

**RESOLUTION NO. 303**

By Public Works and Finance Committees

Seconded by Mrs. Wagstaff

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH MRB GROUP FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE PUBLIC SAFETY FACILITY FOR THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, this County Legislature, by Resolutions 444 of 1989, and 465 of 1990, authorized an agreement with MRB Group for architectural and engineering services for the public safety facility at a cost not to exceed \$1,200,000, and

WHEREAS, it is necessary at this time to authorize the amendment of said agreement to increase the contract limit from \$1,200,000 to \$2,600,000 due to a proposed increase in size of proposed facility and to amend the scope of services to include preparation of an Environmental Impact Statement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with MRB Group, 2480 Brownraft Blvd., Rochester, New York, 14625 for an increase in the contract amount from \$1,200,000 to \$2,600,000 and to amend the scope of services to include the preparation of the Environmental Impact Statement, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,600,000, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 035121.4746.501207(Engineering and Architectural Services), 035113.4746.501224 (Engineering and Architectural Services), 035121.4746.501234 (Engineering and Architectural Services), 190512.4746.501248 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolutions 444 of 1989, and 465 of 1990, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Mr. Warner moved, seconded by Mr. Seeley to TABLE Resolution No. 303. Carried.

Mr. Pasquale moved, seconded by Mr. Moppert to adjourn to the call of the Clerk at 3:55 p.m. Carried.

**REGULAR SESSION  
THURSDAY, AUGUST 15, 1991**

**AT 4:00 P.M.**

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

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

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

Invocation was delivered by Dr. Stephen Starzer of the Conklin Presbyterian Church.

Mrs. Greenmun moved, seconded by Mr. Seeley that the minutes of the July 18, 1991 Regular Session and July 25, 1991 Special Session be approved as prepared and as presented by the Clerk. Carried.

The following communications were presented to the County Legislature:

Labor Agreement between Broome County and Broome Community College (Civil Service/National Education Association).

Broome County Resource Recovery Agency: List of significant correspondence (June 15, 1991); Letters from John F. Guinan, dated July 17 and August 6, 1991, enclosing Agency's revised Requests for Financial Assistance.

Minutes from: Resource Recovery agency; Mental Health Advisory Board; Cornell Cooperative Extension; South Central New York Resource Conservation & Development.

Letter from Henry H. Stebbins, Administrator, Agricultural Districts Program (anniversary for County Agricultural District #4).

Department of Public Works: Letter from Commissioner, David M. Donoghue, designating Pat Brennan as Acting Commissioner from August 6 through 13, 1991; Public Emergencies, June 21, (main electrical switching gear, County Building); July 5 (air conditioning at Transit).

Resolution from Putman County (Double DWI Conviction-Related Fines).

Letters from State Consumer Protection Board regarding the State Item Pricing Law.

Letter from Donald A. Dellow, President of Broome Community College, attaching Board of Trustees resolution and requesting approval to include college employees (Local Law, Early Retirement Incentive).

Revised list of Certified 1990 State Equalization Rates.

Letter from Assemblyman Richard Miller regarding amendment to Real Property Tax Law (contractual assessment agreements).

Letter from NYS Department of Economic Development enclosing guidelines for Tourism Matching Funds Program.

Solid Waste Management Plan: Approval of no cost time extension; Time line from John Kowalchyk; Notification of lead agency designation and determination of completeness from Arthur J. Shafer.

The following reports were presented to the County Legislature:

1990 Annual Reports: Mental Health Services; Department of Health.

1991 Second Quarterly Report: Sales Tax Collections; Broome County Arts Council.

Above the Minimum Hires, June 1991, Broome Community College.

Broome County Department of Personnel New Employees Forms, Position Change Requests Forms, and Change-in-Status Forms.

Quarterly Report (Pending Projects) from Department of Public Works.

Financial Statements (December 31, 1990 and 1989) from the Broome County Resource Recovery Agency.

Report of Audit Findings (Public Defenders Payroll; WIC Grant; Paul De Lima).

Financial and Monthly Reports from Cornell Cooperative Extension.

July Report from Patricia Snieska (Education for Handicapped Children's Program).

Various reports - Adolescent Community Services Coalition.

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

Written or oral presentations of the County Legislature:

Appointing Emil J. Bielecki as Acting Chairman on July 25, 1991.

