

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
THURSDAY, SEPTEMBER 23, 1993**

The Legislature convened at 4:00 p.m. with a call 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, Absent-0.

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.

Mr. Pasquale moved, seconded by Mr. Pazzaglini that the minutes of the August 19, 1993 Session be approved as prepared and as presented by the Clerk. **Carried.**

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

Letters from the County Executive, Timothy M. Grippen:

Veto Message of Resolution #93-342 pertaining to Charter changes.
(pg. 377)

The following petitions, communications, notices and reports were presented:

PETITIONS:

In support of sales tax from Broome County labor unions as follows:

- | | |
|---------------------------|---------------------------------|
| a. Bus Ridership | d. Broome County Historian |
| b. Broome County Services | e. Broome County Public Library |
| c. Broome County Parks | |

COMMUNICATIONS:

1. Minutes from:

- a. Environmental Management Council.
- b. Binghamton Regional Airport Advisory Board.
- c. Mental Health Advisory Board.
- d. Minority Business Assistance Advisory Board.
- e. Ambulance Advisory Board.

- f. Landfill Siting Committee.
 - g. Land Use/Natural Resources Committee.
 - h. Presentation by Dr. Bartell of final Income Tax Study
 - i. EMC Solid Waste Committee.
 - j. Water Resources Committee.
 - k. Willow Point Nursing Facility Board.
2. Potential Landfill Sites: Letter from Windsor Landfill Opposition Committee; Town of Fenton Councilman William Smith, Jr.; Comments on "Preliminary Evaluation of Eleven Potential Sites".
 3. Public Safety Facility Financing: Evaluation of Financing Alternatives; Letter re Serial Bonds vs. COPs.
 4. Compost Facility: Comments from Public Scoping Meeting; Supplemental EIS.
 5. Ball, McDonough & Artz, P.C.: Letter re District Attorney's Salary, Show Cause Order (Petitioner Gerald F. Mollen against County of Broome) and Brief for Petitioner.
 6. Letter from BCC President, Donald A. Dellow, regarding implementation of negotiated contract agreements.
 7. Budget and Research: Departmental backup materials used in preparation of 1994 County Budget.
 8. Letter appointing Patrick Brennan as Acting Commissioner of Public Works, August 21-28, 1993.
 9. Letter from Dr. John R. Bartle, SUNY Political Science Department enclosing information re County personal income tax data and rates.

REPORTS:

1. Monthly Reports:
 - a. Department of Social Services (May, June 1993).
 - b. Broome Community College (Above Minimum Hires and Budget Transfers, July 1993).
2. Broome Community College (Quarterly Financial Reports).
3. Office of County Attorney: Six Year Report (1988 to 1993).
4. 1992 Annual Report: Agricultural Society.
5. Southern Tier Zoological Society, Inc. (Detailed use of 1993 allocated funds).
6. Department of Social Services (1991-94 Consolidated Services Plan,

1993 Annual Implementation Report).

- 7.NYS Low-Level Radioactive Waste Siting Commission (Excluded Areas Report; Response to Comments on the Draft Plan for selecting a Preferred Method for Disposal of Low-Level Radioactive Wastes").
- 8.Department of Audit and Control: Single Audit Reports ending December 31, 1992 (County of Broome, Department of Public Transportation, Willow Point Nursing Facility).
- 9.Department of Planning and Economic Development: 1992 School Census Update.

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chairman, Arthur J. Shafer:

- 1.Appointing Merry Harris as voting representative for George Harbachuk, Environment Committee, September 14, 1993.
- 2.Appointing Wayne L. Howard as Acting Chair and Louis P. Augostini as voting representative for David L. Lindsey, Education, Culture and Recreation Committee, September 15, 1993.

Veto message from Timothy Grippen:
Ladies and Gentlemen:

..."I am vetoing Permanent **Resolution No. 93-342**. While I am in favor of most of what is included in this Charter revision, I feel it is untimely given the fact that we just hired the Center for Government Research to evaluate the structure of county government. It seems to me that we can wait until after the study is complete before going to the voters with these changes."

Mr. Augostini moved, seconded by Mrs. Wagstaff to over ride the County Executive's veto of the charter changes put forth in 1993 Resolution No. 342.

Failed needing 13 votes.

Ayes-12(Augostini, Brown, Burger, Harbachuk, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner, Shafer)

Nays-7(Coffey, Harris, Kavulich, Malley, Pasquale, Taylor, Whalen)

The following resolution was brought off the table:

RESOLUTION NO. 347 by County Administration, Economic Development & Planning and Finance Committees. (Tabled at the August 19th. Regular Session)

RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION NO. 82 OF 1993 REGARDING AGREEMENTS WITH CERTAIN LAW FIRMS REPRESENTING BROOME COUNTY LAWSUITS COMMENCED BY THE TOWN OF DICKINSON.

Mr. Shafer moved, seconded by Mrs. Hudak to bring off the table. **Carried.**

Resolution as presented **carried.**

Ayes-13 (Burger, Coffey, Harbachuk, Howard, Lindsey, Malley, Pasquale, Pazzaglini, Schofield, Taylor, Wagstaff, Warner & Whalen)

Nays-6(Augostini, Brown, Harris, Hudak, Kavulich & Shafer)

The following resolution was brought back for reconsideration:

RESOLUTION NO. 351 by Finance Committee Seconded by Mr. Pazzaglini

RESOLUTION APPROVING SALE OF IN REM FORECLOSURE PROPERTIES TO FORMER OWNERS

(carried at the August 19, 1993 regular session)

Mr. Augostini moved, seconded by Mr. Warner to recall the resolution for the purposed of correcting typographical omissions. **Carried.**

Mr. Augostini moved, seconded by Mr. Pasquale to **amend** Reso. 93-351.

ADD: TWO PARCELS in the Town of Windsor to those purchased by Jerry Carlin:

15-4-B-166 and 15-4-B-167

The amendment **carried**. The resolution as amended **carried**.

The following resolutions (93-357A and 93-371,) that were heldover from the previous regular session were again presented for consideration.

RESOLUTION NO. 357A by Finance, Environment and County Administration,
Economic Development and Planning Committees heldover by Mr. Augostini.

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF GENERAL SERVICES AND SOLID WASTE MANAGEMENT. (BT#'s 4957 & 5137 - See pgs. 356-357 for text)
Carried.

RESOLUTION NO. 371 by Health and Human Services, Finance, and Personnel Committees
heldover by Mr. Warner

RESOLUTION AUTHORIZING ACCEPTANCE OF COMPREHENSIVE TRAFFIC SAFETY PROGRAM GRANT FROM NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR THE HEALTH DEPARTMENT FOR 1993 THROUGH 1994.

Mrs. Hudak noted that a revised exhibit had previously been submitted. Mrs. Hudak then moved, seconded by Mrs. Wagstaff the following amendment: The revised exhibit and "The Traffic Safety Program Coordinator shall be a CSEA position at Grade 17 and said Coordinator shall serve under the direction of the Director of the Health Department."

At the request of several legislators the amendment was handled in two votes for each distinct part.

Item # 1: The Coordinator shall serve under the direction of the Director of the Health Department. **Carried.** Ayes-18, Nays-1 (Coffey)

Item # 2: The revised exhibit and "The Traffic Safety Program Coordinator

shall be a CSEA position at Grade 17. **Carried** by the following:
Ayes-10(Augostini, Brown, Burger, Howard, Hudak, Malley,
Pazzaglini, Wagstaff, Warner, & Shafer)
Nays-9(Coffey, Harbachuk, Harris, Kavulich, Lindsey, Pasquale,
Schofield, Taylor & Whalen)

The resolution as amended **carried** by the following:
Ayes-14(Brown, Burger, Coffey, Harbachuk, Harris, Howard,
Hudak, Kavulich, Lindsey, Malley, Pasquale, Taylor,
Whalen & Shafer)
Nays-5 (Augostini, Pazzaglini, Schofield, Wagstaff & Warner)

Mr. Whalen moved, seconded by Mr. Pasquale that the following resolution be brought back for reconsideration: (said resolution having **lost** at the August 19th. session of the County Legislature and Mr. Whalen having voted on the prevailing side)

RESOLUTION NO. 373

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Lindsey

RESOLUTION WITH RESPECT TO THE AMENDMENT OF THE SALES AND COMPENSATORY USE TAX IN BROOME COUNTY.

The Legislature **rejected** reconsideration by the following:
Ayes-8(Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale,
Taylor & Whalen)
Nays-11(Augostini, Brown, Burger, Howard, Hudak, Lindsey,
Pazzaglini, Schofield, Wagstaff, Warner & Shafer)

The following resolution (93-379) that was heldover from the previous regular session was again presented for consideration.

RESOLUTION NO. 379 by County Administration, Economic Development & Planning and Finance Committees heldover by Mr. Malley
RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 10, 1993 ENTITLED "A LOCAL LAW REPEALING LOCAL LAW NO. 10,

1974 AND LOCAL LAW NO. 11 OF 1977 ESTABLISHING A NEW APPORTIONMENT OF LIABILITY FOR BROOME COUNTY WORKERS COMPENSATION SELF INSURANCE PLAN.

Mr. Burger moved, seconded by Mr. Malley to **Table** to October 1, 1993 Special Session. **Tabled to October 1st.** Ayes-16, Nays-3 (Coffey, Pazzaglini & Whalen)

Several resolutions were taken out of order, however for the sake of clarity, all resolutions are presented in numerical order. The preferred agenda was presented and seconded by Mr. Brown.

RESOLUTION NO. 381

by County Administration, Economic Development & Planning Committee

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AMENDMENT OF THE EMERGING BUSINESS ASSISTANCE PROGRAM FOR THE MINORITY BUSINESS ENTERPRISE UTILIZATION BOARD.

WHEREAS, this County Legislature, by Resolution 320 of 1991, did authorize a Minority Business Enterprise Utilization Board to implement the Emerging Business Alliance Program, and

WHEREAS, the Emerging Business Assistance Advisory Board has requested that the requirement that a firm have been in operation continuously for at least two years be amended to continuous operation for a period of one year in order to insure the maximum number of emerging businesses are eligible for said program, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the amendment of the Emerging Business Assistance Program to provide for eligibility for businesses having been in operation continuously for at least one year, and be it

FURTHER RESOLVED, that Resolution 320 of 1991, to the extent consistent herewith, shall continue 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. 382

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

Seconded by Mr. Brown

RESOLUTION AUTHORIZING ACCEPTANCE BY THE DEPARTMENT OF AVIATION OF 302 ELECTRONIC COMPACT FLUORESCENT FIXTURES FROM NEW YORK STATE ELECTRIC AND GAS.

