

WHEREAS, the Department of Aviation requests authorization to accept a Federal Aviation Administration Grant in the amount of \$83,400, and

WHEREAS, said grant program provides ninety percent (90%) federal share of the installation of a Security Control Access System at the Binghamton Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$83,400 from the Federal Aviation Administration for the installation of a Security Control Access System at the Binghamton Regional Airport, and be it

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

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

**Carried** by the following: Ayes-16; Nays-0; Absent-3 (Bielecki, Coffey, Schofield).

Mr. Pasquale moved, seconded by Mr. Moppert to adjourn to the call of the Clerk at 4:37 p.m. Carried.

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, AUGUST 20, 1992**

The Legislature convened at 4:00 p.m. Called to order by the acting Chairman, Robert J. Moppert.

The Clerk, Richard R. Blythe, read the fire exit announcement and then called the attendance roll: Present-19; Absent- 0.

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

Mr. Seeley moved, seconded by Mr. Pasquale that the minutes of the, July 30, 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:

Letters from the County Executive, Timothy M. Grippen:

- 1.Designating Joseph J. Slocum as Acting County Executive, effective August 10, 1992.

- 2.Appointing Charles E. Hopkins as Director of Veterans Services, effective August 10, 1992.

The following communications, notices and reports were presented to the County Legislature:

COMMUNICATIONS:

- 1.Minutes from: Cornell Cooperative Extension.
- 2.1991 State Equalization Rates.
- 3.Letter from Department of Audit and Control advising that transfers of cash between banks were properly recorded to FAMIS System.
- 4.Certification received from Department of Agriculture and Markets regarding Agricultural District #4 (Towns of Barker, Binghamton, Chenango, Colesville, Conklin, Fenton, Kirkwood, Maine, Union and Windsor).
- 5.Copy of letter from Nixon, Hargrave, Devans & Doyle regarding legal services (Landfill Siting Study).
- 6.Comments on the Draft EIS, Broome County Public Safety Complex: Public Hearing Comments and Supplemental Filings.
- 7.Information packet concerning Sithe Energies, Inc. regarding gas-fired cogeneration plant in Oswego, NY.
- 8.Notice from State Comptroller concerning establishment of proposed Sewer District #10 (Town of Chenango).

NOTICES:

- 1.Notice of Claim (Josephine and Andrew Santalucia vs. County of Broome.

REPORTS:

- 1.Department of Audit & Control: 1991 Annual Report; audit of Southern Tier Zoological Society, Inc.
- 2.Monthly Reports: Broome Community College, Budget Transfers (May, June 1992).
- 3.YESCAP: 1991-92 Year End Report.

Mr. Shafer moved, seconded by Mrs. Greenmun to receive and file the above noted reports and to publish any pertinent portions thereof in the 1992 Journal of Proceedings. Carried.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE:

Presentation by Legislator Wayne L. Howard:  
Letter of Commendation-Mr. Donald Benza  
Chenango Valley School District

Letters from the Chairman, Arthur J. Shafer:

- 1.Appointing Michael P. Pazzaglini as voting representative for Emil J. Bielecki, Finance Committee, July 30, 1992.
- 2.Appointing Andrew Kavulich as voting representative for Margaret M. Coffey, Finance Committee, July 30, 1992.
- 3.Appointing Roger V. Brown and Michael P. Pazzaglini as voting representatives for Daniel A. Schofield and Kathleen M. Greenmun, Personnel Committee, August 10, 1992.
- 4.Appointing Louis P. Augostini as voting representative for Wanda Hudak, Health Services Committee, August 10, 1992.
5. Appointing Louis P. Augostini as voting representative for Daniel A. Schofield, Transportation Committee, August 10, 1992.
- 6.Appointing Vincent A. Pasquale as voting representative for Andrew Kavulich, Personnel Committee, August 10, 1992.
- 7.Appointing Wayne L. Howard as voting representative for Wanda Hudak, Public Safety and Emergency Services Committee, August 12, 1992 and appointing Peter W. Yeager as Acting Chairman for Ms. Hudak, Community and Social Services Committee, August 11, 1992.

The following resolutions tabled to today's session were again presented for consideration:

**RESOLUTION NO. 264** by the Environment Committee, Seconded by Mr. Brown, 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 which was tabled at the July 16th., 1992 session was again presented. **Carried.**

**RESOLUTION NO. 334** by the Education, Culture & Recreation Committee, the Public Works Committee and the Finance Committee, Seconded by Mr. Warner, Amending the 1991 Capital Improvement Program which was tabled at the July 30th., 1992 Special Session was again presented. **Carried.** Ayes-15, Nays-4, (Augostini, Bielecki, Pazzaglini, Warner).

The following resolutions which were held over from the July 16th., 1992 session were again presented for consideration:

**RESOLUTION NO. 328** by the Environment Committee regarding initiation of environmental review of Local Law Intro. No. 12, 1992 which was held over at the request of Mr. Yeager was again presented for consideration. **Carried.** Ayes-18, Nays-1 (Greenmun).

**RESOLUTION NO. 329** by the County Administration, Economic Development and Planning Committee and the Environment Committee adopting Local Law Intro. No. 12, 1992, requiring mandatory source separation of solid waste produced in Broome County which was held over at the request of Mr. Shafer was again presented for consideration. The Chairman directed that the prefiled amendments by Mr. Brown and Mr. Augostini be taken up first. Mr. Brown moved, seconded by Mr. Yeager to delete in section 2.02 leaves, yard wastes, wood waste, construction and demolition debris, tires, batteries (wet and dry cell), and household hazardous waste. and delete in section 2.03 with the exception of household hazardous waste. Mr. Shafer moved, seconded by Mrs. Coffey to call the question on the amendment. **Carried.** Ayes-14, Nays-5 (Augostini, Hudak, Malley, Pazzaglini, Schofield). Amendment **Lost** by the following; Ayes-8 (Brown, Greenmun, Howard, Pazzaglini, Seeley, Wagstaff, Warner, Yeager), Nays-11 (Augostini, Bielecki, Coffey, Hudak, Kavulich, Lindsey, Malley, Moppert, Pasquale, Schofield, Shafer).

Mr. Augostini moved, seconded by Mr. Shafer to amend by deleting section 3.03 and replace it with:

(a) Recyclable materials shall be placed separately from any non-recyclable solid waste placed for collection. Recyclable materials should be prepared in conformance with County practices and standards established pursuant to this section.

(b) No person shall place any recyclable materials at or near any curb, sidewalk or street for purposes of collection unless the materials are prepared in conformance with County practices and standards established pursuant to this section.

(c) The Director of Solid Waste Management is hereby authorized and directed to designate, by written statement, from time to time, the practices and standards for preparation of recyclables for collection. Such written designation shall be filed with the Clerk of the County Legislature and shall become effective within ninety (90) days of filing unless rescinded or modified by appropriate resolution of the County Legislature.