Appointing Wanda Hudak designated representative for Louis P. Augostini as voting member of the County Administration, Economic Development and Planning Committee, August 1, 1991.

Appointing Wayne L. Howard designated representative for Michael P. Pazzaglini as voting member of the Transportation Committee, August 5, 1991.

Appointing Emil J. Bielecki designated representative for Louis P. Augostini as voting member and Roger V. Brown as Acting Chairman of the Environment Committee, August 6, 1991.

Appointing Peter W. Yeager designated representative for Louis P. Augostini as voting member of the Public Works Committee, August 6, 1991.

Appointing Kelly J. Wagstaff designated representative for Michael P. Pazzaglini as voting member of the Environment Committee, August 6, 1991.

Appointing David L. Lindsey designated representative for Michael P. Pazzaglini as voting member and Emil J. Bielecki as Acting Chairman of the County Administration, Economic Development and Planning Committee, August 8, 1991.

Appointing Kathleen M. Greenmun designated representative for Louis P. Augostini as voting member of the County Administration, Economic Development and Planning Committee, August 8, 1991.

Appointing James Malley designated representative for Margaret M. Coffey as voting member of the Finance Committee, August 8, 1991.

**RESOLUTION NO. 300** by Personnel Committee establishing conditions for filling of County personnel positions due to early retirement program, which was held over at the August 15, 1991 Special Session at the request of Mrs. Wagstaff was again presented for consideration.

Resolution carried.

**RESOLUTION NO. 301** by Personnel Committee adopting Local Law Intro. No. 11, 1991 electing a retirement incentive program, which was held over at the August 15, 1991 Special Session at the request of Mrs. Wagstaff was again presented for consideration. Mrs. Wagstaff moved, seconded by Mr. Malley to amend the resolution as follows:

Section 2. The commencement date of the Retirement Incentive Program shall be **October 4, 1991.**

Section 3. The open period during which eligible employees may retire and receive the additional retirement benefit, shall be **eighty-nine (89)** days in length.

Section 5. The word "pursuit" is changed to pursuant.

**Section 6. This Legislature authorizes Broome Community College to**

**participate in the early retirement incentive program for Community Colleges authorized by Chapter 178 of the Laws of 1991. Said program shall be established by the Board of Trustees of the College in accordance with Chapter 178 of the Laws of 1991.**

Section 7. This Local Law shall take effect immediately upon filing with the Secretary of State.

Amendment carried.

Resolution as amended carried.

**RESOLUTION NO. 302** By Public Works Committee regarding the location of the Daniel S. Dickinson statue, which was held over at the August 15, 1991 Special Session at the request of Mr. Moppert was again presented for consideration. Mrs. Coffey moved, seconded by Mr. Pasquale to table the resolution. Motion lost by the following roll call: Ayes-4; Nays-13 (Bielecki, Brown, Greenmun, Hudak, Kavulich, Lindsey, Malley, Moppert, Pazzaglini, Seeley, Wagstaff, Warner, Shafer); Absent-2 (Augostini, Howard). Mr. Moppert moved, seconded by Mr. Pasquale to call the question. Motion carried.

Resolution carried by the following roll call:

Ayes-16, Nays-1 (Warner), Absent-2 (Augostini, Howard).

The preferred agenda was introduced at this time (Resolutions No. 304 through 319).

**RESOLUTION NO. 304**

By Community and Social Services and Finance Committees

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING REVISION OF THE 1991 YOUTH BUREAU PROGRAMS AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991**

WHEREAS, this County Legislature, by Resolution 592 of 1990, authorized Youth Bureau State Aid Applications and established appropriations for 1991 Youth Bureau Service Programs, and

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

RESOLVED, that this County Legislature hereby authorizes and approves the execution of agreements, documents, papers, or contracts with several local Youth Service Program agencies listed in Exhibit "A" attached hereto for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves a revised program budget annexed hereto as Exhibit "A" in the total amount of \$103,226.00 for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that Resolution 592 of 1990, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

**RESOLUTION NO. 305**

By County Administration, Economic Development and Planning Committee

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING THE BROOME COUNTY CHAMBER OF COMMERCE TO ACT AS THE AGENCY IN BROOME COUNTY FOR TOURISM AND CONVENTION PROMOTION FOR 1991 THROUGH 1992**

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

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

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

WHEREAS, this County Legislature, by Resolution 319 of 1990, authorized the Broome County Chamber of Commerce to act as the agency in Broome County for tourism and convention promotion for the period October 1, 1990 through December 31, 1991, and

WHEREAS, it is necessary at this time to authorize the Broome County Chamber of Commerce to be the tourism and convention promoter in Broome County for 1991 and 1992 so that the appropriate applications may be timely filed for New York State grant monies, now, therefore, be it

RESOLVED, that this County Legislature hereby names and authorizes the Broome County Chamber of Commerce to be the tourism and convention promoter in Broome County for the period of October 1, 1991 through December 31, 1992, and be it

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

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

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

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

Carried.

