

RESOLVED, that this County Legislature hereby authorizes an agreement with Corporate Care Management, Inc., 142 Corporate Drive, Binghamton, New York 13904 for Workers' Compensation case and cost management services, for the period March 1, 1995 through February 29, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$.87 per participant per month, the total amount not to exceed \$63,000.00 per year for the term of this agreement, and be it

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

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

**Heldover** under the 'Rules' by Mr. Whalen

Mr. Wike moved, seconded by Mrs. Sweet to adjourn at approximately 4:20 P.M.

**Carried.** Ayes-17, Nays-0, Absent-2 (Burger & Hull)

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
MARCH 16, 1995**

The Legislature convened at 4:06 P.M. with a call to order by the Acting Chair, Louis P. Augustini. The Clerk, Richard R. Blythe, read a letter from the Chair, Arthur J. Shafer, designating Mr. Augustini as Acting Chair for the session and then read the fire exit announcement and called the Attendance Roll:

Present - 17, Absent - 2 (Kavulich & Shafer).

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

Mr. Miller moved, seconded by Mr. Whalen that the minutes of the February 16, 1995 Regular Session and the March 1, 1995 Regular Session be approved as prepared and presented by the Clerk.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

PUBLIC HEARINGDraft EIS - Proposed Broome County Hazardous Waste Collection Facility, Knapp Road, Town of Maine

REGULAR SESSION OF MARCH 16, 1995

A public hearing which had previously been scheduled, was opened by the Acting Chair at 4:03 P.M. The Clerk read the legal notice of the hearing and produced proof of publication of said notice. The only speaker was Ferris Lebous, Esq., of the Binghamton Law Firm of Pearis, Resseguie, Kline, Barber & Lebous. The Acting Chair closed the hearing at 4:15 P.M.

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

Letter from the County Executive, Timothy M. Grippen:

1. Nominating 15 persons to membership on the Broome-Tioga-Tompkins Private Industry Council.

1995 STATE OF THE COUNTY ADDRESS

LADIES AND GENTLEMEN.

LET ME BEGIN TODAY BY OFFERING A FORMAL WELCOME TO THE NEW MEMBERS OF THE LEGISLATURE, AND A SINCERE WELCOME BACK TO THOSE OF YOU RETURNING FOR ANOTHER TERM.

I THINK BY NOW WE ALL KNOW COUNTY GOVERNMENT FACES SEVERAL CHALLENGES/ -- TODAY I WOULD LIKE TO HIGHLIGHT WHAT I THINK ARE THE THREE MOST IMPORTANT CHALLENGES -- THE LOCAL ECONOMY, THE COUNTY'S BUDGET AND GOVERNMENT REFORM./

OUR LOCAL ECONOMY, ONCE AMONG THE STRONGEST IN THE STATE, HAS BEEN RAVISHED BY CUTS IN THE NATIONAL DEFENSE BUDGET AND THE IMPACT OF GLOBAL COMPETITION./

WE KNOW WE FACE MAJOR BARRIERS IN RETAINING AND ATTRACTING EMPLOYERS TO NEW YORK STATE -- CHIEF AMONG THEM IS NEW YORK RANKING AS THE NUMBER ONE STATE IN THE NATION IN COMBINED STATE AND LOCAL TAXES.

WE IN COUNTY GOVERNMENT ARE QUITE PROUD OF THE FACT THAT WE HAVE BEEN ABLE TO KEEP THE PROPERTY TAX LEVY AT OR BELOW THE HISTORIC 1990 LEVEL FOR THE LAST FIVE YEARS. AND THINK ABOUT THIS: BROOME COUNTY PROPERTY TAXES ACCOUNT FOR ONLY THREE PERCENT OF THE TOTAL TAXES -- LOCAL, STATE AND FEDERAL -- THAT I PAID IN 1994./ WE ARE A VERY SMALL PART OF THE TAX PROBLEM IN THIS STATE AND COUNTRY.

OUR LOCAL ECONOMY IS CHANGING./ IN 1988, THREE OUT OF THE

FIVE LARGEST EMPLOYERS IN BROOME COUNTY WERE PRIVATE MANUFACTURING FIRMS. TODAY, FOUR OUT OF THE FIVE LARGEST EMPLOYERS ARE SERVICE PROVIDERS.

OUR LOCAL ECONOMY IS CHANGING AND WE DO FACE MANY OBSTACLES TO RECOVERY, BUT I BELIEVE THERE ARE SOME VERY GOOD REASONS WHY EMPLOYERS WOULD WANT TO STAY HERE OR RELOCATE THEIR BUSINESSES TO BROOME COUNTY. WE HAVE:

- ♣LOW CRIME RATES
- ♣EXCELLENT CULTURAL AND RECREATIONAL OPPORTUNITIES
- ♣REASONABLE HOUSING COSTS
- ♣EXCELLENT TRANSPORTATION SYSTEMS
- ♣A LOW COST OF LIVING
- ♣EXCELLENT SECONDARY AND POST SECONDARY SCHOOL SYSTEMS AND A VERY PRODUCTIVE WORK FORCE

WE HAVE TO GET THAT MESSAGE OUT/ -- THAT BROOME COUNTY IS A GOOD PLACE TO LIVE, WORK, AND RAISE A FAMILY/ -- AND A GOOD PLACE TO DO BUSINESS./ THOSE WERE THE ADVANTAGES THAT HELPED US LURE ANITEC AND ALLEGHENY COMMUTER AIRLINES HERE -- BRINGING OVER 250 GOOD PAYING, PRIVATE SECTOR JOBS. AND THAT IS THE MESSAGE WE WILL USE IN THE FIGHT TO KEEP LINK-HUGHES RIGHT HERE IN KIRKWOOD, NEW YORK.

WE KNOW WE STILL HAVE A LONG WAY TO GO BEFORE OUR LOCAL ECONOMY RECOVERS./ BUT WE IN COUNTY GOVERNMENT HAVE NOT STOOD BY ON THE SIDELINES -- TOGETHER WE HAVE MADE SIGNIFICANT PROGRESS:/

- ♣WE CREATED THE BROOME COUNTY ECONOMIC DEVELOPMENT COUNCIL TO PROVIDE THE VISION NECESSARY FOR THE REVITALIZATION OF OUR LOCAL ECONOMY.
- ♣WE CONSOLIDATED OUR RESOURCES WITH OTHER MUNICIPALITIES AND HELPED FORM THE BROOME COUNTY ECONOMIC DEVELOPMENT ALLIANCE.

THEIR MISSION IS TO OVERCOME THE BARRIERS TO ECONOMIC RECOVERY AND THE ALLIANCE'S NEW ECONOMIC DEVELOPMENT STRATEGY DOES JUST THAT. NOW THEY MUST DELIVER THE MESSAGE - - TO ANYONE WHO WILL LISTEN -- THAT BROOME COUNTY IS A GOOD PLACE TO DO BUSINESS.

OUR GOAL THIS YEAR MUST BE TO SUPPORT THOSE ECONOMIC DEVELOPMENT INITIATIVES THAT WILL GROW OUR LOCAL ECONOMY./

THE SECOND MAJOR CHALLENGE IS THE COUNTY'S BUDGET./ WE ALL KNOW THE LOCAL ECONOMY AFFECTS THE COUNTY'S BUDGET./ WE SEE THE IMPACT IN INCREASES IN OUR SOCIAL SERVICE ROLLS WHERE MORE THAN 25,000 RESIDENTS NOW RECEIVE SOME FORM OF COUNTY ASSISTANCE/. WE SEE IT IN A DROP IN SALES AND USE TAXES; WE SEE IT IN REDUCED PROPERTY VALUES AND INCREASED DELINQUENCIES IN PROPERTY TAX PAYMENTS. LADIES AND GENTLEMEN, THE BOTTOM LINE HERE IS THIS: MORE RESOURCES ARE REQUIRED WHILE FEWER RESOURCES ARE AVAILABLE.

THE AVERAGE ANNUAL GROWTH IN SPENDING OVER THE LAST FIVE YEARS IN COUNTY GOVERNMENT HAS BEEN 9.4 PERCENT -- MORE THAN TWICE THE ANNUAL RATE OF INFLATION. ONE SHOULD CERTAINLY ASK WHY? THE ANSWER IS SIMPLE: STATE MANDATES ACCOUNTED FOR OVER SEVENTY PERCENT OF THE GROWTH IN COUNTY EXPENSES THIS YEAR.

HERE AGAIN, WE HAVE NOT STOOD BY ON THE SIDELINES./ INSTEAD, WE HAVE BEEN LEADERS IN THE STATE AND THE NATION IN TERMS OF CONTROLLING THE COST OF MANDATED PROGRAMS. /

OVER THE PAST SIX YEARS, AT THE DEPARTMENT OF SOCIAL SERVICES ALONE, WE HAVE INITIATED A SERIES OF INNOVATIVE PROGRAMS THAT CONTROL COSTS AND REDUCE THE BURDENS STATE MANDATES PLACE ON COUNTY GOVERNMENT./ LAST YEAR WE SAVED OVER ONE MILLION DOLLARS FOR LOCAL PROPERTY TAXPAYERS BY REFORMING WELFARE PROGRAMS./

WE ARE VERY PROUD OF OUR EFFORTS TO REFORM WELFARE, BUT OUR GOAL SHOULD NOT BE TO SIMPLY REFORM WELFARE/ -- ALTHOUGH REFORMS ARE NECESSARY/ -- OUR GOAL SHOULD BE TO END POVERTY -- A JOB DOES THAT.