(d) The Director shall solicit information from solid waste collectors, solid waste management facility operators, and other concerned parties prior to designating revised rules for preparation of materials. **Carried.**

Mr. Augustini moved, seconded by Mr. Pasquale to amend section 11.01 to:

11.01 Upon payment of any tipping fee imposed by the County, the County shall accept any materials source separated pursuant to this local law at a designated Solid Waste Management Facility or through a special collection including, but not limited to, Household Hazardous Wastes, and to renumber the remaining sections accordingly. Mr. Augustini moved, seconded by Mr. Shafer to call the question on the amendment. **Carried.** Amendment **Carried.**

Mr. Yeager moved, seconded by Mr. Howard to delete from section 2.02 the words Batteries (wet and dry) and Household Hazardous Waste. Mr. Warner moved, seconded by Mr. Shafer to call the question on Mr. Yeager's amendment. **Carried.** Ayes-15, Nays-4 (Coffey, Kavulich, Pasquale, Pazzaglini). Amendment **Failed** Ayes-8 (Brown, Howard, Lindsey, Pazzaglini, Schofield, Seeley, Wagstaff, Yeager) Nays-11 (Augustini, Bielecki, Coffey, Greenmun, Hudak, Kavulich, Malley, Moppert, Pasquale, Warner, Shafer)

Mr. Shafer moved, seconded by Mr. Schofield to call the question on the resolution as amended. **Carried.** Ayes-18, Nays-1 (Wagstaff). Resolution as amended **Carried.** Ayes-16, Nays-3 (Brown, Pazzaglini, Yeager).

**RESOLUTION NO. 338** by the Pub Safety & Emergency Services Committee, the Public Works Committee and the Finance Committee authorizing and approving the final Court Facilities Capital Improvement Plan which was heldover by Mr. Augustini was again presented for consideration. Mrs. Wagstaff moved, seconded by Mr. Shafer the following amendment. In the second Whereas, delete the word "for" and add as part of before the words -the final capital improvement plan-. In the third Whereas, delete the words the Management Team is recommending that the two and add the word All. Delete the word until and add the word during, delete the word both and add A and AA after the word options, and delete the rest of the paragraph

that states in that if the preferred option AA does not survive the SEORA review process and Option A did survive, the alternate, Option A, would be able to be advanced to completion. Mrs. Hudak moved, seconded by Mrs. Wagstaff the following amendment: In the title add: for review by the New York State Office of Court Administration. **Carried.** Mrs. Wagstaff moved, seconded by Mr. Warner following amendment: In the first resolved, delete the words and approves and add for the purpose of initial review by the New York State Office of Court Administration. **Carried.** Mrs. Wagstaff moved, seconded by Mr. Pazzaglini to call the question on the amendment as amended. **Carried.** Amendment **Carried** as amended. Mr. Pazzaglini moved, seconded by Mr. Schofield to call the question on the resolution as amended. **Carried.** Resolution as amended **Carried.** Ayes-14, Nays-5 (Augostini, Bielecki, Greenmun, Pasquale, Yeager).

The preferred agenda was presented at this time (Resolutions No. 343 - 369) seconded by Mr. Warner. The following were removed from the preferred agenda for separate consideration 344, 346, 348, 349, 351, 357, 361, 366, but for the sake of clarity, they are presented in numerical order.

**RESOLUTION NO. 343**

by Community and Social Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH LEE HARRISON, Ph.D., FOR CONSULTING DIETICIAN SERVICES IN CONNECTION WITH THE OFFICE FOR AGING NUTRITION PROGRAM FOR 1992**

WHEREAS, this County Legislature, by Resolution 467 of 1991, authorized an agreement with Lee Harrison, Ph.D., for consulting dietician services for the Office for Aging Nutrition Program for the period January 1, 1992 through December 31, 1992, at a cost not to exceed \$4,368, and

WHEREAS, it is necessary to authorize the amendment of said agreement to provide for an hourly rate not to exceed \$14.00 per hour and that expenses are to be equally shared between the Office for Aging Nutrition Program Title IIIC1 and Title IIIC2, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Lee Harrison, Ph.D., 16 Rexford Street, Binghamton, New York, 13903, for consulting dietician services in connection with the Broome County Office for Aging Nutrition Program Title IIIC1 and Title IIIC2 for the period January 1, 1992 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 \$14.00 per hour, total amount not to exceed \$4,368, to be shared equally between the aforementioned programs, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760462.4741.102610 and 760462.4741.102611 (Dietary Services), and be it

FURTHER RESOLVED, that Resolution 467 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. 344**

By County Administration, Economic Development and Planning Committee

Seconded by Mr. Brown

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A CHRISTOPHER COLUMBUS QUINCENTENNIAL CELEBRATION SITING COMMITTEE FOR THE PLACEMENT OF A MEMORIAL TO CHRISTOPHER COLUMBUS**

WHEREAS, 1992 is the five hundred year anniversary of the discovery of America by Christopher Columbus, and

WHEREAS, a Columbus Quincentennial Celebration Committee has been organized for the purpose of celebrating this five hundred year anniversary, and

WHEREAS, the Columbus Quincentennial Celebration Committee would like to place an appropriate memorial to honor Christopher Columbus on Broome County property, and

WHEREAS, it is desired at this time to establish a committee to site this memorial, now, therefore, be it

RESOLVED, that this County Legislature and the Broome County Executive hereby appoint Louis Augostini, Wanda Hudak, Vincent Pasquale, Michael Pazzaglini and Daniel Schofield to serve as the siting committee for the Christopher Columbus Memorial in connection with the Christopher Columbus Quincentennial Celebration, and be it

FURTHER RESOLVED, that this Resolution take effect immediately.  
**Carried.**

**RESOLUTION NO. 345**

By County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AGREEMENT WITH ANDY WALKER'S AUCTIONS, UNLIMITED, FOR AUCTIONEERING SERVICES FOR THE DEPARTMENT OF GENERAL SERVICES, PURCHASING DIVISION, NINTH ANNUAL AUCTION SCHEDULED FOR SEPTEMBER 19, 1992 AT GRIPPEN PARK IN ENDICOTT, NEW YORK**

WHEREAS, the Department of General Services, Purchasing Division, requests authorization for an agreement with Andy Walker's Auctions, Unlimited, for auctioneering services for its ninth annual auction of surplus supplies, equipment and materials on September 19, 1992, at a cost of \$800.00 for expenses and 13 percent of the auctioneer's gross receipts (commission is based on gross sales, sales taxes are not taken into consideration for commission) for Broome County Government, and

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

WHEREAS, all political subdivisions, including Broome Community College, shall pay a fee of 15 percent of the auctioneer's gross receipts attributable to its property, with 13 percent of said fee payable to auctioneer and 2 percent to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Andy Walker's Auctions, Unlimited, Route 11, Grossett Drive, Kirkwood, New York, 13795, for auctioneer services for the September 19, 1992 auction, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Andy Walker's Auctions, Unlimited, \$800.00 for expenses, \$500 maximum for cleanup services, plus 13 percent of the auctioneer's gross receipts for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the proceeds of the auction referred to above, 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. 346**

