & SON FOR THE LEASE OF LEACHATE STORAGE TANKS FOR THE NANTICOKE LANDFILL FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1990 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolution 528 of 1990, authorized an agreement with R. O. Allen & Son for the lease and installation of three 20,000 gallon leachate storage tanks for the Division of Solid Waste Management at the Nanticoke Landfill at a cost of \$36,405 for the period December 1, 1990 through November 30, 1991, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the time period until November 30, 1992, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with R. O. Allen & Son, P. O. Box 86-57, Kattelville Road, Chenango Bridge, New York, 13745 for the lease and installation of three 20,000 gallon, DEC registered, leachate storage tanks for the period December 1, 1990 through November 30, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$42,211.57, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4512.206000 (Outside Rentals-Machinery), and be it

FURTHER RESOLVED, that Resolution 528 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 empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.**

**RESOLUTION NO. 268**

By Finance Committee.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AGREEMENTS REGARDING THE BROOME COUNTY PROPERTY AND LIABILITY PROGRAM FOR 1992 THROUGH 1993.**

WHEREAS, the Manager of Risk and Insurance has proposed a 1992-1993 insurance program, and

WHEREAS, it is necessary at this time for this County Legislature to authorize

said program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the following agreements with the below listed firms to secure the insurance coverage indicated:

1. An agreement with Marsh & McLennan, 1166 Avenue of the Americas, New York, New York, 10036, whereby said firm will provide the following coverages for fees not to exceed the sums indicated:

Aviation	\$38,000	(\$40,000 last year)
Boiler & Machinery	\$ 6,772	(\$ 6,400 last year)

2. An agreement with Reidman Insurance f/k/a Cooper-Ackerman-Sampson, 2 Court Street, P. O. Box 1970, Binghamton, New York, 13902, whereby said firm will provide the following coverages for fees not to exceed the sums indicated:

Public Employee Bond	\$ 8,894	(\$11,009 last year)
Money and Security	\$ 464	(\$ 1,000 last year)

3. An agreement with said Marsh & McLennan whereby said firm will provide property coverage at a fee not to exceed \$54,910 (\$65,525 last year) and \$1,500 for a separate Computer Data and Equipment Property Policy, and be it

FURTHER RESOLVED, that the above-mentioned agreements shall be all effective from July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050062.4521.307000 (Insurance Premiums), and be it

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

**Carried.**

**RESOLUTION NO. 269**

By Finance Committee.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING THE ADVERTISING FOR SALE OF 1988 IN REM FORECLOSURE PROPERTIES OWNED BY BROOME COUNTY**

WHEREAS, the County of Broome owns certain parcels of property acquired by in rem proceedings during 1988, 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 1988 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 1988 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 1988, 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. 270**

By Finance and Health Services Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR WILLOW POINT NURSING HOME.**

RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funds for certification testing of nurses aides, as requested by BT# 3824, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	160085	1000	204000	Salaries - FT	\$ 750
TO :	160085	4747	204000	Other fees for Services	\$ 750

and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funds for shift differentials, as requested by BT# 3822, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	Index Sub- <u>Code</u>	Project <u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160085	1900	204000	Shift Differen.	\$ 35,861
TO :	160085	1000	204000	Salaries - FT	\$ 35,861

and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funds for contract agency nursing services and overtime due to staffing shortages, as requested by BT# 3821, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	Index Sub- <u>Code</u>	Project <u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160085	1000	204000	Salaries - FT	\$157,000
	160085	1500	204000	Salaries - PT	8,000
	160085	1600	204000	Salaries - Temp	20,000
TO :	160085	1700	204000	Overtime	\$ 35,000
	160085	5070	204000	Nursing Srv-RN	75,000
	160085	5071	204000	Nursing Srv-LPN	40,000
	160085	5072	204000	Nursing Srv-NA	35,000

**Carried.**

**RESOLUTION NO. 271**

By Health Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BROOME COUNTY COUNCIL ON ALCOHOLISM IN CONNECTION WITH THE YOUTH EDUCATION SERVICES COMMUNITY ACTION PROJECT (YESCAP) FOR THE DRUG AWARENESS CENTER FOR 1992 THROUGH 1993**

WHEREAS, this County Legislature, by Resolution 453 of 1991, authorized an agreement with the Broome County Council on Alcoholism for the expanded and enhanced operation of the Peer Leadership Program - ADSIP in Broome County for the period April 1, 1991 through March 31, 1992 at a cost not to exceed \$6,500, and

WHEREAS, said services are necessary for the enhancement and operation of the Peer Leadership Program - ADSIP in Broome County which encourages children and adolescents to remain drug-free, and

WHEREAS, said agreement expired by its terms on March 31, 1992, and it is desired at this time to renew said agreement for the period April 1, 1992 through March 31, 1993 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the

agreement with Broome County Council on Alcoholism, 25 Main Street, Binghamton, New York, 13905 for expanded and enhanced operation of the Peer Leadership Program - ADSIP in Broome County in connection with the Broome County Drug Awareness Center's YESCAP Program for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$6,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470062.4457.102654 (Subcontracted Program Expenses), and be it

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

**Carried.**

**RESOLUTION NO. 272**

By Health Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TIOGA COUNTY COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE IN CONNECTION WITH THE YOUTH EDUCATION SERVICES COMMUNITY ACTION PROJECT (YESCAP) FOR 1992 THROUGH 1993**

WHEREAS, this County Legislature, by Resolution 455 of 1991, authorized an agreement with Tioga County Council on Alcoholism for the expanded and enhanced operation of the Peer Leadership Program - ADSIP in Tioga County for April 1, 1991 through March 31, 1992 at a cost not to exceed \$3,250, and

WHEREAS, said services are necessary for the enhancement and operation of the Peer Leadership Program - ADSIP in Tioga County which encourages children and adolescents to remain drug-free, and

WHEREAS, said agreement expired by its terms on March 31, 1992, and it is desired at this time to renew said agreement for the period April 1, 1992 through March 31, 1993 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Tioga County Council on Alcoholism and Substance Abuse, 98 Temple Street, Owego, New York 13827 for the expanded and enhanced operation of the Peer Leadership Program -ADSIP in Tioga County in connection with the Broome County Drug Awareness Center's YESCAP Program for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,250 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470062.4457.102654 (Subcontracted Program Expense), and be it

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

**Carried.**

**RESOLUTION NO. 273**

By Health Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENTS WITH BINGHAMTON ANIMAL HOSPITAL, COMPANION ANIMAL HOSPITAL AND OAKDALE ANIMAL HOSPITAL FOR PREPARATION OF SPECIMENS FOR RABIES ANALYSIS SERVICES FOR THE HEALTH DEPARTMENT RABIES PROGRAM FOR 1991 THROUGH 1992**

WHEREAS, the Broome County Board of Acquisition and Contract, and this County Legislature previously authorized agreements for preparation of specimens for rabies analysis with Binghamton Animal Hospital for the period March 1, 1992 through December 31, 1992, total cost not to exceed \$1,000; Companion Animal Hospital for the period January 1, 1992 through December 31, 1992, total cost not to exceed \$2,000; and, Oakdale Animal Hospital for the period July 1, 1991 through December 31, 1992, total cost not to exceed \$1,000, and

WHEREAS, it is necessary to authorize the amendment of these agreements to increase the total amounts in anticipation of increased need in 1992, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes amendments to the agreements with Binghamton Animal Hospital, 23 E. Clinton Street, Binghamton, New York, 13901, total cost not to exceed \$2,000 for the period March 1, 1992 through December 31, 1992; Companion Animal Hospital Clinic, 10 Glenwood Avenue, Binghamton, New York, 13905, total cost not to exceed \$3,000 for the period January 1, 1992 through December 31, 1992; and Oakdale Animal Hospital, 716 Harry L. Drive, Johnson City, New York, 13790, total cost not to exceed \$2,000 for the period July 1, 1991 through December 31, 1992, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480137.4703.101000 (Lab Services), and be it

FURTHER RESOLVED, that the authorizations previously given by the Broome County Board of Acquisition and Contract and this County Legislature, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.**

**RESOLUTION NO. 274**

By Personnel Committee.

Seconded by Mr. Brown.

**RESOLUTION ADOPTING A BROOME COUNTY AFFIRMATIVE ACTION PLAN.**

WHEREAS, the Personnel Department and Personnel Committee request that this Legislature adopt an Affirmative Action Plan for Broome County Government, and

WHEREAS, a copy of the aforementioned policy is attached as Exhibit "A," now, therefore, be it

RESOLVED, that this County Legislature hereby adopts the Broome County Affirmative Action Plan for Broome County Government attached hereto as Exhibit "A," and be it

FURTHER RESOLVED, that this resolution take effect immediately.

**Carried.**

**RESOLUTION NO. 275**

By Personnel and Transportation Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE DEPARTMENT PUBLIC TRANSPORTATION**

RESOLVED, that in accordance with a request from the Department of Public Transportation, as contained in PCR# 92-227, this County Legislature hereby authorizes the creation of one (1) part-time Senior Clerk position at budget line 220004.1500, minimum salary \$7.8280 per hour, Grade 8, effective May 21, 1992.