WHEREAS, the Commissioner of Aviation requests authorization to accept 302 electronic compact fluorescent (soft white) fixtures for the New York State Electric and Gas Replacement Program for 1993 at no cost to the County, and

WHEREAS, said program provides reduced electrical usage and increased life expectancy of light bulbs used, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of 302 electronic compact fluorescent (soft white) fixtures from New York State Electric and Gas by the Department of Aviation for 1993 at no cost to the County, and be it

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

RESOLUTION NO. 383

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING RENEWAL OF THE FOOD STAMP EMPLOYMENT AND TRAINING GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 396 of 1992 as amended by Resolution 273 of 1993, authorized and approved the continued participation by the Department of Social Services in the Food Stamp Employment and Training Grant Program for the period October 1, 1992

through September 30, 1993 in the amount of \$87,609.00, and

WHEREAS, said grant program provides for job readiness training and job search activities to non-public assistance and home-relief food stamp recipients,

WHEREAS, it is desired to renew said grant program for the period October 1, 1993 through September 30, 1994 in the amount of \$75,000.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$75,000.00 from the New York State Department of Social Services for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$75,000.00 for the period October 1, 1993 through September 30, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 384

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

**RESOLUTION AUTHORIZING RENEWAL OF FEDERAL
EVENSTART FAMILY LITERACY PROGRAM GRANT FOR**

DEPARTMENT OF SOCIAL SERVICES THROUGH THE BINGHAMTON CITY SCHOOL DISTRICT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 526 of 1992, authorized and approved the Federal Evenstart Family Literacy Program Grant through the Binghamton City School District in the amount of \$35,500.00 for the period October 1, 1992 through August 31, 1993, and

WHEREAS, said grant program provides for assessment and case management services to families in need of literacy programs, and

WHEREAS, it is desired to renew said grant program for the period September 1, 1993 through August 31, 1994 in the amount of \$36,000.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$36,000.00 from the Federal Evenstart Family Literacy Program through the Binghamton City School District for the period September 1, 1993 through August 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$36,000.00 for the period September 1, 1993 through August 31, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 385

by Health & Human Services, Personnel, County Administration, Economic Development and Planning and Finance Committees

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING RENEWAL OF DEPARTMENT OF SOCIAL SERVICES COMPREHENSIVE EMPLOYMENT OPPORTUNITIES SUPPORT CENTER (CEOSC) PROGRAM GRANT FOR AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 130 of 1993, as amended by Resolution 272 of 1993, authorized the continued participation by the Department of Social Services in the Comprehensive Employment Opportunities Support Center (CEOSC) Program for the Period April 1, 1993 through September 30, 1993 and adopted a program budget in the amount of \$131,706.00, and

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

WHEREAS, it is desired to renew said grant program for the period October 1, 1993 through September 30, 1994 in the amount of \$288,468.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$288,468.00 from New York State for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$288,468.00 for the period October 1, 1993 through September 30, 1994, and be it

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

FURTHER RESOLVED, that the County Executive or his duly

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

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

RESOLUTION NO. 386

by County Administration, Economic Development & Planning and Finance Committee

Seconded by Mr. Brown

RESOLUTION AUTHORIZING ACCEPTANCE OF \$200.00 FOR RESTORATION OF A JUSTICE COURT BOOK FROM THE TOWNS OF BINGHAMTON AND CHENANGO FROM THE 1820'S THROUGH THE 1830'S FOR THE COUNTY CLERK.

WHEREAS, the County Clerk requests authorization for acceptance of a \$200.00 gift from a donor wishing to remain anonymous to be used for the specific purpose of refurbishing an archival justice court book from the Towns of Binghamton and Chenango for the period of the 1820's through the 1830's, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a gift of \$200.00 for the restoration of the justice court book for the Towns of Binghamton and Chenango for the 1820's through the 1830's by the County Clerk, 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. 387

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING RETENTION OF \$88,189.69 BY THE COUNTY CLERK FOR THE COUNTY OF BROOME FROM MORTGAGE TAXES.

WHEREAS, Section 262 of the Tax Law mandates that Recording Officers are entitled to receive for the County all necessary expenses for the purposes of administration of mortgage taxes in their office and approved allowance by the State Tax Commission, and

WHEREAS, the State Tax Commission did, by Resolution duly adopted, determine that such mortgage tax expense be approved , at the amount certified to the State Tax Commissioner, by the County Legislature, provided it is a reasonable and necessary allowance for such expenses, now, therefore, be it

RESOLVED, that this County Legislature hereby determines that the sum of \$88,189.69 per annum be and hereby is a necessary, reasonable and proper allowance to be received by the County Clerk of the County of Broome for the purpose of administering mortgage taxes in said offices, and be it

FURTHER RESOLVED, that revenue from the processing of mortgage taxes shall be credited to budget line 300012.0017 (Mortgage Tax), and be it

FURTHER RESOLVED, that the sum of \$89,189.69 per annum is hereby certified to the State Tax Commission as the reasonable and proper allowance for such expenses. **Carried.**

RESOLUTION NO. 388 by Public Safety & Emergency Services,
and Finance Committees Seconded by Mrs.
Coffey

RESOLUTION AUTHORIZING REVISION OF HAZ MAT VIOLATION DECREES GRANT FOR THE DEPARTMENT OF EMERGENCY SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 185 of 1993, authorized the participation by the Department of Emergency Services in the HAZ MAT Violation Decrees Grant Program for the period April 1, 1993 through March 31, 1994 and adopted a program budget in connection therewith in the total amount of \$11,500.00, and

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

an increase in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the HAZ MAT Violation Decreases Grant Program for the period April 1, 1993 through March 31, 1994 in the total amount of \$12,250.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$12,250.00 for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that Resolution 185 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 389

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING ACCEPTANCE OF HAZ MAT TRANSPORTATION UNIFORM SAFETY ACT GRANT FOR THE DEPARTMENT OF EMERGENCY SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, the Director of Emergency Services requests authorization to accept a Haz Mat Transportation Uniform Safety Act Grant in the amount of \$1,325.00 for the period October 1, 1993 through September 30, 1994, and

WHEREAS, said grant program provides for the support of ongoing development of hazardous materials response plans, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1, 325.00 from the New York State Division of Military and Naval Affairs for the Haz Mat Transportation Uniform Safety Act Grant for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$1,325.00 for the period October 1, 1993 through September 30, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 390

by Health & Human Services, Personnel, County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING REVISION OF THE BROOME COUNTY HEALTH DEPARTMENT'S INFANT HEALTH ASSESSMENT PROGRAM (IHAP) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1993.

WHEREAS, this County Legislature, by Resolution 114 of 1992,

authorized the continued participation by the Broome County Health Department in the Infant Health Assessment Program (IHAP) for the period October 1, 1992 through September 30, 1993 and adopting a program budget in connection therewith in the total amount of \$65,417.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Broome County Health Department's Infant Health Assessment Program (IHAP) for the period October 1, 1992 through September 30, 1993 in the total amount of \$76,182.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$76,182.00 for the period October 1, 1992 through September 30, 1993, and be it

FURTHER RESOLVED, that Resolution 414 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

RESOLUTION NO. 391

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY HEALTH DEPARTMENT'S INFANT HEALTH

ASSESSMENT PROGRAM (IHAP) AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 414 of 1992, as amended by Companion Resolution, authorized and approved the operation of the Broome County Health Department's Infant Health Assessment Program (IHAP) for the period October 1, 1992 through September 30, 1993 and adopted a program budget in the amount of \$76,182.00, and

WHEREAS, it is desired to renew said grant program, with an increase in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continued operation of the Broome County Health Department's Infant Health Assessment Program (IHAP) and authorizes the acceptance of a grant from the State of New York in the amount of \$85,672.00 for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$85,672.00 for the period October 1, 1993 through September 30, 1994, and be it

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

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

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

RESOLUTION NO. 392

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Pazzaglini

RESOLUTION AUTHORIZING RENEWAL OF THE WOMEN'S, INFANTS' AND CHILDREN'S (WIC) NUTRITION PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 410 of 1992, as amended by Resolutions 629 of 1992, 216 of 1993 and 365 of 1993, authorized the continued operation of the Women's, Infants' and Children's (WIC) Nutrition Program for the period October 1, 1992 through September 30, 1993 and adopted a program budget in the total amount of \$493,808.00, and

WHEREAS, it is desired to renew said grant program for the period October 1, 1993 through September 30, 1994 in the total amount of \$659,079.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$659,079.00 from a federal grant for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$659,079.00 for the period October 1, 1993 through September 30, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 393

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

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

WHEREAS, this County Legislature, by Resolution 359 of 1992, authorized the continued participation by the Health Department in the Healthy Neighborhoods Grant Program for the period October 1, 1992 through September 30, 1993 and adopted a program budget in connection therewith in the total amount of \$42,326.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Healthy Neighborhoods Program Grant for the Health Department for the period October 1, 1992 through September 30, 1993 in the total amount of \$42,326.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$42,326.00 for the period October 1, 1992 through September 30, 1993, and be it

FURTHER RESOLVED, that Resolution 359 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits as set out in Exhibit "A" as attached

hereto provided that said budget transfers do not affect a personnel line.
Carried.

RESOLUTION NO. 394

by Health & Human Services, Personnel and Finance Committees
Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT'S HEALTHY NEIGHBORHOODS PROGRAM AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 359 of 1992, authorized and approved a grant agreement with the State of New York for the Healthy Neighborhoods Grant Program for the period October 1, 1992 through September 30, 1993 and adopted a program budget in the amount of \$42,326.00, and

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

WHEREAS, it is desired to renew said grant program for the Health Department's Healthy Neighborhoods Program in the amount of \$43,596.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves renewal of the grant agreement with the State of New York for the Healthy Neighborhoods Program for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$43,596 for the period October 1, 1993 through September 30, 1994, and be it

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

FURTHER RESOLVED, that the County Executive or his duly

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

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

Carried. Ayes-18, Nays-1 (Hudak).

RESOLUTION NO. 395

by County Administration, Economic Development and Planning, Health & Human Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING ACCEPTANCE OF AN EPA MULTI-MEDIA PROJECT GRANT FOR THE HEALTH DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.

WHEREAS, the Public Health Director requests authorization to accept an EPA Multi-Media Project Grant in the amount of \$35,000.00 for the period September 23, 1993 through December 31, 1993, and

WHEREAS, said grant program provides for the purchase of hardware, software and peripherals for the groundwater management program which is already in place, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$35,000.00 from the United States Environmental Protection Agency for the period September 23, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$35,000.00 for the period September 23, 1993 through December 31, 1993, and be it

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

Resolution, and be it

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

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

Carried.

RESOLUTION NO. 396

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

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

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

WHEREAS, said services are necessary to provide itinerant speech, occupational and physical therapy, special education and transportation for the Health Department Education for Handicapped Children's Program, now, therefore, be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480285.4715.101000 (Other Health and Medical 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.

EXHIBIT A

<u>Vendor</u>	<u>Services</u>	<u>Term</u>	<u>Cost</u>
Marcelline Sullivan New 310 Mersereau Avenue hr Endicott, NY 13760 NTE \$2,500	Speech Therapy	September 1, 1993 to December 31, 1993	\$27 per 1/2
Michelle Horton RR 4, Box 161 1/2 hr Norwich, NY 13815 NTE \$1,250	Speech Therapy	September 1, 1993 to December 31, 1993	New \$27 per
Robbie Lamoreaux 89 Park Avenue, Apt 2 hr Binghamton, NY 13903 NTE \$2,500	Physical Therapy	September 1, 1993 to December 31, 1993	New \$27 per 1/2

Carried.

RESOLUTION NO. 397

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH PROFESSIONAL HOME CARE, INC. AND INTERIM HEALTH CARE FOR HIGH TECHNOLOGY INTRAVENOUS NURSING SERVICES FOR CERTIFIED HOME HEALTH AGENCY AND LONG TERM HOME HEALTH CARE PATIENTS FOR 1993.

WHEREAS, this County Legislature, by Resolution 550 of 1992, authorized an agreement with Professional Home Care, Inc. and Interim Health Care for high technology intravenous nursing services for calendar year 1993, at a cost not to exceed \$5,500.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reallocate the funds between the two providers, and

WHEREAS, said changes will not result in an increase in expenditures,

now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreements with Professional Home Care, Inc. and 116 Vestal Parkway East, Vestal, NY 13850 and Interim Health Care, formerly Medical Personnel Pool, 59 Front Street, Binghamton, NY 13905 for high technology intravenous nursing services for certified home health agency and long term home health care patients for the period January 1, 1993 through December 1, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Professional Home Care, Inc. an amount not to exceed \$5,225.00 and shall pay Interim Health Care an amount not to exceed \$275.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480061.4711.101043 (Nursing Services), and be it

FURTHER RESOLVED, that Resolution 550 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

RESOLUTION NO. 398

by Health & Human Services and Finance Committee

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH SPECIAL EDUCATION PRE-SCHOOL PROVIDERS IN ACCORDANCE WITH STATE EDUCATION RATES FOR THE HEALTH DEPARTMENT'S EDUCATION FOR HANDICAPPED CHILDREN PROGRAM FOR 1993.

