

paragraph was held over under the rule. The balance of the resolution **carried**.

**RESOLUTION NO. 97**

By Transportation and Finance Committees.

Seconded by Mrs. Wagstaff.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CREATIVE FOOD SYSTEMS, INCORPORATED, FOR OPERATION OF RESTAURANT, LOUNGE, GIFT SHOP AND VENDING CONCESSION AT THE BINGHAMTON REGIONAL AIRPORT FOR 1991 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 270 of 1986, authorized an agreement with Creative Foods Systems, Incorporated, for operation of restaurant, lounge, gift shop and vending concession at the Binghamton Regional Airport with revenue to Broome County based on total percentage of gross receipts, and

WHEREAS, said services are necessary for the continued operation of the restaurant, lounge, gift shop and vending concession at the Binghamton Regional Airport, and

WHEREAS, said agreement expired by its terms on July 31, 1991, and it is desired at this time to renew said agreement for the period August 1, 1991 through July 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Creative Food Systems, Inc., P. O. Box 1177, Binghamton, New York, 13902, for operation of the restaurant, lounge, gift shop and vending concession at the Binghamton Regional Airport for the period August 1, 1991 through July 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall receive revenue based on total gross receipts for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 210070.0100.207000 (Restaurant/ Lounge Concession 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.**

Mr. Pasquale moved, seconded by Mr. Greenmun to adjourn to the call of the Clerk at 8:05 p.m. Carried.

**BROOME COUNTY LEGISLATURE**

**REGULAR SESSION  
THURSDAY, MARCH 19, 1992**

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-19.

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 Father Lane of Our Lady of Angels Church.

Mr. Moppert moved, seconded by Mr. Pasquale that the minutes of the February 20, 1992 Regular Session be approved as prepared and as presented by the Clerk. **Carried.**

The following written or oral presentations from the County Executive were presented to the County Legislature.

Designating County Attorney Joseph J. Slocum as Acting County Executive March 3, 1992 to March 4, 1992.

Nominating 26 persons to membership on the Ambulance Advisory Board.

Nominating John T. Pierog Ed.D to membership on the Youth Bureau Advisory Board.

Nominating Joseph D. Lynch to membership on the Criminal Justice Advisory Board.

Nominating Dennis R. Urgento and Roger V. Brown to membership on the Airport Advisory Board.

1993 Capital Budget Preparation Manual.

Designating Budget Director Timothy M. Costello as Acting County Executive, March 9 through 11, 1992.

The following communications were presented to the County Legislature:

Minutes from: Willow Point Nursing Facility; Broome County Association of Towns and Villages; Public Library; Airport Advisory Board; Cornell Cooperative Extension; Environmental Management Council; Mental Health Advisory Board.

1992 Broome County Salary Schedule.

Official notification from NYS Department of Health approving appointment of David Wertman, Public Health Director.

Copy of letter from City of Binghamton, Public Works, to John Kowalchyk regarding the source separation law.

Copy of letter from Commissioner of Public Works, David M. Donoghue, requesting County Public Works as "Lead Agency" for County Fleet Garage Vehicle Fueling System Replacement project.

Letter from Bill Paxon, NY 31st District, House of Representatives, urging Broome County support in approving legislation stipulating residency requirements for applicants of welfare and medicaid benefits.

Letter from Vincent R. Imbriani, Regional Inspector General for Audit Services, advising completion of organization-wide audit report on County (January 1 through December 31, 1990).

Resource Recovery Agency: List of significant correspondence (January 29 through February 7, 1992); Letter from County Attorney, Joseph J. Slocum regarding continued billing statements; Letter from Hawkins, Delafield & Wood requesting payment; Letter from Foster Wheeler stating willingness to consider downsized facility.

Notice of Summons: Kim R. Backus against County of Broome.

The following reports were presented to the County Legislature:

Broome Community College: Above the minimum hires and budget transfers (January 1992); 1990-1991 Annual Report; Quarterly Income and Balance Sheets (Local Law Intro. No. 8, 1990).

1991 Annual Reports: Department of Social Services; Department of Public Transportation.

Audit findings from Department of Audit and Control, Board of Elections, Department of Finance and Real Property Tax Services.

Department of Social services Monthly Report (December 1991).

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

Written or Oral Presentations of the County Legislature:

Letters from Chairman Arthur J. Shafer:

Appointing Kelly J. Wagstaff as voting representative for Wayne L. Howard, Health Services Committee, March 9, 1992.

Appointing Louis P. Augostini as voting representative for Wanda Hudak, Health Services Committee, March 9, 1992.

Appointing Louis P. Augostini as voting representative for Robert J. Moppert, Education, Culture and Recreation and Finance Committees, March 12, 1992.

Presentation of the County Seal: The Chairman at the request of Mrs. Wagstaff authorized the presentation of the Seal of the County to three Broome County athletes who participated in the 1992 Winter Olympics as follows: Chris Coleman, brakeman for USA-I, four man Bobsled Team.

Randy Will, driver for USA-I, four man Bobsled Team.

Michael Dunham, goaltender for the USA Hockey Team.

Mr. Dunham was unable to attend the session and his seal will be presented at a later date.

**RESOLUTION NO. 92-80** by Hon. Vincent Pasquale, Jamie Malley, Daniel Schofield and Arthur Shafer authorizing retention of independent counsel relating to proposed Resource Recovery Facility, which was held over at the February 20, 1992 Regular Session at the request of Mr. Brown was again presented for consideration. Resolution No. 92-80 was **withdrawn** by the sponsors.

**RESOLUTION NO. 92-81** by Hon. Arthur Shafer authorizing waiving of civil service exam fees, which was held over at the February 20, 1992 Regular Session at the request of Mr. Augostini was again presented for consideration. **Carried**.

**RESOLUTION NO. 92-82** by Hon. Margaret Coffey and Jamie Malley, committing to NYSDEC County's commitment to recycling, which was held over at the February 20, 1992 Regular Session at the request of Mr. Brown was again presented for consideration. Resolution No. 92-82 was **withdrawn** by the sponsors.

**RESOLUTION NO. 92-85** by Education, Culture and Recreation and Finance Committees authorizing an easement agreement with Michael Malarkey, Jr., which was held over at the request of Mr. Warner was again presented for consideration. Resolution **lost** by the following: Ayes-4 (Brown, Coffey, Pasquale, Shafer); Nays-15 (Augostini, Bielecki, Greenmun, Howard, Hudak, Kavulich, Lindsey, Malley, Moppert, Pazzaglini, Schofield, Seeley, Wagstaff, Warner, Yeager).

**RESOLUTION NO. 92-96A** by Personnel Committee authorizing PCR's with the Div. of Solid Waste Management, which was held over at the February 20, 1992 Regular Session at the request of Mr. Moppert was again presented for consideration. **Carried** by the following: Ayes-18; Nays-1 (Warner).

Several resolutions were taken out of order but for the sake of clarity they are presented in numerical order. Specifically, 92-160 relating to the Resource Recovery Agency, and 92-119 and 92-132 from the Preferred Agenda.

The preferred agenda was introduced at this time (Resolutions No. 98-139), seconded by Mr. Brown. The Chairman indicated that on page 8 of the Agenda no resolutions were indicated as belonging on the Preferred Agenda due to clerical error and as such would be treated individually. The preferred agenda carried as follows: Ayes-19.

**RESOLUTION NO. 98**

By Community and Social Services Committee.

Seconded by Hon. Roger Brown.

**RESOLUTION CONFIRMING APPOINTMENT OF JOHN T. PIEROG, Ed.D. TO MEMBERSHIP OF THE YOUTH BUREAU ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 163, adopted July 6, 1971 and Resolution No. 133, adopted April 6, 1976, has duly designated and appointed, pending confirmation by this Legislature, John T. Pierog, Ed.D., to membership on the Youth Bureau Advisory Board, for a term expiring December 31, 1992, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 163, adopted July 6, 1971 and Resolution No. 133, adopted April 6, 1976 to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 163, adopted July 6, 1971 and Resolution No. 133, adopted April 6, 1976, does hereby confirm the appointment of John T. Pierog, Ed.D., 169 Prospect Street, Binghamton, New York, 13905 to membership on the Youth Bureau Advisory Board in accordance with his appointment by the County Executive.

**Carried.**

**RESOLUTION NO. 99**

By Community and Social Services and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF NEW YORK COALITION OF LOCAL GOVERNMENT TRAINING GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992.**

WHEREAS, this County Legislature, by Resolution 706 of 1990, authorized and approved the continuation of the Central New York Coalition of Local Government Training for the Department of Social Services staff for calendar year 1991 and adopted a program budget in the amount of \$10,440, and

WHEREAS, the Department of Social Services recommends continuation of said program for the period January 1, 1992 through December 31, 1992 in the amount of \$10,440, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of the Central New York Coalition of Local Government Training Grant

for the Department of Social Services staff for the period January 1, 1992 through December 31, 1992, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$10,440 for the period January 1, 1992 through December 31, 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. 100**

By Community and Social Services and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY, INCORPORATED, FOR SHOPPER SERVICES IN CONNECTION WITH THE OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY GRANT FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 100 of 1991, authorized an agreement with Catholic Charities of Broome County, Incorporated, for shopper services for the Office for Aging's Community Services for the Elderly Grant at a cost not to exceed \$13,500 for the period April 1, 1991 through March 31, 1992, and

WHEREAS, said services are necessary for the Office for Aging Community Services for the Elderly Program to aid elderly residents in their shopping needs, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Catholic Charities of Broome County, Incorporated, 232 Main Street, Binghamton, New York, 13905 for shopper services in connection with the Office for Aging's Community Service for the Elderly Program for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$13,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760587.4457. (Subcontracted Program Expenses), and be it

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

**Carried.**

**RESOLUTION NO. 101**

By Community and Social Services and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INCORPORATED, FOR HOMEMAKER SERVICES IN CONNECTION WITH OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY GRANT FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 75 of 1991, authorized an agreement with Family and Children's Society of Broome County, Incorporated, for homemaker services for the Office for Aging's Community Services for the Elderly Grant at a cost not to exceed \$20,000 for the period April 1, 1991 through March 31, 1992, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Children's Society of Broome County, Incorporated, 257 Main Street, Binghamton, New York, 13905, for homemaker services in connection with Office for Aging's Community Services for the Elderly Grant for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$14,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760579.4457. (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. 102**

By Community and Social Services and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INCORPORATED, FOR COUNSELING SERVICES IN CONNECTION WITH THE OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY GRANT FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 74 of 1991, authorized an agreement with Family and Children's Society of Broome County, Incorporated, for counseling services for the elderly at a cost not to exceed \$6,035 for April 1, 1991 through March 31, 1992, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Children's Society of Broome County, Incorporated, 257 Main Street, Binghamton, New York, 13905, for counseling services for the elderly in connection with Office for Aging's Community Services for the Elderly Grant for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$12,035 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760694.4457. (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. 103**

By Community and Social Services and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF THE 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 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 73 of 91, authorized an agreement with the Binghamton Housing Authority for homemaker services for the Enriched Living Program through the County's Community Services for the Elderly grant for the Office for Aging for the period April 1, 1991 through March 31, 1992, and

WHEREAS, said agreement provides a homemaker position to assist frail, elderly residents at the Binghamton Housing Authority, which position is subsidized by the Housing Authority, and

WHEREAS, it is desired to renew said agreement for the period April 1, 1992 through March 31, 1993 in the amount of \$7,665, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes a renewal of the agreement with the Binghamton Housing Authority, Exchange Street, Binghamton, New York, 13902 for the period April 1, 1992 through March 31, 1993 for \$7,665, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made to budget line 760546.0166.102637 (Misc. 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, and be it

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

**Carried.**

**RESOLUTION NO. 104**

By Community and Social Services and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING REVISION OF AGREEMENT WITH MEDICAL PERSONNEL POOL FOR HOMEMAKER SERVICES IN CONNECTION WITH THE OFFICE FOR AGING'S TITLE III D IN-HOME SERVICES FOR THE FRAIL ELDERLY INDIVIDUALS FOR 1991.**

WHEREAS, this County Legislature, by Resolution No. 620 of 1990, as amended by Resolution No. 478 of 1991, authorized an agreement with Medical Personnel Pool for Office for Aging homecare services for frail elderly persons for calendar year 1991, at a cost of \$11.50/hour, \$110/day live-in rate, total cost not to exceed \$6,346, and

WHEREAS, it is necessary to authorize the revision of said agreement due to changes in the Medicaid rate for the daily rate, and

RESOLVED, that this County Legislature hereby authorizes a revision to the agreement with Medical Personnel Pool. 59 Front Street, Binghamton, New York, 13905, for the Office for Aging homecare services for frail elderly individuals for the period January 1, 1991 through December 31, 1991, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$11.75 per hour or \$105.00 per day live-in rate, total cost not to exceed \$6,346 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760710.4457.102549 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 620 of 1990 and Resolution 478 of 1991, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.**

Legislative Note: Following certification by the Clerk it was learned that the present hourly rate in the first FURTHER RESOLVED paragraph was incorrect. The Clerk will hold this resolution for reconsideration.