**RESOLUTION NO. 306**

By Education, Culture and Recreation, Personnel and Finance Committees

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING ACCEPTANCE OF THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT GRANT FOR THE OFFICE OF THE COUNTY CLERK/RECORDS MANAGEMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992**

WHEREAS, the Office of the County Clerk/Records Management requests authorization to accept a Local Government Records Management Improvement Fund Grant in the amount of \$49,970 for the period August 31, 1991 through June 30, 1992, and

WHEREAS, said grant program provides funding for the Records Storage Facility Project, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves

acceptance of \$49,970 for the Office of the County Clerk/Records Management Local Government Record Management improvement fund for the period August 31, 1991 through June 30, 1992 in the amount of \$49,970, 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 \$49,970 for the period August 31, 1991 through June 30, 1992, and be it

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

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

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

Carried.

**RESOLUTION NO. 307**

By the Education, Culture and Recreation, Personnel, County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Bielecki

**AUTHORIZING ACCEPTANCE OF LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT (CO-OP) FOR THE COUNTY HISTORIAN AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992**

WHEREAS, the County Historian requests authorization to accept a local government Records Management Improvement Fund Grant (CO-OP) in the amount of \$56,433 for the period August 31, 1991 through June 30, 1992, and

WHEREAS, said grant program will provide funding for an inventory/planning project, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$56,433 for the County Historian Local Government Management Improvement Fund Grant in the amount of \$56,433 for the period August 31, 1991 through June 30, 1992, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$56,433 for the period August 31, 1991 through June 30, 1992, and be it

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

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

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

Carried.

**RESOLUTION NO. 308**

By Finance Committee  
 Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE OFFICE FOR THE AGING**

RESOLVED, that in accordance with a request from the Office For The Aging, in order to provide funds for maximum reimbursement from grantor by moving unneeded funds from fringe lines to contractual lines, as requested by BT#2078, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:760546	8010	102501	Retirement	\$ 904.95
760546	8060	102501	Health Ins.	1,637.90
TO :760546	4614	102501	Other Chargebacks	2,542.85
Carried.				

**RESOLUTION NO. 309**

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

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE OFFICE OF THE DISTRICT ATTORNEY AND THE DEPARTMENT OF PUBLIC WORKS**

RESOLVED, that in accordance with a request from the Office of the District Attorney in order to provide funds for a temporary position that is needed to fill in for an employee out on disability, as requested by BT#973, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:330001	1000	101000	Salaries Full-Time	\$6,400
TO :330001	1600	101000	Temporary Salaries	\$6,400

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Public Works in order to provide funds for copier in that the existing unit is unrepairable, as requested by BT#4132, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:030015	1000	101000	Salaries Full-Time	\$6,395
:030015	4319	101000	Office Supplies	1,000
:030015	4318	101000	Dup/Print Supplies	663

	:030015	8030	101000	Social Security	489
TO	:030015	2110	101000	Office Machines	8,547
	Carried.				

**RESOLUTION NO. 310**

By Health Services and Finance Committees

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING AGREEMENT WITH REHABILITATION SERVICES, INCORPORATED, FOR PHYSICAL THERAPY AND SPEECH THERAPY SERVICES FOR THE HEALTH DEPARTMENT FOR 1991**

WHEREAS, The Health Department requests authorization for an agreement with Rehabilitation Services, Incorporated, for physical therapy and speech therapy services for its home health services programs, and

WHEREAS, physical therapists and speech therapists are necessary for the Health Department's Home Health Service Programs in that the therapists assist patients in learning activities in daily living, as well as communication and swallowing, to overcome disabilities, and