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

WHEREAS, said agreements expire by their terms on December 31, 1993, and it is desired at this time to amend said agreements for calendar

year 1993, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the amendment of the agreements for the period January 1, 1993 through December 31, 1993 as follows,

<u>VENDOR</u>	<u>SERVICES</u>	<u>NOT TO EXCEED</u>		
<u>BUDGET LINE</u>				
Rehabilitation Services, Inc.	Therapy	\$32,000.00	480202.4701.101000	
PO Box 1400	Therapy	\$50,000.00	480277.4715.101000	
Binghamton, NY 13902	Tuition			\$30,000.00 480277.4745.101000
	Tuition	\$60,000.00	480202.4745.101000	
Hndcapd. Children's Assoc.	Evaluation	\$32,000.00	480202.4701.101000	
18 Broad Street	Tuition	\$91,040.00	480277.4745.101000	
Johnson City, NY 13790	Therapy			\$33,422.00 480277.4715.101000

and be it

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

RESOLUTION NO. 399

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING APPROVAL OF FEES FOR EARLY INTERVENTION PROGRAM FOR THE HEALTH DEPARTMENT FOR 1993 THROUGH 1994.

WHEREAS, the Public Health Director requests authorization for approval of the fee schedule for Early Intervention Mandated Services for the period July 1, 1993 through June 30, 1994,

WHEREAS, each County is responsible for 50% of non-reimbursed fees for the Early Intervention Mandated Services Programs, and

WHEREAS, said Early Intervention Program provides for coordination screening and evaluations for children zero through two years of age suspected of having developmental delays, and all rates for said services are set by the New York State Health Department on a regional basis, now,

therefore, be it

RESOLVED, that this County Legislature hereby authorizes approval of the fees for Early Intervention Mandated Services as follows:

SERVICE	CORE	PHYSICIAN
NON-PHYSICIAN		
COORDINATION	SCREENING	EVALUATION
EVALUATION	EVALUATION	
\$55.00 hourly rate	\$155.00	\$365.00
\$13.75 qtr hr. rate		\$170.00
		\$155.00

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from various budget lines, 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. 400

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

RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS VENDORS FOR THE HEALTH DEPARTMENTS ENVIRONMENTAL PROTECTION AGENCY WELLHEAD PROTECTION GRANT PROGRAM FOR 1993 THROUGH 1994.

WHEREAS, the Health Department requests authorization for agreements with various vendors in support of the Environmental Protection Agency Wellhead Protection Grant Program as authorized by this Legislature by Resolution 674 of 1992, for the period January 1, 1993 through September 30, 1994, and

WHEREAS, said services are necessary to insure proper completion of the Environmental Protection Agency Wellhead Protection Grant Program by the Health Department, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the vendors as listed on the attached Exhibit "A" for the

services costs and terms indicated, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480251.4457.102704 (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.

EXHIBIT A

Vendor Cost	Services	Term	
Southern Tier East Regional Planning Development Board \$2,750	personnel time and miscellaneous costs	1/1/93 to	NTE
46 South Washington St. Binghamton, NY 13901	for technical services	9/30/94	
Village of Johnson City Planning Department \$1,022	personnel and miscellaneous costs	1/1/93 to	NTE
243 Main Street Johnson City, NY 13790	for technical services	9/30/94	
Cornell Cooperative Extension - Broome County 840 Front Street Binghamton, NY 13901	personnel time and miscellaneous costs for technical services	1/1/93 to 9/30/94	NTE \$4,805

Carried.

RESOLUTION NO. 401

by Health & Human Services, Personnel and Finance Committees
Seconded by Mr. Brown

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH BROOME-TIOGA ASSOCIATION FOR RETARDED CITIZENS FOR 1993.

WHEREAS, this County Legislature, by Resolution 657 of 1992, authorized an agreement with Broome-Tioga Association for Retarded Citizens for the 1993 calendar year, at a cost of \$1,203,725.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the appropriations to said program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Broome-Tioga Association for Retarded Citizens, 901 Front Street, Binghamton, NY 13905 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,268,560.00, and be it

FURTHER RESOLVED, that in order to implement this resolution, BT #5985 is hereby authorized and approved, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470039.5023.101000, and be it

FURTHER RESOLVED, that Resolution 657 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

RESOLUTION NO. 402

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH UNITED HEALTH SERVICES FOR EMERGENCY MENTAL HEALTH SERVICES FOR 1993.

WHEREAS, this County Legislature, by Resolution 591 of 1991, authorized an agreement with United Health Services for the provision of Emergency Mental Services for the period January 1, 1992 through

December 31, 1992, and

WHEREAS, said agreement expired by its terms on December 31, 1992, and it is desired at this time to renew said agreement with a decrease in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with United Health Services Hospitals, Inc., 20-42 Mitchell Avenue, Binghamton, NY 13903, for provision of Emergency Mental Health Services for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$40,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that in order to implement this resolution, BT #5986 is hereby authorized and approved, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470039.5030.101000 (United Health Services Emergency Psychiatric 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. 403

by Public Works and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AMENDING THE 1993 CAPITAL IMPROVEMENT PROGRAM.

RESOLVED, that the 1993 Capital Improvement Program as authorized by Resolution 75 of 1993 for the Department of Public Works 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>

F-534A Replace Petroleum Storage Tanks \$350,000 \$0 \$0 \$350,000

How Financed:

<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1993	10	\$0	\$0

Description: Systematic replacement of underground petroleum storage tanks at various County facilities to insure timely compliance with NYS and USA environmental requirements. The oldest six (6) tanks at the Binghamton Regional Airport and three (3) at Chenango Bridge Nursing Home site will be addressed during the fiscal period.

TO:

Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
F-534A	Replace Petroleum Storage Tanks	\$350,000 \$0	\$0	\$350,000	

How Financed:

<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1993	10	\$0	\$0

Description: Systematic replacement of underground petroleum storage tanks at various County facilities to insure timely compliance with NYS and USA environmental requirements. Three tanks at Chenango Bridge Nursing Home, one tank at the Central Library, three tanks at Nathaniel Cole Park, three tanks at Greenwood Park, and one tank at Grippen Park. Also included is a contingency fund to cover the costs for leaks and spills that may occur from underground tanks in the remainder of 1993 and 1994. **Carried.**

RESOLUTION NO. 404
by Public Works Committee

Seconded by Mr. Warner

RESOLUTION AUTHORIZING THE GRANTING OF AN EASEMENT TO THE TOWN OF UNION FOR THE STRUBLE CULVERT PROJECT.

WHEREAS, Town of Union and Broome County are desirous of entering into an easement agreement for the mutual benefit of both parties in regard to property owned by Broome County for the Struble Road Culvert Project, and

WHEREAS, it is necessary, therefore, to execute an easement from Broome County to the Town of Union, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the granting of an easement subject to any necessary approvals, across Broome County property for purposes of removing the existing bridge over Patterson Creek and installing and maintaining a culvert pipe in the Town of Union, Broome County, New York State as more fully depicted in Exhibits "A" and "B" attached hereto, and be it

FURTHER RESOLVED, that the resited consideration for the easement is one dollar, 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. 405

by Health & Human Services, Public Works and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AGREEMENT WITH ADELAIDE ENVIRONMENTAL HEALTH ASSOC. INC., FOR ASBESTOS REMOVAL PROJECT AT THE WILLOW POINT NURSING FACILITY FOR 1993 THROUGH 1994

WHEREAS, the Commissioner of Public Works requests authorization for an agreement with Adelaide Environmental Health Assoc. Inc., for asbestos removal from Willow Point Nursing Facility for the period October 1, 1993 through February 1, 1994, at a cost not to exceed \$30,501.90, and

WHEREAS, said services are mandated under the provisions of

NYCRR 56 governing asbestos abatement projects, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Adelaide Environmental Health Assoc. Inc., 61 Front Street, Binghamton, NY 13905, for asbestos removal project phase I at the Willow Point Nursing Facility, for the period October 1, 1993 through February 1, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$30,501.90 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160267.4746.501256 (Engineering and 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. 406

by County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AGREEMENT WITH FRANCIS & COMPANY FOR APPRAISAL OF COUNTY GARDEN PLOTS.

WHEREAS, the Commissioner of the Department of Planning and Economic Development requests authorization for an agreement with Francis & Company for appraisal of the County garden plots, located in the Town of Dickinson at a cost not to exceed \$1,850.00, and

WHEREAS, said appraisal is necessary for Broome County's analysis and consideration regarding potential sale and development of the property, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreement with Francis & Company, Real Estate Appraisers and Consultants, PO Box 415, 51 Edgewood Drive, Baldwinsville, New York, 13027-0415 for appraisal of Broome County Garden Plots in the Town of Dickinson, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,850.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035113.4747.501234 (Other fees for service), and be it

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

RESOLUTION NO. 407

by Finance Committee Seconded by Mr. Brown

RESOLUTION AUTHORIZING CANCELLATION OF REAL PROPERTY TAXES ON PARCELS IN THE TOWN OF COLESVILLE, TOWN OF UNION AND TOWN OF LISLE.

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

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

1. Town of Colesville, parcel 5-6-4, former owner Johnathan Woodward, 425 North Stone Avenue, Tucson, Arizona 89705, amount to be canceled \$42.57.
2. Town of Union, parcel 1-C12-G-138, former owners John and Susan Sullivan, 701 Marion Drive, Johnson City, NY 13790, amount to be canceled \$3,867.56
3. Town of Lisle, parcel 2-57-S1, former owners Marty and Dottie Kinner, RD 2, Box 24, Marathon, NY 13803, amount to be canceled \$1,402.42, and be it

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

RESOLUTION NO. 408

by Finance Committee

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING REMOVAL OF CERTAIN PARCELS FROM THE 1990 IN REM FORECLOSURE.

WHEREAS, the Director of Real Property Tax Services advises that the below listed parcels are presently on the 1993 foreclosure list, and

WHEREAS, for the reasons hereinafter set forth it is necessary to authorize the removal of these parcels from the 1990 in rem foreclosure, now, therefore, be it

RESOLVED, that the below listed parcels should be removed from the 1990 in rem foreclosure:

<u>TOWN</u>	<u>PARCEL</u>	<u>PROPERTY OWNER</u>
Chenango Bankruptcy	6-61-S2	Eddleston Inc. Chenango Country Club Route 12A Chenango Bridge, NY 13754
Chenango Bankruptcy	6-17-11	Robert R. Kimble Jr. & Kathy Smith 1090 River Road, RD 3 Binghamton, NY 13901
Chenango Bankruptcy	6-18-B-12	Theodore R. & Louraine J. Farr RD 2, Box 31 Owego, NY 13827
Conklin	5-32-S6	David & Kathy Wagner Bankruptcy