LAST YEAR, UNDER THE JOBS FIRST INITIATIVE, WE OPENED ONE OF THE FIRST SELF SUFFICIENCY CENTERS IN NEW YORK STATE FOR WOMEN WITH CHILDREN WHO ARE RECEIVING PUBLIC ASSISTANCE./

FINDING EMPLOYMENT FOR THESE WOMEN IS THE CENTER'S NUMBER ONE PRIORITY. AND, I'M PROUD TO REPORT TO YOU TODAY THAT LAST YEAR THE CENTER FOUND EMPLOYMENT FOR OVER 650 WOMEN./ BY PROVIDING PEOPLE WITH A JOB INSTEAD OF A CHECK WE CAN BREAK THE CYCLE OF POVERTY WHICH HAS TRAPPED TOO MANY

PEOPLE IN A WELFARE SYSTEM THAT ENCOURAGED DEPENDENCY RATHER THAN SELF SUFFICIENCY./ YET, IN SPITE OF ALL THESE EFFORTS, STATE MANDATES STILL INCREASED TWO POINT FOUR MILLION DOLLARS LAST YEAR./ CONSEQUENTLY, ONE OF OUR MOST EFFECTIVE MEANS FOR CONTROLLING BUDGET AND TAX GROWTH LIES IN OUR SUCCESS AT LOBBYING NEW YORK STATE LAWMAKERS FOR MANDATE RELIEF./ IT IS FASHIONABLE IN ALBANY THESE DAYS TO COMPARE NEW YORK'S PROGRAMS AND BENEFITS TO OTHER STATES./ WHAT THESE COMPARISONS DO NOT TELL YOU IS THAT IF WE DID NOT HAVE TO PAY FOR MEDICAID/REMEMBER ONLY A HANDFUL OF STATES REQUIRE COUNTY CONTRIBUTIONS TO MEDICAID - - WE COULD CUT PROPERTY TAXES IN HALF -- TAKE AWAY ALL THE STATE MANDATES -- WE COULD ELIMINATE PROPERTY TAXES ALTOGETHER. /

THEREFORE, OUR GOAL MUST BE TO ACHIEVE MEANINGFUL STATE MANDATE RELIEF THIS YEAR./ THAT INCLUDES CONVINCING STATE LAWMAKERS TO MAKE GOOD ON LAST YEAR'S PROMISE TO INCREASE THE STATE'S SHARE -- AND REDUCE THE COUNTY'S SHARE -- OF BOTH MEDICAID AND THE EDUCATION OF HANDICAPPED CHILDRENS PROGRAM./

OUR THIRD CHALLENGE IS TO OURSELVES AND, ONCE AGAIN, WE CANNOT SIT STILL. / GIVEN THE ENORMOUS ECONOMIC AND BUDGETARY CHALLENGES FACING BROOME COUNTY, WE KNOW WE HAVE TO DO EVERYTHING WE CAN TO STREAMLINE, REORGANIZE AND CONSOLIDATE GOVERNMENT OPERATIONS WHENEVER AND WHEREVER WE CAN./ WE MUST REINVENT GOVERNMENT. WE HAVE TO MAKE A COMMITMENT TO BETTER GOVERNMENT. OUR GOAL MUST BE TO CHANGE THE WAY WE DO BUSINESS.

I KNOW MANY OF YOU EXPRESSED A CONCERN LAST YEAR THAT THE BUDGET WAS NOT THE RIGHT TIME FOR ME TO BRING NEW IDEAS TO THE TABLE./

WITH THAT IN MIND, BEGINNING TODAY I WILL SEND YOU PROPOSALS FOR MAJOR CHANGES IN THE WAY WE DO BUSINESS./ AS A FIRST STEP, I WILL FORWARD TO YOU A FINAL REPORT FROM THE CENTER FOR GOVERNMENTAL RESEARCH WHICH RECOMMENDS CREATING A PUBLIC BENEFIT CORPORATION FOR THE DELIVERY OF MENTAL HEALTH SERVICES./

THERE IS REALLY NOTHING NEW ABOUT PUBLIC BENEFIT CORPORATIONS -- MANY COMMUNITIES USE THEM TO GREAT

ECONOMIC ADVANTAGE. /

TO CREATE A PUBLIC BENEFIT CORPORATION, WE WOULD SIMPLY PASS A HOME RULE REQUEST AND SEND IT TO THE STATE GOVERNMENT FOR APPROVAL.

IN THE HOME RULE REQUEST, WE WOULD ESTABLISH THE POWERS FOR THE NEW PUBLIC BENEFIT CORPORATION. THE HOME RULE REQUEST SETS THE MISSION FOR THE ORGANIZATION AND THE DUTIES AND RESPONSIBILITIES OF THE BOARD OF DIRECTORS./ THE BOARD WILL INCLUDE ELECTED OFFICIALS FROM THE COUNTY AND MEMBERS OF THE COMMUNITY. CONSEQUENTLY, THE COUNTY WILL STILL HAVE CONTROL OVER THE DIRECTION OF THE NEW CORPORATION.

WITH THAT IN MIND, I AM PROPOSING THAT WE CREATE PUBLIC BENEFIT CORPORATIONS FOR:

♣ SOLID WASTE/TRANSIT/WILLOW POINT NURSING HOME/THE AIRPORT/THE PRIVATE INDUSTRY COUNCIL AND THE ARENA & FORUM

IF WE DO THIS, WE CAN FREEZE OUR CURRENT CONTRIBUTIONS TO THESE AGENCIES AT THE 1995 LEVELS OR, AT THE MINIMUM CONTRIBUTION REQUIRED BY FEDERAL AND STATE REGULATION. THESE NEW PUBLIC BENEFIT CORPORATIONS WILL BE ABLE TO FOCUS ALL THEIR ACTIVITIES ON THEIR MISSION, EMPOWER MORE CITIZENS IN THEIR DECISION MAKING PROCESS, OVERCOME BUREAUCRATIC INERTIA, AND BE MANAGED LIKE PRIVATE ENTERPRISES. I KNOW MANY OF YOU HAVE SAID "WHY CAN'T WE RUN GOVERNMENT LIKE A BUSINESS?" THESE PROPOSALS ALLOW US TO LET THESE AGENCIES BE RUN LIKE BUSINESSES. BY CREATING PUBLIC BENEFIT CORPORATIONS WE CAN BEGIN TO SLOW THE ANNUAL RATE OF GROWTH IN COUNTY SPENDING.

BUT GOVERNMENT REFORM SHOULD NOT STOP THERE. WE SHOULD REORGANIZE THOSE COUNTY AGENCIES THAT PROVIDE INTERNAL SERVICES INTO SINGLE-MISSION, CUSTOMER-DRIVEN SERVICE UNITS CAPABLE NOT ONLY OF PROVIDING SERVICES INTERNALLY, BUT ALSO OF SELLING THEIR SERVICES TO LOCAL GOVERNMENTS, SCHOOL DISTRICTS AND NOT FOR PROFIT AGENCIES./ THIS APPROACH WILL ALLOW THESE PUBLIC ENTITIES TO TAKE ADVANTAGE OF THE ECONOMIES OF SCALE WE HAVE BEEN ABLE TO ACHIEVE AND THEREBY REDUCE THEIR COSTS.

I PROPOSE THAT WE REORGANIZE AND DECENTRALIZE THE FOLLOWING AGENCIES OF COUNTY GOVERNMENT:

♣CENTRAL FOODS/SECURITY/COMPUTER SERVICES/BUILDINGS

AND GROUNDS/RISK AND INSURANCE/AND A NEW SERVICE;  
COMMUNICATIONS

THESE NEW SINGLE MISSION, CUSTOMER DRIVEN SERVICES WOULD REPORT DIRECTLY TO THE DEPUTY COUNTY EXECUTIVE -- NO BUREAUCRACY BETWEEN THEM AND THEIR CUSTOMERS. YOU AND I WOULD NEGOTIATE THEIR BUDGETS AND SET THEIR CHARGEBACKS PRIOR TO THE SUBMISSION OF THE FORMAL COUNTY BUDGET.

THESE CHANGES REQUIRE NO NEW POSITIONS OR BUREAUCRACY. THIS IS WHAT SUCCESSFUL CORPORATIONS ARE DOING -- REDEFINING THEIR MISSIONS, CUTTING UNNECESSARY LAYERS OF BUREAUCRACY, REDESIGNING THE WORK PLACE AND TREATING THEIR EMPLOYEES AS RESOURCES. IF WE DO ALL THIS, TAXPAYERS WILL BENEFIT FROM THE SAVINGS WE ARE ABLE TO ACHIEVE.

OUR AGENDA FOR GOVERNMENT REFORM DOES NOT STOP THERE EITHER.

I BELIEVE WE SHOULD ALSO PROPOSING THAT WE CONSOLIDATE THE FOLLOWING MUNICIPAL SERVICES:

- ♣ ASSESSMENTS/EMERGENCY DISPATCHING SERVICES (E-911)
- ♣ LIBRARY SERVICES AND MUNICIPAL SOLID WASTE COLLECTION SERVICES

THESE CONSOLIDATIONS WILL NOT INCREASE THE TAX BURDEN. IN FACT, THE EFFICIENCIES ACHIEVED BY CONSOLIDATING THESE ACTIVITIES SHOULD REDUCE THE TAX BURDEN ON OUR LOCAL PROPERTY TAXPAYERS.

IN ALL, I WILL SEND YOU 16 SEPARATE PROPOSALS THAT WILL CHANGE THE WAY COUNTY GOVERNMENT DOES BUSINESS BEFORE YOU HAVE TO TAKE UP THE 1996 BUDGET.

OUR MISSION MUST BE TO REDUCE THE ANNUAL RATE OF GROWTH IN COUNTY SPENDING. IF WE PRIVATIZE, REORGANIZE AND CONSOLIDATE ALL THESE ACTIVITIES, WE CAN REDUCE OUR BUDGET APPROPRIATIONS IN 1996 BY OVER \$40 MILLION DOLLARS.

THE GOVERNMENT REFORMS I AM PROPOSING TODAY WILL BEGIN TO SLOW THE RATE OF GROWTH IN COUNTY SPENDING, BUT WE WILL STILL NEED MEANINGFUL STATE MANDATE RELIEF TO COMPLETELY CONTROL COUNTY SPENDING.

A FEW SHORT WEEKS AGO WE CELEBRATED 25 YEARS OF CHARTER GOVERNMENT AND SALUTED ITS FOUNDER EDWIN L. CRAWFORD -- A

MAN MUCH RESPECTED BY MYSELF AND ALL THOSE WHO KNEW HIM. IT SEEMS TO ME ED DID A VERY GOOD JOB SETTING THE AGENDA FOR COUNTY GOVERNMENT FOR THESE FIRST 25 YEARS. THIS YEAR, YOU AND I CAN SET THE AGENDA FOR THE NEXT 25 YEARS.

I KNOW WE CAN MEET THESE CHALLENGES -- GROWING THE LOCAL ECONOMY; ACHIEVING MEANINGFUL STATE MANDATE RELIEF AND CHANGING THE WAY COUNTY GOVERNMENT DOES BUSINESS./ THESE ARE MY GOALS FOR 1995. TODAY, I ASK FOR YOUR ACTIVE COOPERATION IN OVERCOMING THESE DIFFICULT CHALLENGES. LADIES AND GENTLEMEN/ HONORABLE MEMBERS OF THE LEGISLATURE,/ LET'S GO TO WORK.

THANK YOU.

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

At the request of Legislator Hull, the Acting Chair invited Mrs. Debra Johnson to the podium to present petitions to the Legislature concerning the Bunn Hill Road/Sheedy Road Intersection Project. The petitions were received by the Clerk and will be placed on the next agenda.

PETITIONS:

TO RESTORE FUNDING TO MUNICIPAL LIBRARIES

1. George F. Johnson Memorial Library (1,388 signatures)
2. Your Home Library (799 signatures)
3. Vestal Public Library (1,299 signatures)

COMMUNICATIONS:

1. Resolution from Dutchess County (Requesting President/Congress to enact legislation regarding Solid Waste Flow Control).
2. Minutes from:
  - a. Environmental Management Council
  - b. Natural Resources Committee
  - c. Soil and Water Conservation District
  - d. Broome County Public Library
  - e. Willow Point Nursing Facility
  - f. EMC's Ad Hoc Committee on Alternative Transportation
3. Confirmation of filing Positive Declaration (Hazardous Waste Collection Facility).