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

RESOLVED, that this County Legislature hereby authorizes an agreement with Rehabilitation Services, Incorporated, 33 Mitchell Avenue, Binghamton, New York, 13903 for physical therapy and speech therapy for the Health Department's Home Health Services programs for the period July 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$55.00 per visit for physical therapy services and \$60.00 per visit for speech pathology services plus \$0.275 cents per mile, total cost not to exceed \$7,500 for speech therapy and \$5,000 for physical therapy services for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480061.4706.101045 (Rehab and Therapy Services) and 480061.4706.101047 (Rehab 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. 311**

By Health Services and Finance Committees

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING AGREEMENT WITH GRAPHIC IMPRESSIONS FOR PREPARATION OF "OUR NEWS" FACILITY NEWSLETTER FOR THE WILLOW POINT NURSING HOME FOR 1991**

WHEREAS, the Willow Point Nursing Home requests authorization for an agreement with Graphic Impressions for preparation for "Our News" facility newsletter for the period July 1, 1991 through December 31, 1991, and

WHEREAS, said agreement is desired to report the news of events occurring at Willow Point Nursing Home, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Graphic Impressions, Nelson Road, Box 197A RD 3, Vestal, New York, 13850-9636 for preparation of "Our News" facility newsletter for the period July 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,004 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160184.4419.204000 (General Office 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. 312**

By Health Services and Finance Committees

Seconded by Mr. Bielecki

**RESOLUTION CONFIRMING APPOINTMENT OF ANN STEPHENSON TO MEMBERSHIP ON THE CASA BOARD OF DIRECTORS**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 70, adopted February 28, 1984, has duly designated and appointed, pending confirmation by this Legislature, Ann Stephenson, Richard Rd, RD 8, Box 432, Binghamton, New York, 13901 to membership on the CASA Board of Directors, for a term expiring December 31, 1991, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 70, adopted February 28, 1984, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of the Resolution No. 70, adopted February 28, 1984, does hereby confirm the appointment of Ann Stephenson to membership on the CASA Board of Directors in accordance with her appointment by the County Executive.

Carried.

**RESOLUTION NO. 313**

By Personnel Committee  
Seconded by Mr. Bielecki

**RESOLUTION ESTABLISHING THE STANDARD WORK DAY FOR COUNTY LEGISLATORS, CHAIRMAN OF THE COUNTY LEGISLATURE, COUNTY CORONER, AND COUNTY ELECTION COMMISSIONER**

WHEREAS, the New York State Employee Retirement System requests that this Legislature establish a standard work day for the positions of County Legislator, Chairman of the County Legislature, County Coroner, and County Election Commissioner for reporting purposes for retirement credits, and

WHEREAS, based on current time keeping results, this Legislature has determined that the reporting for County Legislators, Coroners, and Elections Commissioners should be part-time and the Chairman of Legislature will be full-time, now, therefore, be it

RESOLVED, that this County Legislature hereby establishes that the standard workday for the positions of County Legislator, Coroner, Election Commissioner and the Chairman of the County Legislature will be six (6) hours per day.

Carried.

**RESOLUTION NO. 314**

By Personnel and Finance Committees  
Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST AND TRANSFER OF FUNDS FOR THE DEPARTMENT OF SOCIAL SERVICES AND A PERSONNEL CHANGE REQUEST FROM THE SHERIFF'S DEPARTMENT**

RESOLVED, that in accordance with the request from the Department of Social Services as contained in PCR# 91-316, this County Legislature hereby authorizes the elimination of one part-time (19.75 hours) Senior Case Worker position at budget line 670042.1500, minimum salary \$23,496.00, grade 18 and the establishment of one full-time Case Worker I position at budget line 670042.1500, minimum salary \$18,967, grade 14, effective September 2, 1991, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Social Services in order to provide funds for the above-referenced position change request, as requested by BT#2222, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:670042	1500	103000	Salaries - PT	\$ 6,619
TO :670042	1000	103000	Salaries - FT	\$ 6,619

and be it

FURTHER RESOLVED, that in accordance with request from the Sheriff's Department as contained in PCR #91-282, that this County Legislature hereby authorizes the elimination of one (1) full-time Deputy Sheriff Detective Sergeant position at budget line A450056.1000, minimum salary \$29,622, and the establishment of one (1) full-time Deputy Sheriff, Sergeant positions at budget line A450049.1000, minimum salary \$29,622, effective July 26, 1991.

Carried.