RD 1, Box 2770
Binghamton, NY 13903

Dickinson 1-17-S1X Broome Tech Community
Unenforceable

College Trustees Lien
Front Street
Binghamton, NY 13905

Dickinson 1-5-A-223 Emmerich J. Bares, Jr.
Bankruptcy

104 Henry Street
Binghamton, NY 13901

Dickinson 3-1-A-132 Charles J. Cawley
Bankruptcy

32 North Louisa Street
Binghamton, NY 13901

Fenton 2-36-S2 David K. & Cheryl Drew
Bankruptcy

Box 7688
Port Crane, NY 13833

Fenton 6-2-C-5 Weldon R.
Bankruptcy

& Donna M. Sickler
RD 2, Box 1232
Lock Street
Port Crane, NY 13833

Kirkwood 4-1-26-S1X Parag Enterprise, Inc.
Bankruptcy

c/o Quality Inn
Route 11, Upper Court St.
Binghamton, NY 13904

Maine	9-3-9	Leo Kayian 984 East Maine Road, RD1 Johnson City, NY 13790	Bankruptcy
Maine	10-10-7	Walter Girnis 2011 Rexford Street Binghamton, NY 13903	Bankruptcy
Sanford	1-1-231	Clarence Conrad 8 Allen Street Deposit, NY 13754	Bankruptcy
Sanford	1-1-348	Clarence Conrad 8 Allen Street Deposit, NY 13754	Bankruptcy
Sanford Bankruptcy	3-1962	George G. & Mary Jane Schambach PO Box236, RD 1 Deposit, NY 13754	
Union Bankruptcy	3-E4-04-S4	Armand Olevano P.O. Box 447 Endicott, NY 13760	
Union	3-H7-F-111	Joseph Convertino & Vinnie 103 Kelly Avenue Endwell, NY 13760	Bankruptcy
Union	3-H7-F-112	Joseph Convertino & Vinnie 103 Kelly Avenue Endwell, NY 13760	Bankruptcy

Union	3-H7-F-122A	Joseph Convertino & Vinnie 103 Kelly Avenue Endwell, NY 13760	Bankruptcy
Union	3-H8-B-2	Ronald & Agatha Burks 3503 Watson Boulevard Endwell, NY 13760	Bankruptcy
Vestal	1-2-8	Armand J. Jr & Donna K. Olevano 2124 Old Owego Road Vestal, NY 13850	Bankruptcy
Vestal	8-9-16-S14	Emmerich J. Bares Jr. 104 Henry Street Binghamton, NY 13901	Bankruptcy
Vestal	15-5-B-100	Vincent Gennett 412 Karen Avenue Vestal, NY 13850	Bankruptcy
Vestal Bankruptcy	18-11-A-146	Vincent Maddi & Cynthia Welch 1432 Carnegie Drive Vestal, NY 13850	

Carried.

RESOLUTION NO. 409

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

**RESOLUTION AUTHORIZING ACCEPTANCE OF
WEATHERIZATION REFERRAL AND PACKAGING (WRAP)
PROGRAM GRANT FOR 1993 THROUGH 1994.**

WHEREAS, the Director of the Office for Aging requests authorization

to accept a Weatherization Referral and Packaging (WRAP) Program Grant in the amount of \$17,172.00 for the period October 1, 1993 through June 30, 1994, and

WHEREAS, said grant program provides for screening and assessment of elderly, low-income housing to determine energy related needs and to determine if client's needs can be met by the weatherization program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$17,172.00 from the New York State Office for Aging for the Weatherization Referral and Packaging (WRAP) Program Grant for the Office for Aging for the period October 1, 1993 through June 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$17,172.00 for the period October 1, 1993 through June 30, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 410

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING REVISION OF BROOME COUNTY OFFICE FOR AGING IIB INFORMATION AND REFERRAL PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN

CONNECTION THEREWITH FOR 1993.

WHEREAS, this County Legislature, by Resolution 589 of 1992, authorized the continued participation by the Office for Aging in the IIB Information and Referral Program for the calendar year 1993 and adopted a program budget in connection therewith in the amount of \$203,060.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's IIB Information and Referral Program for the period January 1, 1993 through December 31, 1993 in the total amount of \$230,450.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$230,450.00 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that Resolution 589 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 411

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING REVISION OF BROOME COUNTY

OFFICE FOR AGING IIIB HEALTH MAINTENANCE PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.

WHEREAS, this County Legislature, by Resolution 588 of 1992, authorized the continued participation by the Office for Aging in the IIIB Health Maintenance Program for the calendar year 1993 and adopted a program budget in connection therewith in the total amount of \$51,973.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's IIIB Health Maintenance Program for the period January 1, 1993 through December 31, 1993 in the total amount of \$52,742.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$52,742.00 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that Resolution 588 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

RESOLUTION NO. 412

by Health & Human Services, Personnel and Finance Committees
Seconded by Mr. Brown

RESOLUTION AUTHORIZING REVISION OF BROOME COUNTY OFFICE FOR AGING IIIB TRANSPORTATION PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.

WHEREAS, this County Legislature, by Resolution 572 of 1992, authorized the continued participation by the Office for Aging in the IIIB Transportation Program for the calendar year 1993 and adopted a program budget in connection therewith in the total amount of \$70,579.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's IIIB Transportation Program for the period January 1, 1993 through December 31, 1993 in the total amount of \$86,344.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$86,344.00 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that Resolution 572 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 413

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

**RESOLUTION AUTHORIZING RENEWAL OF THE OFFICE FOR
AGING RECREATION FOR THE ELDERLY GRANT PROGRAM
AND ADOPTING A PROGRAM BUDGET IN CONNECTION
THEREWITH FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 464 of 1991, as amended by Resolution 382 of 1992, authorized the continued participation by the Office for Aging in the Recreation for the Elderly Program for the period April 1, 1992 through March 31, 1993 and adopted a program budget in connection therewith in the total amount of \$4,328.00, and

WHEREAS, it is desired to renew said grant program for April 1, 1993 through March 31, 1994 in the amount of \$4,328.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$4,328.00 from the New York State Office for Aging for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$4,328.00 for the period April 1, 1993 through March 31, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 414

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING RENEWAL OF UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) SUBSIDY PROGRAM GRANT FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 381 of 1992, authorized and approved the United States Department of Agriculture (USDA) Subsidy Program and adopted a program budget in the amount of \$158,943.00 for the period October 1, 1992 through September 30, 1993, and

WHEREAS, it is desired to renew said grant program for 1993 through 1994 in the amount of \$141,627.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Broome County Office for Aging's continued participation in the United States Department of Agriculture (USDA) Subsidy Program for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$141,627.00 for the period October 1, 1993 through September 30, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 415

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING RENEWAL OF THE OFFICE FOR AGING FOSTER GRANDPARENTS - SOFA GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 107 of 1992, authorized and approved the Office for Aging Foster Grandparents -SOFA Grant and adopted a program budget in the amount of \$24,485.00 for the period April 1, 1992 through March 31, 1993, and

WHEREAS, said grant program expires on March 31, 1993, and it is desired to renew said grant program for the period April 1, 1993 through March 31, 1994 in the total amount of \$20,269.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,269.00 from New York State for the Office for Aging Foster Grandparents'-SOFA Grant for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$20,269.00 for the period April 1, 1993 through March 31, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 416

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING RENEWAL OF HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 390 of 1992, authorized and approved the continued participation by the Office for Aging in a Home Energy Assistance Program (HEAP) and adopted a program budget in the amount of \$25,179.00 for the period October 1, 1992 through September 30, 1993, and

WHEREAS, it is desired to renew said grant program for 1993 through 1994 in the amount of \$20,027.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continued participation by the Broome County Office for Aging in the Home Energy Assistance Program (HEAP) for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$20,027.00 for the period October 1, 1993 through September 30, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 417

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING INTEGRATED SOCIAL DAY CARE FOR THE ELDERLY GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.

WHEREAS, this County Legislature, by Resolution 592 of 1992, authorized the continued participation by the Office for Aging in the Integrated Social Day Care for the Elderly Program for the calendar year 1993 and adopted a program budget in connection therewith in the total amount of \$30,524.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's Integrated Social Day Care for the Elderly Grant Program for the period January 1, 1993 through December 31, 1993 in the total amount of \$30,524.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$30,524.00 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that Resolution 592 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

RESOLUTION NO. 418

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AGREEMENT WITH UNITED HEALTH SERVICES HOSPITALS, INC., DEPARTMENT OF PSYCHIATRY FOR EDUCATIONAL COMPONENTS/FACILITIES ARRANGEMENT FOR AGING AND MENTAL HEALTH CONFERENCE FOR 1993.

WHEREAS, the Director of the Office for Aging requests authorization for an agreement with the United Health Services Hospitals, Inc., Department of Psychiatry for provision of the educational component and facilities arrangement for Aging and Mental Health Conference under III F Disease Prevention and Health Promotion Program for the period September 1, 1993 through December 31, 1993 at a cost not to exceed \$3,000.00, and

WHEREAS, said services are necessary for education of professionals in the community as to recognition and treatment of mental illness in older persons, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Department of Psychiatry, United Health Services Hospitals, Inc., 20-40 Mitchell Avenue, Binghamton, NY 13903, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760652.4457.102739 (Subcontracted Program), 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. 419

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING FOSTER GRANDPARENTS ACTION PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.

WHEREAS, this County Legislature, by Resolution 594 of 1992, authorized and approved the acceptance of the Office for Aging Foster Grandparents Action Program Grant for calendar year 1993 in the amount of \$257,933.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Foster Grandparents Action Program Grant for the period January 1, 1993 through December 31, 1993 in the total amount of \$256,410.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$256,410.00 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that Resolution 594 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly

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

Carried.

RESOLUTION NO. 420

by Health & Human Services, Personnel and Finance Committees
Seconded by Mr. Brown

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING SERVICES FOR OLDER PERSONS PROJECT GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.

WHEREAS, this County Legislature, by Resolution 593 of 1992, authorized the continued participation by the Office for Aging in the Services for Older Persons Project Grant for the calendar year 1993 and adopted a program budget in connection therewith in the total amount of \$64,348.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Services for Older Persons Project Grant for the period January 1, 1993 through December 31, 1993 in the total amount of \$64,348.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$64,348.00 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that Resolution 593 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Resolution, and be it

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

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

Carried.

RESOLUTION NO. 421

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC. FOR OFFICE FOR AGING'S MEALS ON WHEELS PROGRAM FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 384 of 1992, authorized an agreement with Ideal Senior Living Center, Inc., for August 1, 1992 through August 1, 1993, with revenue to Broome County of \$8.00 per day for each long term client served home-delivered meals for the term of this agreement, and

WHEREAS, said services are necessary to provide meals for long term home health care clients, and

WHEREAS, said agreement expired by its terms on August 1, 1993, and it is desired at this time to renew said agreement on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ideal Senior Living Center, Inc., 508 High Avenue, Endicott, NY 13760, for Office for Aging's Meals on Wheels Program for the period August 1, 1993 through August 1, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$8.00 per day for each long term client served home-delivered meals for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made to revenue line 760470.0538.102000 (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. 422

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE TOWN OF UNION FOR COMMUNITY DEVELOPMENT BLOCK GRANT REVENUE FOR THE OFFICE FOR AGING NUTRITION PROGRAM IIC1 NORTH ENDICOTT AND WESTERN BROOME SENIOR CENTERS FOR 1993 THROUGH 1994.

WHEREAS, this County Legislature, by Resolution 385 of 1992, authorized an agreement with the Town of Union for Community Development Block Grant Revenue for the Office for Aging Nutrition Program IIC1 North Endicott and Western Broome Senior Centers for the period October 1, 1992 through September 30, 1993 with revenue to Broome County of \$10,000.00, and

WHEREAS, said services are necessary to support the North Endicott and Western Broome Senior Centers, and

WHEREAS, said agreement expires by its terms on September 30, 1993, and it is desired at this time to renew said agreement for the period October 1, 1993 through September 30, 1994 on substantially similar terms and conditions, with an increase in revenue, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Union, 3111 East Main Street, Endwell, NY 13760, for Community Block Grant revenue for Office for Aging Nutrition Program, IIC1 North Endicott and Western Broome Senior Centers for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$15,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to revenue line 760462.0166.102000 (Miscellaneous Contributions), and be it

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

Carried.

RESOLUTION NO. 423

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING IIIC1 CONGREGATE NUTRITION PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.

WHEREAS, this County Legislature, by Resolution 590 of 1992, authorized the continued participation by the IIIC1 Congregate Nutrition Program for the calendar year 1993 and adopted a program budget in connection therewith in the amount of \$653,446.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging's IIIC1 Congregate Nutrition Program for the period January 1, 1993 through December 31, 1993 in the total amount of \$650,545.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$650,545.00 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that Resolution 590 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

Carried.

