

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
MARCH 21, 1996**

The Legislature convened at 4:00 P.M. with a call to order by the Chair, Arthur J. Shafer. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll: Present-19

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

Mr. Miller moved, seconded by Mr. Kavulich that the minutes of the Regular Sessions of February 15, 1996 and February 29, 1996, be approved as prepared and presented by the Clerk. **Carried.**

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

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

PETITIONS: NONE

COMMUNICATIONS:

1.Minutes from:

- a.Cornell Cooperative Extension
- b.Association of Towns and Villages
- c.Willow Point Nursing Facility
- d.Soil and Water Conservation District
- e.Environmental Management Council
- f.EMC's Natural Resource Committee
- g.EMC Ad Hoc Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
- h.Industrial Development Agency (minutes and other various materials)

2.Employment contract (County of Broome and Local 2012).

3.Office of State Comptroller: Letter announcing meetings to be held in Broome County

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- (update on study of highway operations in Broome County); Application of Town Board (Town of Kirkwood, Extension No. 2, Consolidated Water District No. 1).
4. Town of Maine: Notice of Public Hearing, Town Hall, March 12, 1996, 7:00 p.m. (Local Law amending Town of Maine Zoning Ordinance-Mobile Homes); Resolution to Public Service Commission urging adoption of petition for rehearing filed October 16, 1995.
  5. Resignation letter from R. Dean Frost (New York State Forest Practice Board).
  6. Letter from Gregory A. Gates urging Broome County to consider creation of full-time positions for Commissioners of Election.
  7. Letter from John R. Bertoni, Town of Union Supervisor, offering Hooper Annex site to Broome County for new library.
  8. Copy of 1996 State of County message.
  9. Resolution from Town of Dickinson (Encouraging State Comptroller to act on the IBM Glendale site).
  0. Letter from Director of Solid Waste Management regarding Capital Project 1994 M-44 (Purchase of Recycling Facility).

NOTICES: NONE

REPORTS:

1. Broome Community College: Monthly Report (Above Minimum Hires, January 1996); Quarterly income statements.
2. 1995 Annual Reports:
  - a. Broome County Arts Council
  - b. General Services (Purchasing Division)
  - c. Board of Elections
  - d. ACCORD, A Center for Dispute Resolution, Inc.
  - e. Southern Tier Regional Career Center (Employment and Training)
  - f. Southern Tier East Regional Planning Development Board and Tier Information and Enterprise Resources, Inc.
  - g. Cornell Cooperative Extension

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chair, Arthur J. Shafer:

- 1.Appointing Patrick F. O'Day as voting representative for Louis P. Augostini, Public Works Committee, March 12, 1996 and Finance Committee, March 14, 1996.
- 2.Appointing Jane R. Sweet as voting representative for Patrick F. O'Day, Environment Committee, March 13, 1996.

PROCLAMATION OF THE LEGISLATURE REGARDING THE 85TH. ANNIVERSARY OF THE BROOME COUNTY FARM BUREAU.

A proclamation was presented by the Chair, Arthur J. Shafer and Legislator William H. Miller to William Olin, President of the Broome County Farm Bureau.

A companion proclamation from Assemblyman Dinga was also presented at this time.

Mr. Cahill moved, seconded by Mr. Pasquale, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1996 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried.**

Several resolutions were taken out of order, however, for the sake of clarity, all resolutions are presented in numerical order.

Mr. Schofield and Mr. Whalen were designated by the Chair as participants in the 'short roll call' for the session.

Mr. Cahill seconded the preferred agenda.

RESOLUTIONS TABLED AT PREVIOUS SESSION (February 15, 1996)

**RESOLUTION NO. 2**

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MULTIPLE PARKING SERVICES FOR THE DEPARTMENT OF MENTAL**

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**HEALTH FOR 1996.**

Mrs. Sweet moved, seconded by Mrs. Hudak to **table** the resolution.  
The tabling **carried**.

RESOLUTIONS INTRODUCED AT THIS SESSION

**RESOLUTION NO. 90**

by PUBLIC WORKS, PUBLIC SAFETY & EMERGENCY SERVICES and ENVIRONMENT COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION IN CONNECTION WITH THE BROOME COUNTY PUBLIC SAFETY COMPLEX, DECLARING THAT NO SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT IS NECESSARY BY REASON OF THE ACQUISITION OF PROPERTY OF R.G. INGERSOLL WAITE ON UPPER FRONT STREET, TOWN OF DICKINSON, FOR A REDESIGNED ENTRANCE.**

WHEREAS, this County Legislature, as lead agency, by Resolution 519 of 1992, adopted a Statement of Findings and Decision in connection with the Broome County Public Safety Complex, and

WHEREAS, the Commissioner of Public Works recommends the acquisition of the property of R.G. Ingersoll Waite on Upper Front Street in the Town of Dickinson (0.53 acres; Tax Map 1-6-3), which adjoins the site of the County-owned jail barracks, in order to use such property for a redesigned entrance to Broome Community College and the Public Safety Facility and other County facilities, and

WHEREAS, the Department of Public Works has advised this County Legislature that the acquisition of such additional parcel would have no significant adverse environmental impacts aside from matters covered in said Statement of Findings and Decision, now, therefore, be it

RESOLVED, that this County Legislature hereby determines, based on the foregoing, that a Supplemental Environmental Impact Statement is not necessary.

**Held over** under the 'Rules' by Mr. Cahill.

**RESOLUTION NO. 91**

by PUBLIC WORKS, PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION DECLARING THE ACQUISITION OF REAL PROPERTY OF R.G. INGERSOLL WAITE ON UPPER FRONT STREET, TOWN OF DICKINSON, TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF SAID 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 Commissioner of Public Works recommends the acquisition of the property of R.G. Ingersoll Waite on Upper Front Street in the Town of Dickinson (0.53 acres; Tax Map 1-6-3), which adjoins the site of the County-owned jail barracks, in order to use such property for a redesigned entrance to Broome Community College and the Public Safety Facility and other County facilities, and

WHEREAS, this County Legislature, by Resolution 519 of 1992, adopted a Statement of Findings and Decision in connection with the Broome County Public Safety Complex, and

WHEREAS, the Department of Public Works has determined that acquisition of such property is "de minimis" because there are no environmental impacts beyond those included in the Environmental Impact Statement for the Public Safety Facility Complex, and

WHEREAS, the Department of Public Works is requesting authorization from this Legislature to acquire said property by purchase or condemnation, and

WHEREAS, the Public Works Committee has reviewed such proposed acquisition 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 addition to the Public Safety Facility Complex of this one parcel consisting of only 0.53 acres from one

property owner, would have no substantial effect on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the acquisition of the property of R.G. Ingersoll Waite on Upper Front Street, Town of Dickinson (Tax Map 1-6-3) 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 said real property for the re-designed entrance to Broome Community College and the Public Safety Facility and other County facilities.

**Held over** under the 'Rules' by Mr. Cahill.

**RESOLUTION NO. 92**

by TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AGREEMENT WITH NEW YORK STATE ELECTRIC AND GAS CORPORATION FOR AN ELECTRIC PW PICK-UP TRUCK ON A MONTH-TO-MONTH BASIS FOR THE DEPARTMENT OF AVIATION AT BINGHAMTON REGIONAL AIRPORT.**

WHEREAS, the Department of Aviation requests authorization for an agreement with New York State Electric and Gas Corporation for use of an electric PW pick-up truck at Binghamton Regional Airport on a month-to-month basis at no cost to Broome County, and

WHEREAS, the Department of Aviation desires this agreement in order to allow Broome County to participate in New York State Electric and Gas Corporation's Electrical Vehicle Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with New York State Electric and Gas Corporation, 4500 Vestal Parkway East, P.O. Box 2607, Binghamton, New York, 13902-3607, for use of an electric powered PW pick-up truck at the Binghamton Regional Airport on a month-to-month basis at no cost to Broome County, and be it

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

**Carried.**

**RESOLUTION NO. 93**

by TRANSPORTATION, PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AGREEMENT WITH McFARLAND-JOHNSON, INC., FOR NORTH AND WEST APRON PAVEMENT REHABILITATION ARCHITECTURAL AND ENGINEERING SERVICES FOR THE BINGHAMTON REGIONAL AIRPORT.**

WHEREAS, the Department of Aviation requests authorization for an agreement with McFarland-Johnson, Inc., for architectural and engineering services in connection with the North and West Apron Pavement Rehabilitation Project at the Binghamton Regional Airport at a cost not to exceed \$37,844.00, which cost is expected to be reimbursed by a Federal Aviation Administration grant, and

WHEREAS, said services are necessary in order to procure a design for a pavement section and cost estimates, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., 171 Front Street, P.O. Box 1980, Binghamton, New York, 13902, for architectural and engineering services for the Binghamton Regional Airport North and West Apron Pavement Rehabilitation Project, provided a Federal Aviation Administration grant to cover the cost of this agreement is received, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay McFarland-Johnson, Inc., an amount not to exceed \$37,844.00, and be it

FURTHER RESOLVED, a copy of the project description and scope of work, along with the hourly fees, are more particularly described on the attached Schedule "A", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211011.4746.502256 (Architectural & Engineering Services), and be it

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

**Carried.**

**RESOLUTION NO. 94**

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF YOUTH EDUCATION SERVICES COMMUNITY ACTION PROJECT (YESCAP) GRANT FOR THE DRUG AWARENESS CENTER AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolutions 196 and 581 of 1995, authorized and approved the continued participation in the Youth Education Services Community Action Project (YESCAP) Grant for the Drug Awareness Center in Broome and Tioga Counties and adopted a program budget in the amount of \$144,800 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$144,800, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$144,800 from the New York State Division of Alcoholism for the Youth Education Services Community Action Project (YESCAP) Drug Prevention Program for the period April 1, 1996 through March 31, 1997, 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 \$144,800 for the period April 1, 1996 through March 31, 1997, and be it

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

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

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



**Carried.**

**RESOLUTION NO. 95**

by FINANCE and HEALTH SERVICES COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PETTY CASH FUND FOR WIC PROGRAM.**

WHEREAS, the Commissioner of Finance requests that this County Legislature establish a petty cash fund for Health Department's WIC Program, for use as a change fund, and

WHEREAS, the Commissioner of Finance has determined that such petty cash fund is warranted, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and authorizes the establishment of a petty cash fund in the amount of \$200.00 for the WIC Program, and further authorizes the Commissioner of Finance to transfer \$200.00 to said fund, and be it

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

Mr. Augostini moved, seconded by Mrs. Coffey to **call the question** on the resolution.