**Carried.**

**RESOLUTION NO. 276**

By Public Safety and Emergency Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AGREEMENT WITH MONROE COUNTY**

**FOR ROOM AND BOARD FOR BROOME COUNTY PRISONERS FOR THE SHERIFF'S DEPARTMENT FOR 1992.**

WHEREAS, the Sheriff's Department requests authorization for an agreement with Monroe County for room and board for Broome County prisoners for the period June 1, 1992 through December 31, 1992, at a cost not to exceed \$110.00 per day, per inmate, and

WHEREAS, said agreement is necessary due to overcrowded conditions at the Broome County Jail and to conform with the New York Department of Corrections requirements, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreement with Monroe County, 39 W. Main Street, Rochester, NY 14614, for room and board for Broome County prisoners for the period June 1, 1992 through December 31, 1992 on an as-needed basis, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Monroe County an amount not to exceed \$110.00 per day, per inmate, for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4435.101000 (Inmate Expense -Other Facilities), and be it

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

**Carried.**

**RESOLUTION NO. 277**

By Public Safety and Emergency Services and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PRISON HEALTH SERVICES, INCORPORATED, FOR PROFESSIONAL MEDICAL SERVICES TO THE JAIL FACILITIES OF THE SHERIFF'S DEPARTMENT FOR 1992 THROUGH 1993**

WHEREAS, this County Legislature, by Resolutions 314 of 1990, 223 and 432 of 1991, authorized an agreement with Prison Health Services, Inc., for professional medical services to the jail facilities of the Sheriff's Department, total cost not to exceed \$574,331.50 for the period July 1, 1991 through June 30, 1992, and

WHEREAS, said services are necessary for provision of professional medical services to the jail facilities as required by provisions of State law, and

WHEREAS, said agreement expires by its terms on June 30, 1992, and it is desired at this time to renew said agreement for the period July 1, 1992 through June 30, 1993 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Prison Health Services, Inc., 101 Lukens Drive, Suite A, P. O. Box 472, New Castle, Delaware, 19720, for professional medical services to the jail facilities of the Sheriff's Department for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total cost not to exceed \$600,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4715.101000 (Other Health & Medical Services), and be it

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

**Carried.**

**RESOLUTION NO. 278**

By Public Safety and Emergency Services, Personnel and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING REVISION OF PRE-TRIAL RELEASE PROGRAM GRANT FOR THE PROBATION DEPARTMENT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992.**

WHEREAS, this County Legislature, by Resolution 259 of 1991, and Resolution 68 of 1992, authorized the continued participation by the Probation Department in the Pre-trial Release Program for the period July 1, 1991 through June 30, 1992 and adopted a program budget in connection therewith in the total amount of \$69,858, and

WHEREAS, it is necessary at this time to revise said program to modify the program budget due to job reclassification, increase in printing expenditures and decrease in health insurance, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Probation Department Pre-trial Release Program Grant for the period July 1, 1991 through June 30, 1992 in the total amount of \$69,858, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$69,858 for the period July 1, 1991 through June 30, 1992, and be it

FURTHER RESOLVED, that Resolutions 259 of 1991 and 68 of 1992, 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 unexpected 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. 279**

By Public Safety and Emergency Services, Personnel and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF PRE-TRIAL RELEASE PROGRAM GRANT FOR THE PROBATION DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 259 of 1991, and Resolution 68 of 1992, as amended, authorized and approved the Pre-Trial Release Program and adopted a program budget in the amount of \$69,858 for the period July 1, 1991 through June 30, 1992, and

WHEREAS, said grant program provides for the reduction of the unsentenced Broome County jail population by providing timely information about the unsentenced detainee to the court, incurring that the defendant is released from custody by the least restrictive method necessary to insure his/her appearance in court, and providing that all persons unable to post bail and not released in their own recognizance the opportunity to be interviewed by the Pre-Trial Investigator to determine their eligibility for release from jail, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1992 through June 30, 1993 in the amount of \$72,936, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$67,798 from the New York State Division of Probation and Correctional Alternatives for the period July 1, 1992 through June 30, 1993, 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 \$72,936 for the period July 1, 1992 through June 30, 1993, 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. 280**

By Public Safety and Emergency Services, Personnel and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING RENEWAL OF THE PUBLIC DEFENDER AID TO LOCALITIES PROGRAM -AID TO DEFENSE PROGRAM GRANT FOR THE OFFICE OF THE PUBLIC DEFENDER FOR 1992 THROUGH 1993**

WHEREAS, this County Legislature, by Resolution 353 of 1991, authorized the Public Defender Aid to Localities Program - Aid to Defense Program Grant in the amount of \$42,440 for the period April 1, 1991 through March 31, 1992, and

WHEREAS, the County, through the Public Defender's Office, is legally obligated to provide representation to the program's indigent targets and this grant

benefits the local economy by relieving the County of an expense that it would otherwise have to assume, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1992 through March 31, 1993 the amount of \$36,075, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$36,075 from the New York State Department of Criminal Justice Services for the Aid to Localities Program -Aid to Defense Program for the period April 1, 1992 through March 31, 1993, 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 \$36,075 for the period April 1, 1992 through March 31, 1993, 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. 281**

By Public Works Committees.

Seconded by Mr. Brown.

**RESOLUTION DIRECTING INITIATION OF ENVIRONMENTAL REVIEW OF DEPARTMENT OF PUBLIC WORKS RECONSTRUCTION AND REALIGNMENT OF MURPHY ROAD AT THE INTERSECTIONS OF KABANEK ROAD AND GRATSIINGER ROAD IN THE TOWN OF CONKLIN, PROJECT HW-92-02 AND RENDERING "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

WHEREAS, the Department of Public works has project HW-92-02 consisting of the realignment and reconstruction of Murphy Road at its intersections with Kabanek Road and Gratsinger Road in the Town of Conklin, and

WHEREAS, the project may have an impact on the environment, and

WHEREAS, it is hereby determined that the project is subject to the requirements of the State Environmental Quality Review Act (SEQRA), and it is therefore, necessary to initiate procedures with respect thereto, 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 Department of Public Works reconstruction and realignment of Murphy Road at its intersections with Kabanek Road and Gratsinger Road in the Town of Conklin, Project HW-92-02, and be it

FURTHER RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the aforementioned Department of Public Works Project HW-92-02, consisting of the reconstruction and realignment of Murphy Road at its intersections with Kabanek Road and Gratsinger Road in the Town of Conklin will not have significant effect on the environment, and be it

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

**Carried.**

**RESOLUTION NO. 282**

By Public Works Committee.

Seconded by Mr. Brown.

**RESOLUTION DIRECTING INITIATION OF ENVIRONMENTAL REVIEW OF DEPARTMENT OF PUBLIC WORKS RECONSTRUCTION AND REALIGNMENT OF TERRACE DRIVE AND WOODSIDE AVENUE INTERSECTION, TOWN OF CONKLIN, PROJECT HW-92-03 AND RENDERING "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

WHEREAS, the Department of Public works has project HW-92-03 consisting

of the realignment and reconstruction of the Terrace Drive and Woodside Avenue intersection in the Town of Conklin, and

WHEREAS, the project may have an impact on the environment, and

WHEREAS, it is hereby determined that the project is subject to the requirements of the State Environmental Quality Review Act (SEQRA), and it is therefore, necessary to initiate procedures with respect thereto, 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 Department of Public Works reconstruction and realignment of the Terrace Drive and Woodside Avenue intersection in the Town of Conklin, Project HW-92-03, and be it

FURTHER RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the aforementioned Department of Public Works Project HW-92-03, consisting of the

reconstruction and realignment of the Terrace Drive and Woodside Avenue intersection in the Town of Conklin will not have significant effect on the environment, and be it

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

**Carried.**

**RESOLUTION NO. 283**

By Public Works Committee.

Seconded by Mr. Brown.

**RESOLUTION DIRECTING INITIATION OF ENVIRONMENTAL REVIEW OF DEPARTMENT OF PUBLIC WORKS DRAINAGE IMPROVEMENTS OF HYDE STREET AT THE INTERSECTION OF ROUTE 11 IN THE TOWN OF BARKER, PROJECT HW-92-04 AND RENDERING "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

WHEREAS, the Department of Public Works has project HW-92-04 consisting of drainage improvements of Hyde Street at its intersection with Route 11 in the Town of Barker, and

WHEREAS, the project may have an impact on the environment, and

WHEREAS, it is hereby determined that the project is subject to the requirements of the State Environmental Quality Review Act (SEQRA), and it is therefore, necessary to initiate procedures with respect thereto, 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 Department of Public Works drainage improvements of Hyde Street at its intersection with Route 11 in the Town of Barker, Project HW-92-04, and be it

FURTHER RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the aforementioned Department of Public Works Project HW-92-04, consisting of drainage improvements of Hyde Street at its intersection with Route 11 in the Town of Barker will not have significant effects on the environment, and be it

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

Mrs. Greenmun moved, seconded by Mr. Warner to amend the resolution throughout to change "Town of Barker" to "Town of Chenango". Amendment carried by the following: Ayes-18; Nays-0; Absent-1 (Pazzaglini). Resolution as amended carried by the following: Ayes-18; Nays-0; Absent-1 (Pazzaglini).