**RESOLUTION NO. 315**

By Transportation Committee

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING WAIVING OF LANDING FEES FOR AIRLIFELINE AT EDWIN A. LINK FIELD**

WHEREAS, The Department of Aviation applies landing fees to both commercial and general aviation aircraft at Edwin A. Link Field, and

WHEREAS, these fees are generated to offset O&M expense maintain the airfield, and

WHEREAS, AirLifeLine, which is incorporated as a charitable corporation and based in Sacramento, California, has requested Broome County to waive landing fees associated with their operation, and

WHEREAS, AirLifeLine is a national network of medical air transportation that utilizes volunteers who donate their time, fuel, and aircraft to fly medical missions including transportation for ambulatory patients who have financial need and require medical treatment, and provide emergency transportation for transplant patients and donor organs when timing is critical, and

WHEREAS, your sponsoring committee desires that this County Legislature approve the waiving of landing fees to AirLifeLine Aircraft, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes the waiving of landing fees to AirLifeLine Aircraft at Edwin A. Link Field for the purpose of emergency medical missions, and be it

FURTHER RESOLVED, that the County Executive or his dully 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. 316**

By Transportation Committee

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH**

**DOT/FAA FOR AIRCRAFT INSTRUMENT LANDING SYSTEM LAND USE FOR RUNWAY 16 FOR THE DEPARTMENT OF AVIATION FOR 1991 THROUGH 1992**

WHEREAS, this County Legislature, by previous Resolution, authorized an agreement with DOT/FAA the lease of land for an Aircraft Instrument Landing System Land Use Lithe at no cost to either Broome County or DOT/FAA for the period October 1, 1990 through September 30, 1991, and

WHEREAS, said agreement is necessary for the purpose of navigational and landing aids essential to the safe operation of the air field, and

WHEREAS, said agreement expires by its term on September 30, 1991 and it is desired at this time to renew said agreement on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreement with DOT/FAA, Eastern Region, Federal Building, John F. Kennedy International Airport, Jamaica, New York, 11430 for the lease of land for an Aircraft Instrument Landing System for runway 16 for the period October 1, 1991 through September 30, 1992, with an automatic renewal on an annual basis until September 30, 2005, at no cost to Broome County or to DOT/FAA, 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. 317**

By Transportation and Finance Committees

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH ERIX MAINTENANCE COMPANY FOR LEASE OF SPACE AT THE EDWIN A. LINK FIELD TERMINAL BUILDING FOR THE DEPARTMENT OF AVIATION FOR 1991 THROUGH 1992**

WHEREAS, this County Legislature, by Resolution 390 of 1990, authorized an agreement with Erix Maintenance Company for the lease of 157.5 square feet of office space at the Edwin A. Link Field Terminal Building for the period August 12, 1990 through August 11, 1991 with revenue of \$7.67 per square foot per year which is \$100.60 per month or total revenue of 1207.20 for the term of the agreement, and

WHEREAS, said agreement expired by its term on August 11, 1991 and it is desired at this time to renew said agreement on substantially similar terms and conditions, with an increase in revenue to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreement with Erix Maintenance Company, 18 West Main Street, Apalachin, New York, 13732 for the lease of 157.5 square feet of space in the Terminal Building at the Edwin A. Link Field at a rate of \$8.04 per square foot per year, said payment to be remitted monthly at a rate of \$105.52 per month, total revenue expected is \$1,266.24 for the period August 12, 1991 through August 11, 1992, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be paid to budget line 210070.0108.2070000 (Space Rental-other), 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. 318**

By Transportation and Finance Committees

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH STATE UNIVERSITY OF NEW YORK AT BINGHAMTON FOR BUS TRANSPORTATION OF SUNY STUDENTS FOR 1991 THROUGH 1993**

WHEREAS, this County Legislature, by Resolution 368 of 1989, authorized an agreement with SUNY Binghamton to furnish bus transportation for SUNY students during the 1989-1990 and 1990-1991 academic years, and

WHEREAS, said agreement expired by its terms at end of academic year 1990-1991 and it is desired at this time to renew said agreement on substantially similar

terms and conditions, with an increase in revenue to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of agreement with State University of New York at Binghamton for bus transportation for SUNY students as follows:

1. The term of the agreement shall be for the academic years 1991-1992 and 1992-1993, spring and fall semesters. The dates for the commencements and expiration of this agreement shall be established by SUNY Binghamton officials and the Department of Transportation.