4. Copy of applications:

a. Town of Vestal (Extension #52 and Extension #54 to Consolidated Sewer District #1).

5. Broome County Industrial Development Agency: Various materials including minutes of February meeting, agenda for March 10 meeting; 1995 Economic Development Alliance Marketing Plan, etc.

NOTICES: Knight Millard (Crawford & Co.) vs. Broome County

REPORTS:

1. 1994 Annual Report from Department of Public Works.

2. Broome Community College: Quarterly Income Statements; Above the Minimum Hires, January 1995.

3. Broome County Historical Society: 1994 Annual Report; 1995 Budget.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

PRESENTATION by Legislator David L. Lindsey

LETTER OF COMMENDATION TO PEARL MALL (PROBE)

Letters from the Chair, Arthur J. Shafer:

1. Appointing Louis P. Augustini as voting representative for Chris W. Burger, Co. Administration, Economic Development & Planning Committee, Mar. 1, 1995.

2. Appointing James L. Holley as voting representative for David L. Lindsey, Transportation Committee, March 6, 1995.

3. Appointing Chris W. Burger as voting representative for Daniel A. Schofield, Transportation Committee, March 6, 1995.

4. Appointing John E. Cahill as voting representative for Patrick F. O'Day, Community and Social Services Committee, March 7, 1995.

5. List of 1995 Ad Hoc Committees and members.

Mr. Cahill moved, seconded by Mrs. Coffey to receive and file the above noted reports and to authorize the Clerk to publish pertinent portions in the Journal of Proceedings. **Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

Several resolutions were taken out of order, however, for the sake of clarity, all resolutions are presented in numerical order. The preferred agenda was seconded by Mr. Mather and Mr. Cahill and Mrs. Coffey were designated as the 'short roll call' for the session.

REGULAR SESSION OF MARCH 16, 1995

**RESCINDING OF RESOLUTIONS:**

Mr. Hull moved, seconded by Mr. Mather to rescind Resolutions Number 13 and Number 14 of 1995, per Rule 23 of the Legislature's Rules of Order.

**RESOLUTION NO. 13**

by PUBLIC WORKS AND ENVIRONMENT COMMITTEES                      Seconded by  
Mr. Whalen

**RESOLUTION DECLARING DEPARTMENT OF PUBLIC WORKS PROJECT HW-9102, BUNN HILL ROAD AND SHEEDY ROAD INTERSECTION RECONSTRUCTION PROJECT, TOWN OF VESTAL, TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION.**

**RESOLUTION NO. 14**

by PUBLIC WORKS AND ENVIRONMENT COMMITTEES                      Seconded by  
Mrs. Coffey

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BUNN HILL ROAD AND SHEEDY ROAD INTERSECTION RECONSTRUCTION PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

A motion to table the matter by Mr. Whalen, seconded by Mrs. Coffey was ruled out of order.

Resolutions 13 & 14 were then **rescinded**.

Ayes-16, Nays-0, Absent-3 (Kavulich, Schofield & Shafer)

**RECONSIDERATION OF RESOLUTIONS:**

Mrs. Sweet moved, seconded by Mrs. Hudak to Suspend the Rules for the purpose of allowing the reconsideration of Resolution Number 28 of 1995. Since the 'suspension' required a 2/3rds. vote of the members present (12 votes on 3/16/95) and a 'reconsideration' required only 10 votes, the Acting Chair indicated to the Clerk that should the reconsideration be approved, then the resolution would then be before the Legislature.

**RESOLUTION NO. 28** Seconded by Mrs. Coffey

**AUTHORIZING RENEWAL OF NEW YORK OFFICE OF MENTAL HEALTH MULTICULTURAL INITIATIVE REINVESTMENT PROGRAM**

**GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 AND AUTHORIZING RENEWAL OF AGREEMENT WITH MENTAL HEALTH ASSOCIATION IN BROOME COUNTY, INC. FOR MULTICULTURAL INITIATIVE REINVESTMENT SERVICES TO THE MENTALLY ILL FOR 1995**

The 'suspension of the rules' and the 'reconsideration' **carried** by the following:

Ayes-12 Burger, Cahill, Coffey, Holley, Howard, Hudak, Hull, Miller, O'Day, Pasquale,  
Sweet & Whalen

Nays-5 Augostini, Lindsey, Mather, Schofield & Wike

Absent-2 Kavulich & Shafer

With the resolution back in consideration, Mrs. Hudak moved, seconded by Mrs. Sweet that the resolution be amended to reflect a separation into two components. One component of 50% would fund the program coordinator and the second component of 50% would be placed in a trust fund to be dedicated to communication and translator costs with said funds being allocated upon the direction of a consortium of providers including the World Relief Corporation, the American Civic Association and others.

Mr. Pasquale moved seconded by Mrs. Coffey that the **privilege of the floor** be granted to Mr. Casey Epe, Director of the Broome County Mental Health Association. The privilege of the floor was **granted**.

Ayes-15, Nays-2 (Augostini & Hudak), Absent-2 (Kavulich & Shafer)

Mrs. Hudak moved, seconded by Mrs. Coffey that the **privilege of the floor** be granted to Ms. Mary Ann Callahan, Affiliate Director of the World Relief Corporation. The privilege of the floor was **granted**.

Ayes-16, Nays-0, Absent-3 (Kavulich, Schofield & Shafer)

Mr. Augostini moved, seconded by Mr. Wike that the resolution be **tabled** to the April 20th. Regular Session and that it also be **referred (back) to committee** for study and review and recommendation(s). The tabling & referral **carried**.

Ayes-16, Nays-1 (Pasquale), Absent-2 (Kavulich & Shafer)

**RESOLUTIONS REMOVED FROM THE TABLE:**

Mrs. Hudak moved, seconded by Mr. Lindsey to remove Resolution Number 69 of 1995 from the table. The removal from the table **carried**.

Ayes-16, Nays-0, Absent-3 ((Kavulich, Schofield & Shafer)

**RESOLUTION NO. 69**

by COMMUNITY & SOCIAL SERVICES AND FINANCE COMMITTEES

Seconded by Mr. Howard

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CHILDREN'S HOME OF WYOMING CONFERENCE FOR NON-SECURE DETENTION FOR 1995 AND AMENDING THE FEES CHARGED TO OTHER GOVERNMENTAL ENTITIES FOR HOUSING JUVENILES AT HASKINS NON-SECURE DETENTION FACILITY.**

The resolution as presented **carried**.

Ayes-16, Nays-0, Absent-3 ((Kavulich, Schofield & Shafer)

The following resolutions that were held over from previous sessions of February 16 and March 1 were again presented for consideration.

**RESOLUTION NO. 78** heldover by Mr. Burger

**DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BROOME COUNTY NEW HIGHWAY GARAGE MAINTENANCE FACILITY, PROJECT NO. BG 9404 AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO**

Following some discussion a request was made to **call the question** on the resolution.

The call of the question **carried** by voice vote with Mr. Lindsey voting No.

The resolution **carried** by the following:

Ayes-12 Augustini, Cahill, Coffey, Holley, Howard, Hull, Lindsey, Miller, O'Day,  
Pasquale, Schofield & Sweet

Nays-5 Burger, Hudak, Mather, Whalen & Wike

Absent-2 Kavulich & Shafer

**RESOLUTION NO. 87** heldover by Mr. Schofield

**ADOPTING LOCAL LAW INTRO. NO. 2, 1995 ENTITLED "A LOCAL LAW AMENDING LOCAL LAW NO. 7 OF 1980, AS AMENDED, GRANTING PARTIAL EXEMPTION FROM REAL PROPERTY TAXATION FOR CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE YEARS OF AGE OR OVER"**

Mrs. Sweet moved, seconded by Mr. Lindsey to **table** the resolution.

The tabling **carried** as follows:

Ayes-15, Nays-2 (Coffey & Pasquale), Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 88** heldover by Mr. Schofield  
**IN SUPPORT OF THE OMNIBUS AMENDMENT TO STATE LAW TO  
ALLOW FLEXIBILITY TO COUNTIES IN THE IMPOSITION TO SALES  
AND USE TAXES**

Following some discussion a request was made to **call the question** on the resolution.

The call of the question **carried** by voice vote.

The resolution **lost** by the following:

Ayes-3 Coffey, Pasquale & Whalen

Nays-13 Augustini, Burger, Holley, Howard, Hudak, Hull, Lindsey, Mather, Miller,  
O'Day, Schofield, Sweet & Wike

Absent-3 Cahill, Kavulich & Shafer

**RESOLUTION NO. 95** heldover by Mrs. Hudak  
**CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE CONSUMER  
SERVICES ADVISORY BOARD**

The Clerk noted that the original resolution has had the name of Beccye Fawcett removed at the request of the County Executive, as Mrs. Fawcett recently passed away.

The resolution as adjusted **carried**.

Ayes-15, Nays-2 (Hudak & Wike), Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 101** heldover by Mr. Cahill  
**CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME  
COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF  
DIRECTORS**

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 109** heldover by Mr. Whalen  
**AUTHORIZING AGREEMENT WITH CORPORATE CARE  
MANAGEMENT, INC. FOR WORKERS' COMPENSATION CASE AND**

**COST MANAGEMENT SERVICES FOR THE OFFICE OF RISK AND INSURANCE FOR 1995 THROUGH 1996**

**Carried.** Ayes-16, Nays-1 (Coffey), Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 110**

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

Seconded by Mr. O'Day

**RESOLUTION AUTHORIZING RENEWAL OF BINGHAMTON METROPOLITAN TRANSPORTATION STUDY GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 81 of 1994, authorized and approved the renewal of the Binghamton Metropolitan Transportation Study Grant and adopted a program budget in the amount of \$214,863.00 for the period April 1, 1994 through March 31, 1995, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1995 through March 31, 1996 in the amount of \$251,550.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of a Federal Highway Administration planning grant in the amount of \$196,790.00 and a Federal Transit Administration Section 8 grant in the amount of \$54,760.00, said grants totaling \$251,550.00 for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$251,550.00 for the period April 1, 1995 through March 31, 1996, and be it

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

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

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

**Carried.** Ayes-15, Nays-2 (Hudak & Wike), Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 111**

by PUBLIC SAFETY & EMERGENCY SERVICES, COMMUNITY & SOCIAL SERVICES, PERSONNEL, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING AND FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES GRANT FOR WELFARE FRAUD INVESTIGATION AND PROSECUTION AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, the District Attorney of Broome County requests authorization to accept a New York State Department of Social Services Grant for welfare fraud investigation and prosecution in the amount of \$50,000 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, said grant program provides for funds from the State of the New York with the Office of the Broome County District Attorney to investigate and prosecute allegations of public assistance and medicaid fraud, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$50,000 from the New York State Department of Social Services for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$50,000 for the period April 1, 1995 through March 31, 1996, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 112**

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF PUBLIC DEFENDER AID TO LOCALITIES AID TO DEFENSE PROGRAM GRANT FOR THE OFFICE OF THE PUBLIC DEFENDER AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.**