**RESOLUTION NO. 105**

By Community and Social Services and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH VOLUNTEERS OF AMERICA FOR DELIVERY OF MEALS TO FRAIL, HOME-BOUND ELDERLY FOR THE OFFICE FOR AGING FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 72 of 1991, authorized an agreement with Volunteers of America for delivery of meals to frail, home-bound elderly for the Office for Aging for the period April 1, 1991 through March 31, 1992 at a cost not to exceed \$13,498, and

WHEREAS, said services are necessary to meet the nutrition needs of clients

for the Office for Aging's Elderly Program, and

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

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Volunteers of America, 18 Exchange Street, Binghamton, New York, 13901, for the delivery of meals to the frail, home-bound elderly for the Office for Aging for the period April 1 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,760 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760413.4457. (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. 106**

By Community and Social Services and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JEANNE STRACUZZI FOR CONSULTING SERVICES FOR THE OFFICE FOR AGING FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 70 of 1991, authorized an agreement with Jeanne Stracuzzi for consulting services for the Office for Aging involving menu review, in-home counseling, monitoring and meal program assessment for the period April 1, 1991 through March 31, 1992 at a cost of \$14.00 per hour, total cost not to exceed \$13,104, and

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

WHEREAS, said agreement expires by its terms on March 31, 1992, and it is desired at this time to renew said agreement on substantially similar terms and conditions with a \$.56 per hour increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Jeanne Stracuzzi, RD #1, Box 1225, Windsor, New York, 13865 for consulting services in connection with the Office for Aging's Nutrition Program, including review of menus, in-home counseling, monitoring and assessment of the

meal programs for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$14.56 per hour for an average of 18 hours per week, total payment not to exceed \$13,630 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760413.4741. (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 and Social Services and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF THE OFFICE FOR AGING FOSTER GRANDPARENTS - SOFA GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 387 of 1991, authorized and approved the Office for Aging Foster Grandparents -SOFA grant and adopted a program budget in the amount of \$24,485 for the period April 1, 1991 through March 31, 1992, and

WHEREAS, said grant program expires on March 31, 1992 and it is desired to renew said grant program for the period April 1, 1992 through March 1, 1993 in the amount of \$24,485, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$24,485 from New York State for the Office for Aging Foster Grandparents - SOFA grant for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$24,485 for the period April 1, 1992 through March 31, 1993, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 108**

By Community and Social Services

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INCORPORATED, FORMERLY A PART OF UNITED HEALTH SERVICES FOR THE OFFICE FOR AGING FOR SOCIAL DAY CARE SERVICES FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 618 of 1990, authorized an agreement to provide Social Day Care Services for United Health Services' Long-term Home Health Care clients at the rate of \$28.00 for a full day and \$14.00 for a half day, and

WHEREAS, said agreement expires by its terms on March 31, 1992, 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 the agreement with Ideal Senior Living Center, Incorporated, formerly a part of United Health Services Long-term Health Care Program, 408 High Avenue, Endicott, New York, 13760, for Social Day Care services for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, Ideal Senior Living Center, Inc., shall pay Broome County \$30.00 per client for a full day of Social Day Care for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made to budget line 760538.0538. (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. 109**

By Community and Social Services, Personnel and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING REVISION OF THE BROOME COUNTY OFFICE FOR AGING CAREGIVER RESOURCE CENTER GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolution 207 of 1991, authorized and accepted \$20,000 for the Broome County Office for Aging Caregiver Resource Center Program Grant for the period April 1, 1991 through March 31, 1992, and

WHEREAS, said grant 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 necessary at this time to revise the appropriations and revenue amounts of said grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Broome County Office for Aging Caregiver Resource Center Program Grant for the period April 1, 1991 through March 31, 1992, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$20,000 for the period April 1, 1991 through March 31, 1992, and be it

FURTHER RESOLVED, that Resolution 207 of 1991, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 110**

By Community and Social Services, Personnel and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING CAREGIVER RESOURCE CENTER GRANT FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 207 of 1991, as amended, authorized and approved the Broome County Office for Aging Caregiver Resource Center Grant and adopted a program budget in connection therewith in the amount of \$20,000 for the period April 1, 1991 through March 31, 1992, 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, 1992 through March 31, 1993 in the amount of \$20,000, now therefore, be it

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, 1992 through March 31, 1993, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the

budgetary limits as set out in Exhibit "A" as attached hereto provided that said budget transfers do not affect a personnel line.

**Carried.**

**RESOLUTION NO. 111**

By Community and Social Services, Personnel and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 80 of 1991, authorized and approved the Supplemental Nutrition Assistance Program (SNAP) for the Office for Aging and adopted a program budget in the amount of \$189,506 for the period April 1, 1991 through March 31, 1992, and

WHEREAS, said grant program provides funds and assistance to the elderly to meet their nutritional needs, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1992 through March 31, 1993 in the amount of \$188,285, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continuation of the Office for Aging's Supplemental Assistance Program (SNAP) for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$188,285 for the period April 1, 1992 through March 31, 1993, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 112**

By Community and Social Services, Personnel and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF THE OFFICE FOR AGING COMMUNITY SERVICES FOR THE ELDERLY GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolutions No. 83 and 488 of 1991, authorized and approved the Community Services for the Elderly Grant and adopted a program budget in connection therewith in the total amount of \$267,081 for the period April 1, 1991 through March 31, 1992, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1992 through March 31, 1993 in the amount of \$304,649, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the Office for Aging Community Services for the Elderly Grant for the period April 1, 1992 through March 31, 1993 in the total amount of \$304,649, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the program budget annexed hereto as Exhibit "A" in the total amount of \$304,649 for the period April 1, 1992 through March 31, 1993, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 113**

By Community and Social Services, Personnel and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 81 of 1991, as amended, 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

\$436,306 for the period April 1, 1991 through March 31, 1992, and

WHEREAS, said grant program provides expanded in-home services for the elderly, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1992 through March 31, 1993 in the amount of \$443,689, 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, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$443,689 for the period April 1, 1992 through March 31, 1993, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 114**

By Community and Social Services, Personnel and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING REVISION OF EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1991 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolution 81 of 1991, authorized and approved the Expanded In-Home Services for the Elderly Program (EISEP) for the Office for Aging and adopted a program budget in connection therewith in the amount of \$436,306 for the period April 1, 1991 through March 31, 1992, and

WHEREAS, said grant program provides expanded in-home services for the elderly, and

WHEREAS, it is necessary at this time to revise said program to reflect revisions in revenue and appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the

revision of the Office for Aging's Expanded In-Home Services for the Elderly Program (EISEP) for the period April 1, 1991 through March 31, 1992, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$436,306 for the period April 1, 1991 through March 31, 1992, and be it

FURTHER RESOLVED, that Resolution 81 of 1991, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 115**

By Community and Social Services, Personnel and Finance Committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF THE MEDICAID MANAGED CARE (MAX) PROJECT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolutions 43 and 454 of 1990 and 101 of 1992, authorized the continued participation by the Department of Social Services in the Medicaid Managed Care (MAX) Project for the period December 1, 1990 to June 30, 1992, and adopted a program budget in the amount of \$50,000, and

WHEREAS, it is desired to renew said program for the period April 1, 1992 through March 31, 1993 in the amount of \$149,697, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Medicaid Managed Care (MAX) Project for the Department of Social Services for the period April 1, 1992 through March 31, 1993 in the total amount of \$149,697, 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 \$149,697 for the period April 1, 1992 through March 31, 1993, and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized

representative is hereby empowered to extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

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

**Carried.**

**RESOLUTION NO. 116**

By County Administration, Economic Development and Planning committee.

Seconded by Hon. Roger Brown.

**RESOLUTION ACCEPTING GIFTS FROM AN ANONYMOUS DONOR PURSUANT TO NEW YORK STATE COUNTY LAW, SECTION 215(3).**

WHEREAS, an anonymous donor has offered to donate approximately sixty (60) shelving units to Broome County, and

WHEREAS, the donated shelving units would be utilized in the records storage facility of the County Clerk, and

WHEREAS, such use is a lawful County purpose, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the acceptance of gifts pursuant to County Law Section 215(3) from an anonymous donor of sixty (60) shelving units to be used in the Broome County records storage facility, 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. 117**

By County Administration, Economic Development and Planning committee.

Seconded by Hon. Roger Brown.

**RESOLUTION ACCEPTING GIFTS FROM IBM CORPORATION PURSUANT TO NEW YORK STATE COUNTY LAW, SECTION 215(3).**

WHEREAS, IBM Corporation has offered to donate three portable radios to Broome County, and

WHEREAS, the donated radios would be utilized by the Department of Emergency Services, and

WHEREAS, such use is a lawful County purpose, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the acceptance of gifts pursuant to County Law Section 215(3) from IBM Corporation of three portable radios to be used by the Broome County Department of Emergency 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. 118**

By County Administration, Economic Development and Planning committee.

Seconded by Hon. Roger Brown.

**RESOLUTION RATIFYING AND AUTHORIZING APPOINTMENT OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE REVIEW COMMITTEE.**

WHEREAS, on September 25, 1991, the Chairman of the County Legislature appointed a committee to review the County Charter and Administrative Code, consisting of Mr. Augostini and Mr. Moppert, Co-chairmen, and Mr. Pazzaglini, Mr. Warner and Mrs. Coffey, and, as ex-officio members, the Chairman of the County Legislature, the County Executive or his representative, the County Attorney or his representative, and the County Comptroller, and

WHEREAS, on January 6, 1992, the Chairman of the County Legislature appointed four additional non-voting members from the community at large, namely, David Clutz, 66 Vestal Avenue, Binghamton, Holmes W. Somers, 209 Cornell Avenue, Endicott, Charles Croll, Gordon Drive, RD #3 Box 209, Binghamton and Robert Egan, 50 Plymouth Street, Johnson City, and on March 2, 1992, appointed two additional non-voting members, namely, Albert J. Millus, Jr., 700 Security Mutual Building, Binghamton, representing the Broome County Bar Association, and Earl Stephans, RD #1 Box 101, Chenango Forks, and

WHEREAS, Section 33(5) of the Municipal Home Rule Law provides that the County Legislature by resolution may provide that a draft of a proposed amendment or repeal of the County Charter shall be prepared by a charter commission appointed pursuant to such resolution, and

WHEREAS, the County Legislature approves of the action of the Chairman creating a committee to review the County Charter and Administrative Code and appointing the membership thereof, and desires that such committee shall have the same legal standing and authority as a charter commission created by resolution pursuant to Section 33(5) of the Municipal Home Rule Law, now therefore be it,

RESOLVED, that this County Legislature hereby ratifies, confirms and approves the action of the Chairman in appointing a committee to review the County Charter and Administrative Code, consisting of Mr. Augostini and Mr. Moppert, Co-chairmen, and Mr. Pazzaglino, Mr. Warner and Mrs. Coffey, and, as ex-officio members, the Chairman of the County Legislature, the County Executive or his representative, the County Attorney or his representative, and the County Comptroller, and in appointing said David Clutz, Holmes W. Somers, Charles Croll, Robert Egan, Albert J. Millus, Jr., and Earl Stephans, as additional non-voting members, and be it

FURTHER RESOLVED, that said committee shall continue to be known as the Broome County Charter and Administrative Code Review Committee, and be it

FURTHER RESOLVED, that said Committee is hereby authorized to prepare a draft of a proposed amendment or repeal of the County Charter and Administrative Code to be submitted to the County Legislature for consideration in accordance with law.