By Education, Culture & Recreation Committee

Seconded by Mr. Warner

**RESOLUTION TO PETITION THE NEW YORK STATE GOVERNOR AND STATE LEGISLATURE TO ABOLISH AND REPEAL THE ADIRONDACK PARK AGENCY ACT ARTICLE 27 AND FOR REPLACEMENT OF THE ADIRONDACK PARK AGENCY WITH ADIRONDACK PARK LOCAL GOVERNMENT PLANNING AND CONTROL BOARD**

WHEREAS, the Adirondack Solidarity Alliance (hereinafter "ASA"), an organization dedicated to fighting to reclaim Adirondacker's constitutional rights, believes that the Adirondack Park Agency Act Article 27 creating the Adirondack Park Agency appears to violate the intentions of the New York State and Federal Constitutions, and

WHEREAS, ASA also believes that this Agency has usurped power rightfully belonging to local governments, and that there is no real need for such an Agency as there already exists too much government and too many insensitive bureaucratic agencies, and

WHEREAS, ASA believes that the economy is restricted, the tax base is decreased, and private land owners are deprived of their rights and full use of their land without compensation, and that these experimental, overly severe land controls are not wanted by those who bear the burden of this law, and

WHEREAS, your sponsoring committee recommends that this County Legislature hereby petition the New York State Legislature and Governor to abolish and repeal the Adirondack Park Agency Act Article 27 and for replacement of the Adirondack Park Agency with Adirondack Park Local Government Planning and Control Board, now, therefore, be it

RESOLVED, that this County Legislature hereby petitions the Legislature and Governor of the State of New York to abolish and repeal the Adirondack Park Agency Act Article 27, and that an Adirondack Park Local Government Planning and Control Board be authorized to replace the Adirondack Park Agency, and be it

FURTHER RESOLVED, that copies of this resolution be submitted to Governor Mario Cuomo, Assembly Speaker Saul Weprin, Senate Majority Leader Ralph J. Marino, and the Adirondack Solidarity Alliance, as well as others deemed necessary and proper. **Heldover** by Mr. Malley.

**RESOLUTION NO. 347**

By Education, Culture and Recreation and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING A PERMANENT EASEMENT AGREEMENT WITH NEW YORK STATE ELECTRIC & GAS CORPORATION FOR TWO EASEMENTS LOCATED ON PINE STREET IN THE VILLAGE OF DEPOSIT, TOWN OF SANFORD.**

WHEREAS, New York State Electric & Gas Corporation has requested a permanent easement through land owned by Broome County located on Pine Street in the Village of Deposit, Town of Sanford, and

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

RESOLVED, that this County Legislature hereby grants New York State Electric & Gas Corporation a permanent easement running through land owned by Broome County on Pine Street in the Village of Deposit, Town of Deposit, as more fully described in a map and property description referred to as Exhibit "A," and be it

FURTHER RESOLVED, that this County Legislature hereby grants New York State Electric & Gas Corporation a permanent easement running through land owned by Broome County on Pine Street in the Village of Deposit, Town of Deposit, as more fully described in a map and property description referred to as Exhibit "B," and be it

FURTHER RESOLVED, that in consideration of the aforesaid easements, New York State Electric & Gas Corporation will pay Broome County the sum of \$1.00 for each easement, 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. 348**

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

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AGREEMENT WITH THE TOWN OF COLESVILLE TO INDEMNIFY THE TOWN OF COLESVILLE FROM AND AGAINST ANY AND ALL DAMAGES AND CLAIMS, UP TO ONE MILLION DOLLARS, WHICH MAY ARISE FROM THE COUNTY'S USE OF TOWN OF COLESVILLE PROPERTY FOR A COUNTY RECYCLING DROPOFF**

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with the Town of Colesville to indemnify the Town of Colesville from and against damages and claims, up to one million dollars, which may arise from the County's use of Town property for a County Recycling Dropoff, and

WHEREAS, said agreement is necessary to ensure operation of the Broome County Recycling Center in the Town of Colesville for calendar year 1992, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Colesville, Box 27, Harpursville, New York, 13787, to indemnify the Town of Colesville from and against any and all damages and claims, up to one million dollars, which may arise from the County's use of Town property for the County Recycling Dropoff, 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. **Heldover** by Mrs. Coffey.

**RESOLUTION NO. 349**

By ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AGREEMENT WITH SYRACUSE SUPPLY LEASING CO., INCORPORATED, FOR A FIVE-YEAR LEASE OF A D8N DOZER FOR THE DIVISION OF SOLID WASTE MANAGEMENT AT THE NANTICOKE LANDFILL FOR THE PERIOD 1992 THROUGH 1997.**

WHEREAS, the Division of Solid Waste Management requests authorization

for an lease agreement with Syracuse Supply Leasing Co., Inc., for the lease of a D8L dozer for a period of five years, at a cost not to exceed \$52,653 per year, and

WHEREAS, said services are necessary for replacement of the currently used 1979 D8L dozer at the Nanticoke Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a lease agreement with Syracuse Leasing Co., Inc., 5921 Court Street, Syracuse, New York, 13206, for the lease of a D8L dozer for a period of five years, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$52,653 per year for the term of this agreement, 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 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. **Heldover** by Mrs. Greenmun.

**RESOLUTION NO. 350**

By Environment and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE VILLAGE OF ENDICOTT FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL AT THE VILLAGE SEWAGE TREATMENT PLANT FOR 1992 THROUGH 1994**

WHEREAS, this County Legislature, by Resolution 725 of 1990, authorized an agreement with the Village of Endicott for treatment of leachate from the Nanticoke Landfill at the Village's Sewage Treatment Plant at a cost of \$15.00 per 1,000 gallons of leachate treated with the total payments during each year of the agreement not to exceed \$120,000, and

WHEREAS, said agreement expires by its terms on August 17, 1992, and it is desired at this time to renew said agreement for 1992 through 1994 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Village of Endicott, 1009 East Main Street, Endicott, New York, 13760 for treatment of leachate from the Nanticoke Landfill for the period August 17, 1992 through August 16, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$15.00 per 1,000 gallons of leachate treated, total cost not to exceed \$240,000 for each year of the agreement 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 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. 351**

By Environment and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AGREEMENT WITH BINGHAMTON/JOHNSON CITY JOINT SEWAGE TREATMENT BOARD FOR TREATMENT OF LEACHATE FROM THE NANTICOKE LANDFILL FOR 1992 THROUGH 1994.**

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with Binghamton/Johnson City Joint Sewage Treatment Board for treatment of leachate from the Nanticoke Landfill for the period August 17, 1992 through August 15, 1994, at a cost not to exceed \$20.00 per 1,000 gallons of leachate treated, with the total payments during each year of the agreement not to exceed \$240,000, and

WHEREAS, said services are necessary to serve as backup for the treatment of leachate as provided by the Village of Endicott, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Binghamton/Johnson Joint Sewage Treatment Board for treatment of leachate from the Nanticoke Landfill, for the period August 17, 1992 through August 15, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$20.00 per 1,000 gallons of leachate treated, with the total payments during each year of this agreement not to exceed \$40,000, 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 the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-17, Nays-2 (Greenmun, Wagstaff)