RESOLUTION NO. 424

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING IIC2 NUTRITION PROGRAM FOR THE HOMEBOUND AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993.

WHEREAS, this County Legislature, by Resolution 580 of 1992, authorized the continued participation by the Office for Aging in the IIC2 Nutrition Program for the Homebound Grant Program and adopted a program budget in connection therewith in the total amount of \$381,024.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging IIC2 Nutrition Program for the Homebound Grant Program for the period January 1, 1993 through December 31, 1993 in the total amount of \$377,061.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$377,061.00 for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that Resolution 580 of 1992, to the extent

consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 425

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF NCOA
PROJECTS WITH INDUSTRY GRANT PROGRAM FOR 1993
THROUGH 1994.**

WHEREAS, the Director of the Office for Aging requests authorization to accept an NCOA Projects with Industry Program Grant in the amount of \$29,500.00 for the period October 1, 1993 through September 30, 1994, and

WHEREAS, said grant program provides for preparation of older adults with disabilities for careers in customer services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$29,500.00 from the National Council on the Aging for the Projects with Industry Program for the period October 1, 1993 through September 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$29,500.00 for the period October 1, 1993 through September 30, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 426

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAMS (SCSEP) ADMINISTRATION GRANT FOR 1993 THROUGH 1994 AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH.

WHEREAS, this County Legislature, by Resolution 280 of 1993, authorized the continued participation by the Office for Aging in the Senior Community Service Employment Programs (SCSEP) Administration Grant Program and adopted a program budget in the amount of \$125,552.00 for the period July 1, 1993 through June 30, 1994, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Senior Community Service Employment Programs (SCSEP) Administration Grant Program for the period July 1, 1993 through June 30, 1994 in the total amount of \$148,052.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$148,052.00 for the period July 1, 1993 through June 30, 1994, and be it

FURTHER RESOLVED, that Resolution 280 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 427

by Public Safety & Emergency Services and Finance Committees

Seconded by Mrs. Coffey

A RESOLUTION AUTHORIZING THE UTILIZATION OF AN INSTALLMENT PURCHASE CONTRACT, AND THE ISSUANCE OF CERTIFICATES OF PARTICIPATION IN CONNECTION THEREWITH, FOR PURPOSES OF FINANCING THE NEW COUNTY JAIL.

WHEREAS, the County Legislature of the County of Broome, New York has heretofore authorized Chemical Securities Inc., to prepare an evaluation of financing alternatives (the "Evaluation") pursuant to and in compliance with Part 39 of Title 2 of the New York Code of Rules and Regulations governing installment purchase contracts by political subdivisions; and

WHEREAS, a copy of said Evaluation has been presented to this

County Legislature for its review; and

WHEREAS, after reviewing said Evaluation and discussing the alternatives available for financing the new County jail it is the intent and desire of this County Legislature to now authorize the utilization of an installment purchase contract and to cause certificates of participation to be issued in connection therewith in order to facilitate the financing of the new county jail;

NOW, THEREFORE, BE IT RESOLVED

Section 1. After taking into account the Evaluation prepared by Chemical Securities Inc. we hereby determine that it is in the best interests of the County to finance the new County jail pursuant to an installment purchase contract for the following reasons:

(a) The use of an installment purchase contract and the issuance of certificates of participation in connection therewith allows for the structuring of level debt service as opposed to front loaded debt service, should general obligation bonds be utilized.

(b) The use of an installment purchase contract and the issuance of certificates of participation offers fiscal relief to the County over the next several years by allowing the County to commence payment of debt service at such point in time as the jail goes into service.

(c) The use of an installment purchase contract and the issuance of certificates of participation will not affect the debt contracting power of the County.

Section 2. The County Executive is hereby authorized to enter into an installment purchase contract with the party so chosen to act on behalf of the holders of certificates of participation.

Section 3. The Commissioner of Finance is hereby delegated the power to cause certificates of participation to be sold pursuant to private sale in accordance with Part 39.7 of Title 2 of the New York Code of Rules and Regulations and to select, in accordance with the policies and procedures set forth in Part 39, the Underwriter of the certificates of participation, the trustee, as well as any providers of letters of credit or liquidity facilities that may be required in connection therewith.

Section 4. The County Executive is hereby authorized to execute the installment purchase contract on behalf of the County for purposes of financing the new County jail, it being hereby determined that the execution of said installment purchase contract will not cause the County to exceed the limits prescribed by paragraph c of subdivision 6 of Section 109-b of the General Municipal Law.

Section 5. The periodic payments authorized to be made under the installment purchase contract and the proceeds of the certificates of participation shall only be applied toward the following:

- (a) the capital cost in connection with the construction of the new jail;
- (b) the payment of capitalized interest for a period not exceeding two years measured from the date of the installment purchase contract or until the anticipated date of beneficial use of the jail, whichever is earlier;
- (c) preliminary costs of surveys, maps, plans, estimates, the taking of title;
- (d) the establishment of reserve funds;
- (e) the cost or premiums of letters of credit, insurance or credit enhancements;
- (f) the cost of fees of bond counsel, financial advisors, underwriters, trustees and paying agents; and
- (g) such other actual necessary expenses directly related to the issuance of certificates of participation or execution of the installment purchase contract.

Section 6. The Clerk of the County Legislature is hereby directed to file a copy of this resolution, together with a copy of the Evaluation in his office where same shall be open for public inspection.

Section 7. This resolution shall take effect immediately.

Carried. Ayes-15, Nays-4 (Brown, Kavulich, Wagstaff, Warner).

RESOLUTION NO. 428

by Health & Human Services and Finance Committees
Mr. Brown

Seconded by

RESOLUTION AUTHORIZING AGREEMENT WITH NYPENN

NUTRITION SERVICES FOR CONSULTING DIETICIAN SERVICES AT WILLOW POINT NURSING FACILITY FOR 1993.

WHEREAS, the Director of Central Foods requests authorization for an agreement with NYPENN Nutrition Services for Consulting Dietician Services for Willow Point Nursing Facility for the period October 4, 1993 through December 12, 1993, at a cost not to exceed \$5,000.00, and

WHEREAS, said services are necessary to provide nutritional services at Willow Point Nursing Facility during the period of maternity leave for a present employee at said facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with NYPENN Nutrition Services, 190 Matthews Street, Binghamton, NY 13905-2558, for Consulting Dietician Services for Willow Point Nursing Facility, for the period October 4, 1993 through December 12, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230045.4741.251000 (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. 429

by Public Safety & Emergency Services and Finance Committees
Seconded by Mr. Brown

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CITY OF BINGHAMTON FOR SPECIAL TRAFFIC OPTIONS PROGRAM FOR DRIVING WHILE INTOXICATED (STOP-DWI) PROGRAM FOR 1993.

WHEREAS, this County Legislature, by Resolution 518 of 1992, authorized an agreement with the City of Binghamton, for provision of Special Traffic Option Program for Driving While Intoxicated (STOP-DWI) Program a cost not to exceed \$30,000.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect a decrease in the cost of said program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the City of Binghamton for the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) Program for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$15,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 820001.4450.101051 (Reserve for Program), and be it

FURTHER RESOLVED, that Resolution 518 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

RESOLUTION NO. 430

by Public Safety & Emergency Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AGREEMENT WITH THE BINGHAMTON POLICE DEPARTMENT FOR OVER-TIME PATROL SERVICES IN CONNECTION WITH THE STOP-DWI LAW ENFORCEMENT CONTRACT FOR 1993.

WHEREAS, the Coordinator of the STOP-DWI Program requests authorization for an agreement with the Binghamton Police Department for over-time patrol services for the STOP-DWI Law Enforcement Contract for the period October 1, 1993 through December 31, 1993 at a cost not to exceed \$10,000.00, and

WHEREAS, said services are necessary to facilitate involvement by the Binghamton Police Department in the Task Force Vehicle Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Binghamton Police Department, City Hall, Binghamton, NY 13901, for over-time patrol services for the STOP-DWI Law Enforcement Contract Program, for the period October 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$10,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 820001.4459.101051 (Reserved for Program), and be it

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

Carried. Ayes-18, Nays-1 (Hudak).

RESOLUTION NO. 431

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

Seconded by Mr. Brown

RESOLUTION AUTHORIZING ESTABLISHMENT OF THE BROOME COUNTY STOP-DWI HOLIDAY CLASSIC GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.

WHEREAS, the Broome County STOP-DWI Program and the Broome County Parks Department are co-sponsoring a STOP-DWI Holiday Classic Basketball Tournament for high school boys to be held at the end of December, 1993, and

WHEREAS, the Broome County STOP-DWI Program requests authorization to establish the STOP-DWI Holiday Classic Grant to administer the STOP-DWI Holiday Classic Basketball Tournament for the period October 1, 1993 through March 1, 1994, in the amount of \$61,000.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the establishment of the STOP-DWI Holiday Classic Grant in the

amount of \$61,000.00 for the period October 1, 1993 through March 1, 1994, and be it

FURTHER RESOLVED, that this County Legislature approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$61,000.00 for the period October 1, 1993 through March 1, 1994, and be it

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

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

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

Carried.

RESOLUTION NO. 432

by Education, Culture & Recreation, and Finance Committees

Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING AGREEMENT WITH THE BROOME COUNTY ARENA FOR THE STOP-DWI HOLIDAY CLASSIC FOR 1993.

WHEREAS, the Broome County STOP-DWI Program and the Broome County Parks Department are co-sponsoring a STOP-DWI Holiday Classic Basketball Tournament for high school boys to be held at the end of December 1993, and

WHEREAS, it is desired to enter into a contract with the Broome County Arena for use of its facility to hold the majority of the games scheduled for this tournament at a cost not to exceed \$8,500.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Broome County Arena for use of its facility for the

Broome County STOP-DWI Program Holiday Classic Basketball Tournament for the period December 27, through December 29, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the Parks and Recreation Department shall receive an amount not to exceed \$8,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Broome County STOP-DWI Program Holiday Classic Basketball Tournament Trust and Agency account previously established by companion 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.

RESOLUTION NO. 433

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

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AGREEMENT WITH THE CHARLES TARRICONE FOR TOURNAMENT DIRECTOR SERVICES FOR THE BROOME COUNTY STOP-DWI HOLIDAY CLASSIC BASKETBALL TOURNAMENT FOR 1993.

WHEREAS, the Broome County STOP-DWI Program and the Broome County Parks Department are co-sponsoring a STOP-DWI Holiday Classic Basketball Tournament for high school boys to be held at the end of December 1993, and

WHEREAS, the Broome County STOP-DWI Program requests authorization for an agreement with Charles Tarricone, for Tournament Director Services for the STOP-DWI Holiday Classic Basketball Tournament for calendar year 1993 at a cost not to exceed \$5,000.00, and

WHEREAS, said services are necessary to oversee the planning, development, and operation of this tournament which will showcase some of Section IV's top high school basketball teams against top flight teams from

across the United States and to promote the Broome County STOP-DWI Program's Drunk Driving message during the 1993 holiday season, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Charles Tarricone, 1305 Campus Drive, Vestal, NY 13850, for Tournament Director Services for the STOP-DWI Program Holiday Classic Basketball Tournament for 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,000.00 plus authorized expenses as approved by the STOP-DWI Program Coordinator for his services for the 1993 tournament, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Broome County STOP-DWI Program Holiday Classic Basketball Tournament Trust and Agency account previously established by companion 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.

RESOLUTION NO. 434

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

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AGREEMENT WITH THE C. KEVIN WANZER FOR KEY NOTE SPEAKER SERVICES FOR THE BROOME COUNTY STOP-DWI PROGRAM HOLIDAY CLASSIC BASKETBALL TOURNAMENT BANQUET FOR 1993.