**Carried.**

**RESOLUTION NO. 119**

By County Administration, Economic Development and Planning committee.

Seconded by Hon. Roger Brown.

**RESOLUTION CONFIRMING APPOINTMENT OF EMIL J. BIELECKI AS LEGISLATIVE AT-LARGE CONSTITUENT MEMBER ON THE BROOME COUNTY COUNCIL OF GOVERNMENTS**

WHEREAS, Arthur J. Shafer, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Resolution No. 28, adopted February 6, 1992, has duly designated and appointed, pending confirmation by this Legislature, Emil J. Bielecki as Legislative At-Large Constituent Member on the Broome County Council of Governments, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 28 adopted on February 6, 1992, to appoint Emil J. Bielecki, 309 Old Vestal Road, Vestal, New York 13850, as Legislative At-Large Constituent

Member on the Broome County Council of Governments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 28, adopted February 6, 1992, does hereby confirm Emil J. Bielecki as Legislative At-Large Constituent Member on the Broome County Council of Governments in accordance with his appointment by the Chairman of the Broome County Legislature.

Mr. Pazzaglini moved, seconded by Mr. Seeley to amend the resolution to name Emil Bielecki as "Steering Committee Member" throughout the resolution in addition to his appointment as Legislative At-Large Constituent Member. Amendment **carried** by the following: Ayes-18; Nays-1 (Coffey). The resolution as amended **carried** by the following: Ayes-18; Nays-1 (Coffey).

**RESOLUTION NO. 120**

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

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH NEW YORK STATE DEPARTMENT OF LABOR FOR THE BROOME COUNTY OFFICE OF EMPLOYMENT AND TRAINING FOR LEASE OF OFFICE SPACE FOR 1992 THROUGH 1996**

WHEREAS, this County Legislature, by Resolution 229 of 1991, authorized an agreement with the New York state Department of Labor for the lease of office space located at 30 Wall Street in the City of Binghamton for the period January 1, 1992 through December 31, 1991, at a cost of \$1,512.50 per month, and

WHEREAS, said agreement expired by its terms on December 31, 1991, and it is desired at this time to renew said agreement for 1992 through 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the New York State Department of Labor, Principal Account ES#4, Room 434, Building 12, State Office Building Campus, Albany, New York 12240 for the lease of office space located at 30 Wall Street, Binghamton, New York for the period January 1, 1992 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the New York State Department of labor \$2,076.25 per month, total cost not to exceed \$24,915 per year for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 720722.4422.308000 (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. 121**

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

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF PETROLEUM PRODUCT QUALITY PROGRAM GRANT AGREEMENT WITH NEW YORK STATE DEPARTMENT OF AGRICULTURE & MARKETS BUREAU OF WEIGHTS AND MEASURES FOR THE DEPARTMENT OF WEIGHTS & MEASURES FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolution 12 of 1992, authorized an agreement with New York State Department of Agriculture and Markets Bureau of Weights & Measures in the amount of \$7,350 for the period November 1, 1991 through March 31, 1992, and

WHEREAS, said agreement provided reimbursement costs to enable the Department of Weights & Measures to provide screening and sampling of petroleum products located in Broome County, and

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

RESOLVED, that this County Legislature hereby authorizes and accepts \$7,350 from New York State Department of Agriculture and Markets Bureau of Weights & Measures and authorizes an agreement with this New York State agency for reimbursement costs associated with implementing the grant program for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to revenue line 350025.0460.101000 (Weights & Measures), 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. 122**

By Education, Culture and Recreation committee.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING APPLICATION BY THE PARKS AND RECREATION DEPARTMENT TO NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION LAND & WATER CONSERVATION FUND FOR OTSININGO TRAIL EXTENSION.**

WHEREAS, the Department of Parks and Recreation requests authorization to make application to New York State Office of Parks, Recreation and Historic Preservation Land & Water Conservation Fund for \$288,530 for the Otsiningo Trail Extension, and

WHEREAS, said funds will be used for financial assistance to Broome County for the costs associated with the Otsiningo Trail Extension at Otsiningo Park, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Parks and Recreation Department to make application to New York State Office of Parks, Recreation and Historic Preservation Land & Water Conservation Fund for funds for the Otsiningo Trail Extension at Otsiningo Park, 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. 123**

By Education, Culture and Recreation and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING AGREEMENT WITH DELTA ENGINEERS FOR ARCHITECTURAL AND ENGINEERING SERVICES AT THE FORUM - EXTERIOR REPAIRS FOR THE DEPARTMENT OF PARKS AND RECREATION.**

WHEREAS, the Department of Parks and Recreation requests authorization for

an agreement with Delta Engineers for architectural and engineering services for the Forum exterior, at a cost not to exceed \$19,950, and

WHEREAS, said services are necessary to provide architectural and engineering services for the Forum exterior repairs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Delta Engineers, P.C., 164 Court Street, Binghamton, New York, 13901, for architectural and engineering services for the Forum exterior repairs, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$19,950 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 655035.2016.502157 (Other Improvements), 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. 124**

By Education, Culture and Recreation and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING A PERMANENT EASEMENT AGREEMENT WITH NEW YORK STATE ELECTRIC & GAS COMPANY FOR AN EASEMENT LOCATED AT LITTLE CHOCONUT WATERSHED PROJECT SITE 36-TROUT BROOK IN THE TOWN OF DICKINSON**

WHEREAS, New York State Electric & Gas Company has requested a gas and electric transmission lines underground easement through land owned by Broome County located at Little Choconut Watershed Project Site 36 - Trout Brook in the Town of Dickinson, and

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

RESOLVED, that this County Legislature hereby grants the New York State Electric & Gas Company a permanent easement running through land owned by Broome County at Little Choconut Watershed Project Site 36 - Trout Brook in the Town of Dickinson, as more fully described in a map and property description referred to as Exhibit "A", and be it

FURTHER RESOLVED, that in consideration of the aforesaid easement, New York State Electric & Gas Company will pay Broome County the sum of \$500, said sum to be credited to revenue line 541003.0147.101020 (Miscellaneous), 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 Environment committee.

Seconded by Hon. Roger Brown.

**RESOLUTION CONFIRMING APPOINTMENT OF KEITH WHITTAKER TO MEMBERSHIP ON THE BROOME COUNTY SOIL & WATER CONSERVATION DISTRICT BOARD.**

WHEREAS, Arthur J. Shafer, Chairman of the Broome County Legislatures, pursuant to the powers vested in him by Resolution No. 27, adopted February 1, 1972, has duly designated and appointed, pending confirmation by this Legislature, Keith Whittaker, HC 79, Box 15, Whitney Point, New York, 13864, to membership on the Broome County Soil & Water Conservation District Board, for a term expiring December 31, 1994, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 27, adopted February 1, 1972 to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 27, adopted February 1, 1972, does hereby confirm the appointment of Keith Whittaker to membership on the Broome County Soil & Water Conservation District in accordance with his appointment by the Legislative Chairman.

**Carried.**

**RESOLUTION NO. 126**

By Environment committee.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF SOLID WASTE FOR PREPARATION OF THE SOLID WASTE MANAGEMENT PLAN FOR BROOME COUNTY FOR 1989 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolution 134 of 1989, as amended by Resolutions 481 of 1990, 159 and 381 of 1991, authorized an agreement with New York State Department of Environmental Conservation Division of Solid Waste to develop a Solid Waste Management Plan for Broome County for the period February 14, 1989 through April 14, 1992, and

WHEREAS, it is necessary to authorize the amendment of said agreement to allow for a no cost time extension of the agreement, and

WHEREAS, the Division of Solid Waste Management and your sponsoring committee have 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 New York State Department of Environmental Conservation Division of Solid Waste, 50 Wolf Road, Albany, New York for a time extension for the development of a Solid Waste Management Plan for Broome County for the period February 14, 1989 through August 20, 1992, at no cost to Broome County, and be it

FURTHER RESOLVED, that Resolutions 134 of 1989, 481 of 1990, 159 and 381 of 1991, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.**

**RESOLUTION NO. 127**

By Finance committee.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING AGREEMENT WITH LEAHY CONSULTING COMPANY FOR EVALUATION OF WORKERS' COMPENSATION INSURANCE PROGRAM FOR THE DEPARTMENT OF RISK AND INSURANCE.**

WHEREAS, the Department of Risk and Insurance requests authorization for an agreement with Leahy Consulting Company for evaluation of Workers' Compensation insurance program at a cost not to exceed \$2,500, and

WHEREAS, said services are necessary for evaluation of the County's Workers' Compensation cost assessment and evaluation of alternative approaches to Workers' Compensation insurance program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Leahy Consulting Company, 23 Maple Avenue, Mt. Kisco, New York, 10549, for evaluation of Workers' Compensation insurance program, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,500 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. 128**

By Health Services and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH DONSON TRANSPORTATION FOR THE DEPARTMENT OF HEALTH EDUCATIONALLY HANDICAPPED CHILDREN FOR 1991 THROUGH 1992.**

WHEREAS, this County Legislature, by Resolution 256 of 1991, authorized an agreement with Donson Transportation for transportation of Health Department educationally handicapped children requiring oxygen, for the period July 16, 1990 through August 31, 1991 at a cost of \$105 per day, per child, and

WHEREAS, State law requires the Health Department to provide transportation for educationally handicapped children and Donson Transportation is the only local transporter capable of transporting these children who require oxygen, and

WHEREAS, said agreement expired by its terms on August 31, 1991 and it is desired at this time to authorize the renewal of said agreement for 1991 through 1992 on substantially similar conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Donson Transportation, P. O. Box 208, Endicott, New York, 13760, for transportation of educationally handicapped children requiring oxygen for the

period September 1, 1991 through August 31, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$105 per day, per child, for services requiring oxygen and rates as approved by the Health Department for other transportation services out of county, total cost not to exceed \$23,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480285.4745.101000 (Education of Handicapped Children), 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 Public Safety and Emergency Services committee.

Seconded by Hon. Roger Brown.

**RESOLUTION CONFIRMING APPOINTMENT OF JOSEPH D. LYNCH TO MEMBERSHIP OF THE BROOME COUNTY CRIMINAL JUSTICE ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 61, adopted February 13, 1985 and in accordance with NYS Legislature Chapters 907 and 908 of the Laws of 1984, has duly designated and appointed, pending confirmation by this Legislature, Joseph D. Lynch to membership on the Broome County Criminal Justice Advisory Board, for a term expiring December 31, 1992, and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 61, adopted February 13, 1985 and in accordance with NYS Legislature Chapters 907 and 908 of the Laws of 1984 to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 61, adopted February 13, 1985 and in accordance with NYS Legislature Chapters 907 and 908 of the Laws of 1984, does hereby confirm the appointment of Joseph D. Lynch, 11 Stokes Avenue, Binghamton, NY, 13905 to membership on the Broome County Criminal Justice Advisory Board in accordance with his appointment by the County Executive.