**RESOLUTION NO. 352**

By Finance Committee  
Seconded by Mr. Warner

**RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWN OF UNION.**

WHEREAS, the County of Broome now owns certain parcels of real property taken by virtue of bankruptcy proceedings and it is necessary to clear the tax records of these parcels of real property, now, therefore, be it

RESOLVED, that taxes will be canceled on the following parcels of real property:

1. Town of Union, parcel 3-J6-901-5, former owner D & J Motels, amount to be canceled \$597.22.
  2. Town of Union, parcel 3-J6-902-9X, former owner D & J Motels, amount to be canceled \$206,125.91,
- and be it

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

**RESOLUTION NO. 353**

By Health Services and Finance Committees  
Seconded by Mr. Warner

**RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE INTENSIVE CASE MANAGEMENT PROGRAM GRANT FOR THE BROOME COUNTY MENTAL HEALTH DEPARTMENT, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH AND RENEWAL OF AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY FOR ADMINISTRATION OF SAME FOR 1992**

WHEREAS, this County Legislature, by Resolution 412 of 1991, authorized and approved the Department of Mental Health Intensive Case Management Program Grant, adopted a program budget, and authorized an agreement with Catholic Charities of Broome County to administer same in the amount of 265,971 for calendar year 1991, and

WHEREAS, it is desired to renew said grant program and agreement for calendar year 1992 in the amount of \$210,770, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$ 210,770 from New York State for the Broome County Mental Health Department's Intensive Case Management Program 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 \$ 210,770 for the period January 1, 1992 through December 31, 1992, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Catholic Charities of Broome County, 232 Main Street, Binghamton, NY 13905, for administration of the aforementioned Intensive Case Management Program Grant for calendar year 1992, and be it

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

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

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

**RESOLUTION NO. 354**

By Health Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH VARIOUS VENDORS FOR THE HEALTH DEPARTMENT EDUCATION FOR HANDICAPPED CHILDREN'S PROGRAM FOR 1990, 1991 AND 1992**

WHEREAS, this County Legislature, by Resolution 177 of 1992, as amended by Resolution 325 of 1992, authorized agreements with various vendors for the Health Department Education for Handicapped Children's Program, and

WHEREAS, said agreements were for vendors to provide itinerant speech, equipment, medication, occupational and physical therapy, special education, medical services and transportation for the Health Department's Education for Handicapped Children's Program, and

WHEREAS, it is necessary to authorize the amendment of a certain agreement for 1992 as indicated on Exhibit "A" to provide for an additional speech therapist and to allow for the replacement of Eileen Gilroy, Speech Pathologist, with Lourdes Hospital, Therapy Department, for speech therapy, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement to add an additional speech therapist, Theresa Meredith, 3285 Giles pie Road, Binghamton, NY, 13903 and Lourdes Hospital, Therapy Department, 169 Riverside Drive, Binghamton, New York, 13905, for the services, costs and terms as indicated on the attached Exhibit "A," and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480285.4715.101000 (Other Health and Medical Services), and be it

FURTHER RESOLVED, that Resolution 177 of 1992, as amended by Resolution 325 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. 354 EXHIBIT A**

<u>Vendor</u>	<u>Services</u>	<u>Term</u>	<u>Amount</u>
<u>Eileen Gilroy</u>	<u>Speech</u>	<u>07/01/91 - 12/31/92</u>	<u>not to exceed</u> <u>\$27.00 per ½</u>
<u>hr.</u>			
<u>Lourdes Hospital</u>			<u>nte \$12,000 (1991)</u>
<u>169 Riverside Drive</u>			<u>nte \$24,000 (1992)</u>
<u>Binghamton, NY 13905</u>			



\$21.00 plus \$1.15 per loaded mile, and in any case requiring the assistance of a person in addition to the driver as a client to enter or leave the van, an additional \$6.00 per one-way trip,

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall not exceed a total of \$4,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480061.4708.101205 (Waivered Services), and be it

FURTHER RESOLVED, that Resolution 559 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. 356**

By Health Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH UNITED HEALTH SERVICES, INCORPORATED, AND LOURDES HOSPITAL FOR MAMMOGRAMS FOR THE HEALTH DEPARTMENT BREAST CANCER EARLY DETECTION AND EDUCATION GRANT PROGRAM FOR THE PERIOD JULY 1, 1992 THROUGH JUNE 30, 1993.**

WHEREAS, this County Legislature, by Resolution 593 of 1991, authorized agreements United Health Services, Incorporated, and Lourdes Hospital for mammograms for the Health Department Breast Cancer Early Detection and Education Grant Program for the period December 1, 1991 through June 30, 1992 at a cost not to exceed \$11,000, and

WHEREAS, said services are necessary to provide for early detection for breast cancer through mammogram testing, and

WHEREAS, said agreement expired 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 agreements with United Health Services, Inc., 20-42 Mitchell Avenue, Binghamton, New York, 13903, and Lourdes Hospital, 169 Riverside Drive, Binghamton, New York, 13905, for mammograms for the Health Department Breast Cancer Early Detection and Education Grant Program 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 each of the Contractors an amount not to exceed \$11,550 for the term of their agreements, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480251.4707.102653 (Medical & Hospital 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. 357**

By Health Services, Community & Social Services and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS PROVIDERS FOR HOME HEALTH AIDES AND PERSONAL**

**CARE AIDE SERVICES FOR THE HEALTH DEPARTMENT,  
DEPARTMENT OF SOCIAL SERVICES AND THE OFFICE FOR AGING  
FOR 1993**

WHEREAS, this County Legislature, by Resolutions 140 of 1992, 27 of 1991, 182 of 1991, 540 of 1991, and 696 of 1990, authorized agreements with various contractors for the provision of Home Health Aides and Personal Care Aide Services for the Health Department, Department of Social Services and Office for Aging for the period January 1, 1991 through December 31, 1992 at varying costs, and

WHEREAS, said agreements expire by their terms on December 31, 1992 and March 31, 1993, and it is desired at this time to renew said agreements for the period January 1, 1993 through December 31, 1993 on substantially similar terms and conditions, with costs as listed on Exhibit "A," now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with Stafcare of America, dba Americare, P. O. Box 1855, 138 Court Street, Binghamton, NY, 13902; Homemakers of Broome County, Inc., dba Caregivers (formerly Upjohn Health Care Services), 1945 Seriday Drive, P. O. Box 1264, Buffalo, NY, 14240; Family and Children's Society, 257 Main Street, Binghamton, NY, 13905; and Home Care America, 100 State Street, Binghamton, NY, 13901, as set out in Exhibit "A" attached hereto, at the rates specified, and be it

FURTHER RESOLVED, that said agreements shall be for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor Agencies pursuant to the rates agreed to on the attached Exhibit "A," with the rate for personal care aides being subject to New York State Department of Social Services standards, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 760678.4457.102644 (Subcontracted Program Expense), 760454.4457.102615 (Subcontracted Program Expense), 760710.4457.102614 (Subcontracted Program Expense) for the Office for Aging; 670083.4568.103000 (MMIS Medical Assistance) for the Department of Social Services; 480061.4710.101050 (Home Health Aide Services); 480004.4710.101050 (Home Health Aides); and 480004.4705.101200 (Personal Care Aide Services) for the Health Department, 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. **Heldover** by Mrs. Hudak.