The call of the question **carried.**

The resolution **carried.**

**RESOLUTION NO. 96**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AGREEMENT WITH SUSAN LEPINOVA FOR PHYSICAL THERAPY SERVICES FOR THE HEALTH DEPARTMENT DIVISION OF CHILD DEVELOPMENT FOR 1996.**

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WHEREAS, the Health Department Division of Child Development requests authorization for an agreement with Susan Lepinoga for physical therapy services for the period April 1, 1996 through December 31, 1996, at a cost not to exceed the mandated state rates, and

WHEREAS, said services are necessary in order to have a physical therapist to serve northern Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Susan Lepinoga, 2110 N. Triphammer Road, Ithaca, New York, 14850, for physical therapy services for the Health Department Division of Child Development for the period April 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Susan Lepinoga at state mandated rates for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480202.4716.101000 (Home Based Services); 480202.4709.101000 (Center Based Services); and 480285.4706.101000 (Rehab. & Therapy Services), and be it

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

**Carried.**

**RESOLUTION NO. 97**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AGREEMENTS WITH NANCY CONNOR, MSW, AND HOLLY SENSENIG, MSW, FOR SOCIAL WORK SERVICES FOR THE HEALTH DEPARTMENT HOME HEALTH SERVICES DIVISION FOR 1996.**

WHEREAS, the Health Department Home Health Services Division requests authorization for an agreements with Nancy Connor, MSW, and Holly Sensenig, MSW, for social work services for 1996 at a cost not to exceed \$55.00 per visit, \$25.00 per hour case conference, total amount not to exceed legal appropriations for 1996, and

WHEREAS, said services are necessary to assist Broome County Health Department Home Health Services Division clients in coping with grief and loss, new diagnosis of terminal disease or medicaid and/or food stamp assistance application, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with Nancy Connor, MSW, 2607 Robins Street, Endwell, New York, 13760, and Holly Sensenig, MSW, 19 Beacon Street, Binghamton, New York, 13902-1725, for medical social work services for the Health Department Home Health Services Division for the period March 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Nancy Connor, MSW, and Holly Sensenig, MSW, \$55.00 per visit, \$25.00 per hour case conference, total amount not to exceed the budgeted amount, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480061.4706.101048 (Rehabilitation and Therapy Services) and 480004.4706.101048 (Rehabilitation and Therapy Services), and be it

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

**Carried.**

#### **RESOLUTION NO. 98**

by PERSONNEL and HEALTH SERVICES COMMITTEES

Seconded by Mr. Cahill

#### **RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR WILLOW POINT NURSING HOME.**

RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-284, this County Legislature hereby authorizes the **reclassification** of one (1) full-time Dietary Clerk position at budget line WC160119.1000, minimum salary \$14,788, Grade 07, Union Code 04 (CSEA) to one (1) full-time Clerk position at budget line WC160119.1000, minimum salary \$14,016, Grade 06, Union Code 04 (CSEA), effective February 1, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-288, this County Legislature hereby authorizes the

**reclassification** of one (1) full-time Dietary Clerk position at budget line WC160119.1000, minimum salary \$14,788, Grade 07, Union Code 04 (CSEA) to one (1) full-time Clerk position at budget line WC160119.1000, minimum salary \$14,016, Grade 06, Union Code 04 (CSEA), effective March 21, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-292, this County Legislature hereby authorizes the **creation** of one (1) full-time Custodial Worker position at budget line WC160143.1000, minimum salary \$13,360, Grade 06, Union Code 04 (CSEA), effective March 18, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-293, this County Legislature hereby authorizes the **creation** of one (1) part-time Custodial Worker (PT) position at budget line WC160143.1500, minimum salary \$6.7989/hr (\$13,360/annual), Grade 06, Union Code 08 (CSEA), effective March 18, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for the creation of the aforementioned positions, as requested by BT# 9888, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:				
160168	4604	204000	Security Chargeback	\$24,822
TO :				
160143	1000	204000	Salaries, Full-Time	\$13,360
160143	1500	204000	Salaries, Part-Time	\$ 4,453
160143	8030	204000	Social Security	\$ 1,363
160143	8060	204000	Health Insurance	\$ 4,245
160143	8040	204000	Workers Compensation	\$ 773
160143	8050	204000	Life Insurance	\$ 22

160143 8010

204000 State Retirement

\$ 606

**Held over** under the 'Rules' by Mr. Holley.

**RESOLUTION NO. 99**

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING REVISION OF HEALTH DEPARTMENT COMMUNITY TRAFFIC SAFETY PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 375 of 1995, authorized and approved the Health Department Community Traffic Safety Program and adopted a program budget in connection therewith in the amount of \$47,895.00 for the period October 1, 1995 through September 30, 1996, and

WHEREAS, said grant program supports local programs which reduce morbidity and mortality associated with traffic related accidents, and

WHEREAS, it is desired to revise said grant program for the amended period March 1, 1996 through February 28, 1997, in the amount of \$32,273.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$32,273.00 from the Governor's Traffic Safety Committee, NYS Department of Motor Vehicles for the Health Department Comprehensive Traffic Safety Program for the period March 1, 1996 through February 28, 1997, 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 \$32,273.00 for the period March 1, 1996 through February 28, 1997, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized

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

**Carried.**

**RESOLUTION NO. 100**

by PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING THE WAIVING OF CIVIL SERVICE EXAMINATION FEES FOR APPLICANTS CERTIFYING THEY ARE UNEMPLOYED AND PRIMARILY RESPONSIBLE FOR THE SUPPORT OF A HOUSEHOLD.**

WHEREAS, this County Legislature by Resolution 532 of 1989, established non-refundable application fees for civil service examinations, and

WHEREAS, this County Legislature by Resolution 81 of 1992, authorized a waiver of civil service examination fees for those applicants who are recipients of any Broome County of Social Services Assistance Program at the time of civil service examination application, and

WHEREAS, it is desired at this time to authorize the waiver of application fees for those applicants who certify to the Broome County Civil Service Commission that they are unemployed and primarily responsible for the support of a household, and

WHEREAS, waiving the aforementioned application fees will permit eligible persons to take civil service examinations in order to qualify for civil service positions which will help these persons become employable and/or employed, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes the waiving of application fees for civil service examinations for those candidates who certify to the Broome County Department of Personnel pursuant to Section 50 of the New York State Civil Service Law that they are unemployed and primarily responsible for the support of a household, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

**Carried.**

**RESOLUTION NO. 101**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING ACCEPTANCE OF EMERGENCY MANAGEMENT ASSISTANCE STATE AID FOR 1995 AND 1996.**

WHEREAS, Broome County submitted an application for Emergency Management Assistance funds for 1995 and 1996, and

WHEREAS, it is requested by the Director of Emergency Services that said state aid be accepted as authorized by New York State Emergency Management Office, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the Emergency Management Assistance funds authorized by New York State Emergency Management Office for the period October 1, 1995 through September 30, 1996, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 460006.0369.101000, and be it

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

**Carried.**

**RESOLUTION NO. 102**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MEAD DATA CENTRAL FOR LEXIS/NEXIS LEGAL RESEARCH SUBSCRIPTION FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 154 of 1995, authorized an agreement with Mead Data Central for subscription to Lexis/Nexis Legal Services for the period April 1, 1995 through March 31, 1996, and

WHEREAS, said services are necessary for efficient and prompt availability of legal materials including cases, statutes, regulation, and codes, and

WHEREAS, said agreement expires by its terms on March 31, 1996, and it is desired at

this time to renew said agreement for the period April 1, 1996 through March 31, 1997, on substantially similar terms and conditions, for a total amount not to exceed \$15,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Mead Data Central, PO Box 100176, Atlanta, Georgia, 30384, for subscription to Lexis/Nexis Legal Research for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 390005.4726.101000 (Contracted Data Processing), and be it

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

**Carried.**

**RESOLUTION NO. 103**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC., FOR THE OFFICE FOR AGING'S SOCIAL DAY CARE SERVICES FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 141 of 1995, authorized an agreement to provide adult social day care services for Ideal Senior Living Center, Inc. Long Term Home Health Care clients at the rate of \$31.00 per client for a full day of social day care, and

WHEREAS, said agreement expires by its terms on March 31, 1996, and it is desired at this time to renew said agreement for the period April 1, 1996 through March 31, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ideal Senior Living Center, Inc., 508 High Avenue, Endicott, New York,



13760, for social day care services to its Long Term Health Care Program clients for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County an amount not to exceed \$31.00 per client for a full day of social day care for the term of this agreement, and be it

FURTHER RESOLVED, that the revenues hereinabove authorized shall be credited to budget line 760XXX.0538.104XXX (Long Term Home Health Care Fees), and be it

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

**RESOLUTION NO. 104**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC., FOR COUNSELING SERVICES IN CONNECTION WITH THE OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY GRANT FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 142 of 1995, authorized an agreement with Family and Children's society of Broome County, Inc., for counseling services for the elderly at a cost not to exceed \$12,035 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, said agreement expires by its terms on March 31, 1996, and it is desired at this time to renew said agreement for the period April 1, 1996 through March 31, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York, 13902, for counseling services for the elderly in connection with Office for Aging's Community Services for the Elderly Grant for the period April 1, 1996 through March 31, 1997, and be it

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

the Contractor an amount not to exceed \$12,035 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760XXX.4457.104XXX (Subcontracted Program Expense), and be it

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

**RESOLUTION NO. 105**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE BINGHAMTON HOUSING AUTHORITY FOR HOMEMAKER SERVICES FOR THE ENRICHED LIVING PROGRAM THROUGH THE COMMUNITY SERVICES FOR THE ELDERLY GRANT FOR THE OFFICE FOR AGING FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 143 of 1995, authorized an agreement with the Binghamton Housing Authority for homemaker services for the Enriched Living Program through the Community Services for the Elderly Grant for the Office for Aging for the period April 1, 1995 through March 31, 1996, and

WHEREAS, said agreement expires by its terms on March 31, 1996, and it is desired at this time to renew said agreement for the period April 1, 1996 through March 31, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Binghamton Housing Authority for homemaker services for the Enriched Living Program through the Community Services for the Elderly Grant for the Office for Aging for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the Binghamton Housing Authority shall pay to the County an amount not to exceed \$9,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to revenue line 760XXX.0166.104XXX (Miscellaneous Contributions), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized

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

**Carried.**

**RESOLUTION NO. 106**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JEANNE STRACUZZI FOR CONSULTING SERVICES FOR THE OFFICE FOR AGING FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 135 of 1995, authorized an agreement with Jeanne Stracuzzi for consulting services for the Office for Aging for the period April 1, 1995 through March 31, 1996, at a cost of \$20.00 per hour, total not to exceed \$18,720, and

WHEREAS, said services are necessary for the Office for Aging's Nutrition Program and are 100% State reimbursed, and

WHEREAS, said agreement expires by its terms on March 31, 1996, and it is desired at this time to renew said agreement for the period April 1, 1996 through March 31, 1997, 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 Jeanne Stracuzzi, 93 Riley Road, Windsor, New York, 13865, for consulting services in connection with the Office for Aging's Nutrition Program, including review of menus, in-home counseling, and monitoring and assessment of the meal program for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$21.00 per hour, total cost not to exceed \$19,656 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760XXX.4741.104XXX (Dietary Services), and be it

FURTHER RESOLVED, that the County Executive or his duly authorized

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

**Carried.**

**RESOLUTION NO. 107**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE HARPURSVILLE VETERANS MEMORIAL CORPORATION (FORMERLY HARPURSVILLE AMERICAN LEGION) FOR LEASE OF SPACE FOR OFFICE FOR AGING'S EASTERN BROOME SENIOR CENTER FOR 1996 THROUGH 2001.**

WHEREAS, this County Legislature, by Resolution 122 of 1991, authorized an agreement with Harpursville Veterans Memorial Corporation (formerly Harpursville American Legion), for the lease of space for the Office for Aging's Eastern Broome Senior Citizen Center at a cost of \$350 per month, utilities and cleaners included, total amount not to exceed \$21,000 for the term of the agreement, and