**RESOLUTION NO. 284**

By Public Works and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AGREEMENT WITH BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR CHANNEL STABILIZATION OF BRIDGE BIN 3349810 AIRPORT ROAD FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1992**

WHEREAS, the Department of Public Works requests authorization for an agreement with Broome County Soil and Water Conservation District for channel stabilization of Bridge BIN 3349810 Airport Road for 1992, at a cost not to exceed \$15,928, and

WHEREAS, said services are necessary to protect the afore-mentioned bridge from "wash out," now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome County Soil and Water Conservation District, 840 Front Street, Binghamton, New York, 13905, for channel stabilization of Bridge BIN 3349810 Airport Road for 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,928 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035030.2017.501204 (Bridges), and be it

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

**Carried.**

**RESOLUTION NO. 285**

By Public Works and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AGREEMENT WITH DELTA ENGINEERS, P.C., FOR ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS COLESVILLE ROAD EXTENSION BRIDGE MINOR REHABILITATION FOR 1992.**

WHEREAS, the Department of Public Works requests authorization for an agreement with Delta Engineers, P.C., for engineering services for Colesville Road extension bridge minor rehabilitation for 1992, at a cost not to exceed \$14,990, and

WHEREAS, said services are necessary for completion of the design phase of the aforementioned rehabilitation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Delta Engineers, P.C., 164 Court Street, Binghamton, New York, 13901, for

engineering services for Colesville Road extension bridge minor rehabilitation, for 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,990 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035022.4746.501204 (Engineering -Architectural Services), and be it

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

**Carried.**

**RESOLUTION NO. 286**

By Public Works and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION DECLARING DEPARTMENT OF PUBLIC WORKS PROJECT HW-92-02, RECONSTRUCTION AND REALIGNMENT OF MURPHY ROAD AT THE INTERSECTIONS OF KABANEK ROAD AND GRATSINGER ROAD, TOWN OF CONKLIN, TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION**

WHEREAS, the Eminent Domain Law requires that a public hearing be held in connection with any proposed public project for which the acquisition of real property through the exercise of eminent domain may be required, except that a project is exempt from the public hearing requirement "when in the opinion of the condemnor the acquisition is de minimis in nature so that the public interest will not be prejudiced by the construction of the project," and

WHEREAS, the Department of Public Works Project HW-92-02, reconstruction and realignment of Murphy Road at the intersections of Kabanek and Gratsinger Road, Town of Conklin, has been identified as a Type II action under the New York State Environmental Quality Review Act because it involves plans having no substantial effect on the environment in that it involves only reconstruction and realignment of existing roadways, and

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

WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the reconstruction and realignment work is relatively minor in nature, consisting of the repairs to the existing roads having no substantial effect on the environment, and that less than 1 acre from one property owner will be acquired for the project, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Department of Public Works Project HW-92-02, reconstruction and realignment of Murphy Road at the intersections of Kabanek Road and Gratsinger Road, Town of Conklin, to be de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

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

Mr. Brown moved, seconded by Mrs. Greenmun to amend the resolution in the seconded WHEREAS paragraph to delete the phrase "a type II" and insert the word "unlisted" in its place. Amendment carried by the following: Ayes-13; Nays-5 (Coffey, Malley, Pasquale, Warner, Yeager); Absent-1 (Pazzaglini). Resolution as amended **carried** by the following: Ayes-18; Nays-0; Absent-1 (Pazzaglini).

**RESOLUTION NO. 287**

By Public Works and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION DECLARING DEPARTMENT OF PUBLIC WORKS PROJECT HW-92-03, RECONSTRUCTION AND REALIGNMENT OF THE INTERSECTION OF TERRACE DRIVE AND WOODSIDE AVENUE, TOWN OF CONKLIN, TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION**

WHEREAS, the Eminent Domain Law requires that a public hearing be held in connection with any proposed public project for which the acquisition of real property through the exercise of eminent domain may be required, except that a project is exempt from the public hearing requirement "when in the opinion of the condemnor the acquisition is de minimis in nature so that the public interest will not be prejudiced by the construction of the project," and

WHEREAS, the Department of Public Works Project HW-92-03 reconstruction and realignment of the intersection of Terrace Drive and Woodside Avenue, Town of

Conklin, has been identified as a Type II action under the New York State Environmental Quality Review Act because it involves plans having no substantial effect on the environment in that it involves only reconstruction and realignment of existing roadways, and

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

WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the reconstruction and realignment work is relatively minor in nature, consisting of the repairs to the existing roadways having no substantial effect on the environment, and that less than 1 acre will be acquired from one or two property owners for the project, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Department of Public Works Project HW-92-03, reconstruction and realignment of the intersection of Terrace Drive and Woodside Avenue, Town of Conklin, to be "de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

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

Mr. Brown moved, seconded by Mrs. Wagstaff to amend the resolution in the seconded WHEREAS paragraph to change the phrase "a type II" to "unlisted". Prior to the vote, Resolution No. 287 was **held over** under the rule by Mr. Malley.

**RESOLUTION NO. 288**

By Public Works and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION DECLARING DEPARTMENT OF PUBLIC WORKS PROJECT HW-92-04, DRAINAGE IMPROVEMENTS OF HYDE STREET AT THE INTERSECTION WITH ROUTE 11, TOWN OF BARKER, TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION**

WHEREAS, the Eminent Domain Law requires that a public hearing be held in connection with any proposed public project for which the acquisition of real property through the exercise of eminent domain may be required, except that a

project is exempt from the public hearing requirement "when in the opinion of the condemnor the acquisition is de minimis in nature so that the public interest will not be prejudiced by the construction of the project," and

WHEREAS, the Department of Public Works Project HW-92-04, drainage improvements of Hyde Street at the intersection with Route 11, Town of Barker, has been identified as a Type II action under the New York State Environmental Quality Review Act because it involves plans having no substantial effect on the environment in that it involves only drainage improvements of existing roadways, and

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

WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the drainage improvement work is relatively minor in nature, consisting of repairs to the existing roadway having no substantial effect on the environment, and that less than 1 acre from one or two property owners will be acquired for the project, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Department of Public Works Project HW-92-04, drainage improvements of Hyde Street at the intersection with Route 11, Town of Barker, to be "de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

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

Mrs. Greenmun moved, seconded by Mr. Warner to amend the resolution throughout to change "Town of Barker" to Town of Chenango". Amendment carried by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield). At the request of Mr. Brown, Resolution No. 288 was **held over** under the rule.

**RESOLUTION NO. 289**

By Transportation and Finance Committees.

Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING AGREEMENT WITH MESABA AVIATION, INCORPORATED, FOR OPERATING RIGHTS, COUNTER SPACE AND RELATED SERVICES AT BINGHAMTON REGIONAL AIRPORT FOR 1992**

WHEREAS, the Department of Aviation requests authorization for an agreement with Mesaba Aviation, Inc., for operating rights, counter space and related services at Binghamton Regional Airport for calendar year 1992 with revenue to Broome County, and

WHEREAS, Broome County has the space and capacity to lease and said lease will provide revenue to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mesaba Aviation, Inc., 7501 26th Avenue South, Minneapolis, MN, 55450, for operating rights, counter space and related services at Binghamton Regional Airport for calendar year 1992, and be it

FURTHER RESOLVED, Mesaba Aviation, Inc., will pay for operating rates, counter space and related services pursuant to the Airline Compensatory Agreement as referred to in Resolution 392 of 1990, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to revenue line 210070.0107.207000 (Space Rental - Airlines), and be it

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

**Carried.**

**RESOLUTION NO. 290**

By Transportation, Education, Culture and Recreation and Finance Committees.  
Seconded by Mr. Brown.

**RESOLUTION AUTHORIZING BROOME COUNTY DEPARTMENT OF PUBLIC TRANSPORTATION TO PROVIDE FREE TRANSPORTATION FOR SUMMER FUN PROGRAMS FOR 1992**

WHEREAS, this County Legislature, by Resolution 290 of 1991, authorized the Department of Public Transportation to provide free transportation for Summer Fun programs for 1991 hosted by various municipalities within Broome County, and

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

WHEREAS, it is desired at this time to provide free transportation for such programs in all municipalities hosting said programs during off peak hours on existing fixed routes with no additional costs other than the normal costs of operating such routes for 1992, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Department of Public Transportation to provide free transportation for Summer Fun programs hosted by various municipalities within Broome County during off peak hours on existing fixed routes for 1992.

**Carried.**

The regular agenda was presented at this time.

**RESOLUTION NO. 291**

By the Hon. James Malley.

**RESOLUTION AUTHORIZING AN AGREEMENT WITH CLARK ENGINEERING AND ASSOCIATES FOR A PLANNING STUDY FOR SOLID WASTE COMPOSTING FOR THE DIVISION OF SOLID WASTE MANAGEMENT**

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with Clark Engineering and Associates for a planning study for solid waste composting at the Nanticoke Landfill or other landfill site at a cost not to exceed \$125,000, and

WHEREAS, said services are necessary for evaluation of the feasibility of solid waste composting technologies and approaches for Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Clark Engineering and Associates, 186 North Water Street, Rochester, New York, 14604, for a planning study for solid waste composting in Broome County, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$125,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.2018.501260 (Landfill), 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.