**RESOLUTION NO. 358**

By Health Services, Personnel and Finance Committees



Seconded by Mr. Warner

**RESOLUTION AUTHORIZING REVISION OF HEALTH DEPARTMENT BREAST CANCER DETECTION AND EDUCATION GRANT PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 183 of 1992, as amended by Resolution 225 of 1992, authorized the continued participation by the Health Department in the Breast Cancer Detection and Education Grant Program for the period July 1, 1992 through June 30, 1993 and adopted a program budget in connection therewith in the total amount of \$122,000, and

WHEREAS, it is necessary at this time to revise said program to revise the budget categories to reflect changes from one .5 time nurse practitioner to two .25 time nurse practitioner positions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Department Breast Cancer Detection and Education Grant Program for the period July 1, 1992 through June 30, 1993 in the total amount of \$122,000, 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 \$122,000 for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that Resolutions 183 and 225 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 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. 359**

By Health, Personnel and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT'S HEALTHY NEIGHBORHOODS PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 344 of 1991, authorized and approved a grant agreement with the State of New York for the Healthy Neighborhoods Grant Program for the period October 1, 1991 through September 30, 1992 and adopted a program budget in the amount of \$40,698, and

WHEREAS, said grant program allows the Health Department to continue providing referrals and direct interventions which will correct identified environmental and injury related conditions in target areas of Broome County, and

WHEREAS, it is desired to renew said grant program for the Health Department's Healthy Neighborhoods Program in the amount of \$42,326, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the renewal of the grant agreement with the State of New York for the Healthy Neighborhoods Program for the period October 1, 1992 through September 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 \$42,326 for the period October 1, 1992 through September 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. 360**

By Health, Personnel and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING REVISION OF THE DRUG AWARENESS CENTER STUDENT ASSISTANCE PROGRAM FOR THE BINGHAMTON CITY SCHOOL DISTRICT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR SEPTEMBER 1, 1991 THROUGH JUNE 30, 1992.**

WHEREAS, this County Legislature, by Resolution 346 of 1991, authorized and approved the Drug Awareness Center Student Assistance Program for the Binghamton City School District for the period September 1, 1991 through June 30, 1992 and adopted a program budget in connection therewith in the total amount of \$20,000, and

WHEREAS, it is necessary at this time to revise said program in order to accurately reflect actual program expenditures, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Drug Awareness Center Student Assistance program for the Binghamton City School District for the period September 1, 1991 through June 30, 1992 in the total amount of \$20,000, 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 \$20,000 for the period September 1, 1991 through June 30, 1992, and be it

FURTHER RESOLVED, that Resolution 346 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. 361**

By Health, Personnel and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY DRUG AWARENESS STUDENT ASSISTANCE PROGRAM FOR THE BINGHAMTON CITY SCHOOL DISTRICT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR THE PERIOD SEPTEMBER 1, 1992 THROUGH JUNE 30, 1993.**

WHEREAS, this County Legislature, by Resolution 346 of 1991, authorized and approved the Broome County Drug Awareness Student Assistance Program for the Binghamton City School District and adopted a program budget in the amount of \$20, 000 for the period September 1, 1991 through June 30, 1992, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1992 through June 30, 1993 in the amount of \$20000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from the Binghamton City School District for the period September 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

\$20,000 for the period September 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. Mrs. Greenmun moved, seconded by Mr. Pasquale to amend the starting date from: September 1, 1992 to: August 24, 1992 in the title, the second whereas, the first resolved and the first further resolved. Amendment **Carried**. Resolution as amended **Carried**.

**RESOLUTION NO. 362**

By Personnel and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AMENDING TEMPORARY SALARIES SCHEDULE FOR SENIOR COURT OFFICER HOURLY RATE, EFFECTIVE APRIL 1, 1992.**

WHEREAS, this County Legislature, by Resolution 91-424, authorized hourly rates for various non-union, temporary and seasonal employees for 1992, and

WHEREAS, it is requested at this time to amend the hourly rate for Senior Court Officer temporary title for the Sheriff's Department from \$5.28 to \$7.30, and

WHEREAS, the Senior Court Officer temporary position has assumed additional responsibilities as verified through civil service unit inquiry process and a salary of \$7.30 per hour is comparable to that of similarly factored positions, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate of the Sheriff's Department Senior Court Officer temporary title to \$7.30 per hour, effective April 1, 1992, and

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. 363**

By PUBLIC SAFETY AND EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A TRUST ACCOUNT FOR FUNDS SEIZED PURSUANT TO FEDERAL FORFEITURE PROCEEDINGS**

WHEREAS, the Broome County District Attorney's Office has been designated to receive cash proceeds of federal forfeiture actions by the NYSP, and

WHEREAS, Federal Law requires that the money seized in connection with the forfeiture proceedings be used solely for law enforcement uses, and

WHEREAS, the Broome County District Attorney recommends the establishment of a special trust account to disburse seized and forfeited funds for law enforcement purposes in accordance with the Federal Laws and Regulations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment of a trust account for forfeiture monies, and be it

FURTHER RESOLVED, that the Broome County District Attorney shall file an annual report with this Legislative body setting forth the cash receipts and cash disbursements from the preceding year from said funds, and be it

FURTHER RESOLVED, that the Broome County District Attorney is hereby authorized to expend said funds in accordance with the provisions of state and local laws and that use of these funds shall be solely restricted to law enforcement uses as outlined by the Department of Justice, and be it

FURTHER RESOLVED, that the Commissioner of Finance, Director of Budget, County Comptroller and the Broome County District Attorney are hereby authorized and directed to take any and all necessary steps required to effectuate the intent and purpose of this resolution. **Carried.**

**RESOLUTION NO. 364**

By Public Safety and Emergency Services, Personnel and Finance Committees  
 Seconded by Mr. Warner

**RESOLUTION AUTHORIZING RENEWAL OF NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE AID TO PROSECUTION PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993, and AUTHORIZING A BUDGET TRANSFER IN CONNECTION THEREWITH.**

WHEREAS, this County Legislature, by Resolution 352 of 1991, authorized and approved the New York State Division of Criminal Justice Services for the Aid to Prosecution Program Grant in the total amount of \$166,952 for the period April 1, 1991 through March 31, 1992, and