WHEREAS, this County Legislature, by Resolution 142 of 1994, authorized and approved the continued participation in the Public Defender Aid to Localities - Aid to Defense Program Grant for the period April 1, 1994 through March 31, 1995 and adopted a program budget in the amount of \$36,683, and

WHEREAS, the County, through the Public Defender's Office, is legally obligated to provide representation to the program's indigent targets and this grant benefits the local economy by relieving the County of an expense that it would otherwise have to assume, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1995 through July 2, 1995 in the amount of \$9,380, now therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$9,380 for the period April 1, 1995 through July 2, 1995, and be it

FURTHER RESOLVED, that if funding for this program is not restored in the New York State budget this program and the position associated with it will discontinue effective on or about July 2, 1995; and it is

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-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 113**

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF NEW YORK STATE**

**DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE AID TO PROSECUTION PROGRAM GRANT FOR THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 112 of 1994, authorized and approved the New York State Division of Criminal Justice Services for the Aid to Prosecution Program Grant and adopted a program budget in the amount of \$135,829 for the period April 1, 1994 through March 31, 1995, and

WHEREAS, said grant program provides for the enhancement of criminal prosecution of the most serious criminal offenses and offenders by assuring that the most experienced prosecutors and investigators handle the most serious cases which receive more intensive preparation and high quality forensic services in order to better serve the citizens of Broome County, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1995 through March 31, 1996 in the amount of \$135,829, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$135,829 from the New York State Division of Criminal Justice Services for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$135,829 for the period April 1, 1995 through March 31, 1996, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 114**

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF INTENSIVE SUPERVISION**

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**PROGRAM GRANT FOR THE PROBATION DEPARTMENT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 113 and 494 of 1994, authorized and approved the continued participation by the Probation Department in the Intensive Supervision Grant Program for the period April 1, 1994 through March 31, 1995 and adopted a program budget in the amount of \$151,530, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1995 through March 31, 1996 in the amount of \$151,544, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$133,300 from the New York State Department of Probation and Correctional Alternatives for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$151,544 for the period April 1, 1995 through March 31, 1996, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 115**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, PUBLIC SAFETY & EMERGENCY SERVICES, EDUCATION, CULTURE AND RECREATION AND FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 3, 1995, ENTITLED: "LOCAL LAW AMENDING REGULATORY LOCAL LAWS TO IMPOSE A SERVICE CHARGE FOR PAYMENTS TO THE DIVISION OF SECURITY BY CREDIT CARD AND TO INCREASE THE FEE FOR RETURNED CHECKS FOR THE DEPARTMENT OF PARKS AND RECREATION."**

RESOLVED, that Local Law Intro. No. 3, 1995, entitled: "Local Law amending regulatory local laws to impose a service charge for payments to the Division of Security by credit card and to increase the fee for returned checks for the Department of Parks and Recreation," be and the same hereby is adopted and approved in accordance with the Broome County Charter and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 3, 1995**

LOCAL LAW AMENDING REGULATORY LOCAL LAWS TO IMPOSE A SERVICE CHARGE FOR PAYMENTS TO THE DIVISION OF SECURITY AND TO INCREASE THE FEE FOR RETURNED CHECKS FOR THE DEPARTMENT OF PARKS AND RECREATION.

SECTION 1. Chapter 125 of the Regulatory Local Laws of the Broome County Charter and Code is hereby amended by adding at the end thereof the following:

ARTICLE VIII

Payments to the Division of Security

§125-22. Credit card payments.

There shall be a service charge of not more than three dollars and fifty cents (\$3.50), as determined from time to time by the Director of the Division of Security, for any transaction in which a credit card is used for any payment made to the Division of Security, which shall be in addition to any other fee or service charge applicable to the transaction.

§125-23. Collections.

With respect to any amount collected by the Division of Security for a returned check or payment of a past due balance, there shall be a service charge of twenty dollars (\$20.00) which shall be in addition to any other amount owed.

SECTION 2. Section 158-4 P of the Regulatory Local Laws of the Broome County Charter and Code is hereby amended to read as follows:

P. Returned check fees. There shall be a charge of [fifteen dollars (\$15.00)] twenty dollars (\$20.00) for all returned checks.

SECTION 3. This local law shall become effective upon filing with the Secretary of

State.

(Bracketed material deleted.)

Underlined material added.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 116**

by PUBLIC SAFETY, EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH JOHN T. RYER, D.V.M., FOR EUTHANASIA SERVICES FOR THE BROOME COUNTY DOG SHELTER FOR 1994 THROUGH 1995.**

WHEREAS, this County Legislature, by Resolution 107 of 1994, authorized an agreement with John T. Ryer, D.V.M., for the Division of Security for the period April 1, 1994, through March 31, 1995, at a cost of \$8,000.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to cover the costs associated with providing services for the City of Binghamton, and

WHEREAS, the Division of Security has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with John T. Ryer, D.V.M., Southside Pet Hospital, 25 Webster Street, Binghamton, New York 13903 for euthanasia services for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,000.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 031476.4742.101000 (Veterinarian Services), and be it

FURTHER RESOLVED, that Resolution 107 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 117**

by PUBLIC SAFETY, EMERGENCY SERVICES and FINANCE COMMITTEES-

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JOHN T. RYER, D.V.M., FOR EUTHANASIA SERVICES FOR THE BROOME COUNTY DOG SHELTER FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 107 of 1994, authorized an agreement with John T. Ryer, D.V.M., for euthanasia services at the Broome County Dog Shelter at a cost of \$8,000.00 for the period April 1, 1994 through March 31, 1995, and

WHEREAS, this County Legislature, by Resolution 116 of 1995, authorized an amendment of said agreement to increase the cost to \$14,000.00, and

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with John T. Ryer, D.V.M., for euthanasia services for the Broome County Dog Shelter for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 031476.4742.101000 (Veterinarian Services), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 118**

by PUBLIC SAFETY, EMERGENCY SERVICES AND FINANCE COMMITTEES-  
Seconded by Mr. Mather

**RESOLUTION RESCINDING RESOLUTION 145 OF 1985, PROVIDING FOR STANDARDIZATION OF RADIO EQUIPMENT USED IN THE OFFICE OF EMERGENCY SERVICES.**

WHEREAS, this County Legislature by Resolution 145 of 1985 determined, pursuant to subdivision 5 of section 103 of the General Municipal Law, that there was a need for standardization in the purchase of radio equipment used by the Office of Emergency Services in order that newly purchased equipment be compatible with the microwave system, base radio pagers, portable radios, and mobile radios manufactured by Motorola Corporation then used by said Office, and

WHEREAS, the Director of Emergency Services has determined that due to advances in electronic technology within the past ten years, it is now feasible to obtain electronics equipment from a number of companies that will be compatible with the Office's Motorola equipment, and has therefore recommended that Resolution No. 145

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of 1985 be rescinded, now, therefore, be it

RESOLVED, that this County Legislature hereby rescinds Resolution No. 145 of 1985 in order to allow a broader base for bid solicitations leading to reduced costs in the purchase of communications equipment.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 119**

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH ADIRONDACK-APPALACHIAN REGIONAL EMS COUNCIL FOR OFFICE AND EQUIPMENT RENTAL LOCATED AT THE OFFICE OF EMERGENCY SERVICES FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 102 of 1994, authorized renewal of an agreement with Adirondack-Appalachian Regional EMS Council (AAREMS) for office space, furniture, copier access, telephone and fax service in the Office of Emergency Services Building located on the Broome Community College campus for the period April 1, 1994 through March 31, 1995 with revenue to Broome County in the amount of \$1,080.00, and

WHEREAS, said agreement expires by its terms on March 31, 1995 and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Adirondack-Appalachian Regional EMS Council, c/o Mark Zeek, Box 212, Main Street, Speculator, New York 12164, for office space, furniture, copier access, telephone and fax use in the current Office of Emergency Services Building, and in the new Public Safety Facility upon transfer of the Office of Emergency Services to that facility, for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the Adirondack-Appalachian Regional EMS Council shall pay the Broome County Office of Emergency Services the sum of \$1,080.00, plus telephone and fax charges, for the terms of this agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to revenue line 460006.0068.101000 (Other Public Safety Departmental Income), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 120**

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

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING REVISION OF THE NEW YORK STATE  
DEPARTMENT OF HEALTH INFANT MORTALITY REVIEW PROGRAM  
GRANT FOR THE BROOME COUNTY HEALTH DEPARTMENT INFANT  
MORTALITY REVIEW PROGRAM AND ADOPTING A REVISED  
PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH  
1995.**

WHEREAS, this County Legislature, by Resolution 414 of 1994, authorized the acceptance of the New York State Department of Health Infant Mortality Review Program Grant for the Broome County Health Department Infant Mortality Review Program for the period July 1, 1994 through September 30, 1995 and adopted a program budget in connection therewith for in the amount of \$17,000, and

WHEREAS, it is necessary at this time to revise said program to reflect changes in the budget term and budget; now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the New York State Department of Health Infant Mortality Review Program Grant for the Broome County Health Department Infant Mortality Review Program for the period July 1, 1994 through June 30, 1995 in the total amount of \$17,000, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$17,000 for the period July 1, 1994 through June 30, 1995, and be it

FURTHER RESOLVED, that Resolution 414 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby 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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 121**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AN AGREEMENT WITH CHRISTINE LISIECKA-MERRIAM FOR MEDICAL SOCIAL WORK SERVICES FOR HEALTH DEPARTMENT HOME HEALTH SERVICES DIVISION PATIENTS FOR 1995.**

WHEREAS, the Health Department requests authorization for an agreement with Christine Lisiecka-Merriam for medical social work services for the Home Health Services Division Patients for the term April 1, 1995 through December 31, 1995, at a cost of \$50.00/visit, \$25.00/hour for case conference, total amount not to exceed the amount budgeted for 1995, and

WHEREAS, said services are necessary in order to provide social work services for Health Department Home Health Services Division patients, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Christine Lisiecka-Merriam, 11 1/2 Lincoln Avenue, Binghamton, New York, 13905, for medical social work services for Health Department Home Health Services Division patients, for the period April 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$50.00/visit, \$25.00/hour for case conference, total amount not to exceed amount budgeted for 1995, and be it

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 122**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING THE AMENDMENT OF THE AGREEMENT**

**WITH JOHN T. RYER, D.V.M. FOR VETERINARIAN SERVICES IN SUPPORT OF THE BROOME COUNTY ANIMAL SHELTER FOR 1995.**

WHEREAS, this County Legislature, by Resolution 94-498, authorized an agreement with John T. Ryer, D.V.M. for veterinarian services in support of the Broome County Animal Shelter for calendar year 1995, at a cost not to exceed \$8,289.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the total contract amount to accommodate additional services necessary due to City of Binghamton dogs being accepted at the Broome County Shelter, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with John T. Ryer, D.V.M., Southside Pet Hospital, 25 Webster Street, Binghamton, New York 13903 for veterinarian services in support of the Broome County Animal Shelter for the calendar year 1995, and be it