Prior to consideration or a reading by the Clerk, this resolution was **withdrawn** by the sponsor.

**RESOLUTION NO. 292**

By County Administration, Economic Development and Planning Committee.

Seconded by Mr. Bielecki.

**RESOLUTION URGING THE UNITED STATES CONGRESS TO ALLOW STATE TAXES ON DIRECT MARKETING - MAIL ORDER - GOODS AND FORWARD LOCAL SHARE TO COUNTIES**

WHEREAS, a recent news article stated that direct marketing - mail order - goods is a 190 billion dollar a year industry, and

WHEREAS, local Broome County businesses are at a disadvantage competing with direct marketing - mail order - goods in that direct marketing - mail order - goods companies access local consumer dollars but are not obligated to collect sales tax while local businesses must collect this tax, and

WHEREAS, recently, the United State Supreme Court handed down a decision that the United State Constitution gives the United States Congress the power to allow state taxes on direct marketing - mail order - goods, and

WHEREAS, previously the Supreme Court had prohibited taxing of direct marketing - mail order - goods, and

WHEREAS, if Congress would pass a law that would let states start taxing direct marketing - mail order - goods, Broome County could benefit in that the local share of said collected taxes could be forwarded to Broome County, and

WHEREAS, this local share would result in added revenue to government coffers, resulting in less property taxes needed to fund government goods and services, and

WHEREAS, Broome County Executive, Timothy M. Grippen, recommends that this Legislature join with him to urge the United States Congress to pass legislation to allow states to tax direct marketing - mail order - goods, in that this would channel the local share of said taxes to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby urges the United States Congress to pass legislation to allow states to tax direct marketing - mail order - goods, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to send certified copies of this Resolution to U.S. Senator Alphonse D'Amato, U. S. Senator Daniel P. Moynihan and U.S. Congressman, Matthew McHugh.

At the request of Mr. Yeager, Resolution No. 292 was **held over** under the rule.

**RESOLUTION NO. 293**

By County Administration, Economic Development and Planning and Environment Committees.

Seconded by Mrs. Coffey.

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5, 1992,  
ENTITLED: "A LOCAL LAW REQUIRING MANDATORY SOURCE  
SEPARATION OF SOLID WASTE PRODUCED IN BROOME COUNTY,  
NEW YORK."**

WHEREAS, the County finds that the New York Solid Waste Management Act of 1988 requires all municipalities to adopt a local law or ordinance by September 1, 1992, requiring separation of recyclable and reusable material from all other solid waste, and

WHEREAS, removal of certain materials from the solid waste stream through

recycling will decrease the flow of solid waste to landfills, aid in the conservation of valuable resources, and reduce the required capacity or extend the useful life of existing and proposed solid waste management facilities, and

WHEREAS, methods of solid waste management emphasizing source reduction, recycling, recovery, and conversion of solid wastes are essential to the long-range preservation of the health, safety and well-being of the public, to the economic productivity and environmental quality of Broome County, and to the conservation of resources, now, therefore, be it

RESOLVED, Broome County declares that the purpose of this Local Law is to encourage, facilitate, and mandate the source separation of recyclable materials on the part of each and every household, business and institution within Broome County, and be it

FURTHER RESOLVED, that the Broome County Mandatory Recycling Law serves to provide for the establishment, implementation, and enforcement of practices and procedures pursuant to achievement of maximum feasible recycling, to be applicable to all waste generators within Broome county, and be it

FURTHER RESOLVED, that Local Law Intro. No. 5, 1992, entitled: "A Local Law requiring mandatory source separation of solid waste produced in Broome County, New York," 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. 5, 1992

**A LOCAL LAW REQUIRING MANDATORY SOURCE SEPARATION AND  
RECYCLING OF SOLID WASTE IN BROOME COUNTY, NEW YORK**

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

**SECTION I. DEFINITIONS**

1.01 Terms as used or referred to in this Local Law, unless a different meaning clearly appears from the context, are as defined in Section 6 NYCRR Part 360, Solid Waste Management Facilities as amended.

- 1.02 For the purpose of this law, the term public facility shall refer to any facility allowing public access, including but not limited to parks, recreational facilities, shopping centers, shopping malls, office buildings, restaurants, hospitals, schools, and churches.

**SECTION II. SOURCE SEPARATION REQUIRED**

- 2.01 Source separation shall be required of each and every generator within Broome County producing solid waste destined for a disposal facility within Broome County, and by any generator outside of Broome County, where such waste will be processed or disposed in a Broome County solid waste management facility.
- 2.02 Materials that must be source separated include: office paper, magazines, newspaper, cardboard, other suitable paper products, brown grocery bags, unbroken glass containers, recyclable plastics (SPI Codes 1 through 7, as may be designated by the Broome County Division of Solid Waste), metals, leaves, yard wastes, wood waste, construction and demolition debris, tires, batteries (wet and dry cell), and household hazardous waste; or any other materials so designated by the Director of the Division of Solid Waste Management of Broome County.
- 2.03 For the purpose of this law, the term "recyclable material" shall mean: office paper, magazines, newspaper, cardboard, other suitable paper products, brown grocery bags, unbroken glass containers, recyclable plastics (SPI Codes 1 through 7, as may be designated by the Broome County Division of Solid Waste), metals, wood waste, batteries (wet and dry cell), and any other materials as may be designated by the Director of the Division of Solid Waste Management.
- 2.04 Each and every waste hauler, public and private, providing waste collection services in the County of Broome shall be required to provide curbside or dropoff collection of source separated recyclables for all service units.

**SECTION III. PREPARATION OF RECYCLABLES AND OTHER SOURCE SEPARATED MATERIALS FOR CURBSIDE COLLECTION**

- 3.01 Nothing in this law is intended to prevent any waste generator from making arrangements for the reuse, private collection, sale or donation of recyclables; provided, however, that records shall be kept of all such collections of recyclables.
- 3.02 From the time any person places any recyclable materials at or near any curb, sidewalk, or street for purposes of collection by a permitted hauler, those recyclable materials shall be considered the property of the

County or its authorized agent. No person who is not acting under authority of the County or its authorized agent shall collect, pick up, remove, or cause to be collected, picked up, or removed, any recyclable materials so placed for collection. Each such unauthorized collection, pick up or removal shall constitute a separate violation of this law.

In the event that a hauler has refused to collect certain recyclable materials because they have not been placed or treated in accordance with the provisions of this law, the person responsible for initially placing those materials for collection may and shall remove those materials from any curb, sidewalk, or street in accord with the provisions of this law.

- 3.03 No person shall place any recyclable materials at or near any curb, sidewalk, or street for purposes of collection unless the following requirements are satisfied:
- (a) Recyclable materials shall be placed separately from any non-recyclable solid waste placed for collection. Recyclable materials shall be prepared in conformance with current County practices and standards.
  - (b) Bags utilized for deposition of non-recyclable solid waste for placement at the curb, sidewalk, or street must be clear, translucent, or transparent plastic garbage bags. Opaque plastic or paper bags will not be collected. Nothing in this section is intended to prevent residents from placing source separated solid waste in garbage cans or containers without using a bag, unless otherwise required by the hauler.
  - (c) Newspapers shall be piled and securely tied in bundles, with no individual bundle weighing more than 50 pounds, or placed in brown paper grocery bags strong enough to contain them.
  - (d) Magazines and mixed papers shall be bundled and securely tied with string, or placed in brown paper grocery bags.
  - (e) Corrugated cardboard shall be flattened, folded, and securely tied in bundles no larger than 48 inches by 48 inches by 18 inches in size, and weighing no more than 50 pounds, or placed in brown paper grocery bags.
  - (f) Brown paper grocery bags shall be flattened, folded, and securely tied in bundles no larger than 36 inches by 36 inches by 18 inches in size, and weighing no more than 50 pounds, or placed in brown paper grocery bags.
  - (g) Glass bottles, jugs, and jars shall be clean and shall have all lids, foil, styrofoam, and other plastic removed. Paper labels may be left on bottles, jugs, and jars.
  - (h) Metals shall be pure and clean with paper labels removed. Any fabric on lawn furniture shall be removed before the aluminum is placed for recycling.
  - (i) All commingled recyclable materials (plastics, glass, and metals) shall be placed at the curb, sidewalk, or roadside inside of a clearly marked recyclables container, in the manner prescribed by the County. Large bundles that do not fit in the recyclables container must be marked "RECYCLE" in large letters and shall not be placed in the same container as non-recyclable materials.
  - (j) All leaves and yard waste shall be separated from solid waste. This section does

not prohibit private composting, or on-site disposal of yard waste by an individual, in compliance with existing laws and regulations.

