

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, MAY 20, 1993**

The Legislature convened at 4:15 p.m. with a call to order by the Chair, Arthur J. Shafer. The Clerk, Richard R. Blythe, read the fire exit announcement and then called the Attendance roll: Present-18, Absent-1 (Augustini).

The Chair, Mr. Shafer, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by an invocation given by the Rev. James A. Corl of St. Paul's Episcopal Church of Endicott, New York.

Mr. Warner moved, seconded by Mr. Pasquale that the minutes of the April 15, 1993 Session be approved as prepared and as presented by the Clerk.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

Written or oral presentations of the County Executive, Timothy M. Grippen:

Letters from the County Executive, Timothy M. Grippen:

- 1.Nominating 4 persons to membership on the Consumer Services Advisory Board.
- 2.Nominating Dr. John Buckley to membership on the Broome County Forest Practice Board.
- 3.Nominating Michael McGowan to membership on the Planning and Economic Development Advisory Board.
- 4.Declaration of State of Emergency (floods).
- 5.Public Emergency (Anti-Freeze Leak, Transmission Fluid Leak, Transit Facility).

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

COMMUNICATIONS:

- 1.Minutes from:
 - a.Environmental Management Council
 - b.EMC Ad Hoc Committee on Composting
 - c.Land Use/Natural Resources Committee
 - d.Cornell Cooperative Extension
 - e.Binghamton Regional Airport
 - f.Private Industry Council
 - g.Public Library
 - h.Ambulance Advisory Board
 - i.Mental Health Advisory Board
 - j.Water Resources Committee
 - k.Association of Towns and Villages

- l. Willow Point Nursing Facility
- m. Emerging Business Assistance Advisory Board
- n. Landfill Siting Committee (March 4, 1992 to April 26, 1993- approximately 150+/- pages)
2. Resolutions:
 - a. Tioga County (Requesting a State Program for Rabies Vaccination of Livestock in New York State)
 - b. Town of Dickinson (Authorizing an Agreement with the County of Broome regarding Settlement of Litigation)
 - c. Environmental Management Council (To Encourage Development of a System for Adequate Funding of Solid Waste Planning and Programs in Broome County)
3. Certified copy of court order appointing members of the Supreme Court Library Board of Trustees.
4. Enrollment Lists from the Broome County Board of Elections.
5. 1992 State Equalization Rates.
6. Executive Emergency Order from Supervisor John Bertoni, Town of Union (flood).
7. Broome County Solid Waste Management Plan and Final Environmental Impact Statement (May 1993).
8. Public Emergency (Water Service Leak at Association for Retarded Citizens Facility).

REPORTS:

1. 1992 Annual Reports:
 - a. Public Defender
 - b. Health Department
 - c. Real Property Tax Service
 - d. Public Transportation
 - e. Sheriff
 - f. Parks and Recreation
 - g. ACCORD
 - h. Industrial Development Agency
 - i. Office of Employment and Training
2. Monthly Report: Broome Community College (Above Minimum Hire, March 1993); Department of Social Services (January 1993).
3. Department of Finance: Sales Tax Collections (first quarter); Unaudited Comprehensive Annual Financial Report, December 31, 1992; Copy of letter regarding mortgage tax receipts and disbursements.
4. Broome County Chamber of Commerce (Convention & Visitors Bureau): First quarter expense report.
5. NYS Low-Level Radioactive Waste Siting Commission: Excluded Areas Report (Draft-April 1993); Plan for Selecting a Preferred Method for Disposal of Low-Level Radioactive Wastes (Draft-April 1993).
6. Department of Audit and Control: Treasury Payment Audit; Unused Check

Inventory Audit; Letters regarding Tax Sale Certificates and NYS Local Finance Law.

7.1993 Broome County Salary Schedule.

8.List of Pending County Projects from Department of Public Works.

9.Department of Finance: Bond Anticipation Note Certificate, April 20, 1993 (\$19,350,000) and related items.

Mr. Lindsey moved, seconded by Mr. Pasquale to receive and file the above noted reports and to publish any pertinent portions thereof in the 1992 Journal of Proceedings. **Carried.** Ayes-18, Nays-0, Absent-1 (Augostini).

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Dedication of 1993 County Officer's Guide:

The 1993 County Officer's Guide was dedicated to those who have served in the office of Chair of the County Legislature:

Earle D. Ridley, 1969-1974

Norman R. Shaddock, 1975-1980

Jeffrey P. Kraham, 1981-1986

Victor A. Lacatena, 1987-1990

Margaret M. Coffey, 1990

Arthur J. Shafer, 1991-1993

Those referenced above received a souvenir booklet with a formal dedication and gold seal of the County Legislature. Mr. Kraham was unable to attend and his booklet was received on his behalf by the Hon. Wayne Howard.

Proclamations concerning Odyssey of the Mind Competition. The Chair proclaimed June 3rd., 1993 thru June 5th., 1993 as Odysse of the Mind Recognition Days in Broome County and encouraged County residents to extend 'best wishes' to students from four schools:MacArthur Elementary School, Binghamton H.S., Hillcrest Elementary School & Chenango Valley Jr./Sr. High School.

Letters from the Chairman, Arthur J. Shafer:

1.Appointing Chris W. Burger as voting representative for David L. Lindsey, Public Safety and Emergency Services Committee, May 11, 1993.

- 2.Appointing Merry Harris as voting representative for Andrew Kavulich, Education, Culture and Recreation Committee, May 12, 1993.
- 3.Appointing Daniel A. Schofield as Chairperson and voting representative for Michael P. Pazzaglini, County Administration, Economic Development and Planning Committee, May 13, 1993.
- 4.Appointing George Harbachuk as voting representative for Vincent A. Pasquale, Finance Committee, May 13, 1993.
- 5.Appointing Vincent A. Pasquale as voting representative for Andrew Kavulich, Personnel Committee, May 12, 1993.

The following resolutions that were heldover from the previous regular session were again presented for consideration.

RESOLUTION NO. 162

by County Administration, Economic Development & Planning and Environment Committees, heldover by Mr. Shafer, adopting local law intro. No. 5, 1993, Entitled: "a local law amending chapter 179 of Broome County's local laws." Seconded by Mr. Pasquale for approval.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 182

by Public Safety, Personnel, County Administration Economic Development & Planning, and Finance Committees, heldover Mrs. Hudak resolution authorizing renewal of anti-drug abuse program grant from the State of New York Division of Criminal Justice Services, adopting a program budget in connection therewith, and authorizing a renewal of the agreement with the City of Binghamton for partial administration thereof for 1993 through 1994. Seconded by Mr. Warner for approval.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 192

by Hon. Vincent Pasquale, heldover by Mrs. Wagstaff, resolution authorizing the drug awareness center to hire above the minimum salary level. Seconded by Mrs. Taylor for approval.

Carried. Ayes-10(Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale, Taylor, Warner, Whalen, Shafer),
Nays- 8(Brown, Burger, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Wagstaff),
Absent-1(Augostini).

The preferred agenda was presented at this time, seconded by Mr. Malley. For the sake of clarity, all resolutions are presented in numerical order.

RESOLUTION NO. 193

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Pazzaglini

RESOLUTION AUTHORIZING ACCEPTANCE OF ANTI-DRUG ABUSE ACT (HIGHWAY) PROGRAM GRANT FOR SHERIFF'S DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, the Sheriff's Department requests authorization to accept a Anti-Drug Abuse Act (Highway) Program Grant in the amount of \$8,000 for the period May 1, 1993 through April 31, 1994, and

WHEREAS, said grant program provides funds to reduce the availability of drugs, counteract displacement of drug trafficking from the City of Binghamton to non-City communities, and to develop a non-City community crime prevention program, and

WHEREAS, the County of Broome will provide in-kind matching funds in the amount of \$2,667 for the term of this agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$ 8,000 from the New York State Division of Criminal Justice Services for the period May 1, 1993 through April 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$ 10,667 for the period May 1, 1993 through April 31, 1994, and be it

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

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 194

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING ACCEPTANCE OF ANTI-DRUG ABUSE ACT PROGRAM GRANT FOR SHERIFF'S DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, the Sheriff's Department requests authorization to accept a Anti-Drug Abuse Act Program Grant in the amount of \$7,000 for the period January 1, 1993 through September 30, 1994, and

WHEREAS, said grant program provides for suppression of drug trafficking through intensified police investigations resulting in an increased number of arrests of traffickers and the seizure of drugs and illicit assets, and

WHEREAS, the County of Broome will provide in-kind matching funds in the amount of \$2,333 for the term of this agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$ 7,000 from the New York State Division of Criminal Justice Services for the period January 1, 1993 through September 30, 1994, 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 \$ 9,333 for the period January 1, 1993 through September 30, 1994, and be it

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

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 195

by Finance Committee

Seconded by Mr. Malley

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY

TAXES ON PARCELS IN THE TOWNS OF BINGHAMTON AND VESTAL.

WHEREAS, it is necessary to clear the tax records of the following parcels of real property by virtue of the reasons stated below, now, therefore, be it

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

1. Town of Binghamton, parcel 4-1S3, owner Philip Phillips, amount to be canceled \$1,034.31, due to the City of Binghamton annexing said parcel; and

2. Town of Vestal, parcel 5-22-S1X, owner Vincent Lockett, amount to be canceled \$424.68, due to a clerical error, said parcel was erroneously created twice and billed twice,
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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 196

by Public Works, Transportation and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANT FOR INSTALLATION OF A SECURITY CONTROL ACCESS SYSTEM AT THE BINGHAMTON REGIONAL AIRPORT FOR 1993

WHEREAS, the Department of Aviation requests authorization to accept a New York State Department of Transportation Grant for the installation of a Security Access System, in the amount of \$6,950 for 1993, and

WHEREAS, said grant program provides for the undertaking of an airport transportation infrastructure renewal project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$ 6,950 from New York State Department of Transportation, PIN 9910.28 for the installation of a Security 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, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers provided that said budget transfers do not affect a personnel line.

Carried. Ayes-18, Nays-0, Absent-1 (Augostini).