**Carried.**

**RESOLUTION NO. 130**

By Public Safety and Emergency Services committee.

Seconded by Hon. Roger Brown.

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON  
AMBULANCE ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article XXIV, Section 2410 of the Charter, and pursuant to Resolution No. 277, adopted September 20, 1978 (Local Law No. 5, 1978), has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Ambulance Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Robert Warner 837 Main Street Vestal, NY 13850 (Legislative Representative)	New appointment  Term expires 12/31/92
Carl Fenescy County Office Building Binghamton, NY 13902	Reappointment  Term expires 12/31/92
Gary Griffis 38 Hawley Street Binghamton, NY 13901	Reappointment  Term expires 12/31/92
Toni-Lou M. Corbin Box 3057, Bridge St. Kirkwood, NY 13795	Reappointment  Term expires 12/31/92
Aleta Kinne Box 587, HC 78 Castle Creek, NY 13744	Reappointment  Term expires 12/31/92
Randy Hartz RD 3, Box 3466 Susquehanna, PA 18847	Reappointment  Term expires 12/31/92
John Demaria 76C Knapp Road Binghamton, NY 13905	Reappointment  Term expires 12/31/92
Kim W. Hopper	Reappointment

RD 4, Box 166A Binghamton, NY 13905	Term expires 12/31/92
Bernard Westfall RD 1, Box 70 Lisle, NY 13797	Reappointment Term expires 12/31/92
Thomas Apalnek Box 40D, Ashley Road Maine, NY 13802	Reappointment Term expires 12/31/92

John Eldred RD 2, Box 591A Chenango Forks, NY 13746	New appointment  Term expires 12/31/92
Thomas Hobart 9 Pearl Avenue Binghamton, NY 13903	Reappointment  Term expires 12/31/92
Donna Church RD 1, Box 57-62 Sanitaria Springs, NY 13833	Reappointment  Term expires 12/31/92
William Siebert 115 McFadden Road Apalachin, NY 13732	Reappointment  Term expires 12/31/92
Marcia Stahl RD 1, Box 336A Chenango Forks, NY 13743	Reappointment  Term expires 12/31/92
Janet Mulderig P. O. Box 58 Ouaquaga, NY 13826	Reappointment  Term expires 12/31/92
Jerry Bush P. O. Box 509 Whitney Point, NY 13862	Reappointment  Term expires 12/31/92
Robert Klock P. O. Box 167 Windsor, NY 13865	Reappointment  Term expires 12/31/92
William Jakaitis P. O. Box 431 Binghamton, NY 13901	New appointment  Term expires 12/31/92
Warren H. Perry RD 2, Box 506C, Mix Road Chenango Forks, NY 13746	New appointment  Term expires 12/31/92

Sheldon Butler RD 2, Box 201A Harpursville, NY 13787	New appointment Term expires 12/31/92
Jeffrey Goldsmith 38 Seminary Avenue Binghamton, NY 13905	New appointment Term expires 12/31/92
Timothy R. Burns 36 Riverside Drive Binghamton, NY 13905	New appointment Term expires 12/31/92

Patrick J. Vavra                      New appointment  
15 Arlington Street  
Johnson City, NY 13790              Term expires 12/31/92

Joseph Dolan                          New appointment  
324 Myrtle Street  
Vestal, NY 13850                      Term expires 12/31/92

Steven Pierson                        New appointment  
1442 Buttercup Road  
Windsor, NY 13865                  Term expires 12/31/92

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XXIV, Section 2410 of the Charter, and pursuant to Resolution No. 277, adopted September 20, 1978 (Local Law No. 5, 1978), to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV, Section 2410 of the Charter, and pursuant to Resolution No. 277, adopted September 20, 1978 (Local Law No. 5, 1978), does hereby confirm the appointments of the above-named individuals to membership on the Ambulance Advisory Board in accordance with their appointment by the County Executive.

**Carried.**

**RESOLUTION NO. 131**

By Public Safety and Emergency Services, Personnel and Finance committees.  
Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING RENEWAL OF INTENSIVE SUPERVISION PROGRAM GRANT FOR PROBATION DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.**

WHEREAS, this County Legislature, by Resolutions 195, 288 and 354 of 1991, authorized and approved the Intensive Supervision Program for the Probation Department and adopted a program budget in the amount of \$137,953 for the period April 1, 1991 through March 31, 1992, and

WHEREAS, said grant program provides Probation Officers supervising no more than 25 cases who are sentenced to probation in lieu of prison or jails by increasing supervision monitoring and offering an alternative to incarceration, and

WHEREAS, it is desired to renew said grant program for 1992 and 1993 on substantially similar terms and conditions, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves

acceptance of \$135,857 from New York State Division of Probation and Correctional Alternative for the Probation Department Intensive Supervision Program for the period April 1, 1992 through March 31, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$135,857 for the period April 1, 1992 through March 31, 1993, and be it

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

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

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

**Carried.**

**RESOLUTION NO. 132**

By Public Safety and Emergency Services, Public Works and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH O'BRIEN-KREITZBERG AND ASSOCIATES, INCORPORATED, FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE PUBLIC SAFETY FACILITY FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1991 THROUGH 1995.**

WHEREAS, this County Legislature, by Resolution 197 of 1991, authorized an agreement with O'Brien-Kreitzberg and Associates, Incorporated, for construction management services for the proposed Public Safety Facility for the period May 16, 1991 through January 1, 1995, at a cost of \$1,300,000, and

WHEREAS, it is necessary to authorize the amendment of said agreement to add to the scope of services to include material testing services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with O'Brien-Kreitzberg and Associates, Inc., 8 West 40th Street, 14th Floor, New York, New York, 10018, for construction management services for the Public Safety Facility for the period May 16, 1991 through January 1, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the O'Brien-Kreitzberg and Associates, Inc. an amount not to exceed \$1,420,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035121.4746.501234 (Engineering & Architectural Services), and be it

FURTHER RESOLVED, that Resolution 197 of 1991, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried** by the following: Ayes-17; Nays-2 (Brown, Greenmun).

**RESOLUTION NO. 133**

By Public Works committee.

Seconded by Hon. Roger Brown.

**RESOLUTION ABANDONMENT OF A PARCEL OF LAND LOCATED ADJACENT TO NEW YORK STATE ROUTE 11 IN THE TOWN OF CHENANGO.**

WHEREAS, the Department of Public Works requests that this County Legislature authorize the abandonment of any rights to a certain parcel of land located within a highway right-of-way located adjacent to New York State Route 11 in the Town of Chenango, as indicated on the annexed Exhibit "A," and

WHEREAS, the Department of Public Works has determined that this parcel of land is no longer needed for County purposes and recommends that any and all rights to this parcel be abandoned by Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the abandonment of any and all rights to the parcel of land located adjacent to New York State Route 11 in the Town of Chenango, more particularly described on the annexed Exhibit "A," 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. 134**

By Public Works committee.

Seconded by Hon. Roger Brown.

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO PROPOSED REMOVAL, REMEDIATION AND REPLACEMENT OF THE UNDERGROUND GASOLINE TANKS AT THE BROOME COUNTY FLEET MAINTENANCE GARAGE.**

WHEREAS, it is necessary to remove, remediate and replace the underground gasoline tanks at the Broome County Fleet Maintenance Garage due to leaking gasoline from the existing gasoline tanks, and

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

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned proposed removal and replacement, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek lead agency status with respect to the environmental review of the proposed removal, remediation and replacement of the underground gasoline tanks at the fleet maintenance garage site in the City of Binghamton, New York, and be it

FURTHER RESOLVED, that this County Legislature, based on the Environmental Assessment Form annexed hereto as Exhibit "A" hereby determines and declares that the adoption of the project will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature adopts the "negative declaration" annexed hereto as Exhibit "B".

**Carried.**

**RESOLUTION NO. 135**

By Public Works and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING AGREEMENT WITH ENVIRONMENTAL PRODUCTS & SERVICES, INCORPORATED, FOR REMOVAL, DISPOSAL AND CLEANUP OF LEAKING UNDERGROUND GASOLINE TANKS AND INSTALLATION OF MONITORING WELLS FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1992.**

WHEREAS, the Department of Public Works requests authorization for an agreement with Environmental Products & Services, Incorporated, for removal, disposal and cleanup of leaking underground gasoline tanks and installation of monitoring wells at the fleet service garage located at Courthouse Square, at a cost not to exceed \$90,000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Environmental Products & Services, Inc., P. O. Box 315, Syracuse, New York, 13209-0315, for removal, disposal and cleanup of leaking underground gasoline tanks and installation of monitoring wells at the fleet service garage located at Courthouse Square, for the period January, 1992 through August 31, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$90,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035139.2011.502194 (Improvements/ Alterations), 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 Public Works and Transportation committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING A PERMANENT EASEMENT AGREEMENT WITH NEW YORK STATE ELECTRIC & GAS COMPANY FOR AN EASEMENT LOCATED AT BINGHAMTON REGIONAL AIRPORT IN THE TOWN OF MAINE.**

WHEREAS, New York State Electric & Gas Company has requested a utility pole easement through land owned by Broome County located at Binghamton Regional Airport in the Town of Maine, and

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

RESOLVED, that this County Legislature hereby grants New York State Electric & Gas Company a permanent easement running through land owned by Broome County at Binghamton Regional Airport in the Town of Maine, as more fully described in a map and property description referred to as Exhibit "A," and be it

FURTHER RESOLVED, that in consideration of the aforesaid easement, New York State Electric & Gas Company will pay Broome County the sum of \$1.00, 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. 137**

By Transportation committee.

Seconded by Hon. Roger Brown.

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON AIRPORT ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 195 dated April 21, 1987, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Airport Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Dennis R. Urgento 4425 Old Vestal Road P. O. Box 1060 Binghamton, NY 13902-1060	New appointment   Term expires 12/31/93
Roger V. Brown 3815 Country Club Road Endwell, NY 13760	New appointment  Term expires 12/31/92

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 195 dated April 21, 1987, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 195 dated April 21, 1987, does hereby confirm the appointments of the above-named individuals to membership on the Airport Advisory Board in accordance with their appointment by the County Executive.

**Carried.**

**RESOLUTION NO. 138**

By Transportation and Finance committee.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING AGREEMENT WITH AMERICAN EXPRESS TRAVEL RELATED SERVICE COMPANY, INCORPORATED, FOR TERMINAL COUNTER SPACE AT BINGHAMTON REGIONAL AIRPORT FOR 1992 THROUGH 1997.**

WHEREAS, the Department of Aviation requests authorization for an agreement with American Express Travel Related Service Company, Incorporated, for terminal counter space at Binghamton Regional Airport with revenue to Broome County in the amount of \$1,920.25 per annum, for the period April 1, 1992 through April 2, 1997, and

WHEREAS, said agreement will provide revenue to Broome County and will allow American Express to operate a satellite office for processing pre-arranged contract ticket travelers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with American Express Travel Related Service Company, Inc., American Express Tower, 200 Vesey Street, World Financial Center, New York, New York, 10285-4300, for terminal counter space at Binghamton Regional Airport, for the period April 1, 1992 through April 2, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, American Express will pay the County \$1,920.25 per annum for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made to budget line 210070.0108.207000 (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. 139**

By Transportation and Finance committees.

Seconded by Hon. Roger Brown.

**RESOLUTION AUTHORIZING AGREEMENT WITH DAN OAKLEY, FOR CLASSROOM SPACE AT THE BINGHAMTON REGIONAL AIRPORT.**

WHEREAS, the Department of Aviation requests authorization for an agreement with Dan Oakley for classroom space on the second floor at the Binghamton Regional Airport terminal building on a month-to-month basis with revenue to Broome County of \$800.04 per annum, and

WHEREAS, said agreement is desired to bring added revenue to Broome County by leasing available space for a flight ground school at Binghamton Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Dan Oakley, 46 Travis Street, Binghamton, New York, 13904, for classroom space on the second floor at the Binghamton Regional Airport terminal building on a month-to-month lease agreement, and be it

FURTHER RESOLVED, that in consideration of said services, Dan Oakley shall pay the County \$800.04 per year for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made to budget line 210070.0108.207000 (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.**

The regular agenda was introduced at this time.