WHEREAS, said agreement expires by its terms on May 15, 1996, and it is desired at this time to renew said agreement for the period May 15, 1996 through May 15, 2001, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Harpursville Veterans Memorial Corporation (formerly Harpursville American Legion), Box 223, Welton Street, Harpursville, New York, 13787, for the lease of space for the Office for Aging's Eastern Broome Senior Citizen Center for the period May 15, 1996 through May 15, 2001, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor rent an amount of \$350 per month, utilities and cleaners included, for a total amount not to exceed \$21,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760736.4422.104007 (Building and Land Rental), and be it

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

**Carried.**

**RESOLUTION NO. 108**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS PROVIDERS FOR PERSONAL CARE/HOMEMAKER SERVICES IN CONNECTION WITH THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR THE OFFICE FOR AGING FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 140 of 1995, authorized agreements with various contractors for the provision of personal care/homemaker services in connection with the Expanded In-Home Services for the Elderly Program (EISEP) for the Office for Aging for the period April 1, 1995 through March 31, 1996, at varying costs listed in Exhibit A, and

WHEREAS, said agreements expire by their terms on March 31, 1996, and it is desired at this time to renew said agreements for the period April 1, 1996 through March 31, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Homemakers of Broome County, Inc., d/b/a Caregivers, 33 West State St., Binghamton, NY 13901; Interim Healthcare Systems, 38 Front St., Binghamton, NY 13905; Olsten Kimberly Quality Care, Inc., (formerly U.H.H. Home Services Corp., d/b/a Kimberly Quality Care, Inc.), 41 Chenango St., Binghamton, NY 13901; Stafkings Healthcare Systems, P.O. Box 1015, Binghamton, NY 13902; and

Family and Children's Society, 257 Main St., Binghamton, NY 13905, for the period April 1, 1996 through March 31, 1997, as set out in Exhibit A attached hereto at the rates specified, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contract agencies an amount not to exceed the current budgeted amount in the subcontract expense line for the EISEP Program plus any client contributions, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760XXX.4457.104XXX (Subcontracted Program Expense), and be it

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

**Carried.**

**RESOLUTION NO. 109**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES  
Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 131 of 1995, authorized and approved the Expanded In-Home Services for the Elderly Program (EISEP) for the Office for Aging and adopted a program budget in the amount of \$460,189 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, said grant program provides expanded in-home services for older persons, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$461,189, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Office for Aging's participation in the Expanded In-Home Services for the Elderly Program (EISEP) for the period April 1, 1996 through March 31, 1997, 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 \$461,189 for the period April 1, 1996 through March 31, 1997, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 110**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES  
Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 134 of 1995, authorized the continued participation by the Office for Aging in the Supplemental Nutrition Assistance Program (SNAP) for the period April 1, 1995 through March 31, 1996, and adopted a program budget in connection therewith in the total amount of \$202,527, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Supplemental Nutrition Assistance Program (SNAP) for the period April 1, 1995

through March 31, 1996, in the total amount of \$199,016, 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 \$199,016 for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that Resolution 134 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 111**

by COMMUNITY & SOCIAL SERVICES PERSONNEL and FINANCE COMMITTEES  
Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 134 of 1995, and by companion resolution, authorized and approved the Supplemental Nutrition Assistance Program (SNAP) for the Office for Aging and adopted a program budget in the amount of \$199,016 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$200,099, now therefore, be it



RESOLVED, that this County Legislature hereby authorizes and approves the continuation of the Office for Aging's Supplemental Nutrition Assistance Program (SNAP) for the period April 1, 1996 through March 31, 1997, 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 \$200,099 for the period April 1, 1996 through March 31, 1997, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 112**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING CAREGIVER RESOURCE CENTER GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 132 of 1995, authorized the continued participation by the Office for Aging in the Caregiver Resource Center Grant for

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the period April 1, 1995 through March 31, 1996, and adopted a program budget in connection therewith in the total amount of \$20,000, and

WHEREAS, it is necessary at this time to revise said program to reflect modification of the grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Caregiver Resource Center Grant for the period April 1, 1995 through March 31, 1996, in the total amount of \$20,000, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$20,000 for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that Resolution 132 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 113**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING CAREGIVER RESOURCE CENTER GRANT AND ADOPTING A PROGRAM**

**BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 132 of 1995, and amended by companion resolution, authorized and approved the Office for Aging Caregiver Resource Center Grant and adopted a program budget in the amount of \$20,000 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, said grant program provides educational programs to family caregivers of impaired elderly in Broome County, including programs on personal care, community services, medical problems of aging and maintaining the mental health of the caregiver, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$20,000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from New York State Office for Aging for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$20,000 for the period April 1, 1996 through March 31, 1997, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 114**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING REVISION OF HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 418 of 1995, authorized the continued participation by the Office for Aging in the Home Energy Assistance Program (HEAP) Grant for the period October 1, 1995 through September 30, 1996, and adopted a program budget in connection therewith in the total amount of \$14,434.00, 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 Home Energy Assistance Program (HEAP) for the period October 1, 1995 through September 30, 1996, in the total amount of \$16,649.00, 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 \$16,649.00 for the period October 1, 1995 through September 30, 1996, and be it

FURTHER RESOLVED, that Resolution 418 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 115**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING REVISION OF CONGREGATE SERVICES INITIATIVE (CSI) PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 529 of 1995, authorized the continued participation by the Office for Aging in the Congregate Services Initiative (CSI) Program for the period April 1, 1995 through March 31, 1996, and adopted a program budget in connection therewith in the total amount of \$3,335.00, 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 Congregate Services Initiative (CSI) for the period April 1, 1995 through March 31, 1996, in the total amount of \$3,443.00, 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 \$3,443.00 for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that Resolution 529 of 1995, 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.

Mr. Augostini moved, seconded by Mr. Whalen to **call the question** on the resolution.

The call of the question **carried**.

The resolution **carried.**

**RESOLUTION NO. 116**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING COMMUNITY SERVICES FOR THE ELDERLY GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 130 of 1995 authorized and approved the Office for Aging Community Services for the Elderly Grant and adopted a program budget in the amount of \$322,945 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$298,904, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continuation of the Office for Aging Community Services for the Elderly Grant for the period April 1, 1996 through March 31, 1997, 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 \$298,904 for the period April 1, 1996 through March 31, 1997, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 117**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH PENNSYLVANIA INSTITUTIONAL HEALTH SERVICES, INC., (P.I.H.S.) FOR PROFESSIONAL HEALTH SERVICES FOR THE BROOME COUNTY JAILS FOR THE BROOME COUNTY SHERIFF FOR AUG. 1, 1995 THROUGH JULY 31, 1996.**

WHEREAS, this County Legislature, by Resolution 328 of 1995, authorized an agreement with Pennsylvania Health Services, Inc., (P.I.H.S.), for professional health services for the Broome County Jails, at a cost of \$627,480.00, and

WHEREAS, it is necessary to authorize an amendment of said agreement for the purpose of clarifying responsibility for providing mental health related pharmaceuticals and the audit requirements for such expense at no additional cost to Broome County, and

WHEREAS, the Broome County Sheriff has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Pennsylvania Health Services, Inc., (P.I.H.S.), for professional health services for the Broome County Jails for the period August 1, 1995 through July 31, 1996, 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 Resolution 328 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.**

**RESOLUTION NO. 118**

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by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING REVISION OF INTENSIVE SUPERVISION PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 114 of 1995, authorized the continued participation by the Probation Department in the Intensive Supervision Grant Program for the period April 1, 1995 through March 31, 1996, and adopted a program budget in connection therewith in the total amount of \$151,544, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Intensive Supervision Grant Program for the Probation Department for the period April 1, 1995 through March 31, 1996, in the total amount of \$151,544, 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 \$151,544 for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that Resolution 114 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.**



**RESOLUTION NO. 119**

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF INTENSIVE SUPERVISION PROGRAM GRANT FOR THE PROBATION DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 114 of 1995, and amended by companion resolution, authorized and approved the continued participation by the Probation Department in the Intensive Supervision Grant Program for the period April 1, 1995 through March 31, 1996 and adopted a program budget in the amount of \$151,544, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$166,037, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$147,754 from the New York State Department of Probation and Correctional Alternatives for the period April 1, 1996 through March 31, 1997, 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 \$166,037 for the period April 1, 1996 through March 31, 1997, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 120**

by FINANCE COMMITTEE

Seconded by Mr. Cahill

**RESOLUTION APPROVING SALE OF 1992 IN REM FORECLOSURE PROPERTIES TO FORMER OWNERS**

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of the completion of proceedings and foreclosure in rem for year 1996, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Services advises that the former owners of certain properties have requested to have the properties sold back to them, and the Director and your sponsoring committee recommend that such requests be granted based on the unusual circumstances of each such case as reviewed and approved by your sponsoring committee, now, therefore, be it

RESOLVED, that the sale back to the former owners of the parcels listed below for the amounts as stated is hereby approved by this County Legislature based on the unusual circumstances of each such case, as determined by your sponsoring committee as well as the undue hardship to the former owners that the failure to approve such sales would cause:

<u>TOWN</u>	<u>TAX MAP #</u>	<u>FORMER OWNER</u>	<u>SALE AMOUNT</u>
Union	1-K12-0-20	Ruth Hewitt	\$ 8,488.92
Union	1-H12-L-22	Edwin & Rita Talkiewicz	\$10,245.00
Chenango	6-8-14X	Conrad & Bettina Hummel	\$16,759.93
Windsor	15-4-B-127	Carl, Jr. & Marie Heeman	\$ 4,718.83
Sanford	3-19 & 10-2-19	Arthur Schambach	\$ 9,371.56
Chenango	5-8-34-S4X	James A & Ann Bezek	Bankruptcy

and, be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the former owners in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

**Carried.**

**RESOLUTION NO. 121**

by FINANCE COMMITTEE

Seconded by Mr. Cahill

**RESOLUTION ESTABLISHING TAX MAP COSTS FOR THE DEPARTMENT OF REAL PROPERTY TAX SERVICE.**

WHEREAS, the Department of Real Property Tax Service requests this Legislature to establish map costs for various maps available to the public through their department, now, therefore, be it

RESOLVED, that this County Legislature hereby establishes the following costs to the public for the various maps for the Department of Real Property Tax Service:

Digital Map.....\$ 5.00

Digital Map with Planimetrics.....\$ 7.50

Digital Sketch.....\$ 3.00

and be it

FURTHER RESOLVED, that all payments received shall be credited to budget line 630004.0209.101000 (Minor Sales, Tax Maps), and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

**Carried.**

**RESOLUTION NO. 122**

by EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING THE WAIVER OF FEES AT COLE PARK FOR 1996 ANNUAL BROOME COUNTY EMPLOYEES PICNIC.**

WHEREAS, this County Legislature by Local Law No. 6 of 1983, established certain fees and charges for the use of Broome County parks and facilities, and

WHEREAS, said fee schedule includes charges for shelter rentals at Cole Park, and

WHEREAS, it has been proposed that the annual picnic for Broome County employees

be held at Cole Park on Sunday, September 8, 1996, and

WHEREAS, the Broome County Executive and this Legislature desire to waive the shelter rental fees, now, therefore, be it

RESOLVED, that this County Legislature hereby waives the shelter rental fees for the 1996 annual picnic to be held September 8, 1996, at Cole Park, and be it

FURTHER RESOLVED, that the Commissioner of Finance and the Comptroller of Broome County are hereby authorized to make such budgetary adjustments as may be necessary to effectuate 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 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. Cahill to call the question on the resolution.