RESOLUTION NO. 197

by Public Works, Transportation & Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING ACCEPTANCE OF N.Y.S. DEPARTMENT OF TRANSPORTATION GRANT FOR AIRFIELD LIGHTING REHABILITATION AT THE BINGHAMTON REGIONAL AIRPORT FOR 1993

WHEREAS, the Department of Aviation requests authorization to accept a New York State Department of Transportation Grant for Airfield Lighting Rehabilitation, in the amount of \$52,997 for 1993, and

WHEREAS, said grant program provides for the undertaking of an airport transportation infrastructure renewal project, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$52,997 from New York State Department of Transportation, PIN 9910.29 for Airfield Lighting Rehabilitation 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, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers provided that said budget transfers do not affect a personnel line.

Carried. Ayes-18, Nays-0, Absent-1 (Augostini).

RESOLUTION NO. 198

by Health & Human Services and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH SPECIAL EDUCATION PRE-SCHOOL PROVIDERS FOR THE HEALTH DEPARTMENT'S EDUCATION FOR HANDICAPPED CHILDREN

PROGRAM FOR 1993

WHEREAS, this County Legislature, by Resolution 670 of 1992, authorized agreements with various special education pre-school providers according to State Education rates for the Health Department's Education for Handicapped Children Program for 1993, and

WHEREAS, it is necessary to authorize the amendment to the agreements with two of the providers in order to change the not to exceed amounts, and

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreements as follows, with material in [brackets] to be deleted and underlined to be added:

<u>Vendor</u>	<u>Services</u>	<u>Not to exceed</u>	<u>Budget line</u>
Donson Transportation Services, Inc 2211 North Street Endicott, NY 13760	Transportation	[\$10,000.00] <u>\$50,500.00</u>	480285.4457.101000
Handicapped Children's Assoc. 18 Broad Street Johnson City, NY 13790	Tuition	[\$840,900.00] <u>\$740,900.00</u>	480285.4745.101000
	Itinerant Therapy	\$ 20,000.00	480285.4715.101000

and be it
FURTHER RESOLVED, that Resolution 670 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 199

by Public Works and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR INSTALLATION OF STONE SILL IN CONNECTION WITH NANTICOKE ROAD BRIDGE PROJECT FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Department of Public Works requests authorization for an agreement with Broome County Soil and Water Conservation District for installation of a heavy stone sill at the outlet side of the bridge located at the intersection of Nanticoke and Bradley Creek Roads, at a cost not to exceed \$11,650, and

WHEREAS, said services are necessary to reduce the velocity of the water as it passes under the bridge and depositing material to fill the scour area, 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 installation of heavy stone sill at the outlet side of the bridge located at the intersection of Nanticoke and Bradley Creek Roads, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$11,650 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035030.2017.501239 (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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 200

by Public Works Committee

Seconded by Mr. Malley

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO NANTICOKE ROAD BRIDGE STONE WORK PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to undertake the Nanticoke Road Bridge Stone Work project in order to reduce ongoing scour under the county bridge, and

WHEREAS, it has been determined that such project is subject to the requirements of the State Environmental Quality Review Act, and it is therefore necessary to initiate procedures with respect thereto, and

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Nanticoke Road Bridge Stone Work project, and

WHEREAS, the initiation of the Nanticoke Road Bridge Stone Work project

may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the proposed Nanticoke Road Bridge Stone Work project, and be it

FURTHER RESOLVED, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the Nanticoke Road Bridge Stone Work project will not have a 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 201

by Public Works and Finance Committees

Seconded by Mr. Malley

RESOLUTION DECLARING DEPARTMENT OF PUBLIC WORKS PROJECT BR92-07, NANTICOKE ROAD BRIDGE PROJECT, TOWN OF UNION, 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 BR92-07, Nanticoke Road Bridge Project, Town of Union, 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 placing rock rip rap to control erosion of footers, 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 work is relatively minor in nature, consisting of the repairs to the existing bridge, having no substantial effect on the environment, and that a temporary easement 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 BR92-07, Nanticoke Road Bridge Project, Town of Union, 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.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 202

by Health & Human Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH SPRING FOREST CEMETERY FOR THE PURCHASE OF 10 BURIAL PLOTS FOR VETERANS SERVICE AGENCY

WHEREAS, the Department of Veterans Service Agency requests authorization for an agreement with Spring Forest Cemetery for the purchase of 10 burial plots at a cost not to exceed \$4,000, and

WHEREAS, it is required that the County provide burial plots to indigent veterans pursuant to Section 148 of the General Municipal Law, and

WHEREAS, there are presently no plots remaining in the veterans area of the Spring Forest Cemetery, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Spring Forest Cemetery, 51 Mygatt Street, Binghamton, New York, 13905-2340, for the purchase of 10 burial plots, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 420000.4456.101000 (Burial Plots), 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-0, Absent-1 (Augostini).

RESOLUTION NO. 203

by Health & Human Services and Finance Committees

Seconded by Mr. Malley

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 1992 THROUGH 1993

WHEREAS, this County Legislature, by Resolution 248 of 1992, authorized and approved the Office for Aging's Senior Community Service Employment (SOFA) Program and adopted a program budget in connection therewith in the total amount of \$57,666 for the period July 1, 1992 through June 30, 1993, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's Senior Community Service Employment (SOFA) Program for the period July 1, 1992 through June 30, 1993 in the total amount of \$61,416, 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 \$61,416 for the period July 1, 1992 through June 30, 1993, and be it

FURTHER RESOLVED, that Resolution 248 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. Ayes-18, Nays-0, Absent-1 (Augostini).

RESOLUTION NO. 204

by Environment and Finance Committees
Seconded by Mrs. Wagstaff

RESOLUTION GRANTING A WAIVER OF TIPPING FEE(S) FOR DISPOSAL OF FLOOD RELATED DEBRIS AND FLOOD DAMAGED GOODS TO INDIVIDUALS AND BUSINESSES WHO SUSTAINED PROPERTY DAMAGE AS A RESULT OF THE APRIL, 1993 FLOODING IN BROOME COUNTY

WHEREAS, the flood(s) of 1993 caused personal and property damage to property and business owners throughout Broome County, and
WHEREAS, the Broome County Executive on April 1st., 1993 and the Supervisors of several Towns at varying times did declare formal States of Emergency as the result of rain and floodwater, and

WHEREAS, the cleanup of flood related debris and flood damaged goods continues by both public and private sector efforts with most of said debris slated to be deposited at the Broome County Landfill, and

WHEREAS, this Legislative Body working with the Broome County Executive finds that requiring a tipping fee for disposal of flood related debris for those individuals and businesses adversely affected by the recent floodwater is inappropriate and that a waiver of tipping fee would be right and proper, now, therefore be it

RESOLVED, that this County Legislature hereby directs that said tipping fee be waived in its entirety for disposal of flood related debris for those individuals and business who suffered flood related damage, and be it

FURTHER RESOLVED, that this waiver shall be for a period of 120 days from the County Executive's 'State of Emergency,' and be it

FURTHER RESOLVED, that the County Executive or his designated representatives are hereby authorized to prepare appropriate regulations to implement this policy, and be it

FURTHER RESOLVED, that this policy shall be liberally construed and any regulations promulgated for the implementation of this policy shall be filed with the Clerk of the Legislature, and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature is authorized and directed to send copies of this resolution and subsequent regulations to all Broome County municipalities and news media, and be it

FURTHER RESOLVED, that this resolution shall take effect upon signing by the County Executive.

Heldover by Mrs. Coffey

RESOLUTION NO. 205

by Health & Human Services and Finance Committees
Malley

Seconded by Mr.

RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR THE HEALTH DEPARTMENT PHYSICALLY HANDICAPPED CHILDREN'S PROGRAM FOR 1993

WHEREAS, the Health Department requests authorization for agreements with various vendors as indicated on the attached Exhibit "A," for the Health Department Physically Handicapped Children's Program for calendar year 1993, and

WHEREAS, said services are necessary to provide special surgical, orthodontic, and long-term medical care needs for the Physically Handicapped Children's Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the vendors as listed on the attached Exhibit "A" for the services, costs and terms indicated, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480145.4707.101000 (Medical and Hospital), 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.

<u>Vendor</u>	Exhibit "A" <u>Services</u>	<u>Term</u>
Crouse Irving Memorial Hospital 736 Irving Avenue Syracuse, NY 13210	Hospitaliza- tion	3/1/93 - 12/31/93 New - At Medicaid Rate
Pediatric Hematology/Oncology 750 E. Adams Street Room 5508 Syracuse, NY 13210	Drug therapy treatment & blood work	3/1/93 - 12/31/93 New - At Medicaid Rate
University Radiology 550 Harrison Center Syracuse, NY 13210	X-rays & radiation therapy	3/1/93 - 12/31/93 New - At Medicaid Rate
Jeffery A. Winfield, M.D.	Medical	3/1/93 - 12/31/93

750 E. Adams Street Syracuse, NY 13210	treatment (oncology)	New - At Medicaid Rate
Syracuse Anesthesia Group 511 E. Fayette Street Syracuse, NY 13220	Anesthesia/ surgery	3/1/93 - 12/31/93 New - At Medicaid Rate

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 206

by County Administration, Economic Development & Planning, and Finance Committees

Seconded by Mr. Malley

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

WHEREAS, this County Legislature, by Resolution 171 of 1992, as amended by Resolution 307 of 1992, authorized and approved the Office of Employment and Training Job Training Partnership Act IIB Summer Youth Program and adopted a program budget in the amount of \$829,953 for October 1, 1991 through September 30, 1992, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1992 through September 30, 1993 in the amount of \$858,120, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the Office of Employment & Training Job Training Partnership Act IIB Summer Youth Program for the period October 1, 1992 through September 30, 1993 in the total amount of \$858,120, 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 \$858,120 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.

Mr. Pasquale moved, seconded by Mr. Kavulich to modify the resolution to reflect a reduction of \$3,332. (On the attached exhibit this reduction would be to line #.4538-Tioga County-The new line item total would be \$173,397 and the new program total would be \$854,788).

The amendment **carried**. Ayes-18, Nays-0, Absent-1 (Augostini).

The resolution as amended **carried**. Ayes-18, Nays-0, Absent-1 (Augostini).