WHEREAS, the Broome County STOP-DWI Program and the Broome County Parks Department are co-sponsoring a STOP-DWI Holiday Classic Basketball Tournament scheduled December 26th through December 29, 1993 and

WHEREAS, as part of this event there will be a tournament banquet

and it is desired that the key note speaker be C. Kevin Wanzer, who is nationally recognized as one of the most effective and entertaining speakers promoting a drug-free life style, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with C. Kevin Wanzer, PO Box 501251, Indianapolis, Indiana, 46250-1251, for Key Note Speaker Services for the Broome County STOP-DWI Program Holiday Classic Basketball Tournament Opening Banquet scheduled for Sunday evening, December 26, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Kevin Wanzer an amount not to exceed \$1,500.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from the Broome County STOP-DWI Program Holiday Classic Basketball Tournament Trust and Agency account previously established by companion 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.**

RESOLUTION NO. 435

by Health & Human Services, Public Safety and Finance Committees
Seconded by Mrs. Taylor

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE HEALTH DEPARTMENT, WILLOW POINT NURSING FACILITY AND THE SHERIFF'S DEPARTMENT

RESOLVED, that in accordance with a request from the Director of Public Health of the Department of Health, in order to provide funds for health insurance, as requested by BT # 6234 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480368	8010	102677	State Retirement	7,000
	480368	8040	102677	Worker's Comp.	3,000
TO:	480368	8060	102677	Health Insurance	10,000

and be it

RESOLVED, that in accordance with a request from the Director of Public Health of the Department of Health, in order to provide funds for health insurance, as requested by BT # 6253 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480251	1500	102653	Salaries part time	1,750
TO:	480251	8060	102653	Health Insurance	1,750

and be it

FURTHER RESOLVED, that in accordance with a request from the Administrator of the Willow Point Nursing Facility, in order to provide funds for proper cost centers for reimbursement purposes, as requested by BT# 5540, 5541, 5542, 5543, 5544, 5545, 5546, 5547, and 5548, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160028	8070	204000	Unemployment Ins.	10,000
	160127	1000	204000	Fulltime Sal.	19,213
	160127	8010	204000	State Retire.	192
	160127	8030	204000	Soc. Sec.	1,470
	160127	8040	204000	Work. Comp.	480
	160127	8050	204000	Life Ins.	24
	160127	8060	204000	Health Ins.	1,812
	160127	8063	204000	Disability	65
FROM:	160077	1000	204000	Salaries Fulltime	30,482
	160077	8010	204000	State Retire.	305
	160077	8030	204000	Soc. Sec.	2,332
	160077	8040	204000	Work. Comp.	762
	160077	8050	204000	Life Ins.	24
	160077	8060	204000	Health Ins.	1,812

	160085	1000	204000	Salaries Fulltime	17,543
	160085	8010	204000	State Retire	175
	160085	8030	204000	Soc. Sec.	1,342
	160085	8040	204000	Work. Comp.	459
	160085	8050	204000	Life Ins.	24
	160085	8060	204000	Health Ins.	4,015
	160085	8063	204000	Disability	65
	160226	1000	204000	Salaries Fulltime	17,325
	160226	8010	204000	State Retire.	173
	160226	8030	204000	Soc. Sec.	1,325
	160226	8040	204000	Work. Comp.	433
	160226	8050	204000	Life Ins.	24
	160226	8060	204000	Health Ins.	4,015
	160226	8063	204000	Disability	65
TO:	160085	8070	204000	Unemployment Ins.	6,358
	160119	8070	204000	Unemployment Ins.	2,913
	160127	8070	204000	Unemployment Ins.	57
	160184	8070	204000	Unemployment Ins.	672
	160101	1000	204000	Fulltime Salaries	19,213
	160101	8010	204000	State Retire.	192
	160101	8030	204000	Soc. Sec.	1,470
	160101	8040	204000	Work. Comp.	480
	160101	8050	204000	Life Ins.	24
	160101	8060	204000	Health Ins.	1,812
	160101	8063	204000	Disability	65
	160226	1000	204000	Fulltime Salaries	30,482
	160226	8010	204000	State Retire.	305
	160226	8030	204000	Soc. Sec.	2,332
	160226	8040	204000	Work. Comp.	762
	160226	8050	204000	Life Ins.	24
TO:	160226	8060	204000	Health Ins.	1,812
	160226	1000	204000	Fulltime Salaries	17,543
	160226	8010	204000	State Retire.	175
	160226	8030	204000	Soc. Sec.	1,342
	160226	8040	204000	Work. Comp.	439
	160226	8050	204000	Life Ins.	24

160226	8060	204000	Health Ins.	4,015
160226	8063	204000	Disability	65
160234	1000	204000	Fulltime Salaries	17,325
160234	8010	204000	State Retire.	173
160234	8030	204000	Soc. Sec.	1,325
160234	8040	204000	Work. Comp.	433
160234	8050	204000	Life Ins.	24
160234	8060	204000	Health Ins.	4,015
160234	8063	204000	Disability	65

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff of Broome County, in order to provide funds for off duty compensation for canine officers as mandated by the United States Department of Labor, as requested by BT# 5219, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	450023	4435	101000	Out of County	34,885
TO :	450023	1000	101000	FT Salary	157
	450023	1700	101000	OT Salary	2,759
	450049	1000	101000	FT Salary	4,019
	450049	1700	101000	OT Salary	27,950

Carried.

RESOLUTION NO. 436

by County Administration, Economic Development & Planning
Committee

Seconded by Mr. Pasquale

**RESOLUTION ENDORSING THE CONCEPT OF A BROOME
COUNTY ECONOMIC DEVELOPMENT ALLIANCE AND
APPROVING PROPOSED BYLAWS**

WHEREAS, various individuals and organizations in Broome County have banded together within the last six (6) months and attempted to form an

organization that will collectively plan and implement economic development initiatives in Broome County, and

WHEREAS, the proposed organization will be called the Broome County Economic Development Alliance, and

WHEREAS, it is determined to be in the best interest of the County of Broome that said alliance shall be created and bylaws for the proper and orderly administration of the alliance shall be adopted, and

WHEREAS, William Rincker as Chairman of the alliance organizing committee has proposed bylaws of the proposed Broome County Economic Development Alliance, and

WHEREAS, it is considered to be in the best interest of Broome County to adopt said proposed bylaws, now, therefore, be it

RESOLVED, that the Broome County Legislature does adopt the proposed bylaws of the Broome County Economic Development Alliance which were distributed to the Broome County Legislature by letter dated July 28, 1993 from the Honorable William Rincker, Chairman of the Alliance organizing committee, a copy of which is on file with the Clerk of this Legislature, and it is further

RESOLVED, that the county will do all that it can to actively participate in the alliance as a governmental entity and the County Executive is hereby authorized to execute any and all agreements necessary in order to solidify the County of Broome's membership in said alliance, approved as to form by the County Attorney's Office. **Heldover** by Mr. Pasquale

RESOLUTION NO. 437

by Personnel Committee

Seconded by Mr. Augustini

RESOLUTION RE-APPOINTING JAY J. DINGA AS BROOME COUNTY COMPTROLLER IN ACCORDANCE WITH THE PROVISIONS OF THE BROOME COUNTY CHARTER AND ADMINISTRATIVE CODE

WHEREAS, Article IV, Section 401 of the Broome County Charter, provides that "There shall be a Department of Audit and Control, headed by a Comptroller who shall be appointed by the County Legislature" and that person "shall serve for a term of four (4) years." and

WHEREAS, your sponsoring committee recommends that, Jay J. Dinga, 12 Jackson Avenue, Endicott, NY 13760, having served as Broome County Comptroller since October of 1989, be reappointed as Comptroller, effective October 3, 1993 for a term expiring December 31, 1996, said expiration date reflecting the end of the term in accordance with the intent of the Charter and Code, and

WHEREAS, it is desired at this time, in accordance with the provisions of Article IV of the Broome County Charter, to make said re-appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of the Broome County Charter, does hereby re-appoint of Jay J. Dinga as Comptroller of Broome County, commencing October 3, 1993 and expiring December 31, 1996.

Mr. Schofield moved, seconded by Mrs. Wagstaff to **Call of the Question.**

The Call of the Question **carried.**

Ayes-11(Augostini, Brown, Burger, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner & Shafer)

Nays-8(Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale, Taylor & Whalen).

The resolution as presented **carried.**

Ayes-12(Augostini, Brown, Burger, Howard, Hudak, Lindsey, Pazzaglini, Schofield, Taylor, Wagstaff, Warner & Shafer)

Nays-7(Coffey, Harbachuk, Harris, Kavulich, Malley, Pasquale & Whalen).

RESOLUTION NO. 438

by Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENTS OF SOCIAL SERVICES AND MENTAL HEALTH

RESOLVED, that in accordance with a request from the Commissioner of the Department of Social Services, as contained in PCR# 215, this County Legislature hereby authorizes the creation of a support collector position at budget line MA670034.1000, minimum salary \$14,580, Grade 8, Union

Code 04, effective date September 23, 1993, and that in accordance with a request from the Commissioner of Social Services, as contained in PCR# 93-216, this County Legislature hereby authorizes the deletion of a senior clerk position at budget line MA670034.1000, minimum salary \$14,580, Grade 8, Union Code 04, effective August 10, 1993.

FURTHER RESOLVED, that in accordance with a request from the Commissioner of the Department of Mental Health, as contained in PCR# 93-224, this County Legislature hereby authorizes the creation of a stenographic secretary position at budget line A470013.1000, minimum salary \$19,057, Grade 13, Union Code 04, effective date September 23, 1993, and this County Legislature hereby authorizes the deletion of a secretary position at budget line A470013.1000, minimum salary \$19,057, Grade 13, Union Code 04, effective September 23, 1993. **Carried.**

RESOLUTION NO. 439

by Environment Committee

Secoded by Mr. Brown

RESOLUTION ADOPTING THE SCOPE OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED BROOME COUNTY COMPOSTING FACILITY

WHEREAS, this Legislature by Resolution 93-288 of 1993 declared itself lead agency under the State Environmental Quality Review Act with regard to the proposed composting facility, and

WHEREAS, this Legislature by Resolution 93-348 of 1993 determined that a public "scoping" meeting should be held to assist the lead agency to determine the appropriate scope of the Environmental Impact Statement, and

WHEREAS, the public "scoping" meeting was held on August 18, 1993, and

WHEREAS, this Legislature has received and reviewed all written comments and the transcript of the "scoping" meeting, now therefore be it

RESOLVED, that this Legislature adopts as the scope of the Environmental Impact Statement the outline attached hereto as Exhibit A, and be it

FURTHER RESOLVED, that the Division of Solid Waste Management and American Soils Incorporated are directed to prepare a Draft Environmental Impact Statement in accordance with the outline attached hereto as Exhibit A.

Mr. Brown moved, seconded by Mrs. Hudak to **table** the resolution which **Failed**.

Ayes-9(Brown, Hudak, Kavulich, Lindsey, Pazzaglini, Schofield, Wagstaff, Warner & Shafer)

Nays-10(Augostini, Burger, Coffey, Harbachuk, Harris, Howard, Malley, Pasquale, Taylor, Whalen).

Heldover by Mr. Brown.