The call of the question **carried**.

The resolution **carried**.

**RESOLUTION NO. 123**

by FINANCE, PUBLIC WORKS and HEALTH SERVICES COMMITTEES

Seconded by Mr. Wike

**RESOLUTION AMENDING THE 1993 AND 1996 CAPITAL IMPROVEMENT PROGRAM.**

WHEREAS, the Broome County Legislature by Resolution 524 of 1992 approved the 1993 Capital Budget, including Project W-52A Replace Dish Machine/Renovation of Dietary Area, and

WHEREAS, the Nursing Home Administrator has requested an amendment to Project W-52A Replace Dish Machine/Renovation of Dietary Area to fund increased costs and complete needed renovations not included in the original plan, and

WHEREAS, the Nursing Home Administrator has requested that the increased funding is to be provided by amending the 1996 Capital Improvement Program by deleting Project W-56 WPNH-WALK-IN COOLER, and requesting said project in 1997, now, therefore be

it

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

**FROM:**

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS Code</u>	<u>Year Start</u>	<u>Period Probable Use</u>	
W-52A	Replace Dish Machine/Renovate	502227	1993		5

<u>Project Total Cost</u>	<u>Distribution of Costs:</u>		<u>County Sources:</u>		
	<u>State</u>	<u>Federal/Other</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$100,000	\$0	\$0	\$100,000	\$0	\$100,000

Description: Renovations as necessary to replace aging (15 years) dish washing machine. Will be completed within the fiscal period; will result in reduced manpower costs in the following fiscal period.

**TO:**

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS Code</u>	<u>Year Start</u>	<u>Period Probable Use</u>	
W-52A	Replace Dish Machine/Renovate	502227	1993		5

<u>Project Total Cost</u>	<u>Distribution of Costs:</u>		<u>County Sources:</u>		
	<u>State</u>	<u>Federal/Other</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>

\$162,500      \$0                      \$0                      \$162,500                      \$0                      \$162,500

Description: No Change

FURTHER RESOLVED, that the 1996 Capital Improvement Program is hereby amended as follows:

**DELETE:**

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS Code</u>	<u>Year Start</u>	<u>Period Probable Use</u>	
W-56	WPNH-Walk-In Cooler		502273	1996	5

<u>Project Total Cost</u>	<u>Distribution of Costs:</u>		<u>County Sources:</u>		
	<u>State</u>	<u>Federal/Other</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$62,500	\$0	\$0	\$ 62,500	\$0	\$ 62,500

Description: Install an additional walk-in cooler in the main kitchen to provide storage adequate for a three-day delivery. Complete within fiscal period with no stated impact on operating budget. In-house design.

**Carried.**

**RESOLUTION NO. 124**  
by FINANCE COMMITTEE

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH OUR LADY OF LOURDES HOSPITAL FOR PULMONARY FUNCTION TESTING FOR VOLUNTEER FIREFIGHTERS AND OTHER EMPLOYEES FOR THE OFFICE OF RISK AND INSURANCE FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 155 of 1995, authorized an agreement with Our Lady of Lourdes Hospital for pulmonary function screening for Broome County volunteer firefighters and other employees referred by the Employee Health Clinic of the Department of Health at a cost of \$5,000, and

WHEREAS, said agreement expires by its terms on February 29, 1996, and it is desired at this time to renew said agreement for the period March 1, 1996 through February 28, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Our Lady of Lourdes Hospital, 169 Riverside Drive, Binghamton, New York, 13905, for pulmonary function testing for Broome County volunteer firefighters and other employees referred by the Employee Health Clinic of the Department Health for the period March 1, 1996 through February 28, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$23.00 per person, total cost not to exceed \$5,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050013.4701.602000 (Medical & Physical Exams), and be it

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

**Carried.**

**RESOLUTION NO. 125**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AGREEMENT WITH THE UNITED STATES MARSHALS SERVICE FOR HOUSING FEDERAL PRISONERS FOR BROOME COUNTY SHERIFF FOR NOVEMBER 1, 1995 TO OCTOBER 31, 1997.**

WHEREAS, the Broome County Sheriff requests authorization for an agreement with the United States Marshals Service for housing federal prisoners for the period November 1, 1995 to October 31, 1997, and

WHEREAS, said agreement is necessary to provide for the terms, conditions and rate of reimbursement to be paid to the Broome County Sheriff for such services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the United States Marshals Service, Procurement Division, IGA Section, 600 Army Navy Drive, Arlington, Virginia, 22202-4210, for housing adult male and female federal prisoners, including guard services, for the period November 1, 1995 to October 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall be reimbursed at the rate of \$70.00 per diem per inmate for such housing and at the rate of \$16.00 per hour for guard services in accordance with such agreement for the first twelve months thereof, and be it

FURTHER RESOLVED, that the revenues hereinabove specified shall be credited to budget line 450023.0181.101000 (Jail Facilities/other Governments), and be it

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

**Carried.**

**RESOLUTION NO. 126**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AGREEMENT WITH SCREENED IMAGES, INC., FOR INMATE ORIENTATION VIDEO FOR BROOME COUNTY SHERIFF FOR 1996.**

WHEREAS, the Broome County Sheriff requests authorization for an agreement with



Screened Images, Inc., for inmate orientation video for 1996, at a cost not to exceed \$4,900.00, and

WHEREAS, said services are necessary to provide for inmate orientation to the Broome County Public Safety Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Screened Images, Inc., 48 Cliffside Drive, Plymouth, MA 02360, for inmate orientation video, for calendar year 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,900.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035113.4747.501234 (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.**

**RESOLUTION NO. 127**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING REVISION OF CHILD CARE AND DEVELOPMENT BLOCK (CCDBG) GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 400 of 1995, authorized the continued participation by the Department of Social Services in the Child Care and Development Block Grant (CCDBG) for the period October 1, 1995 through September 30, 1996, and adopted a program budget in connection therewith in the total amount of \$287,060.00, 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 Child Care and Development Block Grant (CCDBG) for the period October 1, 1995 through

September 30, 1996, in the total amount of \$310,027.00, 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 \$310,027.00 for the period October 1, 1995 through September 30, 1996, and be it

FURTHER RESOLVED, that Resolution 400 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 128**

by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT BY THE STATE FOR EMERGENCY AND PERMANENT REPAIRS AT VARIOUS LOCATIONS UNDER THE EMERGENCY RELIEF PROGRAM OF THE FEDERAL HIGHWAY ADMINISTRATION FOR 1996 THROUGH 1999.**

WHEREAS, the Superintendent of Highways requests authorization for an agreement with New York State Department of Transportation for reimbursement for emergency and permanent repairs at various locations under the Emergency Relief Program of the Federal Highway Administration for the period January 18, 1996, to January 18, 1999, and

WHEREAS, such reimbursement is for repairs necessitated by the flooding in January 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement between the

County of Broome, acting on behalf of the Superintendent of Highways, and the New York State Department of Transportation, for reimbursement by the State for emergency and permanent repairs at various locations under the Emergency Relief Program of the Federal Highway Administration, as is more particularly described in a certain proposed agreement, a copy of which is on file with the Clerk of the Legislature, for the period January 18, 1996, to January 18, 1999, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 080010.0604.301000 (Other Federal Aid), and be it

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

**Carried.**

**RESOLUTION NO. 129**

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PETTY CASH FUND FOR THE DIVISION OF SOLID WASTE HOUSEHOLD HAZARDOUS WASTE FACILITY.**

WHEREAS, the Division of Solid Waste requests that this County Legislature establish a petty cash fund for the Household Hazardous Waste Facility, for use as a change fund, and

WHEREAS, the Commissioner of Finance has determined that such petty cash fund is warranted, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and authorizes the establishment of a petty cash fund in the amount of \$100.00 for the Division of Solid Waste Household Hazardous Waste Facility, and further authorizes the Commissioner of Finance to transfer \$100.00 to said fund, and be it

FURTHER RESOLVED, that the administration of said funds shall be in accordance with those rules and procedures governing the use of petty cash funds created by the County Comptroller including, but not limited to, the requirement that at all times the petty cash

allowance be fully accounted for in the form of cash on hand, receipts and records.

Mr. Schofield moved, seconded by Mr. Pasquale to call the question on the resolution.  
The call of the question **carried**. The resolution **carried**.

**RESOLUTION NO. 130**

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INC., FOR ENVIRONMENTAL MONITORING SERVICES AT NANTICOKE SANITARY LANDFILL AND COLESVILLE LANDFILL FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 108 of 1993, authorized an agreement with Buck Environmental Laboratories, Inc., for water monitoring and testing for the Nanticoke Sanitary Landfill and the Colesville Landfill for the period March 1993 through February 1996, at a cost of \$100,000.00, and

WHEREAS, said services are necessary to monitor and test the water at the Nanticoke Sanitary Landfill and the Colesville Landfill per the New York State Department of Environmental Conservation permit requirements, and

WHEREAS, said agreement expires by its terms on February 29, 1996, and it is desired at this time to renew said agreement for the period March 1, 1996 through February 28, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Buck Environmental Laboratories, Inc., P.O. Box 5150, Cortland, New York, 13045, for water monitoring and testing for the period March 1, 1996 through February 28, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total amount not to exceed \$100,000.00, for the term of this agreement, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized

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

**Carried.**

**RESOLUTION NO. 131**

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH GERAGHTY AND MILLER FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE COLESVILLE LANDFILL REMEDIATION.**

WHEREAS, this County Legislature, by Resolution 308 of 1995, authorized an agreement with Geraghty and Miller for professional engineering services associated with the Colesville Landfill Remediation, at a cost not to exceed \$86,725.00 (County's share \$43,362.50), and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the costs thereof to reflect additional efforts necessary to answer concerns raised by the EPA and DEC in regards to the submitted Focused Feasibility Study, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Geraghty and Miller, 125 East Bethpage Road, Plainview, New York, 11803, for professional engineering services associated with the Colesville Landfill Remediation, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$67,458.00, (total amount not to exceed \$110,820.00), with GAF Corporation paying an equal share for a total contract amount of \$221,640.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.501262 (Contracted Services), and be it

FURTHER RESOLVED, that Resolution 308 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

and purpose of this Resolution.