RESOLUTION NO. 207

by Public Works and Finance Committees

Seconded by Mr. Malley

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

WHEREAS, this County Legislature, by Resolution 374 of 1992, authorized an agreement with O'Brien & Gere Engineers, Inc., for consultant engineering services for Willow Point Nursing Home Asbestos Removal - Phase I, at a cost not to exceed \$42,026 for the term of this agreement, and

WHEREAS, it is necessary to authorize the amendment of said agreement for as additional services are required to accelerate project schedule and thereby address immediate safety hazards discovered as a result of scheduled survey, and

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

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$188,223, 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 Resolution 374 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 208

by Finance Committee

Seconded by Mr. Malley

RESOLUTION AUTHORIZING THE ADVERTISING FOR SALE OF 1989 IN REM FORECLOSURE PROPERTY OWNED BY BROOME COUNTY.

WHEREAS, the County of Broome owns certain parcels of property acquired by in rem proceedings during 1989, and

WHEREAS, said properties have been reviewed by the appropriate County officials and the Finance Committee of this County Legislature and had 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 reviewed said 1989 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 1989 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 1989, said advertising and sale to be subject to the pertinent laws and procedures concerning the same of County owned real property established with this County Legislature and in accordance with the terms of other appropriate laws concerning the sale of real property. **Carried.** Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 209

by Public Works and Finance Committees

Seconded by Mr. Malley

RESOLUTION DECLARING DEPARTMENT OF PUBLIC WORKS PROJECT BR 91-02, WEST HILL ROAD BRIDGE PROJECT, BIN 3349930, TOWN OF VESTAL, 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 BR 91-02, West Hill Road Bridge Project, BIN 3349930, 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 improvements to subject bridge to correct structural deficiencies, 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 work is relatively minor in nature, consisting of the repairs to the existing bridge having no substantial effect on the environment, and that two temporary easements of a 3-month duration 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 BR 91-02, West Hill Road Bridge Project, BIN 3349930, 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.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 210

by Public Works Committee

Seconded by Mr. Malley

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO WEST HILL ROAD BRIDGE STONE WORK PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to undertake the West Hill Road Bridge Stone

Work project in order to place stone rip rap to protect bridge footers, repair deck and miscellaneous structural work, and

WHEREAS, it has been determined that such project is subject to the requirements of the State Environmental Quality Review Act, and it is therefore necessary to initiate procedures with respect thereto, and

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned West Hill Road Bridge Stone Work project, and

WHEREAS, the initiation of the West Hill Road Bridge Stone Work project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the proposed West Hill Road Bridge Stone Work project, and be it

FURTHER RESOLVED, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the West Hill Road Bridge Stone Work project will not have a 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 211

by County Administration, Economic Development and Planning Committee

Seconded by Mrs. Wagstaff

RESOLUTION IN SUPPORT OF BROOME COUNTY ECONOMIC DEVELOPMENT ALLIANCE.

WHEREAS, there exists within the County of Broome a number of diverse agencies involved in economic development, and

WHEREAS, historically, the various agencies involved in economic development have concentrated their programs and energies within their respective entitlement municipalities, and

WHEREAS, traditionally, there has been little effort to coordinate the economic development activities of the various economic development agencies, and

WHEREAS, the lack of a coordinated economic effort may be an impediment to job creation and job retention within Broome County, and

WHEREAS, there has been proposed the creation of a regional local development corporation, tentatively entitled the "Broome County Economic

Development Alliance," to coordinate economic development within Broome County and to develop a long range economic development plan for the County of Broome, and

WHEREAS, the Broome County Legislature has been requested to support, in principle, the creation of such an economic development alliance, now, therefore, be it

RESOLVED, the Broome County Legislature hereby supports, in principle, the creation of a Broome County Economic Development Alliance, and be it

FURTHER RESOLVED, that the Broome County Legislature declares its intent to participate in the process to create a Broome County Economic Development Alliance. **Heldover** by Mr. Whalen.

RESOLUTION NO. 212

by Health & Human Services, County Administration, Economic Development & Planning, Personnel and Finance Committees Seconded by Mr. Malley

RESOLUTION AUTHORIZING REVISION OF EMPLOYMENT/SELF-SUFFICIENCY PROJECT GRANT FOR THE MENTAL HEALTH DEPARTMENT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.

WHEREAS, this County Legislature, by Resolution 415 of 1992, authorized acceptance of the Employment/Self-Sufficiency Project Grant from New York State Department of Social Services and the Broome County Office of Employment and Training for the Department of Mental Health for the period July 1, 1992 through September 30, 1993 and adopted a program budget in connection therewith in the total amount of \$99,944, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Employment/Self-Sufficiency Project Grant for the period July 1, 1992 through September 30, 1993 in the total amount of \$99,944, 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 \$99,944 for the period July 1, 1992 through September 30, 1993, and be it

FURTHER RESOLVED, that Resolution 415 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 213

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH PRISON HEALTH SERVICES, INC., FOR PROFESSIONAL MEDICAL SERVICES TO THE JAIL FACILITIES OF THE SHERIFF'S DEPARTMENT FOR 1992 THROUGH 1993

WHEREAS, this County Legislature, by Resolution 102 of 1993, authorized an amendment to the agreement with Prison Health Services, Inc., as authorized by Resolution 277 of 1992 and amended by Resolution 465 of 1992, for professional medical services to the jail facilities of the Sheriff's Department, total cost no to exceed \$644,000 for the period July 1, 1992 through June 30, 1993, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include the cost of administration of vaccinations for Sheriff's Department employees, now, therefor, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Prison Health Services, 101 Luke Drive, Suite A, P.O. Box 472, New Castle, Delaware, 19720, for administration of Hepatitis B Vaccines, Rabies Vaccine and Tuberculosis testing for Sheriff's Department employees 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 an amount not to exceed \$646,500 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 Resolutions 102 of 1993, 645 of 1992 and 277 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 214

by Public Works Committee

Seconded by Mr. Malley

RESOLUTION AUTHORIZING UPDATE OF OFFICIAL COUNTY HIGHWAY MAP

WHEREAS, the Department of Public Works requests approval of the Official Broome County Highway Map as updated by the Department of Public Works, and

WHEREAS, said approval of this County Legislature is required under Highway Law, Section 115, and

WHEREAS, a copy of that updated Official County Highway Map having been filed with the Clerk of this Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the updated map as provided by the Department of Public Works as the official Broome County Highway Map, and be it

FURTHER RESOLVED, that pursuant to Section 115 of the Highway Law, the Official Broome County Highway Map, as approved, shall be filed in the office of the County Clerk and the Office of County Superintendent of Highways.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 215

by Public Safety & Emergency Services Committee

Seconded by Mr. Malley

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY TRAFFIC SAFETY BOARD.

WHEREAS, Arthur J. Shafer, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Local Law No. 4 of 1967, and amended by Local Law No. 1 of 1970, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to ex-officio membership on the Broome County Traffic Safety Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Carrie Blabac 147 Hiner Road Binghamton, NY 13904	Term Expires 12/31/94

Josephine Bart
Wilson Hill Road
Binghamton, NY 13904 Term Expires 12/31/94

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Local Law No. 4 of 1967, and amended by Local Law No. 1 of 1970, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Local Law No. 4 of 1967, and amended by Local Law No. 1 of 1970, does hereby confirm the appointments of the above-named individuals to ex-officio membership on the Broome County Traffic Safety Board in accordance with their appointment by the Legislative Chairman, Arthur J. Shafer.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 216

by Health & Human Services and Finance Committees Seconded by Mr. Malley

RESOLUTION AUTHORIZING REVISION OF THE DEPARTMENT OF HEALTH WOMEN'S, INFANTS' AND CHILDREN'S NUTRITION PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.

WHEREAS, this County Legislature, by Resolution 410 of 1992, as amended by Resolution 629 of 1992, authorized the continued operation of the Women's, Infants' and Children's (WIC) Nutrition Program for the period October 1, 1992 through September 30, 1993 and adopted a revised program budget in connection therewith in the total amount of \$483,411, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Department of Health Women's, Infants' and Children's (WIC) Nutrition Program for the period October 1, 1992 through September 30, 1993 in the total amount of \$493,808, 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 \$493,808 for the period October 1, 1992 through September 30, 1993, and be it

FURTHER RESOLVED, that Resolutions 410 and 629 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 217

by Health & Human Services and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WATER STREET ASSOCIATES FOR THE DRUG AWARENESS CENTER FOR OFFICE SPACE LEASE FOR 1993 THROUGH 1994

WHEREAS, this County Legislature, by Resolution 221 of 1992, authorized an agreement with Water Street Associates for the rental of space for the offices of the Drug Awareness Center Youth Education Services Community Action Project (YESCAP) for the period April 1, 1992 through March 31, 1993 at a cost of \$350.00 per month, utilities included, total cost not to exceed \$4,200, and

WHEREAS, said services are necessary to house the offices of the YESCAP Program which is a Drug and Alcohol Prevention Program operating in Broome and Tioga Counties, and

WHEREAS, said agreement expired by its terms on March 31, 1993, and it is desired at this time to renew said agreement for the period April 1, 1993 through March 31, 1994 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Water Street Associates, 168 Water Street, 4th Floor, Binghamton, NY, 13901 for rental of office space for the YESCAP Program for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said lease agreement, the County shall pay the Contractor \$350.00 per month, utilities included, total cost not to exceed \$4,200 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470062.4422.102654 (Building & 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. Pasquale moved, seconded by Mr. Warner that the resolution be amended to reflect in the 'Resolved' paragraph that the floor space being rented will "consist of 500 square feet."

The amendment **carried**. Ayes-18, Nays-0, Absent-1 (Augostini).

The resolution as amended **Carried**.
Ayes-17, Nays-1 (Coffey), Absent-1 (Augostini).

RESOLUTION NO. 218

by Health & Human Services and Finance Committees

Seconded by Mr. Warner

**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 1993 THROUGH 1994**

WHEREAS, this County Legislature, by Resolution 272 of 1992, 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, 1992 through March 31, 1993, 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, 1993, and it is desired at this time to renew said agreement for the period April 1, 1993 through March 31, 1994 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, 1993 through March 31, 1994, 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. Ayes-17, Nays-1 (Coffey), Absent-1 (Augostini).

RESOLUTION NO. 219

by Health & Human Services and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BROOME COUNTY COUNCIL ON ALCOHOLISM AND SUBSTANCE ABUSE IN CONNECTION WITH THE YOUTH EDUCATION SERVICES COMMUNITY ACTION PROJECT (YESCAP) FOR 1993 THROUGH 1994

WHEREAS, this County Legislature, by Resolution 272 of 1992, authorized an agreement with Broome County Council on Alcoholism for the expanded and enhanced operation of the Peer Leadership Program - ADSIP in Broome County for April 1, 1992 through March 31, 1993, 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, 1993, and it is desired at this time to renew said agreement for the period April 1, 1993 through March 31, 1994 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, NY, 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, 1993 through March 31, 1994, 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 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. Ayes-17, Nays-1 (Coffey), Absent-1 (Augostini).