**RESOLUTION NO. 140**

By Community and Social Services and Finance committees.

Seconded by Mrs. Greenmun.

**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.**

WHEREAS, this County Legislature, by Resolution 71 of 1991, authorized an agreement with various contractors for the provision of Personal Care/Homemaker services in connection with the Expanded In-Home Services for the Elderly Program for the Office for Aging for the period April 1, 1991 through March 31, 1992 at

varying costs listed in Exhibit "A," and

WHEREAS, said agreements expire by their terms on March 31, 1992, and it is desired at this time to renew said agreements for the period April 1, 1992 through March 31, 1993 on substantially similar terms and conditions, and

WHEREAS, the Office for Aging recommends that in the event said rate increases are approved by New York State, the appropriate contractor be compensated at the newly approved rate, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreements with Stafkings Healthcare Systems, P. O. Box 1015, Binghamton, New York, 13902; Caregivers, 33 West State Street, Binghamton, New York, 13901; Family and Children's Society, 257 Main Street, Binghamton, New York, 13905; Medical Personnel Pool, 59 Front Street, Binghamton, New York, 13905; and, Kimberly Quality Care, Incorporated, 30 West Stat Street, Binghamton, New York, 13901, as set out in Exhibit "A" attached hereto at the rates specified, and be it

FURTHER RESOLVED, that said agreements shall be for the period April 1, 1992 through March 31, 1993, 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 760678.4457. (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.**

EXHIBIT "A"            EISEP 1992-1993 RATE STRUCTURE

<u>CONTRACT AGENCY</u> <u>REQUESTED RATE</u>	<u>1990</u> <u>APPROVED RATE</u>	<u>1991</u> <u>APPROVED</u>	<u>1992</u> <u>RATE</u>
Staffings	\$ 9.30	\$ 9.71	*
Medical Personnel Pool	11.25	11.75	*
Kimberly Quality Care	10.64	11.12	*
Family & Childrens Soc.	12.25	12.80	*
Caregivers	10.85	11.34	*

\*1992 Medicaid rates will be determined by a proposed NYSDSS rate methodology system. New rates will be available in September 1992.

**RESOLUTION NO. 141**

By Education, Culture and Recreation and Finance committees.

Seconded by Mr. Warner.

**RESOLUTION AUTHORIZING AGREEMENT WITH RECO INDUSTRIES FOR A RECYCLING PROGRAM FOR THE DEPARTMENT OF PARKS AND RECREATION AT THE BROOME COUNTY ARENA.**

WHEREAS, the Department of Parks and Recreation requests authorization for an agreement with RECO Industries for a recycling program at the Broome County Arena for a period of one year, with revenue to Broome County, and

WHEREAS, said services are desired to implement a recycling program at the Arena and provide revenue to Broome County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with RECO Industries, 16 Corporate Circle, East Syracuse, New York, 13057, for a recycling program, for a one-year period, and be it

FURTHER RESOLVED, that all revenue received pursuant to this agreement shall be paid to budget line 655027.0198.306000 (Advertising), 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.

At the request of Mr. Brown, Resolution No. 92-141 was **held over** under the rule.

**RESOLUTION NO. 142**

By Environment and Finance committees.

Seconded by Mr. Seeley.

**RESOLUTION AUTHORIZING AGREEMENT WITH PRECISION LABORATORIES, FOR GEOSYNTHETIC TESTING FOR THE DIVISION OF SOLID WASTE MANAGEMENT AT THE NANTICOKE LANDFILL FOR 1992.**

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with Precision Laboratories for geosynthetic testing at the Nanticoke Landfill for calendar year 1992, and

WHEREAS, said agreement is necessary for Third Party Quality Assurance and Quality Control lab testing for geosynthetics at the Nanticoke Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Precision Laboratories, 645 N. Main Street, Orange, California, 92668, for geosynthetic testing at the Nanticoke Landfill for calendar year 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,180 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 235036.4457.501245 (Subcontracted Program Expense) and 235036.4457.501219 (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. 143**

By Environment and Finance committees.

Seconded by Mr. Pasquale.

**RESOLUTION AUTHORIZING AGREEMENT WITH PARRATT-WOLFF, INCORPORATED, FOR SOILS TESTING FOR THE DIVISION OF SOLID WASTE MANAGEMENT AT THE NANTICOKE LANDFILL FOR 1992 THROUGH 1993.**

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with Parratt-Wolff, Incorporated, for soils testing at the Nanticoke Landfill for calendar year 1992, and

WHEREAS, said agreement is necessary to comply with the NYSDEC's requirement of Third Party Quality Assurance and Quality Control construction lab soils testing for Section III and closure at the Nanticoke Landfill, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Parratt-Wolff, Incorporated, Fisher Road, East Syracuse, New York, 13057, for soils testing for Section III and closure at the Nanticoke Landfill for calendar years 1992 and 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$49,653.50 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 235036.4457.501245 (Subcontracted Program Expense) and 235036.4457.501219 (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. 144**

By Environment and Finance committees.

Seconded by Mr. Pasquale.

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH VERNON O. SHUMAKER/CALOCERINOS & SPINA JOINT VENTURE FOR CONSULTING ENGINEERING SERVICES FOR THE BROOME COUNTY SOLID WASTE MANAGEMENT PROGRAM.**

WHEREAS, this County Legislature, by Resolution 263 of 1989, authorized an agreement with Vernon O. Shumaker/Calocerinos & Spina Joint Venture for consulting engineering services for the Broome County Solid Waste Management Program, at a cost of \$1,737,016, for the period October 10, 1989 through April 15, 1992, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase contract amount and extend period to allow for completion of the Solid Waste Management Plan, and

WHEREAS, the Division of Solid Waste Management has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Vernon O. Shumaker/Calocerinos & Spina Joint Venture, 423 Commerce Road, P.O. Box 427, Vestal, NY, 13850 for consulting engineering services for the Broome County Solid Waste Management Program, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$1,762,626, for the period October 10, 1989 through August 31, 1992, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4457.5012000 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 263 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** by the following: Ayes-15; Nays-4 (Greenmun, Hudak, Warner, Yeager).

**RESOLUTION NO. 145**

By Environment and Finance committees.

Seconded by Mr. Pasquale.

**RESOLUTION AUTHORIZING REIMBURSEMENT TO THE TOWN OF COLESVILLE FOR DIRECT COSTS OF OPERATING A BROOME COUNTY RECYCLING CENTER FOR THE DIVISION OF SOLID WASTE MANAGEMENT.**

WHEREAS, the Division of Solid Waste Management requests authorization for reimbursement to the Town of Colesville for direct costs of operating a Broome County Recycling Center In Harpursville, New York, for calendar year 1992, at a cost not to exceed \$9,280, and

WHEREAS, said the Town of Colesville has maintained and serviced the Recycling Center in the Town of Colesville for the past 2 1/2 years and has expended \$9,280 in direct costs for the operation of same, and

WHEREAS, since December of 1991, the Division of Solid Waste has taken over the operation of the Recycling Center, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes reimbursement to the Town of Colesville for direct costs associated with the operation of the Broome County Recycling Center located in Harpursville, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Town of Colesville an amount not to exceed \$9,280, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.2490.501220 (Other Operational Equipment) and 230078.4449.206000 (Other Operational Expenses), and be it

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

At the request of Mrs. Greenmun, Resolution 92-145 was **held over** under the rule.

**RESOLUTION NO. 146**

By Finance committee.

Seconded by Mr. Howard.

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR OFFICE FOR AGING, WILLOW POINT NURSING HOME, HEALTH, SHERIFF'S AND MENTAL HEALTH DEPARTMENTS.**

RESOLVED, that in accordance with a request from the Office for Aging, in order to provide funds for other chargebacks to maximize funding, as requested by BT# 3968, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	Index Sub-Project				
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	760421	2110	102534	Office machines	\$ 158
	760421	1000	102534	Salaries - FT	158
	760421	4606	102534	Tele. Billing Acct.	320
	760421	8040	102534	Workers' Comp	117
TO :	760421	4614	102534	Other Chargebacks	\$ 753

and be it

FURTHER RESOLVED, that in accordance with a request from the Office for Aging, in order to provide funds for salaries - temporary due to unexpected illness among three full-time employees, as requested by BT# 3493, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	Index	Sub-	Project		
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	760462	1000	102545	Salaries - FT	\$ 2,520
	760462	1500	102545	Salaries - PT	6,184
	760462	4625	102545	Food Srv. Chgbk.	1,326
TO :	760462	1600	102545	Salaries - Temp	\$10,030

and be it

FURTHER RESOLVED, that in accordance with a request from the Office for Aging, in order to provide funds for salaries - full time, to cover vacation costs of terminating employee, as requested by BT# 3494, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	Index	Sub-	Project		
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	760009	1600	102514	Salaries - PT	\$ 581
	760009	8040	102514	Workers' Comp	224
TO :	760009	1000	102514	Salaries - FT	\$ 805

and be it

FURTHER RESOLVED, that in accordance with a request from the Office for Aging, in order to provide funds for salaries - part time and other chargebacks, as requested by BT# 3495, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

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

FROM:	760595	1600	102559	Salaries - Temp	\$ 499	
	760595	8030	102559	Social Security		161
TO :	760595	1500	102559	Salaries - PT	\$ 93	
	760595	4614	102559	Other Chargebacks		567

and be it

FURTHER RESOLVED, that in accordance with a request from the Office For Aging, in order to provide funds for salaries - full-time and part-time, accrued vacation time due to termination, as requested by BT# 3496, 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:	760454	8060	102546	Health Ins.	\$ 389
TO :	760454	1000	102546	Salaries - FT	\$ 346
	760454	1600	102546	Salaries - PT	43

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for contract agency nursing services, as requested by BT# 3806, 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:	160085	1600	204000	Salaries - Temp	\$124,000
TO :	160085	5070	204000	Nursing Srv-RN	\$ 60,000
	160085	5071	204000	Nursing Srv-LPN	36,000
	160085	5072	204000	Nursing Srv-Aides	28,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds for Hepatitis B & Rabies vaccines for County Employees per New Regulations (OSHA), and to provide medical care for a physically handicapped child, as requested by BT# 4080, 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:	900084	4752	101000	Contingent Fund	\$ 26,000
TO :	480228	4365	101057	Prescript.Drugs	\$ 16,000
	480145	4707	101000	Med./Hosp.Serv.	10,000

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's

Department, in order to provide funds for Correction Officers being hired earlier in the year than originally planned to provide coverage for temporary jail quarters, as requested by BT# 4081, 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:	900084	4752	101000	Contingent Fund	\$ 59,634
TO :	450023	1000	101000	Salaries, FT	\$ 49,758
	450023	1920	101000	Pre-Shift	
				Reporting pay	1,463
	450023	8010	101000	State Retirement	1,310
	450023	8030	101000	Social Security	4,010
	450023	8050	101000	Life Insurance	53
	450023	8060	101000	Health Insurance	3,040

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, in order to provide funds establishing subcontracting for program expense at Forensic Unit, with the remainder to go into Mental Exams to cover costs until contract can be initiated, as requested by BT# 2542, 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:	470013	1000	101000	Salaries, FT	\$ 104,486
TO :	470013	4702	101000	Mental Exams	\$ 104,486

Separate votes were requested on BT#4080 and BT#4081.

BT#4080 **carried** by the following: Ayes-16; Nays-3 (Brown, Hudak, Wagstaff).