**Carried.**

**RESOLUTION NO. 132**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION IN SUPPORT OF FARM PROPERTY TAX REFORM**

WHEREAS, New York farmers pay the highest tax per acre when compared to all agricultural states with the average tax per acre in New York State at \$23.00 and the national average at \$6.50, and

WHEREAS, the average property taxes in New York State paid per acre by all farmland owners increased by 44 percent between 1987 and 1992, and

WHEREAS, farm property taxes represent 40 percent of the average net farm income, which exemplifies the inequity that the current property tax system is placing on farmers, and

WHEREAS, the farmers in New York are trying to compete in a national market where the property tax burden is substantially less, and

WHEREAS, farm product prices have been stagnant for the last 15 years, while property taxes have steadily increased, and

WHEREAS, agriculture is the largest industry in New York State, generating over three billion dollars (\$3,000,000,000+) in sales each year, and

WHEREAS, property tax relief would have a positive impact on the rural economy and the profitability of New York farms, now therefore be it

RESOLVED, that the Broome County Legislature supports a refundable income tax credit to effectively offset a portion of the real property tax burden, and be it

FURTHER RESOLVED, that the County Legislature of the County of Broome calls upon the Governor, George Pataki, the Majority Leader of the NYS Senate, Joseph Bruno, and the Speaker of the NYS Assembly, Sheldon Silver and the Broome County delegation to the NYS Legislature, Senator Thomas Libous, Member of the Assembly, Jay Dinga and Member of the Assembly, Robert Warner to enact legislation that will establish this tax credit program which will aid the agricultural industry without harm to local school

districts, and be it

FURTHER RESOLVED, that the Clerk of the County Legislature is authorized and directed to send a certified copy of this resolution to the Governor, George Pataki, the Majority Leader of the NYS Senate, Joseph Bruno, the Speaker of the NYS Assembly, Sheldon Silver and the Broome County delegation to the NYS Legislature, Senator Thomas Libous, Member of the Assembly, Jay Dinga and Member of the Assembly, Robert Warner with a request to enact legislation that will establish this tax credit program.

**Carried.**

**RESOLUTION NO. 133**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH AMERICAN HEALTH CARE SOFTWARE ENTERPRISES, INC., FOR SOFTWARE MAINTENANCE/SUPPORT FOR WILLOW POINT NURSING FACILITY FOR 1996.**

WHEREAS, this County Legislature, by Resolution 499 of 1995, authorized an agreement with American Health Care Software Enterprises, Inc., for software and software maintenance/support at the Willow Point Nursing Facility, at a cost of \$1,000.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to include additional software required for assessment quarterly reviews, and

WHEREAS, the Director of the Willow Point Nursing Facility has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with American Health Care Software Enterprises, Inc., 150 South Champlain Street, P.O. Box 1110, Burlington, Vermont, 05402 for software maintenance/support at the Willow Point Nursing Facility, for the period January 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said software, the County shall pay the Contractor \$1,000.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160028.2851.204000 (Software), and be it

FURTHER RESOLVED, that Resolution 499 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Mr. Wike moved, seconded by Mr. Howard to call the question on the resolution.

The call of the question **carried**. The resolution **carried**.

**RESOLUTION NO. 134**

by FINANCE COMMITTEE

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY TO TERI K. NORTH AND MILDRED MILLIGAN.**

WHEREAS, this County Legislature, by Local Law No. 9, 1986, authorized the sale of county property by means other than as authorized by County Law §215 (to the highest bidder after public advertisement), with the approval of the County Legislature, and

WHEREAS, Broome County acquired by in rem foreclosure proceeding a parcel of real property known as Tax Map No. 10-24-S1 located in the Town of Maine which is not required for public use, and

WHEREAS, the Department of Real Property Tax Services requests this County Legislature authorize the sale of this parcel to Teri K. North and Mildred Milligan with revenue to Broome County of \$12,000.00, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes the sale of a parcel of real property located in the Town of Maine, known as Tax Map No. 10-24-S1, to Teri K. North and Mildred Milligan for \$12,000.00, and be it

FURTHER RESOLVED, the revenue received pursuant to this sale shall be credited to budget line 630004.0212.101000 (Sales of Real Property), and be it

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



and purpose of this Resolution.

**Carried.**

**RESOLUTION NO. 135**

by FINANCE COMMITTEE

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH COOPERS & LYBRAND, L.L.P. FOR CONSULTING SERVICES FOR THE BROOME COUNTY HEALTH CARE PLAN FOR 1996 AND 1997.**

WHEREAS, this County Legislature, by Resolution 84 of 1995, authorized an agreement with Coopers & Lybrand L.L.P. for Broome County Health Care Plan consulting services at a cost of \$21,500.00, and

WHEREAS, said agreement expires by its terms on March 31, 1996, and it is desired at this time to renew said agreement for the period April 1, 1996 through March 31, 1997, at an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Coopers & Lybrand L.L.P., One Lincoln Center, Syracuse, New York, 13202 for Broome County Health Care Plan consulting services for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$22,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050047.4724.601000 (Actuarial Consultants), and be it

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

**Carried.**

**RESOLUTION NO. 136**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and ENVIRONMENT COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION URGING THE PUBLIC SERVICE COMMISSION TO HAVE A REHEARING ON THE NEED FOR A PROPOSED NEW YORK STATE ELECTRIC & GAS CORPORATION GAS PIPELINE.**

WHEREAS, New York State Electric & Gas Corporation (NYSEG) on March 14, 1995, filed an application for a Certificate of Environmental compatibility and Public Need for the Seneca Lake Storage Project and Gas Transmission Facilities, and

WHEREAS, the prime route for the east of the transmission facilities passes through Broome County for 8.4 miles, and

WHEREAS, on February 21, 1995, NYSEG mailed a notice to those parties it identified as interested in the project stating that "the proposal will be subject to extensive analysis and a series of public hearings" and "after the hearings are concluded, the PSC will decide whether the proposed facilities should be built...", and

WHEREAS, NYSEG filed a motion on March 14, 1995, to bifurcate the required PSC review of the project into two phases, Phase 1 of which would address the Salt Cavern Storage Facility, the west pipeline routing, and the "public need" for the project, with Phase 2 addressing the routing of the gas line from the Town of Ithaca through the Town of Maine to the Town of Union in Broome County, and

WHEREAS, Administrative Law Judge Jeffrey E. Stockholm approved the "unopposed" motion to bifurcate the proceedings on May 8, 1995, and

WHEREAS, the Article 7 review process is the only opportunity for citizen input into utility proposals since, once need has been established, property can be taken by eminent domain, and

WHEREAS, the public statement hearings on the project were August 2 through August 4, 1995, after the issue of public need had been closed, so that Broome County residents had no opportunity to testify on this issue, and

WHEREAS, Chapter 272 of the laws of the State of New York, 1970, creating the Article VII review process for such transmission facilities sets forth in Section 1 of this chapter the legislative intent as follows: "the legislature therefore hereby declares that it shall be the purpose of this act to provide a forum for the expeditious resolution of all matters concerning the location of...gas transmission facilities...in a single proceeding to

which access will be open to citizens groups, municipalities, and other public agencies to enable them to participate in these decisions.", and

WHEREAS, Broome County believes that its residents have been denied their due process rights pursuant to Article VII of the Public Service Law, now, therefore, be it

RESOLVED, that Broome County strongly urges the Public Service Commission to approve the petition for rehearing on the issue of public need so that interested residents of Broome County may have an opportunity to provide relevant testimony, and be it

FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to John F. O'Mara, Chairman of the Public Service Commission.

Mr. Shafer requested permission for a representative of the Broome County Board of Realtors, Inc. to address the Legislature with regard to the resolution. Permission was **granted** by the following vote:

Ayes-13 Burger, Holley, Howard, Hull, Kavulich, Lindsey, Miller, Pasquale, Schofield, Sweet, Whalen, Wike & Shafer

Nays-5 Augostini, Cahill, Coffey, Hudak & Mather

Absent-1 O'Day

Lois Andrascik, Chairperson of the Legislative Committee of the Broome County Board of Realtors, Inc. read a letter to the Legislature concerning the resolution. The Legislature was asked, "...to reject the proposed resolution... ...and support this project to provide a much needed energy resource for our region..."

Mr. Cahill requested permission for Mr. Peter Supa to address the Legislature with regard to the resolution. Permission was **granted** by the following vote:

Ayes-11 Burger, Cahill, Holley, Hull, Kavulich, Pasquale, Schofield, Sweet, Whalen, Wike & Shafer

Nays-8 Augostini, Coffey, Howard, Hudak, Lindsey, Mather, Miller & O'Day

Mr. Peter Supa, a landowner from the Town of Maine spoke briefly concerning his support for the resolution. He concluded his remarks by saying that, ..."When we all stood and faced that flag, the last statement we made was for 'Liberty and Justice for all.' I'm asking you to give us the opportunity of justice to have our voices heard."

Mr. Cahill requested permission for a representative from New York State Electric & Gas

Corporation to address the Legislature with regard to the resolution.

Permission was **granted** by the following vote:

Ayes-13 Burger, Cahill, Holley, Howard, Hull, Kavulich, Miller, Pasquale, Schofield,  
Sweet, Whalen, Wike & Shafer

Nays-5 Augostini, Coffey, Hudak, Mather & O'Day

Absent-1 Lindsey

Mr. Mike German with NYSEG spoke concerning his opposition to the resolution and support for the project. He cited the addition of 500 new customers per year as a driving force behind the need for this project. He indicated that, ..."If we do not get the Seneca Lake Storage Project, and most specifically the pipeline connecting Ithaca to Binghamton, this year, we will have to sharply curtail or eliminate new hookups as early as this Winter." Ten million dollars in contracts have already been awarded to NYS contractors and another fifteen million will be awarded in the future. He acknowledged problems with the Legal Notice of one of the hearings in the Binghamton Press & Sun-Bulletin but indicated that that was the only paper with an error in the date of a hearing. He summarized the public outreach efforts to date. He asked the Legislature to send a resolution in support of the project to the Public Service Commission.

The resolution was **held over** under the 'Rules' by Mr. Pasquale.

**RESOLUTION NO. 137**

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING REVISION OF A NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) GRANT FOR THE DIVISION OF SOLID WASTE MANAGEMENT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolutions 183 of 1994, and 331 of 1995, authorized the acceptance of a grant from the New York State Energy Research and Development Authority for the Division of Solid Waste Management for the period 1994 through 1996 and adopted a program budget in connection therewith in the total amount of \$124,960.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the New York State Energy Research and Development Grant for the Division of Solid Waste Management for the period 1994 through 1997 in the total amount of \$178,722.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised grant budget annexed hereto as Exhibit "A" in the total amount of \$178,722.00 for the period 1994 through 1997, and be it

FURTHER RESOLVED, that Resolutions 183 of 1994 and 331 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 138**

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH SUNY OSWEGO FOR SERVICES IN CONNECTION WITH THE LEACHATE RECIRCULATION STUDY AT THE NANTICOKE LANDFILL AND IS FUNDED BY THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) FOR 1994 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolution 184 of 1994, authorized an agreement with SUNY Oswego for services to assist in the Leachate Recirculation Study at the Nanticoke Landfill for the period June 1, 1994 through March 31, 1996, at a cost not to

exceed \$120,695.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term thereof and increase the contract amount to complete the Leachate Recirculation Study and submit the necessary reports, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with SUNY Oswego, Research Center, Oswego, New York, 13126, for services in connection with the Leachate Recirculation Study at the Nanticoke Landfill for the period June 1, 1994 through October 30, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$178,722.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230136.4545.216002 (Contracted Services), and be it

FURTHER RESOLVED, that Resolution 184 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.**

**RESOLUTION NO. 139**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING HIRING OF COUNSEL WITH RESPECT TO PENDING LITIGATION.**

WHEREAS, there is litigation pending against the County in which this Legislature is also a named party, and

WHEREAS, this Legislature has requested that separate counsel be retained to review and advise this Legislature with regard to the merits of this litigation, and

WHEREAS, the County Attorney concurs in this request, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Pearis, Resseguie, Kline, Barber & Lebous, 1001 Press Building, Binghamton, New York, 13901, to review and advise this legislative body with respect to the merits of pending litigation in which this Legislature is a named party, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor \$125.00 per hour for out-of-court time and \$160.00 per hour for in-court time for Ferris Lebous; \$150.00 per hour for out-of-court time and \$175.00 per hour for in-court time for Stuart Pearis and Herbert Kline; \$95.00 per hour for out-of-court time and \$120.00 per for in-court time for associates; \$75.00 per hour for paralegals; and \$35.00 per hour for secretarial time; plus reasonable and necessary costs and disbursements, total amount not to exceed \$5,000.00, and be it

FURTHER RESOLVED, that a contract, approved as to form by the County Attorney, and executed by the Chairman of the Legislature is hereby authorized for said employment, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 390005.4736.101000 (Legal Charges and Fees), except to the extent payments would not be authorized pursuant to Public Officers Law §18, and be it

FURTHER RESOLVED, that the contract will be effective February 23, 1996.