RESOLUTION NO. 220

by Health & Human Services and Finance Committees Seconded by Mr. Warner

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WATER STREET ASSOCIATES FOR LEASE OF SPACE FOR THE BROOME COUNTY DRUG AWARENESS CENTER FOR 1992 THROUGH 1997

WHEREAS, this County Legislature, by Resolution 211 of 1987, authorized an agreement with Water Street Associates for lease of space to house the Broome County Drug Awareness Center for September 1, 1987 through August 31, 1992, and

WHEREAS, the Drug Awareness Center currently occupies 1,870 square feet on the third floor and it is desired to occupy and lease an additional 500 square feet on the fourth floor, for a total of 2,370 square feet, and

WHEREAS, said agreement expired by its terms on August 31, 1992, and it is desired at this time to renew said lease agreement, with provisions for an additional 500 square feet of space, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Water Street Associates, 168 Water Street, Binghamton, New York, 13901, on the following terms and conditions:

- 1.The term of the lease shall be for a five year period commencing September 1, 1992 through August 31, 1997;
- 2.Lease of 1,870 square feet for the period September 1, 1992 through December 31, 1992 at a cost not to exceed \$8.50 per square foot, plus utilities;
- 3.Lease of 1,870 square feet for the period January 1, 1993 through December 31, 1993 at a cost not to exceed \$6.71 per square feet plus utilities;
- 4.Lease of 500 square feet for the period January 1, 1993 through December 31, 1993 at a cost not to exceed \$6.71 per square feet, including utilities;
- 5.Lease of a total 2,370 square feet for the period January 1, 1994 through December

1997 at an increased annual rate of 5% as follows: through 1994 at a cost not to exceed \$7.05 per square foot, plus utilities; through 1995 at a cost not to exceed \$7.40 per square foot, plus utilities; through 1996 at a cost not to exceed \$7.77 per square foot, plus utilities; and through 1997 at a cost not to exceed \$8.16 per square foot, plus utilities;

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470021.4422.101000 (Building & 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. **Heldover** by Mrs. Hudak.

RESOLUTION NO. 221

by Finance Committee Seconded by Mr. Malley

RESOLUTION AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE NEW YORK STATE TAX LAW

WHEREAS, the County Clerk and the Commissioner of Finance have presented their report concerning mortgage tax receipts for the period October 1, 1992 through March 31, 1993, pursuant to Section 261 of the New York State Tax Law, and the same has been apportioned to the various municipalities thereto, now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay the Treasurer of the City of Binghamton and to the respective Supervisors of the sixteen towns and villages of Broome County, those amounts listed on Exhibit "A" attached hereto.

EXHIBIT A

**1993 SEMI ANNUAL MORTGAGE TAX DISTRIBUTION
OCTOBER 1992 THROUGH MARCH 1993**

Dickinson	- Village of Port Dickinson	3,331.12	
	- Outside	<u>17,502.33</u>	20,833.95
LISLE	- Village of Lisle	341.76	
	- Outside	<u>5,636.07</u>	5,977.88
SANFORD	- Village of Deposit	1,015.69	
	- Outside	<u>10,894.95</u>	11,910.64
TRIANGLE	- Village of Whitney Point	1,613.13	

	- Outside	<u>7,045.35</u>	8,658.48
UNION	- Village Johnson City	31,013.54	
	- Village of Endicott	43,425.01	
	- Outside	<u>208,327.90</u>	282,766.45
WINDSOR	- Village of Windsor	1,608.73	
	- Outside	<u>22,426.60</u>	24,035.33
Barker			12,105.97
Binghamton			36,021.53
Chenango			76,867.65
Colesville			17,658.83
Conklin			24,640.05
Fenton			32,272.13
Kirkwood			34,559.82
Maine			27,153.88
Nanticoke			4,720.23
Vestal			226,480.66
City of Binghamton			171,291.81
			<u>1,017,955.24</u>

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 222

by Health & Human Services and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING ACCEPTANCE OF TITLE III-F DISEASE PREVENTION & HEALTH PROMOTION PROGRAM GRANT FOR THE OFFICE FOR AGING, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993, AND AUTHORIZING AN AGREEMENT WITH UNITED HEALTH SERVICES IN CONNECTION THEREWITH

WHEREAS, the Office for Aging requests authorization to accept a Title III-F Disease Prevention and Health Promotion Program Grant in the amount of \$23,057, adopt a program budget, and authorize an agreement with United Health Services in connection therewith for the period May 1, 1993 through December 31, 1993, and

WHEREAS, said grant program provides health promotion and disease prevention programs for older persons, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$23,057 from New York State Office for Aging for the period May 1,

1993 through December 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 \$23,057 for the period May 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with United Health Services, 20-40 Mitchell Avenue, Binghamton, New York, 13903, for mental health education and counseling under the afore-mentioned grant, for the period May 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$13,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760652.4457.102000 (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, and be it

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 223

by Health & Human Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING IIID IN-HOME SERVICES FOR FRAIL OLDER INDIVIDUALS PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.

WHEREAS, this County Legislature, by Resolution 583 of 1992, authorized the continued participation by the Office for Aging in the IIID In-Home Services for Frail Older Individuals Program for the calendar year 1993 and adopted a program budget in connection therewith in the total amount of \$6,078, and

WHEREAS, it is necessary at this time to revise said program to reflect an

increase in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging IIID In-Home Services for Frail Older Individuals Program for the period January 1, 1993 through December 31, 1993 in the total amount of \$6,755, 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 \$6,755 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that Resolution 583 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 224

by Health & Human Services and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING TITLE VII ELDER ABUSE GRANT PROGRAM, ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993, AND AUTHORIZING RENEWAL OF AN AGREEMENT WITH ACTION FOR OLDER PERSONS, INC., FOR ADMINISTERING THE TITLE VII ELDER ABUSE PROGRAM ON BEHALF OF THE BROOME COUNTY OFFICE FOR AGING.

WHEREAS, this County Legislature, by Resolution 565 of 1991, as amended by Resolution 380 of 1992, authorized the acceptance of \$3,948 from the New York State Office for Aging, adopted a program budget for the period January 1, 1992 through December 31, 1992, and authorized an agreement with Action for Older Persons, Inc., for administration of same, and

WHEREAS, it is desired to renew said grant program for the period May 15, 1993 through December 31, 1993 in the amount of \$3,500, and authorize an agreement with Action for Older Persons, Inc., for administration of same, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$3,500 from New York State for the period May 15, 1993 through December 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 \$3,500 for the period May 15, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Action for Older Persons, Inc., 144 Washington Street, Binghamton, New York, 13901 for administration of the above-mentioned program in the amount of \$3,500 for the period May 15, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760637.4457. (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, and be it

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 225

by Health & Human Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH INTERIM HEALTH CARE (FORMERLY MEDICAL PERSONNEL POOL) FOR HOMECARE SERVICES IN CONNECTION WITH THE OFFICE FOR AGING'S TITLE IIIID IN-HOME SERVICES FOR FRAIL ELDERLY INDIVIDUALS FOR 1993

WHEREAS, this County Legislature, by Resolution 477 of 1992, authorized an agreement with Medical Personnel Pool (now known as Interim Health Care) for the Office for Aging homcare services for frail elderly persons for calendar year 1992 at a cost not to exceed \$6,110, and

WHEREAS, said agreement expired by its terms on December 31, 1992, and it is desired at this time to renew said agreement for calendar year 1993 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 Interim Health Care, 59 Front Street, Binghamton, NY, 13905 for the Office for Aging's Title IIID homcare services for frail elderly individuals 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 \$12.29 per hour or \$ 110.00 per day live-in rate, total cost not to exceed \$6,755 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760710.4457.102691 (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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 226

by Health & Human Services and Finance Committees
Malley

Seconded by Mr.

RESOLUTION AUTHORIZING RENEWAL OF THE SOCIAL INTEGRATION FOR THE BLIND GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 123 of 1990, 327 of 1991, and companion resolution, authorized and approved acceptance of the Social Integration for the Blind Grant from the New York State Department of Social Services for the Office for Aging and adopted a program budget in the amount of \$42,715 for the period July 1, 1991 through June 30, 1993, and

WHEREAS, said grant program provides service to elderly legally blind individuals in Broome County

WHEREAS, it is desired to renew said grant program for the period July 1, 1993 through September 30, 1994 in the amount of \$9,413, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves

acceptance of \$9,413 from New York State Department of Social Services for the period July 1, 1993 through September 30, 1994, 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 \$9,413 for the period July 1, 1993 through September 30, 1994, and be it

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

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 227

by Health & Human Services and Finance Committees
Malley

Seconded by Mr.

RESOLUTION AUTHORIZING REVISION OF THE SOCIAL INTEGRATION FOR THE BLIND GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1993.