FURTHER RESOLVED, that the total amount to be paid to John T. Ryer, D.V.M., shall not exceed \$9,787.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480160.4742.101000 (Veterinarian Services), and be it

FURTHER RESOLVED, that Resolution 498 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 123**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENTS WITH SPECIAL CHILDREN'S SHELTER AND JOYCE SAVELLI, FOR SERVICES IN CONNECTION WITH THE DIVISION OF CHILD DEVELOPMENT PROGRAM; EARLY INTERVENTION EDUCATION OF HANDICAPPED CHILDREN AND PHYSICALLY HANDICAPPED CHILDRENS PROGRAMS FOR 1995 AND 1996.**

WHEREAS, the Health Department requests authorization for agreements with Special Children's Shelter and Joyce Savelli for services in connection with the Division of Child Development Program; Early Intervention Education of Handicapped Children and Physically Handicapped Childrens Program for the period April 1, 1995 through

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December 31, 1996 at state mandated rates, and

WHEREAS, said agreements are necessary to provide services on an as needed basis depending on child residence and access, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with the Special Children's Center, 21 Watkins Road, Ithaca, New York 14850, and Joyce Savelli, 151 Prospect Avenue, Binghamton, New York 13901, for services in connection with the Health Department Division of Child Development; Early Intervention Education of Handicapped Children and Physically Handicapped Childrens Program, for the period April 1, 1995 through December 31, 1996 at state mandated rates, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480293.various.101000, 480202.various.101000, and 480285.various.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.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 124**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING REVISION OF THE DEPARTMENT OF SOCIAL SERVICES HOME ENERGY ASSISTANCE PROGRAM (HEAP) GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.**

WHEREAS, this County Legislature, by Resolution 471 of 1994, authorized the continued participation by the Department of Social Services in the Home Energy Assistance Program (HEAP) for the period November 1, 1994 through November 15, 1995 and adopted a program budget in connection therewith in the total amount of \$1,791,202, 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 Home Energy Assistance Program for the period November 1, 1994 through November 15, 1995 in the total amount of \$2,634,085, 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 \$2,634,085 for the period November 1, 1994 through November 15, 1995, and be it

FURTHER RESOLVED, that Resolution 471 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 125**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF CHILD ASSISTANCE PROGRAM GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 TO 1996.**

WHEREAS, this County Legislature, by Resolution 9 of 1994, as amended, authorized participation by the Department of Social Services in the Child Assistance Program for the period January 1, 1994 through March 31, 1995, and adopted a program budget in the amount of \$428,155, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1995 through March 31, 1996 in the amount of \$453,185, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$453,185 from the New York State Department of Social Services for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$453,185 for the period April 1, 1995 through March 31, 1996, and be it

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

implement the intent and purpose of this Resolution, and be it

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 126**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AN INCREASE OF PETTY CASH FUND FOR THE DEPARTMENT OF SOCIAL SERVICES.**

WHEREAS, this County Legislature, by Resolution 484 of 1992 has previously established a petty cash fund for the Broome County Department of Social Services in the amount of \$400, and

WHEREAS, the petty cash fund available at the Department of Social Services is inadequate for its current needs, and

WHEREAS, the Commissioner of Social Services has requested an increase of \$350 of said petty cash fund in order to have funds sufficient to meet its daily needs, and

WHEREAS, the Commissioner of Finance has determined that the petty cash fund should be increased by \$350, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and increases the petty cash fund for the Department of Social Services by \$350 to the total amount of \$750, and further authorizes the Commissioner of Finance to transfer \$350 to the petty cash fund previously established, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 127**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE

COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING REVISION OF THE MEDICAID MANAGED CARE (MAX) PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1992 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 115 of 1992, as amended by Resolutions 55 of 1993 and 187 of 1994, authorized the continued participation by the Department of Social Services in the Medicaid Managed Care (MAX) Program for the period April 1, 1992 through May 31, 1995 and adopted a program budget in connection therewith in the total amount of \$238,854, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Medicaid Managed Care (MAX) Program for the period April 1, 1992 through March 31, 1996 in the total amount of \$297,174, 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 \$297,174 for the period April 1, 1992 through March 31, 1996, and be it

FURTHER RESOLVED, that Resolutions 115 of 1992, 55 of 1993 and 187 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 128**

by COMMUNITY & SOCIAL SERVICES, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

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Seconded by Mr. Mather

**RESOLUTION AUTHORIZING ACCEPTANCE OF CONSOLIDATED SERVICES PLANNING ENHANCEMENT PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995.**

WHEREAS, the Commissioner of Social Services requests authorization to accept a Consolidated Services Planning Enhancement Program Grant in the amount of \$9,000 for the period January 1, 1995 through September 30, 1995, and

WHEREAS, said grant program provides for assessment of community needs in establishing local priorities and responses in an effort to develop a New York State five year plan as required by Title IV B of the Federal Social Security Act, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$9,000 from the New York State Department of Social Services for the Consolidated Services Planning Enhancement Program Grant for the period January 1, 1995 through September 30, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$9,000 for the period January 1, 1995 through September 30, 1995, 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-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 129**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING REVISION OF THE OFFICE FOR AGING HEALTH INSURANCE INFORMATION AND COUNSELING ASSISTANCE PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH AND AUTHORIZING AN AGREEMENT**

**WITH ACTION FOR OLDER PERSONS, INC. FOR IMPLEMENTATION OF SAME FOR 1994 THROUGH 1995.**

WHEREAS, this County Legislature, by Resolution 428 of 1994, authorized the continued participation by the Office for Aging in the Health Insurance Information and Counseling Assistance Program for the period 1994 through 1995 and adopted a program budget in connection therewith in the total amount of \$3,000, and

WHEREAS, this County Legislature by Resolution 126 of 1994 authorized an agreement with Action for Older Persons, Inc. for Implementation of the Office for Aging Health Insurance Information & Counseling Assistance Program for the period October 1, 1993 through September 30, 1994 at a cost not to exceed \$3,000, and

WHEREAS, said grant program provides for the recruitment and training of volunteers to provide health insurance counseling for older persons, and

WHEREAS, it is necessary at this time to revise said program to reflect an decrease in grant appropriations and renew an agreement with Action for Older Persons, Inc. for implementation of same for a period October 1, 1994 through September 30, 1995, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Insurance Information and Counseling Assistance Program for the period 1994 through 1995 in the total amount of \$2,350, 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 \$2,350 for the period October 1, 1994 through September 30, 1995, and be it

FURTHER RESOLVED, that Resolution 428 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Action for Older Persons, Inc., 30 West State Street, Binghamton, New York 13901 for recruitment and training of volunteers to counsel and assist older persons with health insurance for the period October 1, 1994 through September 30, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,350 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760009.4457.102000 (Subcontracted Program Expenses), 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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 130**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF OFFICE FOR AGING COMMUNITY SERVICES FOR THE ELDERLY GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 133 of 1994 authorized and approved the Office for Aging Community Services for the Elderly Grant and adopted a program budget in the amount of \$320,843 for the period April 1, 1994 through March 31, 1995, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1995 through March 31, 1996 in the amount of \$322,945, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continuation of the Office for Aging Community Services for the Elderly Grant for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$322,945 for the period April 1, 1995 through March 31, 1996, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 131**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP) FOR OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 127 of 1994, authorized and approved the Expanded In-Home Services for the Elderly Program (EISEP) for the Office for Aging and adopted a program budget in the amount of \$457,799 for the period April 1, 1994 through March 31, 1995, and

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

WHEREAS, it is desired to renew said grant program for the period April 1, 1995 through March 31, 1996 in the amount of \$460,189, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the Office for Aging's participation in the Expanded In-Home Services for the Elderly Program (EISEP) for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$460,189 for the period April 1, 1995 through March 31, 1996, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 132** by COMMUNITY & SOCIAL SERVICES, PERSONNEL

and FINANCE COMMITTEES Seconded by Mr. Mather

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

WHEREAS, this County Legislature, by Resolution 132 of 1994 authorized and approved the Office for Aging Caregiver Resource Center Grant and adopted a program budget in the amount of \$20,000 for the period April 1, 1994 through March 31, 1995, and

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

WHEREAS, it is desired to renew said grant program for the period April 1, 1995 through March 31, 1996 in the amount of \$20,000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$20,000 from New York State Office for Aging for the period April 1, 1995 through March 31, 1996, and be it

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

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 133**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF NUTRITION GRANT FOR THE BROOME COUNTY OFFICE FOR AGING GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994 THROUGH 1995.**

WHEREAS, this County Legislature, by Resolution 564 of 1993, authorized and approved the Nutrition Equipment Grant and adopted a program budget in the amount of \$7,500 for the period April 1, 1993 through March 31, 1994, and

WHEREAS, said grant program has been expanded and now provides the funding for operation of senior community centers and Meals on Wheels Programs, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1994 through March 31, 1995 in the amount of \$10,000, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$10,000 from New York State for the period April 1, 1994 through March 31, 1995, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$10,000 for the period April 1, 1994 through March 31, 1995, 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-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 134**

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Mather

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

WHEREAS, this County Legislature, by Resolution 130 of 1994 authorized and approved the Supplemental Nutrition Assistance Program (SNAP) for the Office for Aging and adopted a program budget in the amount of \$189,950 for the period April 1, 1994 through March 31, 1995, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1995

through March 31, 1996 in the amount of \$202,527, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continuation of the Office for Aging's Supplemental Nutrition Assistance Program (SNAP) for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$202,527 for the period April 1, 1995 through March 31, 1996, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 135**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH JEANNE STRACUZZI FOR CONSULTING SERVICES FOR THE OFFICE FOR AGING FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 118 of 1994, authorized an agreement with Jeanne Stracuzzi for consulting services for the Office for Aging for the period April 1, 1994 through March 31, 1995 at a cost of \$18.00 per hour, total not to exceed \$16,848, and

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

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Jeanne Stracuzzi, RD 1, Box 1225, Windsor, New York, 13865 for consulting services in connection with the Office for Aging's Nutrition Program,

including review of menus, in-home counseling, and monitoring and assessment of the meal program for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$20.00 per hour, total cost not to exceed \$18,720 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760413.4741.102000 (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.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 136**

by COMMUNITY & SOCIAL SERVICES COMMITTEE

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH NORTHMINSTER PRESBYTERIAN CHURCH FOR LEASE OF SPACE FOR THE OFFICE FOR AGING'S ADULT DAY CARE PROGRAM IN CONNECTION WITH THE COMMUNITY SERVICES FOR THE ELDERLY GRANT.**

WHEREAS, this County Legislature, by Resolution 174 of 1990, authorized an agreement with Northminster Presbyterian Church for lease of space for the Adult Day Care Program for the period April 1, 1990 through March 31, 1995, at no cost to the County, and

WHEREAS, said services are necessary for the effective administration of the Community Services for the Elderly Grant Adult Day Care Program which operates three days each week providing activity programs for the adult day care population, and