RESOLUTION NO. 440

by Environment and Finance Committees

Seconded by Mrs. Hudak

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR BROOME COUNTY SMALL QUANTITY TECHNICAL ASSISTANCE PILOT PROGRAM

WHEREAS, the Division of Solid Waste Management has been notified by the United States Environmental Protection Agency that Broome County has been awarded a grant for a Broome County Small Quantity Technical Assistance Pilot Program, and

WHEREAS, said program will have a total cost of \$86,928.00 which will include \$30,711.00 cash and in-kind County services, and a \$25,000.00 grant from the New York State Department of Environmental Conservation, and a \$31,217.00 grant from United States Environmental Protection Agency, and

WHEREAS, the entire program is contingent upon receipt of federal funds, and

WHEREAS, it is also necessary to adopt the program budget attached hereto as Exhibit "A", now therefore, be it

RESOLVED, that this County Legislature authorizes the acceptance of a grant from the United States Environmental Protection Agency in the amount of \$56,217.00 and the New York State Department of Environmental conservation in the amount of \$25,000.00 for the Broome County Small Quantity Technical Assistance Pilot Program for the period October 1, 1993 through March 31, 1995, subject to receipt of a letter from the United State

Environmental Protection Agency confirming the grant award, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute such agreements, documents, or papers, approved as to form by the Department of Law, 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 Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$61,874.00 for the period October 1, 1993 to March 31, 1995.

Mrs. Hudak moved, seconded by Mrs. Coffey to **call the question** on the resolution. The call of the question **carried**.

The resolution as presented **carried**.

Ayes-15, Nays-3 (Brown, Hudak & Lindsey), Abstain-1 (Shafer).

RESOLUTION NO. 441

by Finance Committee

Seconded by Mr. Brown

RESOLUTION FIXING THE DATE, TIME AND PLACE OF PUBLIC HEARING BY THE BROOME COUNTY LEGISLATURE ON THE 1994 TENTATIVE BUDGET.

WHEREAS, the County Executive will present a tentative 1994 Budget to the members of the County Legislature on Friday, October 1st., 1993, including a proposed budget, a capital program, and the budget message, and

WHEREAS, § C606 of the Broome County Charter requires that the County Legislature hold a public hearing on the proposed budget, the capital program and the budget message submitted by the County Executive now, therefore, be it

RESOLVED, that a Public Hearing on the tentative Broome County Budget for 1994 will be held on October 14, 1993 at 7:30 p.m. in the Legislative Chambers, Sixth Floor, County Office Building, Government Plaza, Hawley Street, Binghamton, New York, and the Clerk of this County Legislature is hereby authorized to publish notice of said Public Hearing in the official newspaper of the County pursuant to the provisions of the Broome County Charter. **Carried**.

RESOLUTION NO. 442

by Personnel and Finance Committees

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING AMENDMENTS TO THE COUNTY HEALTH BENEFIT PLAN

WHEREAS, the Risk Manager requests authorization for the amendment of the Broome County Health Benefit Plan, and

WHEREAS, said amendments are based on the review of employee surveys and recommendations of the Department of Risk and Insurance, and

WHEREAS, said amendments are necessary to allow the most flexible and cost effective employee health care benefits, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the amendments to the County Health Benefit Plan as outlined in 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.

EXHIBIT "A"

- 1) Allowing all eligible participants who are required to contribute to the cost of their health plans will automatically become a participant in the premium conversion provision of this plan and the amount of contribution will be withheld on a pre-tax basis.
- 2) The term *medical expense* means an amount paid for the diagnosis, cure, mitigation, treatment, or prevention of disease, or for the purpose of affecting any structure or function of the body. The term may include expenses for routine and extraordinary physical, mental and dental examinations, surgery, psychiatric care, hospitalization, drugs and medicines, vision care, therapeutic, orthopedic, and prosthetic aids and devices, transportation primarily for and essential to medical care, and

all other expenses that are considered to be for medical care as said term is used in Section 105(b) of the code, as outlined in IRS publication 502. Medical expenses are subject to change at any time in accordance with applicable changes to the IRS code.

- 3)The maximum amount that a participant may apply to the reimbursement of medical expenses in a plan year may not exceed the amount of \$1,500 or any other amount established by the employer. The maximum amount that a participant may apply to the reimbursement of dependent care costs in a taxable year may not exceed the amount established by Section 129 of the IRS code. (As of January 1, 1994 this amount is \$5,000 for married persons filing jointly or single head of household.) The maximum amount that a participant may set aside for individual insurance premiums is the total cost for coverage.
- 4)Implementation of a Preferred Provider Organization (PPO) comprised of some 600 providers (doctors and laboratories) who will accept a prearranged fee for services which will eliminate paperwork and the medical care co-pay split.
- 5)Addition of two HMO's allowing for employees to choose between three entities: (1) Health Maintenance Organization - Central New York, a/k/a Foundation Health Plan; (2) Mohawk Valley Plan; or (3) Prepaid Health Plan of Health Services Medical Corporation of Central New York.
- 6)Make current with employment, health care coverage and employee payments with no impact upon employer contribution. Elimination of the two-month pre-enrollment payment for all new employees, effective January 1, 1994.

Carried.

RESOLUTION NO. 443

by Transportation and Finance Committees
Seconded by Mr. Whalen

RESOLUTION AUTHORIZING A REVISION OF THE FARE STRUCTURE FOR B.C. TRANSIT, B.C. COUNTRY, AND B.C. LIFT

WHEREAS, this County Legislature, by Resolution No. 503 of 1987, authorized a revised fare structure for B.C. Transit, and

WHEREAS, by Resolution No. 496 and 497 of 1986, this County Legislature authorized a revised fare structure for B.C. Country and B.C. Lift, respectively, and

WHEREAS, the Department of Public Transportation has recommended that, because of increasing costs, it is necessary to increase fares to cover operating costs, now, therefore, it is hereby

RESOLVED, that this County Legislature hereby approves and adopts the fare structures set forth in Exhibit "A", Exhibit "B", and Exhibit "C", for B.C. Transit, B.C. Country, and B.C. Lift, respectively, and be it

FURTHER RESOLVED, that said revised fare structures shall be implemented only if the Commissioner of Public Transportation, after compliance with public hearing requirements of federal law and regulations, determines that said revised fare structures should be implemented, and be it

FURTHER RESOLVED, that said new fare structures, subject to such determination by the Commissioner of Public Transportation, shall be effective January 1, 1994, and be it

FURTHER RESOLVED, that the Commissioner of the Department of Public Transportation is authorized to implement the intent and purpose of this resolution, and be it

FURTHER RESOLVED, that the Budget Director and the Comptroller of Broome County are hereby empowered to make any necessary entries and adjustments to effectuate the intent and purpose of this resolution.

EXHIBIT "A" - Broome County Transit Fares Revised 9/15/93
Effective January 1, 1994

Cash Fares

Peak Period -	Prior to 9:15 a.m. and after 3:15 p.m. until 6:00 p.m. on weekdays	.80 all passengers
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Off Peak - Between 9:15 a.m. and 3:15 p.m. and .40 (1/2
after 6:00 p.m. on weekdays plus all peak fare)
day on Saturday passengers

Off Peak - Elderly and Handicapped persons
.40 (1/2 peak fare)

Children

Under five years of age with parents or guardian paying full fare (limit to four children per accompanying adult)

Free

Zone Charges (per attached map and description):

(For all cash fare passengers) .20

Peak Period .20 per
zone

Off Peak Period .10 (1/2
peak rate)

Transfers

Free at all times

Tokens

Twenty (20) free zone crossings 16.00

Monthly Unlimited Ridership Pass (for holder only)

Regular Pass -Free Zones (available to general public 32.00

Student Pass - Free Zones (available to full-time 20.00
students that can present a validated
student I.D. at time of purchase.
(Pass holders may also be required to
show I.D. when pass is used).

Elderly & Handicapped Pass - 20.00

(Free Zones Proof of Age or Handicapping condition
required at time of purchase. Pass holders
may also be required to show ID when pass
is used.)

Commuter

All commuter runs and Park and Ride lots

1.50

Ten Ride Commuter ticket book 13.50

EXHIBIT "B" - B. C. Country Fares (Rural Para Transit)
 Effective January 1, 1994

Base Fare	1.50
<u>Zone Charges</u>	
Rural To Rural	.50
Rural to Urban	.75
Urban to Rural	.75
Children (under 5)	No Charge
Maximum Fare	2.75

EXHIBIT "C" - Broome County Fares (Urban Para Transit)
 Effective January 1, 1994

<u>Base Fare</u>	1.00
All Service Times	
<u>Zone Charges</u>	.50
Per Zone Crossed	
For Most Direct Route	
Maximum Fare	2.50

Also attached are Zone Boundary Descriptions and maps.
Carried.

RESOLUTION NO. 444

by County Administration, Economic Development, Planning, Environment
 and Finance Committees
 Seconded by Mr. Malley

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 11, 1993,
 ENTITLED "A LOCAL LAW AMENDING LOCAL LAW NO. 5, 1985,
 LOCAL LAW NO. 10, 1986, LOCAL LAW NO. 2, 1988, LOCAL LAW
 NO. 15, 1989, LOCAL LAW NO. 15, 1990, LOCAL LAW NO. 1, 1992,
 AS AMENDED, MODIFYING CHARGES AT COUNTY LANDFILLS**

RESOLVED, that Local Law Intro. No. 12, 1993, entitled "A Local law
 Amending Local Law No. 5, 1985, Local Law No. 10, 1986, Local Law No.
 2, 1988, Local law No. 15, 1989, Local Law No. 15, 1990, Local Law No. 1,
 1992, as amended, modifying charges at County Landfills", be and the same
 hereby is adopted and approved in accordance with the Broome County

Charter, The Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

A LOCAL LAW AMENDING LOCAL LAW NO. 5 OF 1985, LOCAL LAW NO. 10, 1986, LOCAL LAW NO. 2, 1988, LOCAL LAW NO. 15, 1989, LOCAL LAW NO. 15, 1990, LOCAL LAW NO. 1, 1992, AS AMENDED, MODIFYING CHARGES AT COUNTY LANDFILLS.

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

Section 1. Local Law No. 5, 1985, Local Law No. 10, 1986, Local Law No. 2, 1988, Local Law No. 15, 1989, Local Law No. 15, 1990, Local Law No. 1, 1992, as amended, modifying charges at county landfills, be and hereby is amended to read as follows:

Section 6. Weights, measurement and charges.

1. Commencing January 1, 1994, the following charge will apply to the Nanticoke Landfill:

a. residential household waste bags; [32] 33 gallon size, [\$1.00] \$1.50 per bag, 16 gallon size, [\$.50] \$.75 per bag

2. Commencing January 1, 1994, the following charge will apply to the Nanticoke Landfill:

i. vehicle weighed and vehicle load billed at [\$32.50] \$49.10 per ton; [\$.15] \$.30 per ton of said fee shall be dedicated to a fund payable to the host community of the landfill

3. Commencing on January 1, 1994, the following separate charges will apply to the Nanticoke Landfill:

i. construction/demolition waste; [thirty eight and 15/100 dollars (38.15)] \$90.00 per ton

4. Commencing on January 1, 1994, the following separate charges will apply to the Nanticoke Landfill:

i. leaf/yard waste; at \$35.00 per ton

Section 2. Except as here and above amended Local Law No. 5, 1985, Local Law No. 10, 1986, Local Law No. 2, 1988, Local Law No. 15, 1989, Local Law No. 15, 1990, Local Law No. 1, 1992, as amended, shall remain in full force and effect.

Section 3. This Local Law shall become effective following a

public hearing to be held before the County Executive in the manner provided by law.

Heldover by Mr. Howard

RESOLUTION NO. 445

by Health & Human Services and Finance Committees

Seconded by Mr. Brown

RESOLUTION AUTHORIZING AN INCREASE IN PRIVATE PAY RATES FOR PATIENTS AT WILLOW POINT NURSING FACILITY FOR 1994.