WHEREAS, this County Legislature, by Resolution 123 of 1990, as amended by Resolution 327 of 1991, authorized and approved acceptance of the Social Integration for the Blind Grant from the New York State Department of Social Services for the Office for Aging and adopted a program budget in the amount of \$50,522 for the period July 1, 1991 through June 30, 1993, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Social Integration for the Blind Grant program for the period July 1, 1991 through June 30, 1993 in the total amount of \$42,715, 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 \$42,715 for the period July 1, 1991 through June 30, 1993, and be it

FURTHER RESOLVED, that Resolutions 123 of 1990 and 327 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 228

by Education, Culture, Recreation, Transportation, Public Safety, Emergency Services & Finance Committees

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING AN AIRSHOW AT THE BINGHAMTON REGIONAL AIRPORT

WHEREAS, it has been proposed by Roberson Museum & Science Center and Miller Aviation that an airshow be held at Binghamton Regional Airport, on Saturday, May 22, 1993, and

WHEREAS, the Department of Aviation believes that this event will help promote and expand interest in aviation throughout the Broome County community, and

WHEREAS, it is recommended that various elements of Broome County operational departments participate in this worthwhile event in order to assure that "Airfest '93" be conducted in a safe, convenient and hospitable manner, and at the same time providing the expected amenities to air travelers making simultaneous use of the airport facilities, now, therefore, be it

RESOLVED, that this County Legislature hereby does approve an Airfest conducted by Roberson Museum & Science Center and Miller Aviation at the Binghamton Regional Airport on May 22, 1993, and be it

FURTHER RESOLVED, that this Legislature hereby authorizes the County Transit Department to use its buses to transport the public between designated parking areas and the airport, and that this service shall be reimbursed by Roberson Museum & Science Center and Miller Aviation in a minimal amount of \$400 per bus, times 4 buses, for a total of \$1,600, with each additional bus required at a rate of \$400 per bus, and be it

FURTHER RESOLVED, that Broome County Security shall provide security for the event and shall be reimbursed by Roberson Museum & Science Center and Miller Aviation in an amount not to exceed \$1,000, and be it

FURTHER RESOLVED, that the Broome County Department of Risk Management, in conjunction with Roberson Museum & Science Center and Miller Aviation, shall procure a \$5,000,000 liability policy which shall indemnify the County of Broome for a minimum of \$5,000,000, the cost of said policy anticipated to be \$3,000 and to be paid for by Roberson Museum & Science Center and Miller Aviation, and be it

FURTHER RESOLVED, that the Commissioner of Aviation shall, to the fullest extent, cooperate and assist in the reasonable needs of the event organizers in making the Airfest a successful event, 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 (Augostini & Coffey).

RESOLUTION NO. 229

by Personnel and Health & Human Services Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR WILLOW POINT NURSING FACILITY

RESOLVED, that in accordance with a request from Willow Point Nursing Facility, as contained in PCR# 93-136, this County Legislature hereby authorizes the change of one (1) full-time Certified Nursing Assistant/Nursing Assistant Trainee position at budget line 160085.1000, minimum salary \$13,098, Grade 6, Union Code 4, to two (2) part-time Certified Nursing Assistant/Nursing Assistant Trainee positions at budget line 160085.1500, minimum salary \$6.6912 per hour, Grade 6, Union Code 8, effective May 24, 1993, and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Facility, as contained in PCR# 93-137, this County Legislature hereby authorizes the change of one (1) full-time Certified Nursing Assistant/Nursing Assistant Trainee position at budget line 160085.1000, minimum salary \$13,098, Grade 6, Union Code 4, to two (2) part-time Certified Nursing Assistant/Nursing Assistant Trainee positions at budget line 160085.1500, minimum salary \$6.6912 per hour, Grade 6, Union Code 8, effective May 24, 1993.

Carried. Ayes-18, Nays-0, Absent-1 (Augostini).

RESOLUTION NO. 230

by Transportation and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH TIOGA COUNTY FOR DISTRIBUTION OF FEDERAL SECTION 9 FUNDS

WHEREAS, the United States Department of Transportation, through the Federal Transit Administration Section 9 Program, makes available funds for the provision of mass transportation services in urbanized areas, and

WHEREAS, a portion of Tioga County lies within the Binghamton Federal Aid Urbanized Area, and

WHEREAS, Broome County has been designated by the Governor of the State of New York as the designated recipient of Federal Section 9 Funds in the Binghamton Federal Aid Urbanized Area, and

WHEREAS, the Federal Transit Administration, as outlined in circular 9030.1A, Chapter II, Section II-2 makes provision for the designated recipient to designate other recipients for Section 9 Funds, and

WHEREAS, Tioga County is desirous of designation by Broome County as another recipient, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Tioga County, as follows:

1. Broome County confers on Tioga County the right to receive and dispense Federal Section 9 Grant Funds as approved on the Adopted Transportation Improvement Program as adopted by the Policy Committee of the Binghamton Metropolitan Transportation Study to the extent that such amounts are available and valid.
2. Broome County transfers to Tioga County all rights, obligations and responsibilities under the Grant Agreement.
3. Tioga County releases Broome County from any liability under the Grant Agreement.
4. Tioga County accepts responsibility for compliance with any and all regulations regarding eligibility for, acceptance of and use of Federal Section 9 funds,

and be it

FURTHER RESOLVED, that this agreement shall remain in effect for as long as an authorized Section 9 funding program exists at the Federal level and/or for as long as the terms of this agreement are in compliance with applicable Federal Regulations, and be it

FURTHER RESOLVED, that any agreement executed pursuant to this authorization shall contain a clause whereby Broome County and/or Tioga County can, within 90 days notice, terminate the agreement at any time,

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-0, Absent-1 (Augostini).

RESOLUTION NO. 231

by Finance Committee

Seconded by Mr. Malley

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF SOCIAL SERVICES, HEALTH, PUBLIC WORKS, WILLOW POINT NURSING FACILITY, CENTRAL KITCHEN, GENERAL SERVICES, AND LAW.

RESOLVED, that in accordance with a request from the Department of Social Services, in order to provide funds for security chargeback increase due to addition of one security guard position to be stationed at Social Services, as requested by BT# 5361, 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:	670034	1000	103000	Salaries FT	\$ 656
	670042	1000	103000	Salaries - FT	7,410
	670059	1000	103000	Salaries - FT	14,020
TO :	670018	4604	103000	DPW Security Chbk	\$22,086

and be it

FURTHER RESOLVED, that in accordance with a request from the Health Department, in order to provide funds for unanticipated shift differential, as requested by BT# 5650, 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:	480343	1500	102700	Salaries - PT	\$ 50
TO :	480343	1900	102700	Shift Differential	\$ 50

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Public Works, in order to provide funds to cover deficits due to the "Blizzard of 1993" and anticipated needs, as requested by BT# 5840, 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:	030122	4302	301000	Paint	\$ 25,000
	030148	4348	302000	Tires/Tubes	5,000
TO :	030122	1700	301000	Salaries - OT	\$25,000
	030148	1700	302000	Salaries - OT	5,000

and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Facility, in order to provide funds for overtime due to staff shortages, as requested by BT#'s 5516 and 5518, 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:	160028	1500	204000	Salaries - PT	\$ 141
	160077	1500	204000	Salaries - PT	2,805
	160085	1000	204000	Salaries - FT	103,000
TO :	160028	1700	204000	Salaries - OT	\$ 141
	160077	1700	204000	Salaries - OT	5,805
	160085	1700	204000	Salaries - OT	100,000

and be it

FURTHER RESOLVED, that in accordance with a request from Central Kitchen, in order to provide funds for temporary salaries while part-time employees are on medical leave of absence, as requested by BT# 5325, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
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FROM:	230045	1500	251000	Salaries - PT	\$3,000
TO :	230045	1600	251000	Salaries - Temp	\$3,000

and be it

FURTHER RESOLVED, that in accordance with a request from General Services, in order to provide funds for temporary salaries while full-time employee is on medical leave of absence, as requested by BT# 4953, 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:	350041	1000	101000	Salaries - FT	\$3,400
TO :	350041	1600	101000	Salaries - Temp	\$3,400

and be it

FURTHER RESOLVED, that in accordance with a request from the Law Department, in order to provide funds for temporary help to cover maternity absence and assist with litigation, as requested by BT# 5338, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	390005	1500	101000	Salaries - PT	\$ 2,800
	390005	4736	101000	Legal Charges	2,000
TO :	390005	1600	101000	Salaries - Temp.	\$4,800

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 232

by Education, Culture & Recreation and Finance Committees

Seconded by Mr. Malley & Ms. Harris

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SOUTHERN

TIER ZOOLOGICAL SOCIETY, INCORPORATED, AND THE CITY OF BINGHAMTON FOR THE ROSS PARK ZOO FOR 1994 THROUGH 1997

WHEREAS, this County Legislature, by Resolution 73 of 1993, authorized a contract agency agreement with the Southern Tier Zoological Society, Incorporated, for Ross Park Zoo and Park for 1993, with a cost to Broome County of \$225,000, and

WHEREAS, Broome County provides this money to enable the Southern Tier Zoological Society to operate the Ross Park Zoo and Park, and

WHEREAS, it is desired at this time to enter into an agreement with the City of Binghamton and the Southern Tier Zoological Society, Incorporated, to provide for the continued operation of the Zoo through 1997, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the City of Binghamton and the Southern Tier Zoological Society, Incorporated, for the continued operation of the Ross Park Zoo and Park, for the period January 1, 1994 through December 31, 1997, and be it

FURTHER RESOLVED, that this agreement will require that Broome County appropriate up to \$225,000, consisting of monetary contribution and/or goods and/or services as agreed between the parties for each year of this agreement, and be it

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

Mr. Warned moved, seconded by Mr. Pasquale that the resolution be amended by deleting the first FURTHER RESOLVED and substituting the following one:

FURTHER RESOLVED, for calendar year 1993, Broome County shall contribute \$225,000 for the continued operation of the Ross Park Zoo and Park, for calendar years 1994 through 1997, Broome County's contribution shall be subject to availability of funds and budgetary appropriations, and be it

Mr. Warner moved, seconded by Mrs. Wagstaff to **call the question** on the amendment. The call of the question on the amendment **carried**.

Ayes-18, Nays-0, Absent-1 (Augostini).

The amendment **failed** by the following vote:

Ayes-6 (Brown, Howard, Pazzaglini, Wagstaff, Warner & Shafer)

Nays-12 (Burger, Coffey, Harbachuk, Harris, Hudak, Kavulich, Lindsey, Malley, Pasquale, Schofield, Taylor & Whalen)

Absent-1 (Augostini)

The resolution was **heldover** by Mr. Brown.

RESOLUTION NO. 233

by Environment and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING AGREEMENT WITH LANDFILL SERVICE CORPORATION FOR LEASE OF POSI-SHELL EQUIPMENT AND MATERIALS FOR USE AT THE NANTICOKE LANDFILL FOR 1993

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with Landfill Service Corporation for lease of Posi-shell equipment and materials for the period June 1, 1993 through December 31, 1993, at a cost not to exceed \$82,000, and

WHEREAS, said lease is necessary for the continued use, at the Nanticoke Landfill, of Posi-shell, an alternative intermediate cover material that is applied to compacted refuse instead of soil, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Landfill Service Corporation, 62D Pennsylvania Avenue, Apalachin, New York, 13732, for Posi-shell equipment and materials for the period June 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said lease, the County shall pay the Contractor an amount not to exceed \$82,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4545.206000 (Contracted 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.

Heldover by Mr. Pasquale.