WHEREAS, the Aid to Prosecution Program Grant provides for the enhancement of criminal prosecution of the most serious criminal offenses and offenders by insuring that the most experienced prosecutors and investigators handle the most serious cases which receive more intensive preparation and high quality forensic resources in order to better serve the citizens of Broome County, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1992 through March 31, 1993 in the amount of \$141,911, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$141,911 from the New York State Division of Criminal Justice Services for the Aid to Prosecution 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 \$201,151 for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that in accordance with a request from the Office of the District Attorney, in order to provide funds for the aforementioned Aid to Prosecution Grant, as requested by BT# 2830, 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:	330001	1000	101000	Salaries - FT	\$ 23,692
TO :	330001	9005	101000	Trans. to Grant	\$ 23,692

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. 365**

By Public Works Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AGREEMENT WITH SUPPORT OF THE LEGISLATURE IN THE CONTINUATION OF THE CONSOLIDATED HIGHWAY IMPROVEMENT PROGRAM (CHIPS) AND MARCHISELLI AID PROGRAMS AND APPROPRIATION BY STATE TRANSPORTATION COMMISSIONER OF MAXIMUM ISTEAS BRIDGE PROGRAM TO LOCAL GOVERNMENTS.**

WHEREAS, new infusions of funding for highways and bridges from the Federal and State government can provide needed relief to Broome County's deficient highways and bridges, and

WHEREAS, the Federal Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) provides New York State \$6 billion in highway and bridge funding over a period of six year, and

WHEREAS, Federal law requires New York State to spend a minimum of 15% (\$31 Million) to a maximum of 35% (\$72 Million) of the ISTEAs Bridge Program on the classified "off system" local system. In the past, the New York State Department of Transportation has classified State bridges as "off system" eligible for local portion, and

WHEREAS, New York State Transportation Commissioner Franklin E. White has indicated the infusion of Federal ISTEAs funding will provide little to no increase to local governments over what they received under the expired Federal Program - 15%, and

WHEREAS, during the 1991 Legislative Session, the New York State Legislature passed, and the Governor approved, legislation creating a Dedicated Highway and Bridge Trust Fund, and

WHEREAS, this dedicated fund becomes operative April 1, 1993 and contains over \$1 billion in dedicated revenues desperately needed for the future operation, maintenance and improvements to the local infrastructure, and

WHEREAS, New York's 94,961 miles of locally maintained roads make up more than 85% of the total 110,964 road miles in New York and carry an estimated 42 billion vehicle miles traveled statewide, and

WHEREAS, New York's 8,980 locally owned and maintained bridges make up approximately 50% of the total 18,829 bridges in New York State, of which 55% are rated deficient, in need of major structural repair, and

WHEREAS, the Consolidated Highway Improvement Program (CHIPS), currently funded at \$220 million, expires in March, 1993 leaving a gaping hole in local government capital highway and bridge budgets, and

WHEREAS, your sponsoring committee recommends petitioning the New York

State Legislature and the Governor to divide the proceeds of the ISTEA's Bridge Program to be used to support the continuation of the Consolidated Highway Improvement Program (CHIPs) and Marchiselli Aid Programs, now, therefore, be it

RESOLVED, that this Broome County Legislature goes on record strongly urging the Legislature to divide the "locked box" of petroleum business taxes contained within the Dedicated Highway and Bridge Fund during the 1992 Legislative Session to support the continuation of the CHIPs and Marchiselli Aid Programs, and be it

FURTHER RESOLVED, that this Broome County Legislature goes on record strongly urging State Transportation Commissioner Franklin E. White to appropriate the maximum 35% (\$72 Million) of the ISTEA's Bridge Program to local governments, and be it

FURTHER RESOLVED, that copies of this resolution be submitted to Governor Mario M. Cuomo and all members of the New York State Legislature, as well as others deemed necessary and proper. **Carried.**

**RESOLUTION NO. 366**

By Public Works, County Administration, Economic Development & Planning Committees

Seconded by Mr. Warner

**RESOLUTION REQUESTING THAT CONTRACTORS ON CONSTRUCTION PROJECTS AWARDED BY BROOME COUNTY HIRE BROOME COUNTY RESIDENTS.**

WHEREAS, Broome County has pending 55-60 million dollars in construction spending to be awarded, and

WHEREAS, the County would like these projects to result in jobs for Broome County residents, and

WHEREAS, hiring Broome County residents for these projects would result in a return of Broome County tax dollars to the County economy, and

WHEREAS, this Legislature acknowledges that under current interpretations of the competitive statutes by the State Comptroller, the County can not grant a preference to or restrict bids to those contractors who employ a prescribed percentage of local residents on County funded projects, and

WHEREAS, this Legislature acknowledges that under the current state law, no bidder can be rejected who does not comply with this request, and

WHEREAS, despite these restrictions, this Legislature wishes to encourage contractors on County funded construction projects to hire Broome County residents to the greatest extent possible, now, therefore, be it

RESOLVED, that this County Legislature requests that contractors on construction projects awarded by Broome County hire Broome County residents to the greatest extent possible, now, therefore, be it

FURTHER RESOLVED, This resolution will be made part of all bid packages, including a list of local labor forces with addresses and phone numbers. **Heldover** by Mr. Seeley.

**RESOLUTION NO. 367**

By Transportation and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH NATIONAL CAPITAL AIRWAYS FOR OPERATING RIGHTS, COUNTER SPACE AND RELATED SERVICES AT BINGHAMTON REGIONAL AIRPORT FOR THE DEPARTMENT OF AVIATION.**

WHEREAS, this County Legislature, by Resolution 78 of 1992, authorized an agreement with National Capital Airways for operating rights, counter space and related services for calendar year 1992, with revenue to Broome County at the rate of \$192.11 per month, total revenue anticipated for the term of the agreement being

\$2,305.32, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term beyond 1992 and conform with the revenue set in accordance with the compensatory agreement formula approved by this Legislature by Resolution 392 of 1990, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with National Capital Airways, 8561 Sudley Road, P. O. Box 1650, Manassas, Virginia, 22110, for operating rights, counter space and related services, and be it

FURTHER RESOLVED, that in consideration of said rights, space and services, the Contractor will pay Broome County revenue set in accordance with the compensatory agreement formula approved by this Legislature by Resolution 392 of 1990, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to lines 210088.0111.207000 (Landing Fees Signatory) and 210070.0107.207000 (Space Rental-Airlines), and be it

FURTHER RESOLVED, that Resolution 78 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. 368**

By Transportation and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH TRANS WORLD EXPRESS FOR OPERATING RIGHTS, COUNTER SPACE AND RELATED SERVICES AT BINGHAMTON REGIONAL AIRPORT.**

WHEREAS, this County Legislature, by Resolution 228 of 1991, authorized an agreement with Trans World Express for operating rights, counter space and related services at Binghamton Regional Airport for calendar year 1992 with revenue to Broome County set in accordance with the compensatory agreement formula approved by this Legislature by Resolution 392 of 1990, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term beyond 1992 in accordance with the said compensatory agreement, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Trans World Express, 8 Neshaminy Interplex, Suite 400, Treose, Pennsylvania, 19053, for operating rights, counter space and related services, and be it

FURTHER RESOLVED, that in consideration of said rights, space and services, the Contractor will pay Broome County revenue set in accordance with the compensatory agreement formula approved by this Legislature by Resolution 392 of 1990, and be it