(k) Construction and demolition debris (specifically, bricks, concrete, and other masonry; wood; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles; asphaltic pavement; rock; glass and plastics that are not concealed in a manner that conceals other wastes; electrical wiring and components containing no hazardous liquids; and, metals that are incidental to any of the above) shall be separated from other solid waste. Construction and demolition waste must be further separated into the following categories: rock, masonry, asphaltic materials, and dirt and rubble; wood wastes; metals, including wiring; and, other construction and demolition materials.

(l) All household hazardous wastes as defined by the official County Household Hazardous Waste Management Plan shall be separated from solid waste. It shall be unlawful to place such material at the curb, sidewalk, or street for collection by a solid waste hauler. Such materials shall be stored for disposal at a household hazardous waste collection, or taken to household hazardous waste collection facility as may be designated by the Director of the Division of Solid Waste Management, pursuant to Section 10 of this law.

3.04 Waste haulers shall not be responsible for collection of waste materials which have not been placed or prepared in accord with this law. In the event of non-collection of waste or recyclable materials, the hauler shall provide written notification of reason for non-collection.

3.05 The responsible generator shall immediately remove and properly prepare and dispose of all materials refused for collection, taking all measures necessary to properly and legally restore all disturbed land and surface to the condition existing prior to deposition, or reimburse the County or other municipal entity for same.

#### **SECTION IV. MULTI-FAMILY BUILDINGS AND COMPLEXES**

4.01 Apartment complexes, condominium complexes, cooperative apartments, hotels, motels, and bungalow or resort colonies shall be required to establish a private drop off program for the source separation of recyclable materials for collection and transportation to a recycling facility, where curbside collection is not practiced or desired.

4.02 The owner and/or manager of every multi-family apartment building or

condominium within the County shall provide and maintain, in a neat and sanitary condition, recycling drop offs to receive all recyclable materials generated by residents of the building or complex. In cases where a condominium association exists, the condominium association shall be responsible for provision and maintenance of the recycling drop off(s). It shall be the tenant's responsibility to separate designated recyclable materials from the solid waste and deposit the recyclables in the drop off(s), in the manner prescribed by facility management.

4.03 The owner or manager of every multi-family building or complex shall arrange for the collection and/or transportation of all recyclable materials to a material recovery facility or secondary materials market.

**SECTION V. COMMERCIAL AND INDUSTRIAL WASTE AND RECYCLABLES**

5.01 All commercial/industrial/institutional solid waste collected by either municipal or private haulers shall be source separated and delivered to an appropriate facility for disposition, as may be designated by the County.

5.02 All recyclable commercial/industrial/institutional by-products shall be source separated, and delivered to an appropriate facility for the expressed purpose of processing for sale to a secondary materials market. Nothing in this section shall prevent generators from marketing these materials directly to an end use market, secondary materials market, or secondary materials broker.

**SECTION VI. PENALTIES: WASTE GENERATORS**

6.01 Failure to comply with this law by any person shall be an offense punishable as provided.

6.02 Each day of violation of this law shall constitute a separate offense.

6.03 The waste hauler shall maintain the right to refuse collection of solid waste and/or recyclables due to a lack of source separation or proper preparation on the part of the waste generator. In such a case, the hauler shall affix a notice to the waste material which clearly states the reason for non-collection.

6.04 Individuals convicted of a first offense under this local law shall be subject to a fine of not less than twenty-five dollars (\$25) and not more than one hundred dollars (\$100) within one year of the first offense shall be punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Conviction of subsequent offense(s) within one year of the first offense shall be punishable by a fine of at least five hundred dollars (\$500) and not more than one

thousand dollars (\$1,000) and/or imprisonment of not more than 90 days. In addition to the penalties listed above, anyone convicted of an offense under the provisions of this local law shall be subject to a civil penalty to recover cost of enforcement and prosecution, including but not limited to attorney's fees, court costs, and site clean up cost, if applicable.

6.05 Any company, partnership, corporation, municipality, or entity other than an individual person convicted of a first offense as provided for by this law shall be subject to a fine of not less than two hundred dollars (\$200) and not more than one thousand dollars (\$1,000) and/or revocation of solid waste collection and disposal permits. Conviction of subsequent offenses shall be punishable by a fine of not less than one thousand dollars (\$1,000) and not more than two thousand dollars (\$2,000). Any such entity convicted of an offense under the provisions of this law shall also be subject to a civil penalty to recover the cost of enforcement and prosecution, including by not limited to attorneys fees, court costs, and site clean up cost, if applicable. In addition, the County Attorney may also maintain an action or proceeding in the name of Broome County, in a Court of competent jurisdiction, to complete compliance with, or to restrain by injunction, such violation.

**SECTION VII. PENALTIES: WASTE HAULERS**

7.01 Failure of any hauler to comply with this law shall be an offense punishable as provided.

7.02 Each day of violation of this law shall constitute a separate offense.

7.03 Violation of any section of this local law shall be punishable by a fine not in excess of one thousand dollars (\$1,000) or imprisonment for a term not exceeding 90 days, and/or revocation of the hauler's permit, or any combination thereof. In addition, the violation of any section of this law shall be subject to civil penalty imposed by the County to recover cost associated with enforcement and prosecution, including but not limited to reasonable attorney's fees, court cost, and site clean up cost, if applicable. And, in addition, Broome County may also maintain an action or proceeding in a court of competent jurisdiction to compel compliance with, or to restrain by injunction any violation of this local law.

**SECTION VIII. SOLID WASTE DISPOSAL ON PUBLIC PROPERTY**

8.01 All public facilities within the County of Broome shall provide public refuse receptacles for solid waste disposal by facility users and employees.

8.02 There shall be provided separate public receptacles for recyclables. Such

containers shall be clearly marked "RECYCLE" and a list of recyclable items shall accompany said public refuse receptacle. There shall be an adequate number of clearly marked and accessible public receptacles for recyclable materials in order to facilitate recycling.

8.03 All recyclable materials shall be placed in separate public recycling receptacles. The responsibility to separate recyclables from non-recyclables shall be placed on the facility user.

8.04a) Parks may, in lieu of providing separate public receptacles for recyclables, require that park patrons take their recyclable materials with them upon leaving the park. The municipalities shall post signs at all park entrances advising the public of the rule. Park Patrons shall be responsible for removing recyclables from the park and disposing of them in accordance with Section III of this local law.

b) Notwithstanding the provisions of this paragraph concession stands within a park providing food or other items packaged in recyclable containers shall provide both refuse and recycling containers to conform with this section.

8.05 It shall be a violation of this law for any person to place or to cause to be placed any material other than a recyclable in or near a public receptacle designated for recyclable materials.

8.06 It shall also be a violation of this law for any person to place or to cause to be placed any recyclable material in or near a public refuse receptacle designated for non-recyclable materials.

8.07 Any person, including employees of public facilities, convicted of a violation of this section shall be subject to a fine of fifty dollars (\$50).

8.08 The proprietor of any public facility, convicted of a violation of this section, shall be subject to a fine of two hundred dollars (\$200). Each day of violation shall constitute a separate offense.

**SECTION IX: ENFORCEMENT**

9.01 All provisions of this law shall be enforced by the Broome County Security Division, a Municipal Code Enforcement Official, or other appropriate enforcement agencies as may be designated by the municipality.

**SECTION X. REPORTING TO THE DIRECTOR**

10.01 All waste haulers, and any other person or entity that collects, transports and/or markets recyclables must maintain monthly records of recyclable material that includes the following:

The total tonnage, by material, of recyclable material collected.

The total tonnage, by material, of recyclable material delivered to each and every

materials recovery facility, secondary materials market, secondary materials broker, or end use market.

10.02 Reports containing the information required in this Section shall be compiled and delivered to the Director of the Division of Solid Waste Management on an annual basis. Reports shall be filed with the Director no later than January 31 of the subsequent year of filing.

10.03A "collection vehicle permit" must be obtained by each waste hauler annually for each and every collection vehicle operating in Broome County. To obtain a collection vehicle permit, a hauler must certify that it will not deliver any solid waste that is generated outside of Broome County, or any

household hazardous waste, liquid waste, sewage or sludge or any other unacceptable material banned by State regulations or County law to a County solid waste management facility not designated to accept it.

10.04 Waste haulers shall display a permit sticker on each and every collection vehicle, and any other identification as may be required by the Director.

10.05 Each waste hauler shall retain for no less than five years the records and documents required pursuant to this local law and shall make such documents available upon the request of the Director or law enforcement officers.

**SECTION XI. MECHANISMS FOR EXPANDING THE LAW**

11.01 Additional materials may be designated by the Director of the Division of Solid Waste Management for source separation on the basis of availability of markets and the capacity for processing at facilities designated by the County. Additional materials shall be designated by the Director of Solid Waste Management through notification, in writing, to the Clerk of Legislature, County Clerk, all municipal clerks, and publication of legal notice in the local newspaper.

11.02 The Director shall solicit information from solid waste collectors, solid waste management facility operators, and other concerned parties prior to designating additional materials for recycling. The county shall provide a three month education period prior to the date of implementation of source separation requirements for newly designated materials.

11.03 The Director of Solid Waste Management may designate facilities for handling of special waste, such as household hazardous waste, or construction and demolition debris, through notification, in writing, to the Clerk of Legislature, County Clerk, all municipal clerks, and publication of legal notice in the local newspaper.