RESOLUTION NO. 234

by Environment Committee

Seconded by Mr. Malley

RESOLUTION CONFIRMING APPOINTMENT OF DR. JOHN BUCKLEY TO MEMBERSHIP ON THE BROOME COUNTY FOREST PRACTICE BOARD FOR A THREE YEAR TERM

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Section 9-0705 of the Environmental Conservation Law, has duly designated and appointed, pending confirmation by this Legislature, Dr. John Buckley to membership on the Broome County Forest Practice Board, for a

term expiring December 31, 1995, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Section 9-0705 of the Environmental Conservation Law to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Section 9-0705 of the Environmental Conservation Law, does hereby confirm the appointment of Dr. John Buckley, 3 Avon Road, Binghamton, New York, 13905 to membership on the Broome County Forest Practice Board in accordance with his appointment by the County Executive.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 235

by County Administration, Economic Development & Planning Committee

Seconded by Mr. Malley

RESOLUTION CONFIRMING APPOINTMENT OF MICHAEL McGOWAN TO MEMBERSHIP ON THE PLANNING AND ECONOMIC DEVELOPMENT ADVISORY BOARD

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article XV of the Broome County Charter, February 25, 1969 and Local Law, Intro. No. 5, 1986, has duly designated and appointed, pending confirmation by this Legislature, Michael McGowan to membership on the Planning and Economic Development Advisory Board, to fill an unexpired term, for a term expiring December 31, 1993, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XV of the Broome County Charter, February 25, 1969 and Local Law, Intro. No. 5, 1986 to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XV of the Broome County Charter, February 25, 1969 and Local Law, Intro. No. 5, 1986, does hereby confirm the appointment of Michael McGowan, 1404 River Road, Binghamton, New York, 13901 to membership on the Planning and Economic Development Advisory Board, in accordance with his appointment by the County Executive.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 236

by County Administration, Economic Development and Planning Committee

Seconded by Mr. Malley

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE CONSUMER SERVICES ADVISORY BOARD FOR A THREE YEAR TERM.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 340, adopted October 22, 1980, (Temporary Board created Resolution No. 58, adopted February 21, 1979), has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Consumer Services Advisory Board for a three year term:

<u>NAME</u>	<u>TERM</u>
<u>EXPIRING</u>	
Victoria Rouff Reappointment 508 Princeton Drive Vestal, NY 13850	Term expires
12/31/95	
Martin Kane, Esq. P. O. Box 1563 71 State Street Binghamton, NY 13902	Reappointment Term expires 12/31/95
Emil Misata 35 Riale Avenue Johnson City, NY 13790	New appointment Term expires 12/31/95
Maureen C. Reynolds 135 Brown Road Vestal, NY 13850	New appointment Term expires
12/31/95	

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 340, adopted October 22, 1980, (Temporary Board created Resolution No. 58, adopted February 21, 1979), to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of

Resolution No. 340, adopted October 22, 1980, (Temporary Board created Resolution No. 58, adopted February 21, 1979), does hereby confirm the appointments of the above-named individuals to membership on the Consumer Services Advisory Board in accordance with their appointment by the County Executive.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 237

by Health & Human Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING ACCEPTANCE OF THE HEALTH DEPARTMENT IMMUNIZATION INITIATIVE PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993

WHEREAS, the Department of Health requests authorization to accept an Immunization Initiative Program Grant from the New York State Department of Health in the amount of \$7,140 for the period January 1, 1993 through December 31, 1993, and

WHEREAS, said grant program provides for stimulation of public understanding the need for immunizations for infants and toddlers and to offer additional clinics for said immunizations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$7,140 from New York State Department of Health for the period January 1, 1993 through December 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 \$ 7,140 for the period January 1, 1993 through December 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 238

by Public Works and Finance Committees

Seconded by Mr. Malley

**RESOLUTION DECLARING DEPARTMENT OF PUBLIC WORKS
GLENWOOD ROAD BRIDGE PROJECT BR92-09, TOWN OF VESTAL, 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 Glenwood Road Bridge Project BR-92-09, Town of Vestal, 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 placing rip rap to control erosion of footers, 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 work is relatively minor in nature, consisting of the repairs to the existing bridge having no substantial effect on the environment, and that a temporary easement of a one month duration for 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 Glenwood Road Bridge Project BR92-09, Town of Vestal, 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.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 239

by Public Works and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR INSTALLATION OF STONE SILL IN CONNECTION WITH GLENWOOD ROAD BRIDGE PROJECT FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Department of Public Works requests authorization for an agreement with Broome County Soil and Water Conservation District for services in connection with the Glenwood Road Bridge Project, at a cost not to exceed \$19,850, and

WHEREAS, said services are necessary to provide rock thickness for protection along the east wall of the Choconut Creek, 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 services in connection with the Glenwood Road Bridge Project, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$19,850 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035030.2017.501239 (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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 240

by Public Works Committee

Seconded by Mr. Malley

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO GLENWOOD DRIVE BRIDGE STONE WORK PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO

WHEREAS, it is necessary to undertake the Glenwood Drive Bridge Stone Work project in order to place stone rip rap to protect bridge footers, and

WHEREAS, it has been determined that such project is subject to the requirements of the State Environmental Quality Review Act, and it is therefore necessary to initiate procedures with respect thereto, and

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Glenwood Drive Bridge Stone Work project, and

WHEREAS, the initiation of the Glenwood Drive Bridge Stone Work project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the proposed Glenwood Drive Bridge Stone Work project, and be it

FURTHER RESOLVED, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the Glenwood Drive Bridge Stone Work project will not have a 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 241

by Health & Human Services and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH OUR LADY OF LOURDES MEMORIAL HOSPITAL, INC. FOR LEASE OF SPACE FOR THE HEALTH DEPARTMENT'S WOMEN'S, INFANTS' & CHILDREN'S (WIC) SUPPLEMENTAL NUTRITION PROGRAM SATELLITE CLINIC SITE FOR 1993 THROUGH 1994.

WHEREAS, the Health Department requests authorization for an agreement with Our Lady of Lourdes Memorial Hospital, Inc., for lease of space at Lourdes Center for Family Health for the period June 1, 1993 through May 31, 1994, at a cost not to exceed \$8,789 for the term of this agreement, and

WHEREAS, said lease is necessary to provide space for a satellite location of the Health Department's WIC Supplemental Nutrition Program, and

WHEREAS, said lease is funded 100% through the New York State Health

Department under the WIC Program Grant authorized by this County Legislature by Resolution 410 of 1992, as amended, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Memorial Hospital, Inc., 169 Riverside Drive, Binghamton, New York, 13905, for lease of 1,034 square feet of space at Lourdes Center for Family Health, for the period June 1, 1993 through May 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said lease, the County shall pay the Contractor \$732.42 per month, total amount not to exceed \$8,789 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480368.4422.102677 (Building & 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.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 242

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING RENEWAL OF THE HEALTH DEPARTMENT BREAST CANCER DETECTION AND EDUCATION GRANT PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 183 of 1992, as amended by Resolutions 225 and 671 of 1992, authorized and approved the participation by the Health Department in the Breast Cancer Detection and Education Grant Program and adopted a program budget in the amount of \$126,500 for the period July 1, 1992 through June 30, 1993, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1993 through June 30, 1994 in the amount of \$118,890, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$118,890 from New York State Department of Health for the period July 1, 1993 through June 30, 1994, 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

\$118,890 for the period July 1, 1993 through June 30, 1994, and be it

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

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 243

by Finance and Personnel Committees

Seconded by Mr. Malley

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH GUARDIAN LIFE INSURANCE COMPANY OF AMERICA FOR LIFE INSURANCE COVERAGE FOR ELIGIBLE COUNTY EMPLOYEES FOR 1992 THROUGH 1993

WHEREAS, this County Legislature, by Resolution 411 of 1991 , authorized an agreement with Guardian Life Insurance Company of America for life insurance coverage for eligible County employees for the period December 1, 1991 through December 1, 1992 at a cost of \$1.65 per enrollee, per month, and

WHEREAS, said agreement is necessary to provide substantial savings to Broome County and still provide this life insurance benefit to eligible County employees, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Guardian Life Insurance Company of America, % Dan Ross Associates, 37 Front Street, Binghamton, New York, 13905, for life insurance coverage for eligible County employees for the period December 1, 1992 through December 1, 1993, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$1.65 per enrollee, per month for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the various departmental budget lines, subobject 8050 (Life 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. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 244

by Finance Committee

Seconded by Mr. Malley

RESOLUTION AUTHORIZING AGREEMENT WITH RONALD L. GREENBERG FOR AN INCOME TAX STUDY FOR THE BROOME COUNTY LEGISLATURE FOR 1993.

WHEREAS, the Broome County Legislature requests authorization for an agreement with Ronald L. Greenberg for an income tax study, at a cost not to exceed \$3,000, and

WHEREAS, said services are necessary to provide a study of the potential effects of various personal and corporate income tax alternatives; an analysis of the impact of these proposals on County revenues, expenditures, job growth, taxpayer burden and administrative feasibility; and a comparison to other states and counties where appropriate, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Ronald L. Greenberg, 120 Washington Street, Apt. #4, Binghamton, New York, 13905, for an income tax study, for the period May 24, 1993 through September 3, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 240010.4747.101000 (Other Fees for 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-0, Absent-1 (Augustini).

RESOLUTION NO. 245

by Finance and Transportation Committees

Seconded by Mrs. Taylor

RESOLUTION AMENDING THE 1993 CAPITAL IMPROVEMENT PROGRAM.

RESOLVED, that the 1993 Capital Improvement Program for the Public Transportation Department is hereby amended as follows:

FROM:

Code Project Name

Q-131 Automated Fueling System

Description: Purchase computerized fueling system for transmittal of vehicle maintenance information directly into computerized maintenance/parts inventory system replacing current inoperative system as recommended in federal triennial reviews. Project will reduce clerical cost \$7,500 and will be completed in 1993. Local share provided from capital reserve.