WHEREAS, said agreement expires by its terms on March 31, 1995, 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 Northminster Presbyterian Church, Hooper and Farm-to-Market Roads, Endwell, New York 13760 for the lease of space for the Office for Aging's Adult Day Care Program in connection with the Community Services for the Elderly Grant for the period April 1, 1995 through March 31, 2000 with a five year renewable option, subject to termination by either party upon sixty days written notification, and be it

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FURTHER RESOLVED, that said lease of space shall be at no charge to Broome County, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 137**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CONKLIN FIRST PRESBYTERIAN CHURCH FOR LEASE OF SPACE FOR THE OFFICE FOR AGING'S HOME DELIVERED MEALS PROGRAM FOR THE PERIOD APRIL 1, 1995 THROUGH DECEMBER 31, 1995.**

WHEREAS, this County Legislature, by Resolution 564 of 1994, authorized an agreement with Conklin First Presbyterian Church for lease of space for the Office for Aging's Home Delivered Meals Program at a cost of \$25.00 per month total cost not to exceed \$75.00, and

WHEREAS, leased space is needed for this program so that meals can be delivered to central points at which volunteers will pick up the meals and deliver them to residents of Broome County, and

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through December 31, 1995 on substantially similar terms and conditions, with an increase in cost and for a longer duration, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Conklin First Presbyterian 1175 Conklin Road, Conklin, NY 13748 for lease of space for the Office for Aging's Home Delivered Meals Program for the period April 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$30.00 per month, total cost not to exceed \$270.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760470.4422.102891 (Building and Land Rental), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 138**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WEST PRESBYTERIAN CHURCH FOR LEASE OF SPACE FOR THE OFFICE FOR AGING'S HOME DELIVERED MEALS PROGRAM**

WHEREAS, this County Legislature, by Resolution 563 of 1994, authorized an agreement with West Presbyterian Church for lease of space for the Office for Aging's Home Delivered Meals Program at a cost of \$350.00 per month total cost not to exceed \$1,050.00, and

WHEREAS, lease space is needed for this program so that meals can be delivered to central points at which volunteers will pick up the meals and deliver them to residents of Broome County, and

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through December 31, 1995, on substantially similar terms and conditions, except for a longer duration, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with West Presbyterian Church, 80 Main Street, Binghamton, New York, 13905, for lease of space for the Office for Aging's Home Delivered Meals Program, for the period April 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$350.00 per month, total cost not to exceed \$3,150.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760470.4422.102891 (Building and Land Rental), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 139**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC CHARITIES OF BROOME COUNTY, INC., FOR SHOPPER**

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**SERVICES IN CONNECTION WITH THE OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY GRANT FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 123 of 1994, authorized an agreement with Catholic Charities of Broome County, Inc., for shopper services for the Office for Aging's Community Services for the Elderly Grant at a cost not to exceed \$13,500 for the period April 1, 1994 through March 31, 1995, and

WHEREAS, said services are necessary to aid the elderly residents in their shopping needs, and

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Catholic Charities of Broome County, Inc., for shopper services for the Office for Aging's Community Services for the Elderly Grant for the period April 1, 1995 through March 31, 1996, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760587.4457.102000 (Subcontracted Program Expense), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 140**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS PROVIDERS FOR PERSONAL CARE/HOMEMAKER SERVICES IN CONNECTION WITH THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR THE OFFICE FOR AGING FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 129 of 1994, authorized agreements with various contractors for the provision of personal care/homemaker services in connection with the Expanded In-Home Services for the Elderly Program (EISEP) for the Office for Aging for the period April 1, 1994 through March 31, 1995

at varying costs listed in Exhibit A, and

WHEREAS, said agreements expire by their terms on March 31, 1995, and it is desired at this time to renew said agreements for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Homemakers of Broome County, Inc., d/b/a Caregivers, 33 West State Street, Binghamton, New York, 13901; Interim Healthcare, 59 Front Street, Binghamton, New York, 13905; UHH Home Services Corp., d/b/a Kimberly Quality Care, Inc., 30 West State Street, Binghamton, New York, 13901; Staffkings Healthcare Systems, P.O. Box 1015, Binghamton, New York, 13902; and Family and Children's Society, 257 Main Street, Binghamton, New York, 13905, for the period April 1, 1995 through March 31, 1996 as set out in Exhibit A attached hereto at the rates specified, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760678.4457.102000 (Subcontract Program Expense), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 141**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH IDEAL SENIOR LIVING CENTER, INC., FOR THE OFFICE FOR AGING'S SOCIAL DAY CARE SERVICES FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 120 of 1994, authorized an agreement to provide adult social day care services for Ideal Senior Living Center, Inc. Long Term Home Health Care clients at the rate of \$30.00 per client for a full day of social day care, and

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, with an increase in fee charged, now, therefore, be it

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RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Ideal Senior Living Center, Inc., 508 High Avenue, Endicott, New York, 13760, for social day care services to its Long Term Health Care Program clients for the period April 1, 1995 through March 31, 1996, and be it

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

FURTHER RESOLVED, that the revenues hereinabove authorized shall be credited to budget line 760538.0538.102000 (Long Term Home Health Care Fees), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 142**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC., FOR COUNSELING SERVICES IN CONNECTION WITH THE OFFICE FOR AGING'S COMMUNITY SERVICES FOR THE ELDERLY GRANT FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 121 of 1994, authorized an agreement with Family and Children's society of Broome County, Inc., for counseling services for the elderly at a cost not to exceed \$12,035 for the period April 1, 1994 through March 31, 1995, and

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Family and Children's Society of Broome County, Inc., 257 Main Street, Binghamton, New York, 13902, for counseling services for the elderly in connection with Office for Aging's Community Services for the Elderly Grant for the period April 1, 1995 through March 31, 1996, and be it

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

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760694.4457.102000 (Subcontracted Program Expense), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 143**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE BINGHAMTON HOUSING AUTHORITY FOR HOMEMAKER SERVICES FOR THE ENRICHED LIVING PROGRAM THROUGH THE COMMUNITY SERVICES FOR THE ELDERLY GRANT FOR THE OFFICE FOR AGING FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 122 of 1994, authorized an agreement with the Binghamton Housing Authority for homemaker services for the Enriched Living Program through the Community Services for the Elderly Grant for the Office for Aging for the period April 1, 1994 through March 31, 1995, and

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Binghamton Housing Authority for homemaker services for the Enriched Living Program through the Community Services for the Elderly Grant for the Office for Aging for the period April 1, 1995 through March 31, 1996, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to revenue line 760546.0166.102000 (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.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 144**

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION INCREASING PETTY CASH FUND FOR BROOME COUNTY OFFICE FOR AGING.**

WHEREAS, this County Legislature, by Resolution 98 of 1971, Resolution 260 of 1977 and Resolution 264 of 1978, authorized a petty cash fund in the amount of \$425 for the Broome County Office for Aging, and

WHEREAS, the Director of the Office for Aging has requested that the authorized amount of said fund be increased to \$900 from its present amount of \$425 due to its heavy utilization for the purpose of paying Meals on Wheels Volunteers mileage each month, said program being recently taken over by the Office for Aging, now therefore, be it

RESOLVED, that the petty cash fund for the Broome County Office for Aging is hereby increased to and established at \$900 and the Commissioner of Finance be and hereby is authorized to transfer the additional \$475 to the present petty cash fund account for the Office for Aging.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 145**

by PUBLIC WORKS AND TRANSPORTATION COMMITTEES

Seconded by Mr. Mather

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO BROOME COUNTY REGIONAL AIRPORT WATER SYSTEM IMPROVEMENT (1993 CAPITAL IMPROVEMENT PROGRAM PROJECT C-168) AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

WHEREAS, it is necessary to undertake a Broome County Regional Airport Water System Improvement Project, and

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

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Broome County Regional Airport Water System Improvement Project, and

WHEREAS, the Broome County Regional Airport Water System Improvement Project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of a proposed Broome County Regional Airport Water System Improvement Project, 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 Broome County Regional Airport Water System Improvement Project 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 "B".

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 146**

by PUBLIC WORKS COMMITTEES      Seconded by Mr. Mather

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO REHABILITATION OF BRIDGE (BIN 3349270) PROJECT ON CONKLIN FORKS ROAD IN THE TOWN OF CONKLIN AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

WHEREAS, it is necessary to undertake a project to rehabilitate a bridge (BIN 3349270) on Conklin Forks Road in the Town of Conklin, and

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

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Rehabilitation of Bridge (BIN 3349270) Project on Conklin Forks Road in the Town of Conklin, and

WHEREAS, the Rehabilitation of Bridge (BIN 3349270) Project on Conklin Forks Road in the Town of Conklin may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of a proposed Rehabilitation of Bridge (BIN 3349270) Project on Conklin Forks Road in the Town of Conklin, 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 Rehabilitation of Bridge (BIN 3349270) Project on Conklin Forks Road in the Town of Conklin will not have a significant effect on the environment, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 147**

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Mather

**RESOLUTION DECLARING REHABILITATION OF BRIDGE (BIN 3349270) PROJECT ON CONKLIN FORKS ROAD IN THE TOWN OF CONKLIN TO BE EXEMPT FROM THE PUBLIC HEARING REQUIREMENT OF THE EMINENT DOMAIN LAW AND AUTHORIZING THE ACQUISITION OF NECESSARY REAL PROPERTY BY PURCHASE OR CONDEMNATION**

WHEREAS, the Eminent Domain Law requires that a public hearing be held in connection with any proposed public project for which the acquisition of real property through the exercise of eminent domain may be required, except that a project is exempt from the public hearing requirement "when in the opinion of the condemnor the acquisition is de minimis in nature so that the public interest will not be prejudiced by the construction of the project," and

WHEREAS, the Rehabilitation of Bridge (Bin 3349270) Project on Conklin Forks Road in the Town of Conklin, has been identified as an unlisted action under the New York State Environmental Quality Review Act because it involves only rehabilitation of an existing bridge to improve the live load capacity of the bridge, which may involve placement of heavy stone fill for bank protection if stream work is required, having no

substantial effect on the environment, and

WHEREAS, the Department of Public Works desires to acquire the land rights necessary to commence the aforesaid reconstruction project and is requesting authorization from this Legislature to acquire said land by purchase or condemnation, and

WHEREAS, the Public Works Committee has reviewed the scope of the aforesaid project and recommends that it be found to be exempt from the public hearing requirement because it is "de minimis" in nature, said determination being based upon the fact that the reconstruction work is relatively minor in nature, consisting of the repairs to the existing bridge having no substantial effect on the environment, and that only one fee interest from one property owner will be acquired for the project, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Rehabilitation of Bridge (Bin 3349270) Project on Conklin Forks Road in the Town of Conklin, to be "de minimis" in nature and therefore exempt from the public hearing requirement of the Eminent Domain Law, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the acquisition by purchase or condemnation of the real property necessary to undertake and perform the aforesaid reconstruction project in accordance with the design and specification for said project.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 148**

by PUBLIC WORKS and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH DELTA ENGINEERS, P.C., FOR SUPPLEMENTAL STRUCTURAL BRIDGE ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1994 THROUGH 1995.**