**Carried.**

**RESOLUTION NO. 140**

by FINANCE COMMITTEE

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING AGREEMENT WITH CORPORATE CARE MANAGEMENT, FOR WORKERS' COMPENSATION CASE MANAGEMENT FOR RISK MANAGEMENT FOR 1996.**

WHEREAS, the Risk Manager requests authorization for an agreement with Corporate Care Management for workers' compensation case management for calendar year 1996, at a cost not to exceed \$46,950.00, and

WHEREAS, said services are necessary to provide medical case management for Broome County employees on an "as needed" basis, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Corporate Care Management, 140 Corporate Drive, Binghamton, New York, 13904, for

workers' compensation case management, for the period March 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$46,950.00 for the term of this agreement, and be it

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

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

**Carried.**

**RESOLUTION NO. 141**

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEE

Seconded by Mr. Cahill

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY EMERGENCY MEDICAL SERVICES ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article XXIV, Section 2410 of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Emergency Medical Services Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Carl Fenescey County Office Building P.O. Box 1766 Binghamton, New York 13901 Broome County Security Division	12/31/96
Carl Olsen 2534 Airport Road	12/31/96



Johnson City, New York 13790  
Binghamton Regional Airport Med Team

Michael Washington 12/31/96  
38 Hawley Street  
Binghamton, New York 13901  
Binghamton Fire Department

Thomas M. Francisco 12/31/96  
895 NY Rte. 369, Lot 40  
Chenango Forks, New York 13746  
Broome Volunteer Emergency Squad

Karl D. Zimmerman 12/31/96  
1394 NY Rte. 11N  
Castle Creek, New York 13744  
Castle Creek Med Team

Wilson E. Starr 12/31/96  
27 Palmer Road  
Binghamton, New York 13901  
Chenango Bridge Fire Rescue Team

David Conklin 12/31/96  
86 Castle Creek Road  
Binghamton, New York 13901  
Chenango Fire Company

Marie Falzarano 12/31/96  
507 Knapp Hill Road  
Castle Creek, New York 13744  
Chenango Forks Fire Med Team

REGULAR SESSION OF MARCH 21, 1996

Tim Kolb 12/31/96  
1202 Airport Road  
Binghamton, New York 13905  
Choconut Center Fire Rescue Team

Brad McAvoy 12/31/96  
P.O. Box 62 - Harpursville, New York 13787  
Colesville Emergency Squad

Randy C. Hartz 12/31/96  
R.D. 3, Box 3466  
Susquehanna, Pennsylvania 18847  
Deposit Emergency Squad

David Maxim 12/31/96  
697 East Maine Road  
Johnson City, New York 13790  
East Maine Fire Med Team

Nicole M. Hoppes 12/31/96  
3920 NY Rte. 26  
Whitney Point, New York 13862  
Glen Aubrey Fire Med Team

Josh Gitlitz 12/31/96  
SUNY Hillside 14301  
Binghamton, New York 13902  
Harpur's Ferry Ambulance

Richard Judd 12/31/96  
178 Crocker Hill Road  
Binghamton, New York 13902  
Hillcrest Fire Med Team

Steve Brown 297 Main Street Kirkwood, New York 13795 Kirkwood Fire Company Rescue Team	12/31/96
Bernard Westfall 9624 NY Rte. 79 Lisle, New York 13797 Lisle Fire Med Team	12/31/96
Jeanine M. Granger P.O. Box 55 Maine, New York 13802 Maine Ambulance	12/31/96
Andy Mihalko, Jr. 1042 Nanticoke Road Maine, New York 13802 Nanticoke Fire Med Team	12/31/96
John Eldred 875 NY Rte. 369 Chenango Forks, New York 13746 Port Crane Fire Med Team	12/31/96
Donna Church 52 Cafferty Hill Road Harpursville, New York 13787 Sanitaria Springs Fire Med Team	12/31/96
Christopher E. Lason 2 Clapham Street	12/31/96

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Binghamton, New York 13904  
Superior Ambulance

Kelly Aton 12/31/96  
626 North St. - Greene, NY 13778  
Triangle Fire Med Team

Patrick J. Vavra 12/31/96  
15 Arlington Avenue  
Johnson City, New York 13790  
Union Volunteer Emergency Squad

Robert Bealo 12/31/96  
1702 Witherill Street  
Endicott, New York 13760  
Union Center Fire Rescue Team

Mike Wheeler 12/31/96  
Box 319, Woodland Drive  
Binghamton, New York 13901  
Universal Instruments Emergency Medical Team

Michael A. Czuhanych 12/31/96  
245 Anderson Road  
Vestal, New York 13850  
Vestal Volunteer Emergency Squad

Helen Lampman 12/31/96  
1469 Colesville Road  
Harpursville, New York 13787  
West Colesville Fire Med Team

Jerry Bush 12/31/96

59 Richards Drive  
Whitney Point, New York 13862  
Whitney Point Fire Dept. Ambulance

Sidney G. Peake  
24 Blatchley Road  
Windsor, New York 13865  
Windsor Fire Company Ambulance

12/31/96

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XXIV, Section 2410 of the Broome County Charter, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV, Section 2410 of the Broome County Charter, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Emergency Medical Services Advisory Board in accordance with their appointment by the County Executive.

**Carried.**

**RESOLUTION NO. 142**

by TRANSPORTATION COMMITTEE

Seconded by Mr. Cahill

**RESOLUTION CONFIRMING APPOINTMENT OF THOMAS SULLIVAN TO MEMBERSHIP OF THE BROOME COUNTY AIRPORT ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution 195 of 1987, has duly designated and appointed, pending confirmation by this Legislature, Thomas Sullivan, 3390 Hance Road, Binghamton, New York, 13903, to membership on the Broome County Airport Advisory Board, for a term expiring December 31, 1998, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 195 of 1987, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 195 of 1987, does hereby confirm the appointment of Thomas Sullivan to membership on

the Broome County Airport Advisory Board in accordance with his appointment by the County Executive.

**Carried.**

**RESOLUTION NO. 143**

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEE

Seconded by Mr. Cahill

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY STOP DWI ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution 492 of 1981, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Stop DWI Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Louise Callahan 7 Utica Avenue Binghamton, New York 13901	12/31/97
Mike Derry 33 Cherry Drive Conklin, New York 13748	12/31/97
Dr. George Gitlitz 5 Riverside Drive Binghamton, New York 13905	12/31/97
Brian Ingraham 526 Hawleyton Road Binghamton, New York 13903	12/31/97
Gary O'Neill	12/31/97

1456 Miner Circle  
Endicott, New York 13760

Andy Kavulich 12/31/97  
261 N. Baldwin Street  
Johnson City, New York 13790

Gerald Mollen 12/31/97  
4209 Emerson Place  
Vestal, New York 13850

Paula Nickerson 12/31/97  
917 Prescott Avenue  
Endicott, New York 13760

Douglas Stento 12/31/97  
32 Rosedale Drive  
Binghamton, New York 13905

Ken Stica 12/31/97  
Box 139F, Underwood Road  
Vestal, New York 13850

Ed Swart 12/31/97  
3 Ivan Lane  
Binghamton, New York 13901

Dave Whalen 12/31/97  
26 Oakridge Drive  
Binghamton, New York 13903

Diane Herz 12/31/97  
15 Crary Ave. - Binghamton, NY 13905

Ex-Officio

Mary Davis 12/31/97  
1633 New York Rt. 11  
Kirkwood, New York 13795  
Ex-Officio

Lynn Giacobbe 12/31/97  
2661 Grandview Place  
Endicott, New York 13760  
Ex-Officio

Brad Finn 12/31/97  
25 Northcliffe Road  
Cortland, New York 13045  
Ex-Officio

Harold Pratt 12/31/97  
8 Locust Street  
Windsor, New York 13865  
Ex-Officio

Dan Walker 12/31/97  
464 Brotzman Road  
Binghamton, New York 13901  
Ex-Officio

Dorothy Condon 12/31/97  
128 Helen Street  
Binghamton, New York 13905  
Ex-Officio  
and

WHEREAS, it is desired at this point in time, in accordance with the provisions of



Resolution 492 of 1981, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 492 of 1981, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Stop DWI Advisory Board in accordance with their appointment by the County Executive.

**Carried.**

**RESOLUTION NO. 144**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING AND FINANCE COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 6 OF 1996 ENTITLED: "A LOCAL LAW PROVIDING FOR AN EXEMPTION FROM TAXATION AND SPECIAL AD VALOREM LEVIES FOR REAL PROPERTY LOCATED WITHIN DESIGNATED ECONOMIC DEVELOPMENT ZONES WITHIN BROOME COUNTY."**

WHEREAS, this County Legislature by permanent Resolution No. 93 of 1994 endorsed the creation of economic development zones within the County of Broome pursuant to Article 18B of the General Municipal Law of the State of New York; and

WHEREAS, this County Legislature by permanent Resolution No. 93 of 1994 resolved to commit itself to pass appropriate Local Laws to reduce sales and property taxes within the bounds of the newly created zone to the fullest extent allowed by state law; and

WHEREAS, the City of Binghamton, Village of Johnson City, Village of Endicott and Town of Union submitted a joint application resulting in the designation of certain areas within said municipalities and the County of Broome as economic development zones; and

WHEREAS, this County Legislature by permanent Resolution No. 93 of 1994 adopted the zone boundaries indicated on a certain map annexed to said resolution as Exhibit A, which boundaries have since been amended; now, therefore, be it

RESOLVED, that this County Legislature adopts the zone boundaries contained in the description annexed hereto as Exhibit A as the Triple Cities Economic Development Zone, in accordance with the designation thereof by the New York State Department of Economic Development pursuant to Article 18B, Section 959(e) of the General Municipal Law; and be

it

FURTHER RESOLVED, that Local Law Intro No. 4 of 1994 entitled "A Local Law Supporting Economic Development Zones in Broome County With Special Economic Tax Incentives" be, and the same hereby is, repealed in its entirety; and be it

FURTHER RESOLVED, that Local Law Intro. No. 6 of 1996 entitled "A Local Law Providing for an Exemption from Taxation and Special Ad Valorem Levies for Real Property Located within Designated Economic Development Zones within Broome County" be, and the same hereby is, adopted and approved in accordance with the Broome County Charter and Code, and all applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 6, 1996**

**"A LOCAL LAW PROVIDING FOR AN EXEMPTION FROM TAXATION AND SPECIAL AD VALOREM LEVIES FOR REAL PROPERTY LOCATED WITHIN DESIGNATED ECONOMIC DEVELOPMENT ZONES WITHIN BROOME COUNTY."**

Be it enacted by the Broome County Legislature as follows:

Section 1. Real property constructed, altered, installed or improved in an area designated an economic development zone pursuant to Article 18B of the General Municipal Law shall be exempt from taxation and special ad valorem levies by the County of Broome for the period and to the extent provided in Section 485-e of the Real Property Tax Law of the State of New York.