**SECTION XII.SEVERABILITY**

12.01 If any section, subsection, phrase, sentence or portion of this local law is for any reason held invalid or unconstitutional or found to be illegal by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

**SECTION XIII.PRIORITY**

13.01 Pursuant to Section 1 of chapter 675 of the Laws of 1982 of the State, this local law takes precedence over and shall supersede any inconsistent provisions of any law enacted by any municipality within the County.

**SECTION XIV.EFFECTIVE DATE**

14.01 All sections of this local law shall take effect throughout the County of Broome on July 1, 1992.

At the request of Mr. Malley, Resolution No. 293 was **held over** under the rule.

**RESOLUTION NO. 294**

By County Administration, Economic Development and Planning, Public Safety and Emergency Services and Finance Committees.

Seconded by Mrs. Wagstaff.

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 7, 1992, ENTITLED:  
"A LOCAL LAW REGULATING THE USE OF ALARM SYSTEMS  
LOCATED IN BROOME COUNTY AND CONNECTED TO THE BROOME  
COUNTY SHERIFF'S DEPARTMENT AND OFFICE OF EMERGENCY  
SERVICES"**

WHEREAS, it is desired that all residences and businesses containing or installing emergency alarm systems in Broome County connected to the Broome County Sheriff's Department and/or Office of Emergency Services, register same with the department, and

WHEREAS, it has been determined that there is an excessive number of false emergency alarms, through direct dial systems as well as alarm companies contacting the Sheriff's Department and/or Office of Emergency Services by phone, in that the Sheriff's Department and/or Office of Emergency Services must respond and follow certain procedures requiring both administrative and field personnel, and

WHEREAS, in order to protect the safety of the Sheriff's Department and/or Office of Emergency Services and people at the scene of such false and avoidable alarms as well as to contain the Sheriff's Department's and/or Office of Emergency Services' manpower and costs, it is desired to assess fines for excessive false alarm calls made to and received by the Broome County Sheriff's Department and/or Office of Emergency Services, now therefore, be it

RESOLVED, that Local Law Intro. No. 7, 1992, entitled: "A Local Law

regulating the use of alarm systems located in Broome County and connected to the Broome County Sheriff's Department and/or Office of Emergency Services," 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. 7, 1992

"A LOCAL LAW REGULATING THE USE OF ALARM SYSTEMS  
LOCATED IN BROOME COUNTY AND CONNECTED TO  
THE BROOME COUNTY SHERIFF'S DEPARTMENT  
AND/OR OFFICE OF EMERGENCY SERVICES"

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

SECTION 1. All residences and businesses containing or installing emergency alarm systems in Broome County connected to the Broome County Sheriff's Department and/or the Office of Emergency Services, must register with the Broome County Sheriff's Department and/or the Office of Emergency Services.

SECTION 2. Each alarm user shall pay to Broome County a charge for each and every avoidable alarm after the first four avoidable alarm calls per calendar year per user at a charge of \$25.00 for the fifth avoidable false alarm each calendar year per user, and \$50.00 for each additional avoidable false alarm per calendar year per user.

SECTION 3. The Sheriff's Department and/or the Office of Emergency Services shall notify the alarm user, by mail of said avoidable alarm call, and within thirty days of such notice the alarm user may appeal to the Broome County Executive by showing proof to demonstrate that the alarm was not an avoidable alarm, and the County Executive shall have ten (10) business days to determine the appeal.

Should the alarm user fail to pay any and all alarm charges within thirty (30) days of receipt of notice or receipt of appeal denial, whichever is later, the Broome County Sheriff and/or the Office of Emergency Services shall certify to the Broome County Commissioner of Finance the amount of the penalties. If the alarm user is the owner of the real property which contains the residence or business, all alarm charges and penalties shall become a lien upon the real property and shall be included in the next tax bill rendered to the owner unless paid before and shall be collected in the same manner as other taxes against the real property.

If the owner of the real property is not the same person or business as the alarm user, and the alarm user fails to pay any penalty assessed, the Broome County Sheriff and/or the Office of Emergency Services may institute a suit in his name in any court of competent jurisdiction to recover penalties, costs and disbursements, including attorney's fees, incurred in the collection of penalties.

SECTION 4. This Local Law shall become effective June 1, 1992, following a public hearing to be held before the County Executive in the manner provided by law.

Carried by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 295**

By County Administration, Economic Development and Planning, Public Safety and Emergency Services and Finance Committees.

Seconded by Mrs. Greenmun.

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 10, 1992, ENTITLED "A LOCAL LAW REQUIRING SUBDIVISION MAPS BE PRESENTED TO BROOME COUNTY DEPARTMENT OF REAL PROPERTY TAX SERVICE PRIOR TO FILING IN THE OFFICE OF THE CLERK OF BROOME COUNTY"**

RESOLVED, that Local Law Intro. No. 10, 1992, entitled: "A Local Law Requiring Subdivision Maps be presented to the Broome County Department of Real Property Tax Service prior to filing in the Office of the Clerk of Broome County," 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. 10, 1992

A LOCAL LAW REQUIRING SUBDIVISION MAPS BE PRESENTED  
TO BROOME COUNTY DEPARTMENT OF REAL  
PROPERTY TAX SERVICE PRIOR TO FILING IN THE  
OFFICE OF THE CLERK OF BROOME COUNTY

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

SECTION 1. Any and every map, plot or subdivision map identifying land located wholly or in part within the County of Broome, showing a subdivision of such lands into blocks or lots, shall, before it is filed in the Office of the Clerk of the County of Broome, be presented to the Department of Real Property Tax Service and a mylar copy thereof filed in the Department of Real Property Tax Service and the said original map or plot shall be stamped by said Department of Real Property Tax Service. If any such map or plot which has not been so stamped shall be placed on file, the owner thereof at the time of filing, shall forfeit to Broome County the sum of \$50.00, plus costs and disbursements necessary to obtain said map or plot. If said sum is not paid within twenty (20) days of written notice of violation, the County shall be authorized to commence an action in the name of Broome County in any court of competent jurisdiction to collect said sum.

SECTION 2. This local law shall become effective following a public hearing to be held before the County Executive in a manner provided by law.

**Carried** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 296**

By Education, Culture and Recreation and Finance Committees.

Seconded by Mr. Warner.

**RESOLUTION AUTHORIZING AGREEMENT WITH 10 GLENWOOD ASSOCIATES, FOR BROOME COUNTY PUBLIC LIBRARY BRANCH PREMISES AT FOUNDRY PLAZA FOR 1992 THROUGH 1997.**

WHEREAS, Broome County Public Library requests authorization for an agreement with 10 Glenwood Associates for branch library premises at Foundry Plaza for the period September 1, 1992 through December 31, 1997, at a cost of \$9.50 per square foot for approximately 3,600 square feet per annum, with a 4% annual adjustment, plus utilities, total cost not to exceed \$185,238.23 for the term of this agreement, and

WHEREAS, said services are necessary to provide library premises to replace the West and Emma Brown branch libraries, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with 10 Glenwood Associates, c/o Boston Development Associates, Inc., 32 Southwest Park, Westwood, MA, 02090, for Broome County library premises at Foundry Plaza for the period September 1, 1992 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$9.50 per square foot for approximately 3,600 square fee, with 4% annual adjustment, plus utilities, total rental cost not to exceed \$185,238.23 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 842005.4422.304258 (Building and Land Rental), and be it

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

Mr. Bielecki moved, seconded by Mr. Pasquale to amend the figures in the first FURTHER RESOLVED paragraph to read "\$9.25" and "3%". Mr. Pasquale moved, seconded by Mr. Bielecki to call the question on the amendment. Carried by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield). Amendment carried by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield). Mr. Pasquale moved, seconded by Mr. Bielecki to call the question on the resolution as amended. Carried by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield). Resolution as amended **carried** by the following: Ayes-14; Nays-3 (Coffey, Greenmun, Howard); Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 297**

By Environment Committee.

Seconded by Mr. Pasquale.

**RESOLUTION ACCEPTING REVISIONS TO THE DRAFT OF THE BROOME COUNTY SOLID WASTE MANAGEMENT PLAN AND MAKING A DETERMINATION OF COMPLETENESS OF THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT**

WHEREAS, this County Legislature, by Resolution No. 617 of 1988, established the Solid Waste Division to consider the development and implementation of a County-wide solid waste program, and

WHEREAS, this County Legislature, by Resolution No. 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 Plan, and

WHEREAS, this County Legislature, by Resolution No. 16 of 1991, acknowledged receipt of a draft of the proposed Solid Waste Management Plan and declared itself lead agency for the environmental review of the proposed Solid Waste Management Plan, and

WHEREAS, this County Legislature desires to accept revision to the aforementioned draft Broome County Solid Waste Management Plan, as on file with the Clerk of this Legislature, now, therefore, be it

RESOLVED, this County Legislature acknowledges receipt of and accepts the revised draft of the proposed Broome County Solid Waste Management Plan, and be it

FURTHER RESOLVED, that this County Legislature issues a Determination of Completeness of the Draft Generic Environmental Impact Statement for the purpose of activating the necessary comment periods under SEQRA.