BT#4081 **carried** by the following: Ayes-16; Nays-3 (Brown, Coffey, Pasquale).

The balance of the resolution **carried**.

**RESOLUTION NO. 147**

By Finance committee.

Seconded by Mr. Seeley.

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE LEGISLATURE.**

RESOLVED, that in accordance with a request from the Legislature, in order to provide funds for temporary help to prepare a file/records inventory of all Resource Recovery Agency Records, as requested by BT# 3520, this County Legislature

hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingent Acct.	\$ 4,000
TO :	240028	1600	101000	Salaries - Temp	\$ 3,395
	240028	8030	101000	Social Security	255
	240028	8010	101000	Retirement	83
	240028	8060	101000	Health Insurance	267

Mr. Malley moved, seconded by Mrs. Coffey to amend the resolution to transfer the \$4,000 from the Legislature's budget entitled "Other Fees for Services" instead of the "Contingency Fund". Mr. Schofield moved, seconded by Mr. Yeager to call the question on the amendment. **Carried.** Amendment **lost** by the following: Ayes-4 (Coffey, Kavulich, Malley, Pasquale); Nays-15. Mr. Schofield moved, seconded by Mr. Moppert to call the question on the resolution. **Carried.** Resolution as presented **carried** by the following: Ayes-14; Nays-5 (Brown, Coffey, Kavulich, Pasquale, Warner).

**RESOLUTION NO. 148**

By Finance committee.  
Seconded by Mr. Warner.

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR DRUG AWARENESS.**

RESOLVED, that in accordance with a request from Drug Awareness, in order to provide funds for temporary Clinical Social Worker to provide staff training and group counseling to clients, as requested by BT# 1560, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	470021	1000	101000	Salaries - FT	\$ 18,000
	470021	8050	101000	Life Insurance	20
	470021	8060	101000	Health Insurance	3,425
	470021	8063	101000	Disability Ins.	55
TO :	470021	1600	101000	Salaries - Temp	\$ 21,500

**Carried.**

**RESOLUTION NO. 149**

By Finance committee.

Seconded by Mr. Pasquale.

**A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$800,000 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY PART OF THE COST OF THE NANTICOKE LANDFILL REHABILITATION PURSUANT TO STATE ORDER, IN AND FOR SAID COUNTY**

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

Section 1. To pay part of the cost of the Nanticoke Landfill rehabilitation pursuant to State Order (Project M-24A), in and for the County of Broome, New York, there are hereby authorized to be issued an additional \$800,000 serial bonds of said County pursuant to the Local Finance Law.

Section 2. The maximum estimated cost of the aforesaid class of objects or purposes, as hereby authorized, is now determined to be \$11,300,000 and the plan for the financing thereof is as follows:

- a) By the issuance of \$10,500,000 serial bonds of said County heretofore authorized to be issued therefore pursuant to a bond resolution duly adopted by the County Legislature of said County on March 7, 1990; and
- b) By the issuance of an additional \$800,000 serial bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 6 of paragraph a of Section 11.00 of the Local Finance Law, computed from October 11, 1990, the date of the first bond anticipation note issued therefore.

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

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

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

interest on such bonds as the same become due and payable.

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

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

Section 8. This resolution, which takes effect upon its approval by the County Executive, or a summary hereof, shall be published in the Press & Sun Bulletin, which is the only newspaper having circulation in said County for such purpose, together with a notice to the Clerk of the Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

**Carried** by the following: Ayes-18; Nays-1 (Greenmun).

Mr. Pasquale moved, seconded by Mr. Seeley to call back this resolution for reconsideration. **Carried.** At the request of Mr. Pasquale Resolution No. 92-149 was **held over** under the rule. Later, Mr. Pasquale rescinded his motion to hold over.

At the request of Mr. Schofield, Resolution No. 92-149 was then **held over** under the rule.

**RESOLUTION NO. 150**

By Finance committee.

Seconded by Mr. Warner.

**BOND RESOLUTION DATED MARCH 19, 1992.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$4,140,000 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY ALL OR PART OF THE COST OF VARIOUS CAPITAL PROJECTS.**

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

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

Project	Maximum Estimated Cost
<p><u>Code</u>      <u>Project Name/P.P.U./L.F.L. §11.00(a)</u>                      G-242 Reconstruction and resurfacing of                      Airport Road (Phase II), being a specific                      object or purpose; ten years; sub-                      division 20(b)</p>	<p>\$ 1,500,000</p>
<p>D-23      Reconstruction and rehabilitation of                      bridges, being a class of objects or                      Purposes; twenty years; subdivision 10</p>	<p>300,000</p>
<p>M-125      Construction of compost station,</p>	<p>200,000</p>

	being a specific object or purpose; twenty-five years; subdivision 6	
M-126	Construction of a demolition and construction waste facility, being a specific object or purpose; twenty-five years; subdivision 6	2,000,000
F-406	Removal, remediation and installation of underground fuel storage tanks, being a specific object or purpose; fifteen years; subdivision 88(a)	185,000

Section 2. SEQR DETERMINATION: Project G-242 has been determined to constitute an Unlisted Action under the SEQR Regulations of the State of New York which will not have significant adverse impacts upon the environment and for which a negative declaration has been made. Project D-23 constitutes a Type II Action which, by definition, will not have significant adverse impacts on the environment. Project F-406 has been determined to constitute a Type I action under the SEQR Regulations of the State of New York which will not have significant adverse impacts upon the environment and for which a negative declaration has been made.

It is hereby declared to the intent of this County Legislature that construction of Projects M-23, M-125 and M-126 shall not commence until all steps have been taken under the New York State Environmental Quality Review Act ("SEQR") to ensure that said proposed projects are in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process. Notwithstanding the foregoing, it is hereby further determined that no further resolution of this County Legislature shall be required in order to permit the issuance of obligations pursuant to this resolution once these proposed projects have been determined to be in compliance with the provisions of SEQR.

Section 3. (a) The aggregate maximum estimated cost of the aforesaid classes of objects or purposes or specific objects or purposes is \$4,185,000, and the plan for the financing thereof is by the issuance of \$4,140,000 serial bonds of said County, hereby authorized to be issued therefore, and by the appropriation and expenditure of \$45,000 current available funds.

(b) Said \$4,140,000 serial bonds shall be allocated to each of the objects or purposes described in Section 1 hereof in accordance with the maximum estimate cost thereof; provided, however, that Project D-23 shall be allocated only \$285,000 serial bonds with the remaining \$15,000 cost thereof financed by the appropriation and expenditure of available funds and Project F-406 shall be allotted only \$155,000 serial bonds with the remaining \$30,000 cost thereof financed by the appropriation and expenditure of available funds.

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

Section 5. All other matters except as provided herein relating to the serial

bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

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

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

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

Section 8. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature on substantially the form provided in Section 81.00 of the Local Finance Law.

At the request of Mr. Pasquale, Resolution 92-150 was **held over** under the rule. At the request of the County Attorney, Mr. Pasquale withdrew his motion to hold over. Mr. Schofield then **held over** all references to Project M-125 and M-126 with the understanding that the Clerk of the Legislature would make the necessary financial adjustments to the resolution. Mr. Brown moved, seconded by Mrs. Hudak to amend the resolution as follows: In Section 2 delete the first sentence in its entirety. In the second paragraph of Section 2 delete all references to Projects M-23, M-125 and M-126. In its place add G-242. Amendment **carried**. Mr. Schofield moved, seconded by Mrs. Coffey to call the question. **Carried**. The resolution as

amended and with those portions that were held over withdrawn from consideration **carried** by the following vote: Ayes-18; Nays-1 (Moppert).

**RESOLUTION NO. 151**

By Finance committee.

Seconded by Mr. Pazzaglini.

**RESOLUTION AUTHORIZING AGREEMENT WITH THE CIDER MILL PLAYHOUSE TO PROVIDE FUNDING FOR 1992.**

WHEREAS, the Cider Mill Playhouse requests this County Legislature to provide funding in the amount of \$18,000 for their general operating budget for calendar year 1992, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Cider Mill Playhouse, 2 South Nanticoke Avenue, Endicott, New York, 13760, to provide funding for the general operating budget for the period January 1, 1992 through December 31, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Cider Mill Playhouse an amount not to exceed \$18,000 for the term of this agreement, and be it

FURTHER RESOLVED, that in order provide funds for this agreement, as requested by BT# 4044, 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:	900084	4752	101000	Contingent Acct.	\$ 18,000
TO :	910018	5012	101000	Cider Mill	\$18,000

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 910018.5012.101000 (Cider Mill), and be it

FURTHER RESOLVED, that said contract shall be in a form similar to those used for other contract agencies and to be subject to any necessary approvals required by the State or Federal Governments for any other valid reasons which may require the approval of said State or Federal Governments and to be conditioned upon the submission and filing with the Clerk of this Legislature and County Executive written quarterly reports detailing the agency's use of funds received during the previous calendar year as well as future goals and related expenses, and be it

FURTHER RESOLVED, that if the contract provides for payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released and if the contract provides for two or more periodic payments during the contract term, said report referred to above shall be filed prior to the release of the second payment provided for by said contract and such payments are further subject to the provisions of Resolution 262 of 1978 as amended by Resolution 243 of 1979, and be it

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

**Carried** by the following: Ayes-14; Nays-5 (Coffey, Kavulich, Schofield, Wagstaff, Warner).

**RESOLUTION NO. 152**

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

Seconded by Mr. Seeley.

**RESOLUTION AUTHORIZING AGREEMENT WITH THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO PROVIDE ADDITIONAL FUNDING FOR 1992 FOR USE IN REVOLVING LOAN PROGRAMS UNDER THE EMERGING BUSINESS ASSISTANCE**

**PROGRAM.**

WHEREAS, the Broome County Emerging Business Assistance Advisory Board requests this County Legislature to provide funding for the fixed asset loan program and contract capital loan program under the Emerging Business Assistance Program approved by this County Legislature by Resolution No. 320 of 1991, for calendar year 1992, and

WHEREAS, the Board provides support and initiates programs to encourage the growth and development of emerging business firms in Broome County, and

WHEREAS, the Broome County Industrial Development Agency is designated in the Emerging Business Assistance Program as the agency to administer such loan programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Industrial Development Agency, 109 Main Street, Johnson City, New York, 13790, to provide funding for the fixed asset loan program and contract capital loan program for the period January 1, 1992 through December 31, 1992, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Broome County Industrial Development Agency, an amount not to exceed \$50,000 for the term of this agreement, and be it

FURTHER RESOLVED, that in order to provide funds for this agreement, as requested by BT# 4100, 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:	900084	4752	101000	Contingent Acct.	\$25,000
TO :	900167	5061	101000	Industrial Development Agcy	 \$25,000

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 900167.5061.101000 (Industrial Development Agency), and be it

FURTHER RESOLVED, that said contract shall be in a form similar to those used for other contract agencies and to be subject to any necessary approvals required by the State or Federal Governments for any other valid reasons which may require the approval of said State or Federal Governments and to be conditioned upon the submission and filing with the Clerk of this Legislature and County Executive written quarterly reports detailing the agency's use of funds received during the previous calendar year as well as future goals and related expenses, and be it

FURTHER RESOLVED, that if the contract provides for payment on a single lump sum basis, said annual report shall be filed before the lump sum payment is released and if the contract provides for two or more periodic payments during the contract term, said report referred to above shall be filed prior to the release of the second payment provided for by said contract and such payments are further subject to the provisions of Resolution 262 of 1978 as amended by Resolution 243 of 1979, and be it

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

**Carried** by the following: Ayes-14; Nays-5 (Augostini, Greenmun, Schofield, Wagstaff, Warner).

**RESOLUTION NO. 153**

By Finance and Public Works committees.

Seconded by Mr. Warner.