Section 2. The exemption herein authorized shall be for a term of ten years, notwithstanding that the designation of the economic development zone may expire prior to the end of such ten year term.

Section 3. The amount of such exemption in the first seven years of its term shall be one hundred percent of the "base amount" determined in accordance with Section 485-e of the Real Property Tax Law of the State of New York. The amount of such exemption in the eighth, ninth and tenth years of its

term shall be seventy-five percent, fifty percent and twenty-five percent, respectively, of such "base amount".

Section 4. This Local Law shall become effective upon filing with the Secretary of State.

**Carried.**

**RESOLUTION NO. 145**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING AND FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION PROVIDING A CREDIT OR REFUND OF SALES AND USE TAXES ON TANGIBLE PERSONAL PROPERTY USED IN CONSTRUCTING, EXPANDING OR REHABILITATING CERTAIN INDUSTRIAL OR COMMERCIAL REAL PROPERTY LOCATED IN AN ECONOMIC DEVELOPMENT ZONE PURSUANT TO CHAPTER 686 OF THE LAWS OF 1986, TO THE EXTENT SUCH PROPERTY BECOMES AN INTEGRAL COMPONENT PART OF THE REAL PROPERTY, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.**

WHEREAS, this County Legislature by permanent Resolution No. 93 of 1994 endorsed the creation of economic development zones within the County of Broome pursuant to Article 18B of the General Municipal Law of the State of New York; and

WHEREAS, this County Legislature by permanent Resolution No. 93 of 1994 resolved to commit itself to pass appropriate Local Laws to reduce sales and property taxes within the bounds of the newly created zone to the fullest extent allowed by state law; and

WHEREAS, the City of Binghamton, Village of Johnson City, Village of Endicott and Town of Union submitted a joint application resulting in the designation of certain areas within said municipalities and the County of Broome as economic development zones; and

WHEREAS, this County Legislature by permanent Resolution No. 93 of 1994 adopted the zone boundaries indicated on a certain map annexed to said resolution as Exhibit A, which boundaries have since been amended; and

WHEREAS, this County Legislature by permanent Resolution No. 95 of 1994 adopted

Local Law Intro. No. 4 of 1994 entitled "A Local Law Supporting Economic Development Zones in Broome County With Special Economic Tax Incentives" to adopt the provisions of Section 485-e of the Real Property Tax Law of the State of New York, and to forego the collection of certain sales and use taxes with respect to materials used for capital improvements to property located within such economic development zones; and

WHEREAS, it is necessary to amend Resolution No. 180 of 1965, to accomplish the intent of Local Law Intro No. 4 of 1994, now, therefore,

BE IT ENACTED BY THE BROOME COUNTY LEGISLATURE, AS FOLLOWS:

SECTION 1. Subdivision (a) of section twelve of Resolution No. 180 as enacted in nineteen hundred sixty five, and as amended, is amended to read as follows:

"SECTION 12. Refunds or credits based on proof of certain uses.

(a) Subject to the conditions and limitations provided for herein, a refund or credit shall be allowed for a tax paid pursuant to subdivision (a) of section two or section four (1) on the sale or use of tangible personal property if the purchaser or user, in the performance of a contract, later incorporates that tangible personal property into real property located outside this taxing jurisdiction, (2) on the sale or use of tangible personal property purchased in bulk, or any portion thereof, which is stored and not used by the purchaser or user within this taxing jurisdiction if that property is subsequently reshipped by such purchaser or user to a point outside this taxing jurisdiction for use outside this taxing jurisdiction,

(3) on the sale to or use by a contractor or subcontractor of tangible personal property if that property is used by him solely in the performance of a pre-existing lump sum or unit price construction contract, (4) on the sale or use within this taxing jurisdiction of tangible personal property, not purchased for resale, if the use of such property in this taxing jurisdiction is restricted to fabricating such property (including incorporating it into or assembling it with other tangible personal property), processing, printing or imprinting such property and such property is

then shipped to a point outside this taxing jurisdiction for use outside this taxing jurisdiction, (5) on the sale to or use by a veterinarian of drugs or medicine if such drugs or medicine are used by such veterinarian in rendering services, which are exempt pursuant to subdivision (f) of section six of this enactment, to livestock or poultry used in the production for sale of tangible personal property by farming or if such drugs or medicine are sold to a person qualifying for the exemption provided for in paragraph (6) of subdivision (a) of section six of this enactment for use by such person on such livestock or poultry, or (6) on the sale of tangible personal property purchased for use in constructing expanding or rehabilitating industrial or commercial real property (other than property used or to be used exclusively by one or more registered vendors primarily engaged in the retail sale of tangible personal property) located in an area designated as an economic development zone pursuant to article eighteen-B of the General Municipal Law, but only to the extent that such property becomes an integral component part of the real property. (For the purpose of clause (3) of the preceding sentence, the term "pre-existing lump sum or unit price construction contract" shall mean a contract for the construction of improvements to real property under which the amount payable to the contractor or subcontractor is fixed without regard to the costs incurred by him in the performance thereof, and which (I) was irrevocably entered into prior to the date of the enactment of this enactment or the enactment of a law increasing the rate of tax imposed under this enactment, or (ii) resulted from the acceptance by a governmental agency of a bid accompanied by a bond or other performance guaranty which was irrevocably submitted prior to such date.) Where the tax on the sale or use of such tangible personal property has been paid to the vendor, to qualify for such refund or credit, such tangible personal property must be incorporated into real property as required in clause (1) above, reshipped as required in clause (2) above, used in the manner described in clauses (3), (4), (5) and (6) above within three years after the date such tax was payable to the commissioner of taxation and finance by the vendor pursuant to section eleven hundred thirty-seven of the tax law. Where the tax on the sale or use of such tangible personal property was paid by the applicant for the credit or refund directly to such commissioner, to qualify for such refund or credit, such tangible personal property must be incorporated into real property as required in clause (1)

above, reshipped as required in clause (2) above, used in the manner described in clauses (3), (4), (5) and (6) above within three years after the date such tax was payable to such commissioner by such applicant pursuant to article twenty-eight of the tax law.

An application for a refund or credit pursuant to this section must be filed with such commissioner within the time provided by subdivision (a) of section eleven hundred thirty-nine of the tax law. Such application shall be in such form as such commissioner may prescribe. Where an application for credit has been filed, the applicant may immediately take such credit on the return which is due coincident with or immediately subsequent to the time that he files his application for credit. However, the taking of the credit on the return shall be deemed to be part of the application for credit and shall be subject to the provisions in respect to applications for credit in section eleven hundred thirty-nine of the tax law as provided in subdivision (e) of such section. With respect to a sale or use described in clause (3) above where a pre-existing lump sum or unit price construction contract was irrevocably entered into prior to the date of the enactment of this enactment or the bid accompanied by the performance guaranty was irrevocably submitted to the governmental agency prior to such date, the purchaser or user shall be entitled to a refund or credit only of the amount of the taxes imposed by this enactment if enacted later than the date of such contract or bid, or of the amount reflecting an increase in the rate of tax enacted later than said date, as the case may be, but only to the extent that all such sales and use taxes paid on such sale or use under the aggregate statewide and local taxes imposed under article twenty-eight and by authority of article twenty-nine exceeded an amount computed by applying against such sale or use the aggregate of the rates of statewide and local sales and use taxes that were in effect at the time such contract was entered into or such bid was submitted.

SECTION 2. This Resolution shall take effect on June 1, 1996.

**Carried.**

**RESOLUTION NO. 146**

by PERSONNEL, PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR SHERIFF.**

WHEREAS, the NYS Commission of Corrections has advised the County of the need to increase it's authorized staff before beginning it's corrections operations at it's new facility, and be it

RESOLVED, that in accordance with a request from the Sheriff, as contained in PCR# 96-297, this County Legislature hereby authorizes the **creation** of two (2) Assistant Correctional Facilities Director positions at budget line A450023.1000, minimum salary \$38,048, Grade F, Union Code 02 (Admin), effective March 25, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff, as contained in PCR# 96-296, this County Legislature hereby authorizes the **creation** of one (1) Correction Sergeant position at budget line A450023.1000, minimum salary \$35,403, Grade NA, Union Code 05 (AFSCME), effective March 25, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff, in order to provide funding for the aforementioned positions, as requested by BT# 10037, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:				
900084	4752	101000	Contingent Account	\$61,447
450049	2021	101000	Automobiles	\$44,503
TO :				
450023	1000	101000	Salaries, Full-Time	\$85,964
450023	8010	101000	State Retirement	\$ 2,923
450023	8030	101000	Social Security	\$ 6,576
450023	8040	101000	Workers Compensation	\$ 2,158

450023	8050	101000	Life Insurance	\$ 51
450023	8060	101000	Health Insurance	\$ 8,278

**Held over** under the 'Rules' by Mr. Lindsey.

**RESOLUTION NO. 147**

by PERSONNEL, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING PAYMENT OF ACCRUED VACATION TO JOHN M. HANRAHAN**

WHEREAS, John M. Hanrahan will be leaving the Broome County Board of Elections in mid-March of 1996 having served in the capacity of Deputy Commissioner (D) since July, 1991, and

WHEREAS, Mr. Hanrahan will be transferring to the County Clerk's Office in mid-March of 1996 and he has accumulated un-used vacation time during his years of service with the Board of Elections of approximately 41 days, and

WHEREAS, the Administrative Rules for Administrative Personnel allow a carry-over in excess of 25 days of vacation with the approval of the Personnel Committee, and

WHEREAS, your Personnel Committee has reviewed this matter and upon recommendation of the Election Commissioner (D) and Personnel Officer has authorized a carry over of 16 additional days for a total of 41 days, and

WHEREAS, a request has been made to pay Mr. Hanrahan for his approved accrued vacation time and under Article 10 of said Administrative Rules for Administrative Personnel, an employee can be paid accrued vacation pay only upon termination of employment with the County, and

WHEREAS, having reviewed prior request(s) of a similar nature, specifically Resolution No. 730 of 1990, it is desired to waive said requirement for John M. Hanrahan in order to permit the payment of 41 days accrued vacation pay, now, therefore be it

RESOLVED, in accordance with a request from the Broome County Board of Elections, this County Legislature hereby authorizes the payment to John M. Hanrahan of 41 days accrued vacation pay at \$18.1000 per hour or \$5,565.70 to be paid in the first payroll period of April, 1996, and be it