TO:

Code Project Name

Q-131 Automated Fueling System

Description: Purchase computerized fueling system for transmittal of vehicle maintenance information directly into computerized maintenance/parts inventory system replacing current inoperative system as recommended in federal triennial reviews. Project will reduce clerical cost \$7,500 and will be completed in 1993. Local share provided from current appropriations.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 246

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH EASTMAN KODAK CO. FOR LEASE AGREEMENT FOR KODAK 1575A COPIER/ FASTBACK BINDER FOR 1993 THROUGH 1996

WHEREAS, the Department of General Services requests authorization for an agreement with Eastman Kodak Co. for lease of a Kodak 1575A Copier/Fastback Binder for the period June 1, 1993 through May 31, 1996, at a cost not to exceed \$1,814.84 per month, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with EKCC, 100 Kings Highway, Suite 2000, Rochester, New York, 14650-0821, for lease of a Kodak 1575A copier/fastback binder for the period June 1, 1993 through May 31, 1996, and be it

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

shall pay the Contractor \$1,814.84 per month for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 350017.4518.101000 (Copy Machine Rentals), 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. Wagstaff.

RESOLUTION NO. 247

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING AGREEMENT WITH EASTMAN KODAK CO. FOR MAINTENANCE AGREEMENT FOR KODAK 1575A COPIER/FASTBACK BINDER FOR 1993 THROUGH 1996

WHEREAS, the Department of General Services requests authorization for an agreement with Eastman Kodak Co. for maintenance of the Kodak 1575A Copier/Fastback Binder for the period June 1, 1993 through May 31, 1996, at a cost not to exceed \$450.00 per month, plus \$.0050 image rate, and

WHEREAS, said services are necessary to ensure proper functioning of the Kodak 1575A Copier/Fastback Binder for the term of this agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Eastman Kodak/Office Imaging Division, 901 Elm Grove Road, 2nd Floor, Building 14, Rochester, New York, 14653, for maintenance of a Kodak 1575A Copier/Fastback Binder, for the period June 1, 1993 through May 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$450.00 per month plus \$.0050 image rate, for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 350017.4518.101000 (Copy Machine Rentals), 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. Wagstaff.

RESOLUTION NO. 248

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING AGREEMENT WITH EASTMAN KODAK CO. FOR MAINTENANCE AGREEMENT FOR KODAK 300 AFB COPIER AND COMPUTER FORMS FEEDER FOR GENERAL SERVICES FOR 1993 THROUGH 1996

WHEREAS, the Department of General Services requests authorization for an agreement with Eastman Kodak Co. for maintenance of the Kodak 300 AFB Copier and computer forms feeder for the period June 1, 1993 through May 31, 1996, at a cost not to exceed \$941.00 per month, plus \$.0087 image rate for Meter B and \$.0016 image rate for Meter A, and

WHEREAS, said services are necessary to ensure proper functioning of the Kodak 300 AFB Copier and the computer forms feeder for the term of this agreement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Eastman Kodak Co./Office Imaging Division, 901 Elm Grove Road, 2nd Floor, Building 14, Rochester, New York, 14653-6330, for maintenance of a Kodak 300 AFB copier and computer forms feeder, for the period June 1, 1993 through May 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$951.00 per month, plus \$.0087 image rate for Meter B and \$.0016 image rate for Meter A, for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 350017.4518.101000 (Copy Machine Rentals), 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. Wagstaff.

RESOLUTION NO. 249

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH EASTMAN KODAK CO. FOR LEASE OF KODAK 300 AFB COPIER FOR THE DEPARTMENT OF GENERAL SERVICES FOR 1993 THROUGH 1996

WHEREAS, this County Legislature, by Resolution 355 of 1990, authorized an agreement with Eastman Kodak Co. for lease of a Kodak 300 AFB Copier for General Services for the period June 1, 1990 through May 31, 1993 at a

cost of \$1,713.62 per month for the term of the agreement, and

WHEREAS, said agreement expires by its terms on May 31, 1993, and it is desired at this time to renew said agreement on substantially similar terms and conditions and purchase of a computer forms feeder, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with EKCC, 100 Kings Highway, Suite 2000, Rochester, New York, 14760-0821, for lease of a Kodak 300 AFB Copier for the period June 1, 1993 through May 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$856.81 per month for the term of this agreement for lease of a Kodak 300 AFB Copier, and a one-time payment of \$1,000 for the purchase of a computer forms feeder, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 350017.4518.101000 (Copy Machine Rentals), 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. Wagstaff.

RESOLUTION NO. 250

by Finance and Public Works Committees Seconded by Mrs. Taylor

RESOLUTION AMENDING THE 1991 CAPITAL IMPROVEMENT PROGRAM.

RESOLVED, that the 1991 Capital Improvement Program is hereby amended as follows:

FROM:

Estimated Construction Cost

Code:	D-2		
Project Name:	County Bridge Reconstruction/Rehabilitation		
Total:	\$755,000		
	State	\$	0
	Federal	\$	0
	County	\$755,000	

How Financed

Year Start:	-
YPU:	20
Bond:	\$717,250
Current Revenue:	\$ 37,750

Description: County Bridge Reconstruction/Rehabilitation: Rehabilitate county

bridges including Ballyhack Creek (Fenton); Nanticoke Creek (Maine); Kattell Creek (Chenango); Big Hollow (Sanford); Hotchkiss Creek (Windsor); replacement of Big Brook (Lisle); and other repairs as necessary.

TO:

Estimated Construction Cost

Code:	D-2		
Project Name:	County Bridge Reconstruction/Rehabilitation		
Total:	\$755,000		
	State	\$	0
	Federal	\$	0
	County	\$755,000	

How Financed

Year Start:	-
YPU:	20
Bond:	\$717,250
Current Revenue:	\$37,750

Description: County Bridge Reconstruction/Rehabilitation: Rehabilitate county bridges including West Hill Road Bridge (Vestal); Glenwood Road Bridge (Vestal); Nanticoke Drive Bridge (Union); Jennings Creek Road Bridge (Lisle); Ballyhack Road Bridge (Fenton); Big Hollow Creek (Sanford) and other repairs as necessary.

Carried. Ayes-17, Nays-0, Absent-2 (Augustini, Harris).

RESOLUTION NO. 251

by Environment Committee

Seconded by Mr. Schofield

RESOLUTION ADOPTING THE FINAL SOLID WASTE MANAGEMENT PLAN FOR BROOME COUNTY AND ADOPTING A FINDINGS STATEMENT PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT.

WHEREAS, Broome County has entered into a contract with the New York State Department of Environmental Conservation for the development of an integrated Solid Waste Management Plan, and

WHEREAS, Broome County's intent is to develop a viable solution to its solid waste management needs by preparing the Plan in accordance with the provisions of ECL 27-0107, and

WHEREAS, Broome County intends to adopt a finding statement on the Solid Waste Management Plan in accordance with the State Environmental Quality Review Act, now, therefore, be it

RESOLVED, that Broome County hereby adopts the integrated Solid Waste

Management Plan prepared by Calocerinos and Spina, dated April 15, 1993 and entitled "Broome County Solid Waste Management Plan and Generic Environmental Impact Statement," which plan is on file with the Clerk of the Legislature, and will implement said solid waste management programs, projects and plans as identified in the recommendation of said plan as the local integrated solid waste management plan in effect for the County of Broome, and be it

FURTHER RESOLVED, that the County of Broome intends to provide the New York State Department of Environmental Conservation with reports every two years displaying compliance with the actions and schedules contained in the plan, and be it

FURTHER RESOLVED, that the County of Broome hereby intends to submit modifications to the plan to the New York State Department of Environmental Conservation for approval whenever there is a substantive deviation from the plan, and be it

FURTHER RESOLVED, that in connection with the Broome County Solid Waste Management Plan, this County Legislature adopts the SEQRA Statement of Findings and Decision attached hereto as Exhibit "A," and be it

FURTHER RESOLVED, that the Director of Solid Waste Management is hereby directed to retain copies of all required notices, Environmental Impact Statements, and the Statement of Findings and Decision annexed hereto in files which are readily available to the public, and be it

FURTHER RESOLVED, that the Director of Solid Waste Management is directed to file a copy of this Resolution, together with the Statement of Findings and Decision annexed hereto, with all involved agencies, pursuant to 6 NYCRR §617.10(i).

Mr. Brown Moved, seconded by Mrs. Wagstaff to **call the question.**

Failed. Ayes-9(Brown, Coffey, Howard, Hudak, Lindsey, Taylor, Wagstaff, Warner, Whalen & Shafer)

Nays-9(Burger, Harbachuk, Harris, Kavulich, Malley, Pasquale, Pazzaglini, Schofield & Whalen)

Absent-1 (Augostini)

Following additional debate, Mr. Warner Moved, seconded by Mr. Pasquale to **call the question.**

The call of the question **Carried.**

Ayes-15, Nays-0, Absent-4 (Augostini, Coffey, Taylor & Whalen)

The resolution as presented **carried** by the following:

Ayes-12(Coffey, Harbachuk, Harris, Howard, Kavulich, Lindsey, Malley, Pasquale,
Pazzaglini, Schofield, Wagstaff & Whalen)
Nays-5 (Brown, Burger, Hudak, Warner & Shafer)
Absent-1 (Augustini)

RESOLUTION NO. 252

by County Administration, Economic Development & Planning Committee
& the Hon. George Harbachuk Seconded by Mr. Malley

**RESOLUTION ADVISING STATE LEADERS AGAINST A POLICY OF
OPTIONAL INCOME TAXES FOR SCHOOL DISTRICTS**

WHEREAS, Governor Cuomo has recently suggested that the State consider enabling legislation that would allow school districts across the State to consider an income tax rather than a property tax as a primary source of revenue to fund school districts, and

WHEREAS, it is understood that Governor Cuomo is suggesting that this could be an elective option from one school district to another school district, and

WHEREAS, it is believed that to allow some school districts to decide to use income taxes to fund their school systems while other school districts decide to use property taxes to fund their school districts, it will create unnecessary competition between school districts, counties, and other political subdivisions within the State, and

WHEREAS, it is believed that a uniform system be implemented statewide, now, therefore, be it

RESOLVED, that this County Legislature does advise the Governor, as well as our respective State leaders, that this County does not oppose income taxes as a means to finance school districts but does oppose offering various school districts the election to use income taxes over property taxes, and be it

FURTHER RESOLVED, that the Clerk of the Legislature of the County of Broome is hereby authorized to forward a copy of this Resolution to Governor Mario M. Cuomo, State Senator Thomas W. Libous, State Assemblyman, Majority Leader, James R. Tallon, Jr., State Assemblyman, Richard H. Miller, New York State Association of Counties, and the New York State Supervisors & County Legislators Association.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 253

by Environment Committee
Seconded by Mr. Malley

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON
THE BROOME COUNTY SOIL AND WATER CONSERVATION DISTRICT**

WHEREAS, Arthur J. Shafer, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Resolution 27 adopted February 1, 1972, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Soil and Water Conservation District for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Chris W. Burger 110 Walters Road Whitney Point, New York 13862	December 31, 1994 (Replacing Louis Augustini)

James Malley 17 Third Street Deposit, New York 13754	December 31, 1994 (Replacing Roger Brown)
--	--

and

WHEREAS, it is desired at this time, in accordance with the provisions of Resolution 27 adopted February 1, 1972 to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 27 adopted February 1, 1972, does hereby confirm the appointments of the above-named individuals to membership on the Soil and Water Conservation District in accordance with their appointment by the Legislative Chairman, and be it

FURTHER RESOLVED, that the Clerk of this Legislative Body is hereby authorized and directed to file these appointments with Richard W. Clark, Secretary/Treasurer of the Broome County Soil and Water Conservation District, 840 Front St., Binghamton, NY 13905.