WHEREAS, this County Legislature, by Resolution 277 of 1994, authorized an agreement with Delta Engineers, P.C. for supplemental structural bridge engineering services for the period July 1, 1994 through June 30, 1995, at a cost of \$45,000.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the amount and extend the term thereof, and

WHEREAS, the Commissioner of Public Works has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Delta Engineers, P.C., 164 Court Street, Binghamton, New York 13901 for supplemental structural bridge engineering services for the Department of Public

Works for the period July 1, 1994 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$90,000.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 030122.4746.301000 (Architectural/Engineering Services), and be it

FURTHER RESOLVED, that Resolution 277 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 149**

by PUBLIC WORKS, TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENTS WITH KANAZAWICH APPRAISAL COMPANY AND CONGDON & COMPANY, INC., TO PROVIDE APPRAISALS FOR PROPERTY TO BE ACQUIRED FOR THE CLEAR ZONE OF RUNWAY 10-28 AT THE BINGHAMTON REGIONAL AIRPORT FOR THE DEPARTMENT OF PUBLIC WORKS FOR 1995.**

WHEREAS, The Commissioner of Public Works requests authorization for agreements with Kanazawich Appraisal Company and Congdon & Company, Inc. to provide appraisals of property to be acquired adjacent to Airport Road in the Town of Maine for a clear zone for Runway 10-28 at the Binghamton Regional Airport at a total cost not to exceed \$3,100.00 for calendar year 1995, and

WHEREAS, said services are necessary in order to comply with FAA Regulations requiring that two independent appraisals be obtained for the acquisition of property valued at more than \$50,000.00, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Kanazawich Appraisal Company, 44 Elm Haven Drive, Vestal, New York 13950 and an agreement with Congdon & Company, Inc., 10 Madison Avenue, Endicott, New York 13760, for the period January 1, 1995 through December 31, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Kanazawich Appraisal Company an amount not to exceed \$1,600.00 and shall pay Congdon & Company, Inc. an amount not to exceed \$1,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made

from budget line 211011.4747.502236 (Other Fees For Services), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 150**

by TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING ACCEPTANCE OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION GRANT FOR NORTH AND WEST APRON REHABILITATION (DESIGN ONLY) AT THE BINGHAMTON REGIONAL AIRPORT.**

WHEREAS, the Commissioner of Aviation requests authorization to accept a New York Department of Transportation Grant in the amount of \$5,256.00 for North and West Apron Rehabilitation (Design Only) at the Binghamton Regional Airport, and

WHEREAS, said grant program provides for funds for an airport transportation infrastructure renewal project, and

WHEREAS, the total project amount is \$105,113.00 with \$94,601.00 as the federal share, \$5,256.00 as the local share and \$5,256.00 as the state share, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$5,256.00 from the New York State Department of Transportation (P.I.N. No. 9910.35) for North and West Apron Rehabilitation (Design Only) at the Binghamton Regional Airport, said funds being 50% of the non-federal share of funding of this project, and be it

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 151**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING

and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING THE IMPOSITION OF A CHARGE FOR THE PURCHASE OF COPIES OF THE 1995 BROOME COUNTY BUDGET.**

WHEREAS, the expense of printing copies of County budget documents can be covered by imposing a charge for each copy distributed to the public, now, therefore, be it

RESOLVED, that persons purchasing copies of budget documents shall be charged an amount necessary (rounded to the nearest fifty cents) to recover the costs of printing said documents, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 240028.0207.101000 (Minor Sales, Other), and be it

FURTHER RESOLVED, that copies of budget documents shall be distributed to local public libraries throughout the County at no cost to the libraries for use by the public at no charge, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 152**

by FINANCE COMMITTEE

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING THE ADVERTISING FOR SALE OF 1991 IN REM FORECLOSURE PROPERTIES OWNED BY BROOME COUNTY.**

WHEREAS, the County of Broome owns certain parcels of property acquired by the 1991 in rem proceedings, and

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

WHEREAS, the Director of Real Property Tax Service and the Finance Committee of this County Legislature have reviewed said 1991 in rem properties and said Committee has established upset prices for the sale of said parcels in accordance with procedures established by this County Legislature, and

WHEREAS, the Director of Real Property Tax Service and your sponsoring Committee request authorization of this County Legislature to proceed with the advertisement and sale of the 1991 in rem properties, now, therefore, be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the Director of Real Property Service to advertise for the sale of and to sell the in rem properties acquired by this County for the year 1991, said advertising and sale to be subject to the pertinent laws and procedures concerning the sale of County owned real property established by this County Legislature and in accordance with the terms of other appropriate laws concerning the sale of real property.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 153**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING  
and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING THE RENEWAL OF THE AGREEMENT  
WITH DOMENICO AND LUIGI FATA FOR LEASE OF OFFICE SPACE FOR  
THE BROOME COUNTY BUREAU OF MOTOR VEHICLES ENDICOTT  
OFFICE FOR 1995 THROUGH 1999.**

WHEREAS, this County Legislature, by Resolution 94-357, authorized the renewal of the agreement with Domenico and Luigi Fata for the lease of space for the Broome County Bureau of Motor Vehicles Endicott office located at 124 Washington Avenue for the period May 1, 1994 through April 30, 1995 at a cost of \$1,990.66 per month, total cost not to exceed \$23,888.00, plus electricity, and

WHEREAS, said agreement expires by its terms on April 30, 1994, and it is desired at this time to renew said agreement on substantially similar terms and conditions for the period May 1, 1995 through April 30, 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Domenico and Luigi Fata, 2902 Watson Boulevard, Endwell, New York 13760 for 3,514 square feet of floor space on the ground level of the building located at 124 Washington Avenue, Endicott, New York to be used for the Broome County Bureau of Motor Vehicles for the period May 1, 1995 through April 30, 1999, and be it

FURTHER RESOLVED, that in consideration of said lease, the County shall pay the Contractor \$1990.66 per month, total cost not to exceed \$23,888.00 each year, plus electricity, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 300020.4422.101000 (building and land rental), and be it

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 154**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING  
and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MEAD  
DATA CENTRAL FOR LEXIS/NEXIS LEGAL RESEARCH SUBSCRIPTION  
FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 254 of 1994, authorized an agreement with Mead Data Central for subscription to Lexis/Nexis Legal Services for the period April 1, 1994 through March 31, 1995, and

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

WHEREAS, said agreement expires by its terms on March 31, 1995, and it is desired at this time to renew said agreement for the period April 1, 1995 through March 31, 1996 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Mead Data Central, PO Box 100176, Atlanta, Georgia, 30384, for subscription to Lexis/Nexis Legal Research for the period April 1, 1995 through March 31, 1996, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 155**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING  
and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENT WITH OUR LADY OF**

**LOURDES MEMORIAL HOSPITAL FOR PULMONARY FUNCTION TESTING FOR VOLUNTEER FIREFIGHTERS AND OTHER EMPLOYEES REFERRED BY THE EMPLOYEE HEALTH CLINIC OF THE DEPARTMENT OF HEALTH FOR THE OFFICE OF RISK AND INSURANCE FOR 1995 THROUGH 1996.**

WHEREAS, the Manager of Risk and Insurance requests authorization for an agreement with Our Lady of Lourdes Memorial Hospital for pulmonary function screening for Broome County volunteer firefighters and other employees referred by the Employee Health Clinic of the Department of Health at a cost not to exceed \$5,000.00 for the period March 1, 1995 through February 29, 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Our Lady of Lourdes Memorial Hospital, 169 Riverside Drive, Binghamton, New York 13905, for pulmonary function testing for Broome County volunteer firefighters and other employees referred by the Employee Health Clinic of the Department of Health, for the period March 1, 1995 through February 29, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23.00 per test and a total 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 050013.4701.602000 (Medical and Physical Examinations), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 156**

by EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEES  
Seconded by Mr. Mather

**RESOLUTION AUTHORIZING SUPPLEMENTAL WATERSHED WORK PLAN AGREEMENT NO. 3 FOR NANTICOKE CREEK WATERSHED.**

WHEREAS, the Nanticoke Creek Small Watershed Flood Protection Project was established by Resolution No. 127 of 1965 and Resolution No. 173 of 1965 to provide flood protection for 73,000 acres in the Towns of Lisle, Nanticoke, Maine and Union; and

WHEREAS, the Watershed Work Plan Agreement for the Nanticoke Creek Watershed first became effective on May 23, 1962 and was subsequently modified by Supplemental Watershed Work Plan Agreement effective October 7, 1965, and by

Supplemental Watershed Work Plan Agreement effective October 16, 1973; and

WHEREAS, in order to carry out the Watershed Work Plan as supplemented it has become necessary to modify said Watershed Work Plan Agreement, as supplemented; and

WHEREAS, a Supplemental Watershed Work Plan Agreement No. 3 which modifies the Watershed Work Plan for the Nanticoke Creek Small Watershed Flood Protection Project effective May 23, 1962, has been developed through the cooperative efforts of Broome County, Tioga County, the Broome County Soil and Water Conservation District, the Tioga County Soil and Water Conservation District, the New York State Department of Environmental Conservation and the Natural Resources Conservation Service of the United States Department of Agriculture; now, therefore, be it

RESOLVED, that the Watershed Work Plan Agreement for the Nanticoke Creek Small Watershed Flood Protection Project effective May 23, 1962, as supplemented, shall be modified in the following manner:

1. All unconstructed Works of Improvement shall be deleted from the Watershed Work Plan, as supplemented. This includes: Floodwater Retarding Structure 4A; Multipurpose Structure 4B; and Channel Modification, Main- 5.6 miles; Grade Stabilization Structures-4; and Dikes and Levees-5.03 miles. The agreement to delete this work was reached in September 1987 after economic and environmental factors determined that no further work could be justified. Most benefits forgone would be flood plain enhancement oriented.