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

FURTHER RESOLVED, that Resolution 228 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. 369**

By Transportation and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING THE DEPARTMENT OF AVIATION TO DONATE ITS 1975 FIRE-X ARFF VEHICLE TO THE CHENANGO FIRE COMPANY AS A GIFT**

WHEREAS, the Department of Aviation requests authorization to donate its 1975 Fire-X ARFF Vehicle to the Chenango Fire Company as a gift, and

WHEREAS, under Federal Aviation Regulations, the Department of Aviation will take delivery of a new Oshkosh TA-3000 ARFF Vehicle in order to comply with mandated FAA Regulations, and

WHEREAS, in addition to the new ARFF Vehicle, the Department of Aviation has a 1986 Emergency One Titan III ARFF Vehicle which will provide sufficient back-up, and

WHEREAS, the Chenango Fire Company is a volunteer agency that provides primary back-up in the event of an aircraft emergency, and

WHEREAS, that by the donation of the 1975 Fire-X ARFF Vehicle to the Chenango Fire Company, Broome County Department of Aviation will be released of all liability as prescribed by the Law Department and the Department of Risk and Insurance, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the donation of the Department of Aviation 1975 Fire-X ARFF Vehicle to the Chenango Fire Company as a gift, and be it

FURTHER RESOLVED, that in consideration of said donation, the Broome County Department of Aviation shall be released of all liability as prescribed by the Law Department and the Department of Risk and Insurance, 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.**

The regular agenda was introduced at this time.

The budget transfers for this resolution were taken separately for consideration.

**RESOLUTION NO. 370**

By Finance Committee

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE LIBRARY, WILLOW POINT NURSING HOME, CENTRAL FOODS, DRUG AWARENESS, AND THE DEPARTMENTS OF PERSONNEL AND SHERIFF, AND ELECTIONS**

RESOLVED, that in accordance with a request from the Library, in order to provide funds for temporary salaries and overtime, as requested by BT# 2463, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	842005	1500	304000	Salaries - PT	\$ 3,200
TO:	842005	1600	304000	Salaries - Temp.	\$ 3,100

842005      1700      304000      Salaries - OT      100  
 and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funds for personnel from contract agencies, as requested by BT# 3840, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	160085	1000	204000	Salaries - FT	\$141,850
TO :	160085	5070	204000	Nurs.Srv.-RN	\$ 68,250
	160085	5071	204000	Nurs.Srv.-LPN	27,100
	160085	5072	204000	Nurs.Srv.-NA	46,500

and be it

FURTHER RESOLVED, that in accordance with a request from Central Foods, in order to provide funds for overtime salaries required at main jail and barracks, as requested by BT# 2649, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	230045	1500	251000	Salaries - PT	\$ 1,000
TO :	230045	1700	251000	Salaries - FT	\$ 1,000

and be it

FURTHER RESOLVED, that in accordance with a request from Drug Awareness, in order to provide funds for services provided by contract, as requested by BT# 4086, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	470021	1600	101000	Salaries - Temp.	\$ 3,000
TO :	470021	4715	101000	Other Health & Med. Srv.	\$ 3,000



and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Personnel, in order to provide funds for 3rd Quarter CSEA disability insurance premium, as requested by BT# 4435, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	400002	4359	101000Comp.	Software
			\$ 300	
	400002	4463	101000 Educa./Train.	190
	400002	4465	101000 Trav/Hotel/Mls.	35
	400002	1600	101000 Salaries - Temp.	1,000
	400002	1700	101000 Salaries - OT	475
	280024	1000	101000 Salaries - FT	31,904
	400002	1000	101000 Salaries - FT	19,000
TO :	400002	4521	101000 Insur. Premium	\$ 52,904

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's Department, in order to provide funds for temporary staffing needs, as requested by BT# 4437, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	450023	1000	101000	Salaries - FT
				\$ 26,876
	450023	8050	101000 Life Ins.	40
	450023	8060	101000 Health Ins.	2,312
	450056	1000	101000 Salaries - FT	2,056
	450072	2110	101000 Office Equip.	824
	450049	4348	101000 Tires/Tubes	644
TO :	450023	1600	101000 Salaries - Temp	\$ 32,752

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's Department, in order to provide funds for temporary staffing needs, as requested by BT# 4438, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	450015	2110	101000	Office Machines	\$ 595
	450015	2120	101000	Office Furniture	5,065
	450049	4347	101000	Gas, Oil, Grease	1,000
	450049	4429	101000	Bldg./Grnd. Exp.	500
	450056	4444	101000	Uniforms	700
	450064	4462	101000	Trav./Hotel/Meals	1,000
	450064	4311	101000	Books/Subscript.	250
	450072	4444	101000	Uniforms	350
TO :	450023	1600	101000	Salaries - Temp.	\$ 9,460

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's Department, in order to provide funds for temporary staffing needs, as requested by BT# 4439, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	450023	1000	101000	Salaries - FT	\$14,039
	450023	8050	101000	Life Ins.	20
	450023	8060	101000	Health Ins.	1,155
	450056	1000	101000	Salaries - FT	1,074
TO :	450023	1600	101000	Salaries - Temp	\$16,288

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's Department, in order to provide funds for temporary staffing needs due to increased population, as requested by BT# 4460, this County Legislature hereby authorizes the

Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	450023	1000	101000	Salaries - FT	\$ 28,340
TO:	450023	1600	101000	Salaries - Temp	\$ 28,340

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's Department, in order to provide funds for out of county inmate housing, as requested by BT# 4436, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	450056	1000	101000	Salaries - FT	\$ 13,117
	450056	1940	101000	Othr.Pers.Srv.	2,000
	450056	8030	101000	FICA	4,150
	450056	8060	101000	Health Ins.	2,310
	450049	1000	101000	Salaries - FT	80,014
	450049	8030	101000	FICA	6,121
	450049	1940	101000	Othr.Pers.Srv.	1,500
	450049	1920	101000	Preshift Reporting	2,000
TO:	450023	4435	101000	Inmate Expense - Other Facility	\$111,212

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's Department, in order to provide funds for out of town boarding expenses for inmates, as requested by BT #'s 4461 and 4462, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM:	450023	1000	101000	Salaries - FT	\$ 9,766
	450023	8030	101000	FICA	747
	450049	4347	101000	Gas, Oil, Grease	1,942
	030015	1000	101000	Salaries - FT	12,369
	030015	8030	101000	FICA	946

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030023	1000	101000	Salaries - FT	72,798
030023	8030	101000	FICA	5,570
030031	1000	101000	Salaries - FT	36,924
030031	8030	101000	FICA	2,825
030080	1000	101000	Salaries - FT	30,144
030080	8030	101000	FICA	2,306
TO: 450023	4435	101000	Inmate Expenses - Other Facility	\$176,337

and be it

FURTHER RESOLVED, that in accordance with a request from the Office of Elections, in order to provide funds for necessary expenses, as requested by BT# 4471, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingent Fund \$ 26,172
TO: 410001	1600	101000	Salaries - Temp	\$ 10,868
410001	4318	101000	Dup./Print.Supp.	8,804
410001	4448	101000	Advertising	4,500
410001	4462	101000	Trav./Hotel./Mls.	500
410001	4463	101000	Educa./Training	1,500

Budget Transfer: #2463, #3840, #2649 **Carried.**

Budget Transfer:#4086 Mrs. Coffey moved, seconded by Mr. Yeager to call the question. **Carried.**

Budget Transfer: #4086 **Carried.** Ayes-17, Nays-2 (Brown, Wagstaff)

Budget Transfer:#4435 Mrs. Coffey moved, seconded by Mr. Shafer to call the question. **Carried.**

Budget Transfer #4435 **Carried.**

Budget Transfer:#4437, #4438, #4439, #4460, #4436, #4461, #4462 #4471 were **Heldover** by Mr. Schofield.