**RESOLUTION AMENDING THE 1991 CAPITAL IMPROVEMENT PROGRAM.**

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

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Estimated Construction Cost</u>			
		<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
F-406	DPW-B&G Fuel Tank Removal	\$30,000	\$0	\$0	\$30,000
		<u>How Financed</u>			
		<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
		1991	5	\$0	\$30,000

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost		
			<u>State</u>	<u>Federal</u>	<u>County</u>
F-406	DPW-B&G Fuel Tank Removal	\$185,000	\$0	\$0	\$185,000

How Financed

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1992	5	\$155,000	\$30,000

**Carried.**

**RESOLUTION NO. 154**

By Finance and Public Works committees.

Seconded by Mr. Warner.

**RESOLUTION AMENDING THE 1992 CAPITAL IMPROVEMENT PROGRAM.**

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

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost		
			<u>State</u>	<u>Federal</u>	<u>County</u>
G-242	Highway \$1,100,000 Rehabilitation	\$1,100,000	\$0	\$0	

How Financed

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1992	10	\$1,100,000	\$0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	Estimated Construction Cost		
			<u>State</u>	<u>Federal</u>	<u>County</u>
G-242	Highway	\$1,500,000	\$0	\$0	\$1,500,000

How Financed

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1992	10	\$1,500,000	\$0

**Carried**

**RESOLUTION NO. 155**

By Finance and Transportation committee.

Seconded by Mr. Warner.

**RESOLUTION AMENDING THE 1992-1993 CAPITAL IMPROVEMENT PROGRAM.**

RESOLVED, that the 1992-1993 Capital Improvement Program is hereby amended as follows:

FROM: 1992 Capital Improvement Program

Estimated Construction Cost

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
C-168	Water System Improvements	\$55,000	\$0	\$0	\$55,000

						How Financed			Current
						<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Revenue</u>
						1992	10	\$0	\$55,000
TO:	1993 Capital Improvement Program								
						Estimated Construction Cost			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>				
C-168	Water System Improvements	\$55,000	\$0	\$0	\$55,000				

						How Financed			Current
						<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Revenue</u>
						1993	10	\$0	\$55,000

and be it

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

FROM:

						Estimated Construction Cost			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>				
C-166	Runway 16-34 Electrical Vault Upgrade	\$771,500	\$0	\$694,350	\$77,150				

						How Financed			Current
						<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Revenue</u>
						1992	10	\$0	\$77,150

**Description:** First (of two) phases of mandated replacement of selected runway and taxiway lighting systems. Second phase follows in 1993.

TO:

						Estimated Construction Cost			
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>				
C-166	Vault Electrical Upgrade	\$1,321,500	\$0	\$1,189,350	\$132,150				

						How Financed			Current
						<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Revenue</u>
						1992	10	\$0	\$132,150

**Description:** Mandated replacement of runways 16-34 and 10-28 and taxiway

lighting systems.

Additional \$55,000 for County Portion of cost available because of removal of project C-168 from 1992 to 1993 Capital Program.

and be it

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

DELETE:

<u>Code</u>	<u>Project Name</u>	<u>Estimated Construction Cost</u>			
		<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
C-171	Runway 10-28 & Taxiways Electric	\$771,5000	\$0	\$694,350	\$77,150

How Financed			Current
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Revenue</u>
1993	10	\$0	\$77,150

**Project is combined with 1992 project C-166.  
Carried.**

**RESOLUTION NO. 156**

By Personnel committee.  
Seconded by Mr. Pasquale.

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENTS OF HEALTH, OFFICE OF EMPLOYMENT & TRAINING, SHERIFF AND WILLOW POINT NURSING HOME.**

RESOLVED, that in accordance with a request from the Department of Health, as contained in PCR# 92-156, this County Legislature hereby authorizes the upgrade of one (1) full-time Account Clerk Typist position from budget line A480145.1000, minimum salary \$13,820, Grade 7, to one (1) full-time Senior Account Clerk position at budget line A480020.1000, minimum salary \$15,382, Grade 9, effective March 19, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, as contained in PCR# 92-157, this County Legislature hereby authorizes the change in grade and salary of one (1) full-time Handicapped Children Services Assistant position at budget line 480145.1000, minimum salary \$18,062, Grade 12, to minimum salary \$16,228, Grade 10, effective March 19, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Office of Employment & Training, as contained in PCR# 92-137, this County Legislature hereby authorizes the upgrade of one (1) full-time Receptionist position at budget line CD720722.1000, minimum salary \$13,098, Grade 6, to one (1) full-time Keyboard Specialist position at budget line CD720722.1000, minimum salary \$14,580, Grade 8, effective March 23, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's Department, as contained in PCR# 92-169, this County Legislature hereby authorizes the change of effective date from July 6, 1992 to April 6, 1992 for four (4) Correction Officer positions at budget line A450023.1000, minimum salary \$22,822, Grade N/A, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's Department, as contained in PCR# 92-170, this County Legislature hereby authorizes the change of effective date from October 5, 1992 to July 23, 1992 for one (1) Correction Officer position at budget line A450023.1000, minimum salary \$22,822,

Grade N/A, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's Department, as contained in PCR# 92-171, this County Legislature hereby authorizes the change of effective date from October 5, 1992 to July 6, 1992 for four (4) Correction Officer positions at budget line A450023.1000, minimum salary \$22,822, Grade N/A, and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff's Department, in order to provide funds for Position Change Request numbers 92-169, 92-170 and 92-171, as requested by BT# 4081, 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:	900084	4752	101000	Contingent Fund	\$ 59,634
TO :	450023	1000	101000	Salaries - FT	\$ 49,758
	450023	1920	101000	Pre-shift	
				report. pay	1,463
	450023	8010	101000	State Retirement	1,310
	450023	8030	101000	Social Security	4,010
	450023	8050	101000	Life Insurance	53
	450023	8060	101000	Health Insurance	3,040

and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, as contained in PCR# 92-136, this County Legislature hereby authorizes the creation of one (1) full-time Infection Control Nurse position at budget line WC160077.1000, minimum salary \$24,285, Grade 16, effective April 1, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funds for Position Change Request number 92-136, as requested by BT# 3764, 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:	160077	1950	204000	Salary Adjust.	\$ 26,958
TO :	160077	1000	204000	Salaries - FT	\$ 21,114
	160077	8010	204000	State Retirement	528
	160077	8030	204000	Social Security	1,616
	160077	8040	204000	Workers' Comp.	739
	160077	8050	204000	Life Insurance	30
	160077	8060	204000	Health Insurance	2,931

and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, as contained in PCR# 92-138, this County Legislature hereby authorizes the change of one (1) part-time Account Clerk/Typist position at budget line WC160010.1500, minimum salary \$7.0331 per hour, Grade 7, to one (1) full-time Account Clerk position at budget line WC160010.1500, minimum salary \$13,820, Grade 7, effective April 1, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funds for Position Change Request number 92-138, as requested by BT# 3804, 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:	160077	1000	204000	Salaries - FT.	\$ 6,640
	160010	1500	204000	Salaries - PT	4,837
TO :	160010	1000	204000	Salaries - FT	\$ 10,365
	160010	8010	204000	State Retirement	139
	160010	8030	204000	Social Security	424
	160010	8040	204000	Workers' Comp.	194
	160010	8060	204000	Health Insurance	355

and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, as contained in PCR# 92-143, this County Legislature hereby authorizes the change of one (1) temporary Rehabilitation Assistant position at budget line WC160085.1600, minimum salary \$7.0554 per hour, Grade 7, to one (1) full-time Rehabilitation Assistant position at budget line WC160085.1000, minimum salary \$14,788, Grade 7, effective April 1, 1992, and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Home, in order to provide funds for Position Change Request number 92-143, as requested by BT# 3769, 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:	160085	1600	204000	Salaries - Temp	\$ 12,858
TO:	160085	1000	204000	Salaries - FT	\$ 12,858

**Carried** by the following: Ayes-16; Nays-3 (Brown, Coffey, Pasquale).

**RESOLUTION NO. 157**

By Personnel committee.

Seconded by Mr. Yeager.

**RESOLUTION AUTHORIZING PERFORMANCE INCREMENTS FOR PART-TIME BROOME COUNTY EMPLOYEES NOT REPRESENTED BY UNIONS UNDER THE PROVISIONS OF THE NEW YORK STATE "TAYLOR LAW"**

WHEREAS, this County Legislature, by Resolution 220 of 1977, as amended, adopted the Administrative Rules for Broome County employees not represented by unions under the provisions of the New York State "Taylor Law," and

WHEREAS, said Administrative Rules set annual performance increments for the aforementioned full-time employees, and

WHEREAS, currently, said Administrative Rules do not address the provision of performance increments for part-time employees and this Legislature desires to

remedy this oversight and include part-time employees as eligible for annual performance increments as indicated in the aforementioned Administrative Rules for Personnel, now, therefore, be it

RESOLVED, that this County Legislature hereby directs and authorizes that part-time employees covered by the Administrative Rules for Broome County employees be eligible for annual performance increments as outlined in Article 4 - Compensation, of said Rules with the same requirements and conditions as full-time employees as previously adopted by this County Legislature, and be it

FURTHER RESOLVED, that this Resolution shall be effective as of January 1, 1992.

At the request of Mr. Yeager, Resolution No. 92-157 was **held over** under the rule.

**RESOLUTION NO. 158**

By Public Works and Finance committees.

Seconded by Mr. Pazzaglini.

**RESOLUTION AUTHORIZING AGREEMENT WITH CARTER ASSOCIATES AND EMJ/McFARLAND-JOHNSON ENGINEERS, INCORPORATED, FOR PROFESSIONAL SERVICES ASSOCIATED WITH A PAVEMENT MANAGEMENT SYSTEM FOR THE DEPARTMENT OF PUBLIC WORKS.**

WHEREAS, the Department of Public Works requests authorization for an agreement with Carter Associates and EMJ/McFarland-Johnson Engineers, Incorporated for professional services necessary to purchase and implement a pavement management system at a cost not to exceed \$110,900, and

WHEREAS, said agreement is necessary to provide an adequate pavement management system for Broome County help plan and estimate future repairs and rehabilitation of the County highway system and maintain same, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Carter Associates and EMJ/McFarland-Johnson Engineers, Inc., P. O. Box 1980, 171 Front Street, Binghamton, New York, 13902, for professional services necessary to purchase and implement a pavement management system for Broome County, and be it

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

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

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

FURTHER RESOLVED, that 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.

At the request of Mr. Pazzaglini, Resolution No. 92-158 was **held over** under the rule.

**RESOLUTION NO. 159**

By Public Works, Transportation and Finance committees.

Seconded by Mr. Warner.

**RESOLUTION AUTHORIZING AGREEMENT WITH EMJ/McFARLAND-JOHNSON ENGINEERS, INCORPORATED, FOR PROFESSIONAL SERVICES FOR TECHNICAL IMPROVEMENTS AND SIGNAGE ON THE RUNWAYS AND TAXIWAYS AT BINGHAMTON REGIONAL AIRPORT.**

WHEREAS, the Departments of Public Works and Aviation request authorization for an agreement with EMJ/McFarland-Johnson Engineers, Incorporated for professional services for electrical improvements and signage on the runways and taxiways at Binghamton Regional Airport at a cost not to exceed \$116,800, and

WHEREAS, said agreement is necessary to implement improvements and upgrades to the electrical system to the runways and taxiways at the Binghamton Regional Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with EMJ/McFarland-Johnson Engineers, Inc., 171 Front Street, Binghamton, New York, 13905, for professional services in connection with the electrical improvements and

signage on the runways and taxiways at the Binghamton Regional Airport, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$116,800 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 211029.4746.502214 (Engineering & Architectural Services), and be it

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

**Carried.**

**RESOLUTION NO. 160**

By Environment committee.

Seconded by Mrs. Hudak.