Mr. Malley moved, seconded by Mr. Pasquale to adjust Table 10.4 to indicate 1992 instead of 1993 dates. Mrs. Coffey moved, seconded by Mr. Bielecki to call the question on the amendment. Carried by the following roll call: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield). Amendment failed by the following: Ayes-8 (Coffey, Hudak, Kavulich, Lindsey, Malley, Moppert, Pasquale, Shafer); Nays-9 (Augostini, Bielecki, Brown, Greenmun, Howard, Seeley, Wagstaff, Warner, Yeager); Absent-2 (Pazzaglini, Schofield). Resolution as presented **carried** by the following: Ayes-13; Nays-4 (Brown, Greenmun, Seeley, Yeager); Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 298**

By Environment and Finance Committees.

Seconded by Mr. Warner.

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CLARK ENGINEERS AND ASSOCIATES FOR LANDFILL SITING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR 1991 -1994.**

WHEREAS, this County Legislature, by Resolution 232 of 1991, authorized an agreement with Clark Engineers and Associates for landfill siting services for the Division of Solid Waste Management for the period June 6, 1991 through June 6, 1994 at a cost not to exceed \$575,000, and

WHEREAS, said agreement includes development of siting process and siting criteria, data collection and exclusionary screening, identification of potential site, hydrogeological investigations and final selection of site, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include construction and demolition debris processing feasibility and siting study, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Clark Engineers and Associates, 186 North Water Street, Rochester, New York, 14604, for landfill siting services for the period June 6, 1991 through June 6, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Clark Engineers and Associates an amount not to exceed \$640,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4457.501200 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 232 of 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 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.

Mr. Bielecki moved, seconded by Mr. Pasquale to **table** Resolution No. 298. Motion to table carried by the following: Ayes-15; Nays-2 (Augostini, Coffey); Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 299**

By Finance Committee.

Seconded by Mrs. Greenmun.

**RESOLUTION AMENDING THE 1992 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 1992 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost</u>		
			<u>State</u>	<u>Federal</u>	<u>County</u>
D-23	Upper Lisle Bridge Reconstruction/ Rehabilitation	\$300,000	\$0	\$0	\$300,000

How Financed

<u>Year</u>	<u>Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
				<u>Revenue</u>
1992		20	\$285,000	\$15,000

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost</u>		
			<u>State</u>	<u>Federal</u>	<u>County</u>
D-23	Upper Lisle Bridge Reconstruction/ Rehabilitation	\$335,000	\$0	\$0	\$335,000

How Financed

<u>Year</u>	<u>Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
				<u>Revenue</u>
1992		20	\$320,000	\$15,000

Mrs. Greenmun requested permission to allow Mr. Harold Baxter to address the body for several minutes concerning the Upper Lisle Bridge reconstruction project. After approval by a vote of: Ayes-14; Nays-3 (Augostini, Brown, Coffey); Absent-2 (Pazzaglini, Schofield), Mr. Baxter was invited to address the body. Following Mr. Baxter's comments, Mr. Yeager moved, seconded by Mr. Howard to call the question. Carried by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield). Resolution as presented **carried** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 300**

By Finance and Education, Culture and Recreation Committees.

Seconded by Mr. Warner.

**RESOLUTION SETTING DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE 1992-1993 PROPOSED BROOME COMMUNITY COLLEGE BUDGET AND COUNTY EXECUTIVE'S MESSAGE IN CONNECTION THEREWITH**

WHEREAS, pursuant to the Broome County Charter and Administrative Code, a proposed Broome Community College budget has been submitted for the year commencing September 1, 1992 and ending August 31, 1993, and

WHEREAS, the County Executive, pursuant to Article VI of the Broome County Charter, has prepared and submitted to this Legislature a Budget Message in connection with the proposed Broome Community College budget, and

WHEREAS, pursuant to Article XXIII-A, this Legislature, or a committee designated by this Legislature, must hold a public hearing on the submitted Broome Community College budget and accompanying County Executive's Budget Message, now, therefore, be it

RESOLVED, that this County Legislature hereby designates the Education and Finance Committees of this Legislature to hold a joint public hearing on the proposed Broome Community College budget and the Budget Message submitted by the County Executive, and be it

FURTHER RESOLVED, that this County Legislature hereby designates July , 1992 at p.m. in the Legislative Chambers, as the date, time and place said joint public hearing is to take place, and be it

FURTHER RESOLVED, that in accordance with Article XXIII-A of the Broome County Charter, the Clerk of this Legislature is hereby directed to cause to be printed or otherwise reproduced, sufficient copies of the proposed budget and Budget Message for distribution not less than five days prior to the public hearing, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to cause to be published the appropriate notices of said public hearing in accordance with the Broome County Charter and Administrative Code.

Mr. Pasquale moved, seconded by Mr. Yeager to amend the resolution for the public hearing to be held on Tuesday, July 7 at 7 p.m. Amendment carried by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield). Resolution as amended **carried** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 301**

By Health Services and Finance Committees.

Seconded by Mr. Warner.

**RESOLUTION AUTHORIZING RENEWAL OF HOSPITAL INTERVENTION SERVICES (HIS) DEMONSTRATION PROGRAM GRANT FOR THE DEPARTMENT OF MENTAL HEALTH, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH, AND AUTHORIZING RENEWAL OF AN AGREEMENT WITH UNITED HEALTH SERVICES, INCORPORATED, FOR ADMINISTRATION THEREOF FOR 1992.**

WHEREAS, this County Legislature, by Resolution 134 of 1991, authorized and approved the acceptance of the Hospital Intervention Services (HIS) grant from the New York State Division of Alcoholism and Alcohol Abuse for the Department of Mental Health in the amount of \$133,200 for the period January 1, 1991 through December 31, 1991, and

WHEREAS, the Hospital Intervention Services (HIS) Program Grant is a demonstration project designed to identify hospital patients who have alcohol and substance abuse problems and link these individuals with appropriate services, and

WHEREAS, this County Legislature also authorized an agreement with United

Health Services, Inc., to administrate this program, and

WHEREAS, it is desired to renew said grant program and agreement for calendar year 1992 in the amount of \$129,012, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the renewal of the Department of Mental Health Hospital Intervention Services (HIS) Demonstration Program Grant in the amount of \$129,012 for the period January 1, 1992 through December 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 \$129,012 for the period January 1, 1992 through December 31, 1992, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes renewal of the agreement with United Health Services, Inc., 20-42 Mitchell Avenue, Binghamton, New York, 13903, for the administration of the aforementioned grant, 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** by the following: Ayes-14; Nays-3 (Augostini, Greenmun, Wagstaff); Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 302**

By Intergovernment Relations Committee.

Seconded by Mr. Seeley.

**RESOLUTION AUTHORIZING LEGALIZATION ACT**

WHEREAS, the Town of Chenango by duly verified petition, attached hereto and incorporated herein, has filed with this Legislative Body a request that the following resolution adopted by the Town Board of the Town of Chenango, setting for the following:

RESOLUTION NO. 72  
BOND RESOLUTION

Margaret Turna offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE TOWN OF CHENANGO, NEW YORK,  
ADOPTED JULY 18, 1988, APPROPRIATING \$80,000.00  
FOR IMPROVEMENTS TO TOWN HALL BUILDING IN  
SAID TOWN AND AUTHORIZING THE ISSUANCE OF  
\$80,000.00 IN BOND ANTICIPATION NOTES, SERIAL  
BONDS AND/OR CAPITAL NOTES OF SAID TOWN TO  
FINANCE SAID APPROPRIATION

Recital

WHEREAS, following preparation of a general plan and specification for improvements to Town Hall, Town of Chenango, (herein called "Town") in the County of Broome, New York, new building and renovation of existing building; and, after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to perform the improvements; and, it was so ordered that the improvements

be made, now, therefore, be it

RESOLVED, by the Town Board of the Town of Chenango in the County of Broome, New York (by the favorable vote of not less than two-thirds of all the members of said Board) as follows:

Section 1. The Town hereby appropriates the amount of \$80,000.00 to perform the improvements in said district, all in accordance with the map, plan and report prepared by Edwin Gent, P.C., Consulting Engineer, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$80,000.00 and the plan of financing includes the issuance of \$80,000.00 bond anticipation notes, serial bonds and/or capital notes of the Town and the assessment, levy and collection of assessments on the several lots and parcels of land within the District in the same manner and at the same time as other Town charges to pay the principal of and interest on said bond anticipation notes, serial and/or capital notes.

Section 2. Bond anticipation notes, serial bonds and/or capital notes of the Town are hereby authorized to be issued in the principal amount of \$80,000.00, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued within the limitations of section 11.00 a.1. of the Law is forty (40) years.

(b) Certain funds are not required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes in anticipation of the sale of such bonds, pursuant to the provisions of Section 107.00 d.3(a) of the Law.