2. Students may board the bus by showing a validated SUNY identification card. This system shall only be in effect during the Spring and Fall semesters. During summer sessions, students shall be required to pay the appropriate fare when they board.

3. Payment to Broome County for services rendered shall be \$195,000 for the 1991-1992 academic year and \$202,800 for the 1992-1993 academic year, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be made to budget line 220004.0094.203000 (SUNY O.C.C. Contract), 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. 319**

By Transportation and Finance Committees

Seconded by Mr. Bielecki

**RESOLUTION AUTHORIZING REVISION OF THE DEPARTMENT OF AVIATION'S FAA GRANT AGREEMENT CONCERNING EDWIN A. LINK FIELD AIRPORT IMPROVEMENT PROGRAM (FAA PROJECT NO. 3-36-0008-06-86, CONSTRUCT CRASH/FIRE/RESCUE FACILITY; EXPAND WEST APRON; PURCHASE RUNWAY SNOW BLOWER)**

WHEREAS, this County Legislature, by Resolution 373 of 1986, authorized the participation by the Department of Aviation in the FAA Grant agreement concerning Edwin A Link Airport Improvement Program (FAA Project No. 8-36-0008-06-86, Construct crash/fire/rescue facility; expand west apron; purchase runway snow blower) in the total amount of \$1,074,541.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Department of Aviation's FAA Grant agreement concerning Edwin A Link Airport Improvement Program (FAA Project No. 8-36-0008-06-86, Construct crash/fire/rescue facility; expand west apron; purchase runway snow blower) in the total amount of \$1,079,381.52, and be it

FURTHER RESOLVED, that Resolution 373 of 1986, 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 provided that said budget transfers do not affect a personnel line.

Carried.

The regular agenda was introduced at this time.

**RESOLUTION NO. 320**

By County Administration, Economic Development and Planning Committee

Seconded by Mr. Moppert

**RESOLUTION AUTHORIZING THE IMPLEMENTATION OF THE EMERGING BUSINESS ASSISTANCE PROGRAM FOR THE MINORITY BUSINESS ENTERPRISE UTILIZATION BOARD**

WHEREAS, since September 1990 a work group of the Minority Business Utilization Board has been working to develop the Emerging Business Assistance Program, and

WHEREAS, the purpose of this program is to provide additional assistance to emerging businesses that is not available under the Minority Business Enterprise Program, and

WHEREAS, the Emerging Business Assistance Program addresses the barriers and obstacles that the small emerging business usually faces for start-up and operating now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Minority Business Enterprise Utilization Board to implement the Emerging Business Assistance Program, said program which is more completely described on the attached "Exhibit A", and be it

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

Carried.

**RESOLUTION NO. 321**

By Environment Committee

Seconded by Mrs. Wagstaff

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENTS WITH CITY OF BINGHAMTON, TOWN OF UNION AND VILLAGE OF ENDICOTT FOR COLLECTION OF RECYCLABLES AND LEASE OF CERTAIN COLLECTION EQUIPMENT IN CONNECTION WITH THIS COUNTY'S RECYCLING PROGRAM FOR 1989 THROUGH 1999**

WHEREAS, this County Legislature, by Resolution 221 of 1989, authorized

agreements with the City of Binghamton, Town of Union, and Village of Endicott for collection of recyclables and lease of certain collection equipment in connection with this county's recycling program for 1989 through 1999, at no cost to the municipality, and

WHEREAS, it is necessary to authorize the amendment of said agreements to provide for an additional collection vehicle for each municipality, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreements with City of Binghamton, Town of Union, and Village of Endicott to provide for an additional vehicle for each municipality for collection of recyclables and lease of certain collection equipment in connection with this county's recycling program for the period June 5, 1989 through June 4, 1999, and be it

FURTHER RESOLVED, that Resolution 221 of 1989, 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. 322**

By Public Works and Finance Committees

Seconded by Mrs. Hudak

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH MRB GROUP FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE PUBLIC SAFETY FACILITY FOR THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, this County Legislature, by Resolutions 444 of 1989, and 465 of 1990, authorized an agreement with MRB Group for architectural and engineering services for the public safety facility at a cost not to exceed \$1,200,000, and