**RESOLUTION NO. 371**

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

Seconded by Mr. Lindsey

**BOND RESOLUTION DATED AUGUST 20, 1992.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$120,000 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY ALL OR PART OF THE COST OF VARIOUS CAPITAL PROJECTS.**

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

Section 1. The following are the classes of objects or purposes or specific objects or purposes to be financed by the County of Broome, New York, pursuant to this resolution, the maximum estimated costs thereof, and the subdivisions of Section 11.00(a) of the Local Finance Law and periods of probable usefulness applicable thereto:

Project <u>Code</u>	<u>Project Name/P.P.U./L.F.L. §11.00(a)</u>	Maximum Estimated <u>Cost</u>
J-201	Acquisition of land for Soil Conservation Service watershed project, being a specific object or purpose; thirty years; subdivision 21(a)	\$ 220,000

Section 2. SEQR DETERMINATION: Project J-201 has been determined to constitute an Unlisted Action under the SEQR Regulations of the State of New York which will not have significant adverse impacts upon the environment and for which a negative declaration has been made.

Section 3. The aggregate maximum estimated cost of the aforesaid specific objects or purposes is \$220,000, and the plan for the financing thereof is as follows: (a) by the issuance of \$120,000 serial bonds of said County, hereby authorized to be issued therefore, allocated \$120,000 to Project Code J-201 and (b) by the appropriation and expenditure of \$100,000 current available funds allocated entirely to Project Code J-201.

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

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the Commissioner of Finance, the chief fiscal office of such County. Such bonds shall contain substantially the recital of validity clause provided for in

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

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

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

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

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.102-18(f). Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law. **Carried.** Ayes-16, Nays-3 (Augostini, Greenmun, Warner).

**RESOLUTION NO. 372**

By Health Services and Finance Committees  
Seconded by Mr. Augostini

**AUTHORIZING AGREEMENT WITH COOPERS AND LYBRAND FOR PROVISION OF CERTIFIED FINANCIAL CALCULATIONS OF NEW YORK STATE DEPARTMENT OF HEALTH TRACE BACKS FOR APPEAL ON RATE RECALIBRATION**

WHEREAS, Willow Point Nursing Facility requests authorization for an agreement with Coopers and Lybrand for provision of certified financial calculations of New York State Department of Health (NYSDOH) trace backs for appeal on rate recalibration, at a cost not to exceed \$1,700, and

WHEREAS, said services are necessary to analyze the facility's cost and case mix data for the years 1985 to 1988 in order to assess Willow Point Nursing Facility qualifies for a recalibration percentage modification, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Coopers and Lybrand, for provision of certified financial calculations of NYSDOH trace backs for appeal on rate recalibration, for the period 1985 through 1988, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,700.00 for the term of this agreement and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160010.4725.204000 (Other Financial Services), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-17, Nays-0, Absent-2 (Pasquale, Shafer)

**RESOLUTION NO. 373**

By Personnel Committee

Seconded by Mr. Augustini

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENT OF HEALTH, LIBRARY AND MENTAL HEALTH.**

FURTHER RESOLVED, that in accordance with a request from the Department of Health, as contained in PCR# 92-298, this County Legislature hereby authorizes the change of one (1) full-time Day Care Assistant position at budget line GA480251.1000, minimum salary \$17,120, Grade 11, to one (1) full-time Day Care Aide position at budget line GA480251.1000, minimum salary \$13,820, Grade 7, effective August 20, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Library, as contained in PCR# 92-300, this County Legislature hereby authorizes the elimination of one (1) part-time Library Clerk position at budget line L842005.1500, minimum salary \$13,137, Grade 6, effective August 20, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, as contained in PCR# 92-814C, this County Legislature hereby



authorizes the establishment of one (1) full-time Staff Psychiatrist position at budget line A470013.1000, salary \$93,000, Grade N/A, effective August 20, 1992. Mrs. Wagstaff moved, seconded by Mrs. Coffey to delete the words authorizes the establishment in the last further resolved and insert the words establishes the salary in its place. **Carried.** Resolution as amended **Carried.**

**RESOLUTION NO. 374**

By Public Works and Finance Committees

Seconded by Mr. Warner

**RESOLUTION AUTHORIZING AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INCORPORATED, FOR CONSULTANT ENGINEERING SERVICES FOR WILLOW POINT NURSING HOME ASBESTOS REMOVAL -PHASE I.**

WHEREAS, the Department of Public Works requests authorization for an agreement with O'Brien & Gere Engineers, Incorporated for consultant engineering services for Willow Point Nursing Home Asbestos Removal - Phase 1, at a cost not to exceed \$42,026 for the term of the agreement, and

WHEREAS, said services are necessary for the survey, design, remediation, administration and project monitoring for asbestos management and remediation in the North Wing of the Willow Point Nursing Home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York, 13850, for consultant engineering services for Willow Point Nursing Home Asbestos Removal - Phase 1, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$42,026 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160267.4746.501256 (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.** Ayes-18, Nays-1, (Yeager)

**RESOLUTION NO. 375**

By Public Works and Finance Committees

Seconded by Mrs. Wagstaff

**RESOLUTION DECLARING DEPARTMENT OF PUBLIC WORKS**

**PROJECT 91-G24, RECONSTRUCTION, REALIGNMENT AND PAVEMENT REHABILITATION OF AIRPORT ROAD - PHASE 1, TOWN OF MAINE, 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 91-G-24 reconstruction, realignment and pavement rehabilitation of Airport Road - Phase 1, Town of Maine, has been identified as a Type I 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, realignment and pavement rehabilitation of existing roadways, and

WHEREAS, the Department of Public Works desires to acquire the land rights necessary to commence the aforesaid reconstruction, realignment and pavement rehabilitation 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 roads having no substantial effect on the environment, and that less than 1 acre from 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 91-G24, reconstruction, realignment and pavement rehabilitation of Airport Road, Town of Maine, 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. **Heldover** by Mr. Brown.

Mr. Malley moved, seconded by Mr. Yeager to adjourn to the call of the Clerk at 7:58 p.m. Carried.