WHEREAS, the Board of Directors of Willow Point Nursing Facility recommends an increase in the private pay daily rate for nursing care at Willow Point Nursing Facility effective January 1, 1994, and

WHEREAS, this County Legislature by Resolution 501 of 1992, authorized an increase in the private pay daily rate and no adjustments have been made since that time, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an increase in private pay daily rates at Willow Point Nursing Facility from \$121.00 to \$126.00 per day (Nursing Care), effective January 1, 1994, for individuals who were residents of Willow Point Nursing Facility as of August 9, 1993, and increased to \$130.00 per day as of July 1, 1994. For residents admitted August 10, 1993 and after, the private pay rate will be \$130.00 per day as of January 1, 1994, and be it

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

FURTHER RESOLVED, that the Broome County Comptroller and Commissioner of Finance are hereby authorized within the restraints of this Resolution to make any necessary adjustments to implement the intent and purpose of this Resolution. **Carried.**

RESOLUTION NO. 446

by County Administration, Economic Development and Planning Committee

Seconded by Mr. Brown

RESOLUTION REQUESTING THE STATE OF NEW YORK TO

CONVENE A SPECIAL SESSION ON MANDATE RELIEF

WHEREAS, Broome County, through its County Executive and members of the Legislature, has been pursuing mandate reform to bring mandate relief to the beleaguered and overburdened taxpayers of New York, and

WHEREAS, Little progress appears to have been made in the current session by the New York State Legislature in providing long-overdue mandate relief to the beleaguered and overburdened taxpayers of Broome County, now, therefore, be it

RESOLVED, That Broome County hereby requests Governor Cuomo and the New York State Legislature to convene a special session of the New York State Legislature for the purpose of discussing and adopting a comprehensive mandate relief program that will reduce, on a recurring basis, the actual cost of State imposed programs to municipalities all across this State, and be it further

RESOLVED, That the clerk of the Broome County Legislature is hereby directed to forward copies of this resolution to Governor Cuomo; to the Majority Leader of the New York State Senate Ralph J. Marino; to the Speaker of the New York State Assembly Saul Weprin; to the Minority Leader of the New York State Senate Legislative Note: and Assembly); To The Coalition for Mandate/Tax Reform and the New York State Assembly and to each member of the local delegation of the New York State Legislature.

Carried.

RESOLUTION NO. 447

by Environment Committee Seconded by Mr. Brown

RESOLUTION DIRECTING INITIATION OF ENVIRONMENTAL REVIEW OF PROPOSED AMENDMENT TO LOCAL LAW MODIFYING CHARGES AT COUNTY LANDFILLS AND RENDERING "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, this County Legislature has pending before it a proposed amendment to Local Law No. 5 of 1985, as amended, modifying charges at County Landfills, and WHEREAS, the adoption of such an amendment may have an impact on the environment, and

WHEREAS, it is hereby determined that the adoption of such an

amendment to the local law is subject to the requirements of the State Environmental Quality Review Act (SEQRA), and it is therefore, necessary to initiate procedures with respect thereto, 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 a proposed amendment to the local law, which law would modify charges at County Landfills, 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 proposed amendment to the local law will not have significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" annexed hereto as Exhibit "A."

Heldover by Mr. Brown

RESOLUTION NO. 448

by Finance Committee

Seconded by Mr. Brown

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE LAW DEPARTMENT.

RESOLVED, that in accordance with a request from the Law Department, in order to provide funds for court assigned attorneys, as requested by BT# 5340, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM: 900084	4752	101000	Contingency Acct	\$92,863
TO : 390005	4738	101000	Assigned Counsel	\$92,863

Carried.

RESOLUTION NO. 449

by Education, Culture & Recreation and Finance Committees

Seconded by Mr. Brown

RESOLUTION REQUIRING A ONE DOLLAR SURCHARGE ON TICKETS TO ARENA AND FORUM EVENTS

WHEREAS, the County Legislature finds that in order to continue to operate the Broome County Veterans Memorial Arena (the "Arena"), and the

Broome County Performing Arts Theater (the "Forum"), in the face of seriously increasing budget pressures, it is necessary to require that a surcharge be paid to the County for each ticket sold for Arena and Forum events, now, therefore, be it

RESOLVED, that all future contracts relating to use of the Arena or the Forum, on or after January 1, 1994, for any purpose, including without limitation performances, athletic events, conventions, shows, exhibitions, or contests shall provide that there shall be added to the price of admission a surcharge of one dollar (\$1.00) per ticket to be paid by the contractor to the County, and be it

FURTHER RESOLVED, that the proceeds of such surcharge for Arena and Forum events shall be used exclusively for operation and maintenance of the Arena and the Forum, respectively, and be it

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

Heldover by Mr. Lindsey

RESOLUTION NO. 450

by Transportation and Finance Committees

Seconded by Mr. Pazzaglini

RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT AWARD FROM THE FEDERAL DEPARTMENT OF TRANSPORTATION FOR GRANT FUNDS FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION FOR 1993

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation programs, and

WHEREAS, the contracts for financial assistance impose certain obligations upon the applicant, including the provisions by it of the local share of the project costs in the program, and

WHEREAS, it is required by the United States Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964, as amended, that the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United

States Department of Transportation requirements promulgated thereunder, and

WHEREAS, it is the goal of the applicant that the Minority Business Enterprises be utilized to the fullest extent possible in connection with this project and that definite procedures shall be established and administered to insure that minority businesses shall have the maximum construction contracts, supplies, equipment contracts or consultant and other services, and

WHEREAS, this County Legislature, by Resolution 559 of 1992, authorized the acceptance of a grant award from the Urban Mass Transportation Administration for 1992 Grant Funds, and

WHEREAS, it is desired at this time to accept similar grant funds for 1993, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,321,207 from the United States Department of Transportation Federal Transit Administration, and be it

FURTHER RESOLVED, that the funds are to be used as follows: operating assistance for Broome County, January 1, 1993 through December 31, 1993, \$1,083,207; Capital Assistance for Broome County's Underground Storage Tank Remediation project, \$120,000; Capital Assistance for operation of Broome County Lift (capital component of contract) \$24,000; Operating assistance for Tioga County January 1, 1992 through December 31, 1992, \$47,000; Operating assistance for Tioga County January 1, 1993 through December 31, 1993, \$47,000, 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 provided that said budget transfers do not affect a personnel line, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the program of projects and budget, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to set forth and execute affirmative minority business policies in connection with the program of projects and budget procurement needs, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is authorized to execute any agreements on behalf of Broome County with the United States Department of Transportation for aid in the financing capital and/or operating assistance program of projects and budget.

Carried.

RESOLUTION NO. 451

by Public Works, Education, Culture & Recreation and Finance Committees
Seconded by Mr. Warner

RESOLUTION AMENDING THE 1993 CAPITAL IMPROVEMENT PROGRAM AND AUTHORIZING A TRANSFER OF FUNDS FOR THE DEPARTMENT OF PUBLIC WORKS.

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

TO CREATE:

<u>Code</u>	<u>Project Name</u>	Estimated Construction Cost:			
		<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
L-32	Gas Conversion	\$6,000	\$0	\$0	\$6,000

<u>Revenue</u>	How Financed:			
	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1993	5	\$0	\$6,000

DESCRIPTION: Convert the Central Library heating system from fuel oil

to gas. Project will be completed in this fiscal period and avoid greater costs associated with repairing the existing system, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Public Works, in order to provide for funds to create a capital project for Gas Conversion at the Central Library, as requested by BT #5897 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM: 900084	4752	101000	Contingent	\$6,000
	Account			
TO: 930024	9004	101000	Transfer to	\$6,000

Capital

Carried.

RESOLUTION NO. 452

by Public Works Committee

Seconded by Mrs. Wagstaff

RESOLUTION AUTHORIZING THE GRANTING OF AN EASEMENT TO NEW YORK STATE ELECTRIC & GAS FOR INSTALLATION OF GAS SERVICE TO THE SOIL CONSERVATION SERVICE, CUTLER POND ROAD.

WHEREAS, New York State Electric & Gas and Broome County are desirous of entering into an easement agreement for the mutual benefit of both parties in regard to the installation of gas service to the Soil and Conservation Building owned by Broome County, and

WHEREAS, it is necessary, therefore, to execute an easement from Broome County to New York State Electric & Gas, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the granting of an easement subject to any necessary approvals, across Broome County property for purposes of installing gas service to the Soil Conservation Service in the Town of Dickinson, Broome County, New York State as more fully depicted in Exhibits "A" and "B" attached hereto, and be

it

FURTHER RESOLVED, that the recited consideration for the easement is one dollar, 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. 453

by County Administration, Economic Development & Planning, Education, Culture & Recreation, and Finance Committees Seconded by Mrs. Wagstaff

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 12, 1993, ENTITLED: "A LOCAL LAW AMENDING LOCAL LAW NO. 4, 1980, AS AMENDED, ESTABLISHING RULES AND REGULATIONS FOR COUNTY PARKS."

RESOLVED, that Local Law Intro. No. 12, 1993, entitled: "A Local Law amending Local Law No. 4, 1980, as amended, establishing rules and regulations for County Parks," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

LOCAL LAW INTRO. NO. 12, 1993

"A LOCAL LAW AMENDING LOCAL LAW NO. 4, 1980, AS AMENDED, ESTABLISHING RULES AND REGULATIONS FOR COUNTY PARKS."

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

SECTION 1. Local Law No. 4, 1980, as amended, is hereby amended to read as follows:

Fees and Charges. The following Fees and Charges are established for several County Park locations as follows:

A. Parking

- (6) Senior Citizen Parking Pass [valid upon presentation of a Broome County OFA identification card or Golden Park Pass of New York State] (62 or older valid upon presentation of New York State DMV Driver's License or New York State Non-Driver Identification Card.)
 - (7) A maximum of five summer season park passes may be given away each season at the discretion of the Commissioner of Parks and Recreation.
 - B. Camping
 - (4) Reservation Fee: three dollars (\$3.00).
 - D. Boat Rental
- (For purposes of marketing the boating concession and increasing boating awareness, one dollar numbered boating coupons for rowboat and canoe rentals may be given away to park patrons. These will not exceed 25 coupons per day per park.)
- F. Admission: Recreational Skating
- (2) PER SEASON

Type	Season	Half-season (Rates begin Jan. 15)
Individual	[\$30.00] <u>\$40.00</u>	[\$15.00] <u>\$25.00</u>
Family	\$100.00	[\$50.00] <u>\$75.00</u>
	Skate Sharpening [\$2.50 pr.]	<u>\$3.00 pr.</u>
	<u>Coupon for 10 skate sharpenings</u>	<u>\$25.00</u>

SECTION 2. Except as hereinabove amended, Local Law No.4, 1980, as amended, shall remain in full force and effect.

SECTION 3. This Local Law shall become effective January 1, 1994, except "short term and long term ice rentals" shall be effective November, 1994, following a public hearing to be held before the County Executive in a manner provided by law.

Note: Material in bracket [] is deleted.

Material in underlining is added.

Carried.

RESOLUTION NO. 454

by County Administration, Economic Development and Planning and

Finance Committees

Seconded by Mr. Warner

RESOLUTION AUTHORIZING AGREEMENT WITH NTS DATA SERVICES FOR INSTALLATION OF HARDWARE, SOFTWARE, BACKFILE CONVERSION AND POLL BOOK PRINTING SERVICES FOR 1993 THROUGH 1998

WHEREAS, the Commissioners of the Board of Elections request authorization for an agreement with NTS Data Services for the period October 1, 1993 through January 31, 1998, at a cost not to exceed \$100,000, and

WHEREAS, said services are necessary for the installation of hardware, software, backfile conversion and poll book printing services, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with NTS Data Services, P.O. Box 1342, Military Road, Niagara Falls, New York 14304-1730 for the installation of hardware, software, backfile conversion and poll book printing services, for the period October 1, 1993 through January 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$100,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 410001.4747.101000 (Other Fees for Services), and be it

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

Mr. Augostini moved, seconded by Mr. Pasquale to adjourn at 5:53 P.M. **Carried.**