FURTHER RESOLVED, that in order to fund this request, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>		<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	
FROM:	410001	1600	101000	Salaries, Temporary	\$5,565.70
TO:	410001	1000	101000	Salaries, Full Time	\$5,565.70

and be it

FURTHER RESOLVED, that the County Executive, the Commissioner of Finance, the Personnel Officer, the Director of Budget & Research and the Comptroller are hereby authorized to implement the intent and purpose of this resolution, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

**Carried.**

**RESOLUTION NO. 148**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES  
Seconded by Mr. Wike

**RESOLUTION AUTHORIZING RENEWAL OF DEPARTMENT OF SOCIAL SERVICES COMPREHENSIVE EMPLOYMENT OPPORTUNITIES SUPPORT CENTER (CEOSC) GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996.**

WHEREAS, this County Legislature, by Resolution 402 of 1995, authorized and approved the Department of Social Services Comprehensive Employment Opportunities Support Center (CEOSC) Program for the period October 1, 1995 through March 31, 1996, and adopted a program budget in the amount of \$173,089.00, and

WHEREAS, said grant program provides case management training, training education and job development services to public assistance recipients, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through December 31, 1996, in the amount of \$285,310.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$236,807.00 from the New York State Department of Social Services for the period April

1, 1996 through December 31, 1996, 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 \$285,310.00 for the period April 1, 1996 through December 31, 1996, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 149**

by PUBLIC SAFETY & EMERGENCY SERVICES and PERSONNEL COMMITTEES

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING RECRUITMENT INCENTIVE FOR THE POSITION OF CORRECTIONAL FACILITIES DIRECTOR.**

WHEREAS, the County of Broome has advertised to hire a Correctional Facilities Director for the new Public Safety Facility, and

WHEREAS, said Director must have prior experience in operating a direct supervision correctional facility, and

WHEREAS, it is necessary to provide a recruitment incentive for the position of Correctional Facility Director in order to attract qualified candidates for this position, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a recruitment incentive for the purpose of attracting qualified personnel to Broome County for the position of

Correctional Facilities Director, and be it

FURTHER RESOLVED, that said incentive shall provide that if the Director shall be terminated before April 1, 2000, for reasons other than cause including but not limited to incompetence, misconduct or inability to perform, he or she shall receive six months salary and six months health insurance benefits, and be it

FURTHER RESOLVED, as a further condition of receiving this incentive, the Director shall not leave the position of Correctional Facilities Director prior to April 1, 2000, without providing six months' notice or until a new Director is appointed, whichever occurs first, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to execute any 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.

This resolution was **withdrawn** at the request of Mr. Lindsey following a poll of the Public Safety & Emergency Services Committee.

**RESOLUTION NO. 150**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, INTERGOVERNMENTAL RELATIONS and FINANCE COMMITTEES

Seconded by Mr. Holley

**RESOLUTION AUTHORIZING PAYMENT OF REAL PROPERTY TAXES IN PARTIAL PAYMENT, WITH PAYMENTS TO BE MADE WITHIN THE REGULAR TAX WARRANT PERIOD OF JANUARY 1 TO MARCH 31, WITH TOTAL PAYMENT TO BE MADE IN TWO INCREMENTS, WITH FIFTY PERCENT OR MORE OF THE TOTAL TAX DUE IN THE MONTH OF JANUARY OF THE TAX WARRANT PERIOD, AND THE REMAINDER OF THE TOTAL TAX PAYABLE, EITHER THROUGH MARCH 31 OF THE TAX WARRANT PERIOD, BY THE OWNER(S) OF SAID PROPERTY, OR TO BE REPORTED TO THE COUNTY AS UNPAID**

WHEREAS, Real Property Tax Law (RPTL) §928-a provides, in relevant part, that the

County Legislature may, by resolution, authorize the collecting officers in the towns within the County to accept from any taxpayer at any time partial payments for or on account of taxes in such amount or manner and apply such payments on account thereof in such manner as may be prescribed by such resolution, and

WHEREAS, the committees of County Administration, Economic Development & Planning, Intergovernmental Relations and Finance desire to authorize the partial payment of real property taxes, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Town collecting officers to accept payment of taxes, special ad valorem levies, and special assessments from the owner(s) of said property in partial payment with payments to be made within the regular tax warrant period of January 1 to March 31, with total payment to be made in two increments, with fifty (50%) percent or more of the total tax due by January 31 of the tax warrant period, and the remainder of the total tax payable, with penalties and interest, either through March 31 of the tax warrant period, or to be reported to the County as unpaid, and be it

FURTHER RESOLVED, that the acceptance of a partial payment by any official pursuant to this section shall not be deemed to affect any liens and powers of Broome County conferred in any general acts but such rights and powers shall remain in full force and effect to enforce collection of any unpaid balance of such tax or tax liens together with interest, penalties and other lawful charges, and be it

FURTHER RESOLVED, that this resolution shall be effective commencing with the 1997 Town and County taxes, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is directed to file a certified copy of this Resolution with the State Board of Real Property Tax Services within thirty (30) days of its adoption.

**Carried.**

**RESOLUTION NO. 151**

by FINANCE COMMITTEE

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING THE ADVERTISING FOR SALE OF 1992 IN REM FORECLOSURE PROPERTIES OWNED BY BROOME COUNTY.**

WHEREAS, the County of Broome owns certain parcels of property acquired by the

1992 in rem tax foreclosure proceedings, and

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

WHEREAS, the Director of Real Property Tax Service and the Finance Committee of this County Legislature have reviewed said 1992 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 1992 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 1992 said advertising and sale to be subject to the pertinent laws and procedures concerning the sale of County-owned real property established by this County Legislature and in accordance with the terms of other appropriate laws concerning the sale of real property.

**Carried.**

**RESOLUTION NO. 152**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING AGREEMENT WITH KLK REALTY SERVICES, INC., FOR PROFESSIONAL SERVICES IN PREPARING AND FILING A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION TO THE UNITED STATE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

WHEREAS, the County is desirous of making application to the United States Department of Housing and Urban Development for a Small Cities Community Development Block Grant (CDBG) for the development of senior citizens service center in each of the next three years, and

WHEREAS, the application would request funding from HUD for the development of a senior citizen service center in each of the next three years, and

WHEREAS, a center would be developed in Eastern Broome County, Western Broome County and Northern Broome County, and

WHEREAS, this County has previously committed to the development of the senior centers in eastern and western Broome County, and

WHEREAS, this County recognizes the need to develop a senior center in Northern Broome County, and

WHEREAS, an application for the CDBG funding must be filed with HUD by April 3, 1996, and

WHEREAS, it is necessary to retain the services of a consultant to prepare the Small Cities CDBG application in accordance with the requirements of the United States Department of Housing and Urban Development, now, therefore, be it

RESOLVED, that this County Legislature authorizes an agreement with KKK Realty Services, Inc., P.O. Box 301, Millwood, New York, 10546, for professional services in preparing and filing an application on behalf of the County for a Small Cities Community Development Block Grant through the United States Department of Housing and Urban Development, and be it

FURTHER RESOLVED, that in consideration of said services the County shall pay the contractor an amount not to exceed \$12,500, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760744.4747.104008 (Other Professional Service), and be it

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

**Carried.**

**RESOLUTION NO. 153**

by FINANCE, PUBLIC WORKS and COMMUNITY & SOCIAL SERVICES COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AMENDING THE 1995 AND 1996 CAPITAL IMPROVEMENT PROGRAMS.**

WHEREAS, this County Legislature by Resolutions 94-453 and 94-454 previously authorized two capital projects to construct or acquire centers for use by senior citizens to be financed by Federal grants and to be located in eastern and western sections of Broome County, and

WHEREAS, there is an opportunity to obtain increased Federal support for these two projects as well as obtain Federal support for another center for senior citizens to be located in northern Broome County, now therefore, be

RESOLVED, that the 1995 Capital Improvement Program is hereby amended as follows:

**FROM:**

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS Code</u>	<u>Year Start</u>	<u>Period Probable Use</u>
F-442	Western Broome Senior Center Relocation	502244	1995	15

<u>Project Total Cost</u>	<u>Distribution of Costs: County Sources:</u>				
	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$809,000	\$809,000	\$ 0	\$ 0	\$ 0	\$ 0

Project Description:

Purchase and renovate existing space for a new senior center (class B building) for the western Broome area permitting expansion of Central Foods production facility and the consolidation of senior centers. Complete within the fiscal period and with small reduction in operating budget. Approval contingent upon receipt of matching funds from both federal and non-county sources.

**TO:**

Period

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS Code</u>	<u>Year Start</u>	<u>Probable Use</u>
F-442	Western Broome Senior Center Relocation	502244	1995	15

Project  
Total

<u>Cost</u>	<u>Distribution of Costs: County Sources:</u>				
	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$900,000	\$900,000	\$ 0	\$ 0	\$ 0	\$ 0

Project Description:

Construct or purchase and renovate existing space for a new senior center (class B building) for the western Broome area to replace the use of a leased facility and to permit the consolidation of senior centers. Complete by the end of fiscal period after the receipt of funds and with no stated impact on operating budget. Approval contingent upon receipt of matching funds from both federal and non-county sources.

and be it

FURTHER RESOLVED, the 1995 Capital Improvement Program is hereby amended as follows:

**FROM:**

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS Code</u>	<u>Year Start</u>	<u>Period Probable Use</u>
F-451	Eastern Broome Senior Center Relocation	502245	1995	15

Project  
Total

<u>Distribution of Costs: County Sources:</u>					
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<u>Cost</u>	<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$406,000	\$406,000	\$ 0	\$ 0	\$ 0	\$ 0

Project Description:

Construct a new center (class C building) capable of multi-purpose use. Complete within the fiscal period after the receipt of funds and with no impact upon operating budget. Approval contingent upon receipt of matching funds from both federal and non-county sources.

**TO:**

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS Code</u>	<u>Year Start</u>	<u>Period Probable Use</u>
F-451	Eastern Broome Senior Center Relocation	502245	1995	15

Project

<u>Total Cost</u>	<u>Distribution of Costs: County Sources:</u>				
<u>Federal/Other</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>	
\$900,000	\$900,000	\$ 0	\$ 0	\$ 0	\$ 0

Project Description:

Construct a new center (class C building) capable of multi-purpose use. Complete within the fiscal period after the receipt of funds and with no impact upon operating budget. Approval contingent upon receipt of matching funds from both federal and non-county sources.

and be it

FURTHER RESOLVED, that the 1996 Capital Improvement Program is hereby

amended as follows:

**CREATE:**

<u>Project Code</u>	<u>Project Title</u>	<u>FAMIS Code</u>	<u>Year Start</u>	<u>Period Probable Use</u>
F-552	Northern Broome Senior Center Relocation	n/a	1996	15

<u>Project Total Cost</u>	<u>Distribution of Costs: County Sources:</u>				<u>Bond</u>	<u>Transfer</u>
	<u>Federal/Other</u>	<u>State</u>	<u>County</u>			
\$900,000	\$900,000	\$ 0	\$ 0	\$ 0	\$ 0	

Project Description:

Construct or purchase an existing structure (class C structure) capable of multi-purpose. Complete by the end of the fiscal period after the receipt of funds with a small increase in the operating budget. Approval contingent upon receipt of matching funds from federal sources.

**Carried.**

Mr. Augostini moved, seconded by Mr. Miller to **adjourn** at 5:07 P.M. The adjournment **carried.**