**RESOLUTION REQUESTING THE RESOURCE RECOVERY AGENCY TO MAKE NO REQUESTS FOR TIME EXTENSION TO COMPLY WITH NYSDEC DECISION ISSUED DECEMBER 18, 1991, AND TO CANCEL SERVICE AGREEMENT WITH FOSTER WHEELER BROOME COUNTY, INC., DATED OCTOBER 19, 1988.**

WHEREAS, this County Legislature and the County Executive desire to request the Resource Recovery Agency to make no requests for any time extension to comply with the NYSDEC decision issued December 18, 1991 with regard to the proposed construction of a resource recovery facility in Kirkwood, New York, and

WHEREAS, this County Legislature and the County Executive further desire to request the Resource Recovery Agency to cancel the service agreement with Foster Wheeler Broome County, Inc., dated October 19, 1988 for the proposed construction of a resource recovery facility in Kirkwood, New York, now, therefore, be it

RESOLVED, that this County Legislature and the County Executive hereby request the Resource Recovery Agency to cancel the contract with Foster Wheeler Broome County, Inc., dated October 19, 1988 immediately within the lawful terms and conditions of the contract, and be it

FURTHER RESOLVED, that this County Legislature and the County Executive hereby request the Resource Recovery Agency to make no requests for any extension of time to comply with Commissioner Jorling's Decision issued December 18, 1991, and be it

FURTHER RESOLVED, that the Broome County Law Department is authorized and directed to initiate the process necessary to dissolve and disband the Resource Recovery Agency, and be it

FURTHER RESOLVED, that the Clerk of the Broome County Legislature is hereby directed to send certified copies of this resolution to NYSDEC, Commissioner Jorling, Foster Wheeler Broome County, Inc., and the Broome County Resource Recovery Agency, 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 this Resolution shall take effect immediately upon the signature of the County Executive.

Mr. Augostini moved, seconded by Mrs. Hudak to call the question. **Carried.** Resolution **carried** by the following: Ayes-14; Nays-5 (Bielecki, Howard, Moppert, Warner, Yeager).

**RESOLUTION NO. 161**

By County Administration, Economic Development and Planning and Reapportionment committees.

Seconded by Mrs. Greenmun.

**RESOLUTION ADOPTING AND APPROVING LOCAL LAW INTRO. NO. 4, 1992, WHICH AMENDS THE BROOME COUNTY CHARTER AND THE BROOME COUNTY ADMINISTRATIVE CODE TO REDISTRIBUTE LEGISLATIVE DISTRICTS OF THE COUNTY OF BROOME.**

WHEREAS, the Reapportionment Committee of the Broome County Legislature was authorized and has undertaken to prepare a plan to redistrict the Legislative Districts of the County of Broome through amendment of the Broome County Charter and the Broome County Administrative Code, and

WHEREAS, in the opinion of the Reapportionment Committee, Local Law Intro. No. 4, 1992, amending the Broome County Charter and the Broome County Administrative Code, provides the best method and plan for redistricting the Legislative Districts of the County of Broome, now, therefore, be it

RESOLVED, that Local Law Intro. No. 4, 1992, a copy of which is attached hereto, which amends the Broome County Charter and the Broome County Administrative Code under the authority of Article 4 of the Municipal Home Rule Law in relation to the redistricting of the Legislative Districts of the County of Broome, be and hereby is adopted and approved, and be it

FURTHER RESOLVED, that in accordance with Section C201, Paragraph 5, of the Broome County Charter and Section A201, Paragraph E, of the Broome County Administrative Code, Local Law Intro. No. 4, 1992, shall be subject to referendum on petition in the manner provided for by the terms and provisions of Section 24 of the Municipal Home Rule Law.

LOCAL LAW INTRO. NO. 4, 1992

LOCAL LAW OF THE COUNTY OF BROOME TO AMEND THE BROOME COUNTY CHARTER AND THE BROOME COUNTY ADMINISTRATIVE CODE TO REDISTRIBUTE THE LEGISLATIVE DISTRICTS OF THE COUNTY OF BROOME.

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

SECTION 1. Paragraph 3 of Section C201 of Article II of the Broome County Charter, as amended, and Paragraph C of Section A201 of Article II of the Broome County Administrative code are hereby amended to read as follows:

The County of Broome shall be divided into Legislative Districts, bounded and described as follows:

Legislative	Geographic Area
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District	
1	City Ward 6 (Election Districts 2,3,4,5,6) Total City Ward 12
2	City Ward 1 (Election Districts 2,3,4,5,9) Total City Ward 2 City Ward 3 (Election Districts 1,3,4,6)
3	City Ward 1 (Election District 1) Total City Ward 7 Total City Ward 8 Total City Ward 10 Total City Ward 11 Total City Ward 13 Town of Dickinson (Election District 3)
4	City Ward 1 (Election Districts 6,7) Total City Ward 4 City Ward 3 (Election Districts 2,5)
5	Total City Ward 5 City Ward 6 (Election District 1) Town of Binghamton (Election District 4) Town of Vestal (Election District 3)
6	Town of Binghamton (Election Districts 1,2,3) Town of Conklin (Election Districts 1,2,3) Town of Vestal (Election Districts 2,18,19)
7	Town of Conklin (Election Districts 4,5) Total Town of Kirkwood Town of Windsor (Election Districts 3,4)
8	Town of Barker (Election District 1) Town of Chenango (Election District 4) Town of Dickinson (Election District 1) Total Town of Fenton
9	Total Town of Colesville Total Town of Sanford

	Town of Windsor (Election Districts 1,2)	
10	Town of Chenango (Election Districts 1,2,3,5,6,7,8, 9,10)	
11	Town of Barker (Election District 2) Total Town of Lisle Town of Maine (Election Districts 1,3) Total Town of Nanticoke Total Town of Triangle	
12	City Ward 1 (Election District 8) Town of Dickinson (Election Districts 2,4,5) Town of Union (Election Districts 1,9,12,44,51,	52,54)
13	Town of Union (Election Districts 22,23,24,25,26,29,	30,39,40,41,53,59,65)
14	Town of Union (Election Districts 28,31,32,33,34,35,36,	37,38,42,45)
15	Town of Union (Election Districts 17,18,19,21,27,46, 47,56,60,61,62)	
16	Town of Maine (Election Districts 2,4) Town of Union (Election Districts 10,14,15,20,48,49,50,	57,63,64)
17	Town of Union (Election Districts 2,3,4,5,6,7,8,11,13,	16,43,55)
18	Town of Vestal (Election Districts 1,4,5,6,7,9,11,12,	13,14,21,22)
19	Town of Vestal (Election Districts 8,10,15,16,17,20,23, 24,25,26,27)	

Reference to "City Wards" in the above description refers to wards in the City of Binghamton as established as of December 31, 1988.

Reference to "Election Districts" in the above description refers to Election Districts as established as of March 23, 1992.

The maps of the districts referred to above, as well as maps showing the Legislative Districts into which Broome County is herein divided, shall be filed with the Clerk of the Broome County Legislature and shall remain on file and shall be considered and hereby made a part hereof.

SECTION 2. In the event that this Local Law is filed with the Office of the Secretary of State prior to September 20, 1992, after having been adopted in the manner prescribed by the Municipal Home Rule Law, this Local Law shall establish the Legislative Districts for County Legislators elected at the general election of 1992 for terms to begin on January 1, 1993 and for County Legislators elected thereafter. Otherwise, it shall establish the Legislative Districts for County Legislators elected at the first general election held following such filing with the Office of the Secretary of State, 1992 excluded, for terms to begin on the January 1 following such general election.

SECTION 3. If any clause, sentence, paragraph, word, section or part of this Local Law, shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment or decision shall not affect, impair or invalidate the remainder of said Local Law, but rather, such judgment or decision shall be confined in its operation to the clause, sentence, paragraph, word, section or part of said Local law directly involved in the controversy in which such judgment or decision shall have been rendered.

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

At the request of Mr. Shafer, Resolution No. 92-161 was **held over** under the rule until a Special Session of the Broome County Legislature to be held April 2, 1992.

**RESOLUTION NO. 162**

By County Administration, Economic Development and Planning and Reapportionment committees.

Seconded by Mrs. Greenmun.

**RESOLUTION AUTHORIZING PUBLIC HEARING ON LOCAL LAW INTRO. NO. 4, 1992, CONCERNING THE REDISTRICTING OF THE LEGISLATIVE DISTRICTS OF BROOME COUNTY.**

RESOLVED, that this County Legislature hereby authorizes and directs that a public hearing be held on the question of the adoption of Local Law Intro. No. 4, 1992, which Local Law would amend Article II, Section C201 of the Broome County Charter and Article II, Section A201 of the Broome County Administrative Code to redistrict the Legislative Districts of Broome County, said public hearing to be held on March 31, 1992, at 7:30 o'clock in the evening of said day in the Broome County Legislative Chambers, 6th Floor, Broome County Office Building, Binghamton, New York, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby authorized and directed to advertise and publish notices of said public hearing in the official newspaper of Broome County in the usual manner.

**Carried.**

**RESOLUTION NO. 163**

By Public Safety and Emergency Services and Finance committees.

Seconded by Mr. Pasquale.

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE PUBLIC DEFENDER'S OFFICE.**

RESOLVED, that in accordance with a request from the Public Defender's Office, in order to provide funds for office supplies by reallocating remaining salary and fringe amounts, as requested by BT# 2709, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	530030	1000	102601	Salary - FT	\$ 500
	530030	8010	102601	Retirement	1,592
	530030	8040	102601	Workers' Comp.	840
	530030	8060	102601	Health Ins.	650
	530030	8070	102601	Unemployment	241
TO :	530030	4319	102601	Office supplies	\$ 3,823

**Carried.**

**RESOLUTION NO. 164**

By Finance committee.

Seconded by Mr. Howard.

**RESOLUTION AUTHORIZING AGREEMENTS WITH THE CITY OF BINGHAMTON AND THE TOWNS OF BARKER, BINGHAMTON, CONKLIN, DICKINSON, FENTON, KIRKWOOD, LISLE, MAINE, NANTICOKE, SANFORD, TRIANGLE, AND WINDSOR FOR REAL PROPERTY REVALUATION REASSESSMENT SERVICES FOR REAL PROPERTY LOCATED WITHIN THE CITY OF BINGHAMTON AND EACH TOWN**

WHEREAS, Real Property Tax Services requests authorization for agreements with the City of Binghamton and the Towns of Barker, Binghamton, Conklin, Dickinson, Fenton, Kirkwood, Lisle, Maine, Nanticoke, Sanford, Triangle and Windsor for real property revaluation reassessment services, with all costs incurred by Broome County, including bonding costs, to be reimbursed by the respective city and towns, and

WHEREAS, said agreements are desired to comply with New York State Rules and Regulations and to establish a property reassessment program within the City of Binghamton and each town, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the City of Binghamton and the Towns of Barker, Binghamton, Conklin, Dickinson, Fenton, Kirkwood, Lisle, Maine, Nanticoke, Sanford, Triangle and Windsor, for real property revaluation services for real property located within the city and each town, and be it

FURTHER RESOLVED, that in consideration of said services, the City and Towns will reimburse the County for all expenses incurred by the County, including bonding costs, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made to budget line 340000.0464. (Other Local Governments), and be it

FURTHER RESOLVED, that the Broome County Comptroller and

Commissioner of Finance are hereby authorized, as they deem necessary, to make any bookkeeping and accounting entries, adjustments, or transfers 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 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.**

Mr. Shafer moved, seconded by Mrs. Coffey to change the Regular Session date of April 16 to April 14, 1992. **Carried.** The Chairman also indicated that he was calling a Special Session for 4:00 p.m. on Thursday, April 2, 1992 for consideration of Local Law Intro. No. 4 and other hold over items.

Mr. Moppert moved, seconded by Mrs. Coffey to adjourn to the call of the Clerk at approximately 6:15 p.m. **Carried.**