WHEREAS, it is necessary at this time to authorize the amendment of said agreement to increase the contract limit from \$1,200,000 to \$1,298,500 due to the need to prepare an Environmental Impact Statement and to amend the scope of services to include preparation of an Environmental Impact Statement, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with MRB Group, 2480 Brownraft Blvd., Rochester, New York, 14625 for an increase in the contract amount from \$1,200,000 to \$1,298,500 and to amend the scope of services to include the preparation of the Environmental Impact Statement, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,298,500, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 035121.4746.501207(Engineering and Architectural Services), 035113.4746.501224 (Engineering and Architectural Services), 035121.4746.501234 (Engineering and Architectural Services), 190512.4746.501248 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolutions 444 of 1989, and 465 of 1990, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried by the following roll call:  
Ayes-16, Nays-1 (Greenmun), Absent-2 (Augustini, Howard).

**RESOLUTION NO. 323**

By the Environment Committee

Seconded by All Honorable Members

The Chairman requested the Clerk to call the roll to allow Mr. William Nicholls, a representative of the Cree Indian nation to speak. Carried.

**RESOLUTION URGING THE GOVERNOR TO WITHDRAW CONSENT FOR THE JAMES BAY HYDRO-QUEBEC POWER CONTRACT**

WHEREAS, the New York Power Authority has entered into contracts for the purchase of 1800 megawatts of power from Hydro-Quebec, and

WHEREAS, Governor Cuomo has consented to these contracts, and

WHEREAS, the power to be provided under these contracts will be produced

by the Hydro-Quebec Power Project located on the eastern shore of James Bay in the southeastern portion of Hudson Bay in northern Quebec Province, and

WHEREAS, the first phase of the Hydro-Quebec Power Project has been completed, and

WHEREAS, enormous environmental effects have been observed as a result of completion of the first phase of the Hydro-Quebec Project, and

WHEREAS, it is reasonably anticipated that further dramatic and cumulative environmental effects will result from the completion of the second phase of said project, including the destruction of large numbers of animals, birds and the inundation of huge areas of forest land as well as the potential release of mercury due to bacterial action accelerated by decaying vegetation due to flooding, the diversion of three major river systems and the destruction of the habitat relied upon by thousands of species, and

WHEREAS, thousands of Cree and Inuit people have been displaced from their native homelands by the completion of Phase I of the project and thousands more will suffer displacement and cultural disruption by the completion of Phase II, and

WHEREAS, the energy policy of New York State places great emphasis on demand side management and conservative techniques, and

WHEREAS, the contracts of purchase are contrary to such demand side management practices and will divert badly needed rate payer funds from conservation and alternative supply efforts while diverting \$19.5 billion from the New York State economy, and

WHEREAS, at least two of the utilities who have tentatively agreed to purchase power from the power authority pursuant to the said contracts have indicated a reconsideration of their positions, and

WHEREAS, the City of New York, the largest customer of Consolidated Edison, one of the utilities due to receive power under said contracts, has reconsidered its position and has urged caution in going forward with the execution of the contracts, and

WHEREAS, Governor Cuomo may rescind his consent to said contracts without penalty prior to November 30, 1991, and

WHEREAS, environmental review of the project in the Province of Quebec by the National Canadian Government is inadequate, confused and subject to litigation and delay, and

WHEREAS, the Quebec Government and Hydro-Quebec have indicated their desire to go forward with Phase II of the Hydro-Quebec Project, now, therefore, be it

RESOLVED, that the Broome County Legislature:

1. Opposes the implementation of the contracts of hydropower purchase herein above set forth.
2. Urges Governor Mario M. Cuomo to withdraw his consent to the pending contracts prior to November 30, 1991.
3. Expresses its support of Assembly Bill 2162.
4. Urges the Honorable James Seward, Chairman of the Energy Committee of the New York State Senate, to co-sponsor the companion bill currently sponsored by Senator Stavisky (S6254) and to move that bill promptly to the floor of the Senate for action.

and be it

FURTHER RESOLVED, that copies of this resolution be sent to Governor Mario Cuomo, Assemblyman Richard Miller, Assemblyman James Tallon, Senator Thomas Libous, Senator James Seward, New York State Association of Counties, New York State Supervisors and County Legislators Association.

Resolution carried.

Mr. Pasquale moved, seconded by Mr. Malley and Mr. Warner to adjourn to the call of the Clerk. Carried.