(c) The proposed maturity of the bonds authorized by this resolution may exceed twenty (20) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provisions shall be made annually in the budget

of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year; and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or the renewals of said notes and of Section 50.00 and Sections 56.00 and 60 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This Resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by William Wildman and duly put to a vote on roll call, which resulted as follows:

AYES:

s/ Frank Kelley  
FRANK KELLEY

s/ Margaret Turna  
MARGARET TURNA

s/ William Wildman  
WILLIAM WILDMAN

s/ Audrey Taylor  
AUDREY TAYLOR

NAYS:

\_\_\_\_\_  
ROGER CAMP

CERTIFICATE

I, DONNA M. LEWIS, Town Clerk of the Town of Chenango, in the County of Broome, State of New York, HEREBY CERTIFY, that the foregoing annexed Bond Resolution of the Town of Chenango has been compared by me with the original and is a true, complete and correct copy (sic) thereof and of the whole of said bond resolution so far as the same relates to the subject matters referred in said bond resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 19th day of July, 1988.

s/ Donna M. Lewis  
Town Clerk

[SEAL]

be legalized, and

WHEREAS, the appropriate State Statute provides that the aforesaid resolution be published in a newspaper of general circulation throughout the Town and be subject to permissive referendum, and

WHEREAS, said resolution was not published in said newspaper as required by the Town Law of the State of New York, and

WHEREAS, said Resolution was not adopted subject to permissive referendum as required by the Local Finance Law of the State of New York, and

WHEREAS, this Legislature has directed the Inter-Governmental Relations Committee conduct a public hearing and take appropriate evidence and testimony after notice as prescribed by Statute, and

WHEREAS, said Committee has caused to be filed a transcript of the evidence taken at a public hearing held on June 1, 1992, together with its recommendations in reference to said petition, said recommendations being attached hereto and incorporated in this resolution herein, now, therefore, be it

RESOLVED, that the Resolution adopted by the Town of Chenango on July 18, 1988 is hereby declared to be a valid and legal act of said Town, and be it

FURTHER RESOLVED, that the failure to publish under the provisions of the Town Law of the State of New York and the failure to adopt said resolution subject to permissive referendum was through mistake, error or omission and was not the result of fraud and no substantial hardship has resulted therefrom and no substantial hardship will result from a determination by this Legislature legalizing the aforesaid resolution, and be it

FURTHER RESOLVED, that all acts of any nature, kind or substance taken thereunder are valid and binding actions upon the Town, and be it

FURTHER RESOLVED, that at least two years has elapsed since the completion of the project and the payment of the cost thereof, and be it

FURTHER RESOLVED, that the principal balance of said debt is \$69,000 and it matures in 17 years, and be it

FURTHER RESOLVED, that this legalizing and validating act as certified to by the Clerk of this Legislature shall be published at least once a week for two consecutive weeks in the Press and Sun-Bulletin, the first publication of which shall be within ten (10) days after adoption of the legalizing act, and be it

FURTHER RESOLVED, that a copy of this legalizing act duly certified to by the Clerk shall be filed with the State Comptroller and with the Clerk of the Town of Chenango, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

**Carried** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 303**

By Personnel, Finance and Health Services Committees.

Seconded by Mr. Pasquale.

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS AND BUDGET TRANSFERS FOR THE DEPARTMENTS OF MENTAL HEALTH AND REAL PROPERTY SERVICES**

RESOLVED, that in accordance with a request from the Department of Mental Health, as contained in PCR# 92-258, this County Legislature hereby authorizes the change of nine (9) temporary Staff Psychiatrist positions at budget line 470013.1600, minimum salary \$55.53 per hour, Grade N/A, Union "Temporary Help," to nine (9) part-time Staff Psychiatrist positions at budget line 470013.1500, minimum salary \$55.53 per hour, Grade N/A, Union BAPA, effective June 18, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, in order to provide funds for the afore-mentioned PCR# 92-258, as requested by BT# 4134, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index</u>	<u>Sub-</u>	<u>Project</u>			
<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>	

FROM: 470013 1600 101000 Salaries - Temp \$116,391  
 TO :470013 1500 101000 Salaries - PT \$116,391  
 and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, as contained in PCR# 92-259, this County Legislature hereby authorizes the creation of one (1) full-time Staff Psychiatrist position at budget line 470013.1000, minimum salary N/A, Grade N/A, Union BAPA, effective April 13, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, in order to provide funds for the afore-mentioned PCR# 92-259, as requested by BT# 4135, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	Index	Sub- <u>Code</u>	Project <u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	470013	1500	101000	101000	Salaries - PT	\$ 91,657
TO :	470013	1000	101000	101000	Salaries - FT	\$ 91,657

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, as contained in PCR# 92-260, this County Legislature hereby authorizes the creation of one (1) full-time Staff Psychiatrist position at budget line 470013.1000, minimum salary N/A, Grade N/A, Union BAPA, effective June 18, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, in order to provide funds for the afore-mentioned PCR# 92-260, as requested by BT# 4133, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	Index	Sub- <u>Code</u>	Project <u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	470013	4702	101000	101000	Mental Exams	\$ 96,161
TO :	470013	1000	101000	101000	Salaries - FT	\$ 96,161

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, as contained in PCR# 92-262, this County Legislature hereby authorizes the change of one (1) full-time Staff Psychologist (licensed) position at budget line 470013.1000, minimum salary \$45,520, Grade 29, to one (1) full-time Staff Psychologist (unlicensed) position at budget line 470013.1000, Salary \$32,547, Grade 23, Union CSEA, effective June 22, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, as contained in PDR# 92-376, this County Legislature hereby authorizes the hiring above minimum of one (1) full-time Staff Psychologist

(unlicensed) position at budget line 470013.1000, Grade 23, Union CSEA, salary \$38,500, effective June 22, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Real Property Tax Service, as contained in PCR# 92-224, this County Legislature hereby authorizes the upgrade of one (1) full-time Real Property Tax Services Assistant position at budget line 630004.1000, minimum salary \$16,228, Grade 10, Union CSEA, and to one (1) full-time Real Property Tax Services Assistant position at budget line 630004.1000, minimum salary \$17,120, Grade 11, effective June 1, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Real Property Tax Service, as contained in PCR# 92-225, this County Legislature hereby authorizes the change of one full-time Real Property Tax Services Supervisor position at budget line 630004.1000, minimum salary \$23,018, Grade 15, Union BAPA, to one (1) full-time Real Property Tax Services Specialist position at budget line 630004.1000, minimum salary \$20,105, Grade 14, Union CSEA, effective June 1, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Real Property Tax Service, as contained in PCR# 92-226, this County Legislature hereby authorizes the change of one (1) full-time Senior Title Searcher position at budget line 630004. 1000, minimum salary \$19,057, Grade 13, Union CSEA, to one (1) full-time Title Searcher position at budget line 630004.1000, minimum salary \$16,228, Grade 10, Union CSEA, effective June 1, 1992.

At the request of Mrs. Wagstaff all PCR's dealing with the Mental Health Department were **held over** under the rule. These include PCR#92-258, 259, 260, 262 and 376 along with related budget transfers BT#4134, 4135 and 4133. The balance of the resolution, PCR's 92-224, 225 and 226 **carried** by the following: Ayes-17; Nays-0; Absent-2 (Pazzaglini, Schofield).

**RESOLUTION NO. 304**

By Public Works and Finance Committees.

Seconded by Mr. Warner.

**RESOLUTION AMENDING RESOLUTION 158 OF 1992 AUTHORIZING AN AGREEMENT WITH CARTER ASSOCIATES AND EMJ/McFARLAND-JOHNSON ENGINEERS, INC., FOR PROFESSIONAL SERVICES NECESSARY TO PURCHASE AND IMPLEMENT A PAVEMENT MANAGEMENT SYSTEM FOR BROOME COUNTY** WHEREAS, this County Legislature, by Resolution 158 of 1992, authorized an agreement with Carter Associates and EMJ/McFarland-Johnson Engineers, Inc., for professional services necessary to purchase and implement a pavement management system for Broome County, and

WHEREAS, the Department of Law has advised that EMJ/McFarland-Johnson Engineers, Inc., should be the prime consultant and contracting party and ITX Technologies, Ltd., successor to Carter Associates, should be named as sub-consultant, now, therefore, be it

RESOLVED, that this County Legislature hereby amends Resolution 158 of 1992 to authorize an agreement with EMJ/McFarland-Johnson Engineers, Inc., 171 Front Street, P. O. Box 1980, Binghamton, New York, 13902-1980, as prime consultant and contracting party for professional services necessary to purchase and implement a pavement management system for Broome County, such agreement to name ITX Technologies, Ltd., as a sub-consultant, and

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$110,900 for the term of this agreement, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and authorizes additional money of up to \$1,500 in a contingency fund, to cover additional professional services should additional historical data be necessary, said contingency fund to be administered by the Broome County Board of Acquisition and Contract, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035014.4747.501240 (Other Fees for Services), and be it

FURTHER RESOLVED, that Resolution 158 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried** by the following: Ayes-14; Nays-3 (Wagstaff, Warner, Yeager); Absent-2 (Pazzaglini, Schofield).

Mrs. Wagstaff moved, seconded by Mr. Seeley to adjourn to the call of the Clerk at 7:20 p.m. Carried.