Carried. Ayes-18, Nays-0, Absent-1 (Augustini).

RESOLUTION NO. 254

by Finance Committee

Seconded by Mr. Pazzaglini

RESOLUTION ADVISING THE CONTRACT AGENCIES RECEIVING FUNDS FROM BROOME COUNTY OF REDUCED FUNDING IN FISCAL YEAR 1994

WHEREAS, Broome County has provided funding to several contract agencies involved in various fields of endeavors which benefit, aid or assist with the many needs of the broad spectrum of the Broome County Community, and

WHEREAS, these agencies which have received or will receive such financial assistance from Broome County include: Broome County Historical Society, Broome County Industrial Development Agency, Cooperative Extension Association,

Broome County Agricultural Society, Accord Center for Dispute Resolution, LIFT Program, Chamber of Commerce (Convention Bureau), Broome County Arts Council, Four County Library System, County Library Aid, Soil and Water Conservation District, PROBE, Southern Tier Zoological Society and Southern Tier East Regional Planning Board, Roberson Center for Arts and Sciences, Soil Conservation Service, Broome County Alcoholism Center, Broome County Council on Alcoholism, Association for Retarded Citizens, Family and Children Society, Handicapped Children Association, Mental Health Association, United Health Services, Associated Catholic Charities, Fairview Merrick House, YWCA Women's Alcohol Residence, Catholic Social Services, Spiedi Fest, Emerging Business Assistance Program, Vietnam Veterans of America, Discovery Center, Cider Mill Playhouse, Pops on the River, Resource Recovery Agency, and

WHEREAS, Federal and State budget problems and their impact on Local budgets will make 1994 a difficult budget year for Broome County, and

WHEREAS, these agencies need to be aware that County funding to these agencies may be reduced or eliminated in 1994, and

WHEREAS, the County wants to make the agencies aware of this fact as early as possible to provide them the opportunity to mitigate the impact of the reduced funding, now, therefore, be it

RESOLVED, that Broome County wishes to notify its contract agencies that due to Federal and State actions reducing aid to Counties their funding may be reduced or eliminated in 1994, and be it

FURTHER RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to forward a copy of this Resolution to each contract agency receiving funds from Broome County.

Heldover by Mr. Pasquale.

RESOLUTION NO. 255

by Finance and Public Works Committees

Seconded by Mr. Pazzaglini

RESOLUTION AMENDING THE 1993 CAPITAL IMPROVEMENT PROGRAM.

RESOLVED, that the 1993 Capital Improvement Program is hereby amended as follows:

FROM:

Estimated Construction Cost

Code: G-243

Project Name: Highway Reconstruction/Rehabilitation

Total:	\$1,000,000
State	\$0
Federal	\$0
County	\$1,000,000

How Financed

Year Start:	1993
YPU:	10
Bond:	\$1,000,000
Current Revenue:	\$0

Description: Rehabilitation pavement on Taft Avenue in Town of Union from Country Club Road to Hooper Road includes milling and recycling of existing pavement of an asphalt overlay. Reconstruct Bunn Hill Road at Sheedy Road in the Town of Vestal to eliminate a sharp substandard curve which will improve safety and capacity. Other repairs as needed.

TO:

Estimated Construction Cost

Code:	G-243
Project Name:	Highway Reconstruction/Rehabilitation
Total:	\$750,000
State	\$0
Federal	\$0
County	\$750,000

How Financed

Year Start:	1993
YPU:	10
Bond:	\$750,000
Current Revenue:	\$0

Description: Rehabilitate pavement on Taft Avenue (Town of Union) from Country Club to Hooper Road; Airport Road Phase III Shoulder paving (Town of Maine). Misc. Right-of-way costs - Hooper Road, Town of Union. Other repairs as needed.

Carried. Ayes-16, Nays-0, Absent-3 (Augostini, Coffey, Taylor).

RESOLUTION NO. 256

by Finance & Public Works Committees

Seconded by Mr. Warner

RESOLUTION AMENDING THE 1991 CAPITAL IMPROVEMENT PROGRAM.

RESOLVED, that the 1991 Capital Improvement Program is hereby amended as follows:

FROM:

Estimated Construction Cost

Code: G-24
Project Name: Highway Reconstruction/Rehabilitation
Total: \$1,800,000

State \$0
Federal \$0
County \$1,800,000

How Financed

Year Start: 1991
YPU: 15
Bond: \$1,710,000
Current Revenue: \$90,000

TO:

Estimated Construction Cost

Code: G-24
Project Name: Highway Reconstruction/Rehabilitation
Total: \$1,900,000
State \$0
Federal \$0
County \$1,900,000

How Financed

Year Start: 1991
YPU: 15
Bond: \$1,810,000
Current Revenue: \$90,000

Carried. Ayes-16, Nays-0, Absent-3 (Augostini, Pasquale, Taylor).

RESOLUTION NO. 257

by Finance and Public Works Committees

Seconded by Mr. Warner

BOND RESOLUTION DATED MAY 20, 1993.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$100,000 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY PART OF THE COST OF THE RECONSTRUCTION OF VARIOUS COUNTY ROADS AND HIGHWAYS IN AND FOR SAID COUNTY.

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

Section 1. To pay part of the cost of the reconstruction of various County roads

and highways (Project G-24), in and for the County of Broome, New York, there are hereby authorized to be issued an additional \$100,000 serial bonds of said County pursuant to the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid class of objects or purposes, as hereby authorized, is now determined to be \$1,900,000 and the plan for the financing thereof is as follows:

- a) By the issuance of \$1,710,000 serial bonds of said County heretofore authorized to be issued therefore pursuant to a bond resolution duly adopted by the County Legislature of said County on December 27, 1990:
- b) By the use of \$90,000 current funds of the County of Broome heretofore authorized:
- c) By the issuance of an additional \$100,000 serial bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is fifteen years, pursuant to subdivision 20 of paragraph a of Section 11.00 of the Local Finance Law, computed from April 25, 1991, the date of the first bond anticipation note issued therefore.

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 officer 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 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 1.103-18(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, or a summary hereof, shall be published in the Press & Sun Bulletin, which is the only newspaper having circulation in said County for such purpose, together with a notice to the Clerk of the Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried. Ayes-17, Nays-0, Absent-2 (Augustini & Taylor).

RESOLUTION NO. 258 by Transportation Committee Seconded by Mr. Warner
**RESOLUTION EXPRESSING SUPPORT FOR MAGNETIC LEVITATION
PASSENGER RAIL SERVICES.**

WHEREAS, Magnetic Levitation Technology has been proposed to upgrade future rail service in the United States, and

WHEREAS, Installation of a test track of this technology from Johnson City to Hornell, would place all the manufacturing capability to develop the system along the test track, thereby reducing research and development costs, and

WHEREAS, building and testing this system from Johnson City to Hornell would bring needed jobs to Broome County and help convert defense technology to civilian uses, and

WHEREAS, Broome County wishes to express its support for Magnetic Levitation Passenger Rail Service and for bringing the test track to Broome County, now therefore be it

RESOLVED, that this County Legislature expresses its support for the development of Magnetic Levitation Technology for Passenger Rail Services, and be it

FURTHER RESOLVED, that this Legislature supports the construction of a test track for this technology from Johnson City to Hornell, and be it

FURTHER RESOLVED, that this Legislature encourages its state and federal representatives to promote this technology and the installation of the test track from Johnson City to Hornell, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to Assemblyman Richard Miller, Assemblyman James Tallon, Senator Thomas Libous, Congressman Maurice Hinchey, Senator Alphonse D'Amato, Senator Daniel Moynihan, Governor Mario Cuomo and President Clinton.

Carried. Ayes-17, Nays-0, Absent-2 (Augustini & Taylor).

RESOLUTION NO. 259

by Public Works, Environment and Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING TWO AGREEMENTS WITH MRB GROUP, P.C., FOR THE DEPARTMENT OF PUBLIC WORKS FOR PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES FOR THE RENOVATION OF THE GEORGE HARVEY JUSTICE BUILDING

WHEREAS, the Department of Public Works requests legislative approval to enter into two agreements with MRB Group, P.C., for consultant architectural/engineering services for the renovation of the George Harvey Justice Building in order to comply with New York State Office of Court Administration standards, and

WHEREAS, one agreement would involve the preparation of an Environmental Impact Statement (EIS) and necessary preliminary design work required for the completion of the EIS at a cost not to exceed \$547,607, and

WHEREAS, the second agreement would involve final design and construction related services and would be executed after the completion of the State Environmental Quality Review (SEQR) process and adoption of a final renovation plan by the County Executive and this Legislature at a cost not to exceed \$1,052,393, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes two agreements with MRB Group, P.C., 2480 Browncroft Boulevard, Rochester, New York; (1) for the preparation of an Environmental Impact Statement (EIS), along with design and construction phase services for the renovation of the George Harvey Justice Building, at a cost not to exceed \$547,607 and (2) for final design and construction related services for the renovation of the George Harvey Justice Building at a cost not to exceed \$1,052,393, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 035121.4746.501223, 035121.4746. 501214, and

035121.4746.501252 (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.

Heldover by Mr. Brown.

Mr. Pasquale moved, seconded by Mr. Warner to adjourn at 5:50 p.m. **Carried.**