2. The Watershed Work Plan installation, as supplemented, will be considered complete.

and be it further

RESOLVED, that the County Executive or his duly authorized representative is hereby authorized and empowered to make, execute and deliver the said Supplemental Watershed Work Plan Agreement No. 3 together with any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 157**

by EDUCATION, CULTURE, and RECREATION COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENT WITH THE TOWN OF UNION, FOR THE LEASE OF PROPERTY IN CONJUNCTION WITH THE**

**CONSTRUCTION OF A RIVER WALKWAY.**

WHEREAS, County of Broome pursuant to a lease agreement dated January 1, 1979, leases from the Riverhurst Memorial Association, Inc., a portion of the property known as Tax Map No. 3-J7-37 in the Town of Union East of Louisiana Avenue to use as part of a riverbank improvement program for low density recreational activities, and

WHEREAS, the Town of Union has contacted the County of Broome and requested the County to assign its lease for said property to the Town of Union to permit the Town of Union to develop said riverbank walkway, and

WHEREAS, The Commissioner of Parks and Recreation has no objection to the assignment of said lease, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Union, 3111 East Main Street, Endwell, New York, 13760-5990, for the assignment of a lease between the County of Broome and the Riverhurst Memorial Association, Inc. dated January 1, 1979, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 158**

by EDUCATION, CULTURE, RECREATION and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING ACCEPTANCE OF ADDITIONAL STATE AID FOR BROOME COMMUNITY COLLEGE FOR FISCAL YEAR 1993-1994.**

WHEREAS, the formula for New York State financial assistance for Community College in the 1993-94 fiscal year allows colleges to receive aid based on actual figures for the combination of basic, disadvantaged, physical space rental, technical bonus, and business FTE, and

WHEREAS, Broome Community College will receive an additional \$6,143.00 in state aid revenue because the application of actual figures is in excess of estimated budget amounts, and

WHEREAS, the Broome Community College Board of Trustees recommended amending the 1993-94 operating budget on January 26, 1995 to receive this additional state aid revenue, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the amendment to the Broome Community College operating budget for the 1993-94 fiscal year to increase

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estimated revenue of state aid from \$9,069,960.00 to \$9,076,103.00, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 159**

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BUCK ENVIRONMENTAL LABORATORIES, INC. FOR ENVIRONMENTAL MONITORING AT THE NANTICOKE SANITARY LANDFILL AND THE COLESVILLE LANDFILL FOR 1995 THROUGH 1996.**

WHEREAS, this County Legislature, by Resolution 108 of 1993, authorized an agreement with Buck Environmental Laboratories, Inc. for water monitoring and testing for the Nanticoke Sanitary Landfill and the Colesville Landfill for the period March 1, 1993 through February 28, 1995, at a cost not to exceed \$100,000.00 per year for the term of this agreement, and

WHEREAS, said services are necessary to monitor and test the water at the Nanticoke Sanitary Landfill and the Colesville Landfill per the New York State Department of Environmental Conservation Permit Requirements, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of an agreement with Buck Environmental Laboratories, Inc., PO Box 5150, Cortland, New York, 13045 for the period March 1, 1995 through February 28, 1996, and be it

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

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

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 160**

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AN AMENDMENT OF AN AGREEMENT WITH R.J. MARTIN CONSULTING ENGINEERS FOR DESIGNING CONSTRUCTION REVIEW SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT.**

WHEREAS, this County Legislature by Resolution 239 of 1994, authorized an agreement with R.J. Martin Consulting Engineers for design and construction review services associated with construction of a new maintenance building at the Nanticoke Landfill at a cost not to exceed \$19,700.00, and

WHEREAS, it is necessary to authorized the amendment of said agreement to extend the contract term with no increase in cost, and

WHEREAS, the Director of Solid Waste Management has requested authorization for said amendment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with R.J. Martin Consulting Engineers, 45 Washington Street, Binghamton, New York 13902-2084 to extend the contract term to October 30, 1995 with no change in the contract cost, and be it

FURTHER RESOLVED, that Resolution 239 of 1994, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 161**

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WEHRAN EMCON FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR DESIGN SERVICES ASSOCIATED WITH COMPLETION OF THE COLESVILLE LANDFILL REMEDIAL DESIGN.**

WHEREAS, this County Legislature, by Resolution 233 of 1991, as amended by Resolution 266 of 1992, and Resolution 463 of 1992, authorized an agreement with Wehran Emcon for landfill remediation design services of the Colesville Landfill for the Division of Solid Waste Management at a cost of \$317,034.50 which represents the County share of the cost of the Colesville Landfill Remedial Design, and

WHEREAS, it is necessary to authorize the amendment of said agreement to

complete the remedial design phase as required by the DEC and increasing the cost of said agreement, and

WHEREAS, the Division of Solid Waste Management has requested authorization for said amendment, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Wehran Emcon, 666 East Main Street, PO Box 2006, Middletown, New York, 10940 for landfill remedial design services for the Colesville Landfill, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$42,688.50, total cost not to exceed \$359,723.00 representing the County's one-half share of the costs associated with the Colesville remedial design, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 035220.4457.501128 (Engineering and Architectural Services), and 235036.4457.501262 (Engineering and Architectural Services), and

FURTHER RESOLVED, that Resolutions 233 of 1991, as amended by Resolution 266 of 1992 and Resolution 463 of 1992, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 162**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT, PLANNING, ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4, 1995, ENTITLED:  
"A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY  
CHARTER AND CODE REGARDING SOLID WASTE TIPPING FEES."**

RESOLVED, that Local Law Intro. No. 4, 1994, entitled: "A Local Law amending chapter 179 of the Broome County Charter and Code regarding solid waste tipping fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter, Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 4, 1995**

" A Local Law amending Chapter 179 of the Broome County Charter and Code regarding Solid Waste Tipping Fees."

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

Section 1, Section 179-9(5) shall be amended to read as follows:

Section 179-9(5): Commencing April 17, 1995, the following separate charge shall apply at the Nanticoke Landfill:

A. Contaminated soils which can be accepted for disposal at the Nanticoke Landfill: [Ten dollars (\$10.00)] Thirty dollars and five cents (\$30.05) per ton.

Section 2, That this Local Law shall take effect upon filing with the Secretary of State.

matters in [brackets] deleted matters underlined added  
**Heldover** under the 'Rules' by Mr. Cahill.

**RESOLUTION NO. 163**

by ENVIRONMENT COMMITTEE

Seconded by Mr. Mather

**RESOLUTION DIRECTING INITIATION OF ENVIRONMENTAL REVIEW OF PROPOSED AMENDMENT TO LOCAL LAW INCREASING THE TIPPING FEE FOR CONTAMINATED SOILS AND FOUNDRY SAND AND RENDERING "NEGATIVE DECLARATION" WITH RESPECT THERETO.**

WHEREAS, this County Legislature has pending before it a proposed amendment to Chapter 179 of the Broome County Charter and Code, as amended, increasing the tipping fee at the Nanticoke Landfill for contaminated soils and foundry sand, 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 Chapter 179 of the Broome County Charter and Code, which law would increase the tipping fee for contaminated soil and foundry sand, and be it

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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."

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 164**

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE GRANT IN AID FOR RESOURCE RECOVERY AND/OR SOURCE SEPARATION/RECYCLING EQUIPMENT FOR A MUNICIPAL SOLID WASTE MANAGEMENT PROJECT AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF THE STATE OF NEW YORK.**

WHEREAS, the State of New York provides financial aid for Resource Recovery equipment, source separation equipment or both, for the implementation for small scale, low technology approaches to resource recovery; and

WHEREAS, the County of Broome has examined and duly considered the applicable laws of the State of New York and the County deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a contract by and between the people of the State of New York, herein called the State, and the County be executed for such state aid; now, therefore, be it

RESOLVED, that the County Legislature authorizes the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is directed and authorized as the official representative of the County of Broome to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State; and be it

FURTHER RESOLVED, that the County agrees that it will fund its portion of the cost of said Solid Waste Management Project which funding shall not exceed \$28,569, and be it

FURTHER RESOLVED, that five certified copies of this Resolution be prepared

and sent to the New York State Department of Environmental Conservation, Albany, New York, 12233-4015, together with a complete application, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 165**

by FINANCE, PUBLIC SAFETY & EMERGENCY SERVICES, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING, HEALTH COMMITTEES

Seconded by Mr. Lindsey

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF PUBLIC DEFENDER, EMPLOYMENT & TRAINING, PROBATION, HEALTH AND WILLOW POINT NURSING FACILITY.**

RESOLVED, that in accordance with a request from the Department of the Public Defender, in order to provide funds for Social Security from State funds as opposed to County funds as requested by BT# 2743, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	530030	1000	102825	Salaries, Full-Time	\$367.00
TO :	530030	8030	102825	Social Security	\$367.00

and be it

FURTHER RESOLVED, that in accordance with a request from the Office of Employment and Training, in order to provide funds for anticipated expenses above original estimates, as requested by BT# 8428, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	720722	4557	308031	Tompkins County	\$251
	720722	4465	308031	Non-Employee Travel	43
TO :	720722	4419	308031	General Office Expense	\$140
	720722	8030	308031	Social Security	154

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Probation, in order to provide funds for the lease of electronic monitoring equipment using funds available due to two employees choosing no health insurance, as requested by BT# 8215, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	280081	8060	102836	Health Insurance	\$6,400

TO :280081 4449 102836 Other Operations Services \$6,400  
and be it

FURTHER RESOLVED, that in accordance with a request from the department of Probation, in order to provide funds for the purchase of drug testing equipment and charging a portion of salary using available fringe benefit appropriations, as requested by BT#8216, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	280057	8010	102810	State Retirement	\$1,270
	280057	8060	102810	Health Insurance	3,000
	280057	8030	102810	Social Security	240
	280057	8040	102810	Workers Compensation	205
	280057	8060	102810	Salaries, Full-Time	1,570
	280057	8070	102810	Unemployment Insurance	481

TO:	280057	4349	102810	Misc. Operating Supplies	\$4,270
	280057	4610	102810	Personnel Chargeback	2,496

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds to create a temporary help line, as requested by BT# 7883, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480251	1500	102834	Salaries, Part-time	\$3,227

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TO :     480251       1600       102834       Salaries, Temporary       \$3,227

and be it

FURTHER RESOLVED, that in accordance with a request from Willow Point Nursing Facility, in order to provide funds for salary increase for two (2) laundry workers, as requested by BT# 7828, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>	
	<u>Code</u>	<u>object</u>	<u>Code</u>			
FROM:	160150	2330	204000	Laundry & Cleaning Equip	\$ 500	
	160150	4432	204000	Laundry & Dry Cleaning Exp	679	
TO :	160150	1000	204000	Salaries, Full-Time	\$1,032	
	160150	8010	204000	State Retirement	21	
	160150	8030	204000	Social Security	79	
	160150	8040	204000	Workers Compensation		29
	160150	8070	204000	Unemployment Ins.		18

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Facility, in order to provide funds for salary increase for Assistant Housekeeping Supervisor, as requested by BT# 7829, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>	
	<u>Code</u>	<u>object</u>	<u>Code</u>			
FROM:	160143	2620	204000	Hospital Med & Lab Equip	\$1,600	
	160143	4429	204000	Building & Grounds Exp	1,200	
	160143	4423	204000	Building, Grounds & Equip		
				Repair	300	
	160143	4329	204000	Building & Grounds Supplies	150	
	160143	4333	204000	Household Laundry & Cleaning		
				Supplies	153	
TO :	160143	1000	204000	Salaries, Full-time	\$2,983	
	160143	8010	204000	State Retirement	60	
	160143	8030	204000	Social Security	228	
	160143	8040	204000	Workers Compensation		81

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160143      8070      204000      Unemployment Insurance      51  
 and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Planning/BMTS, in order to fund Environmental Management Council work on BMTS Pedestrian/Bicycle Plan (replaces State revenue eliminated in 1995-1996), as requested by BT# 7246, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>		
FROM:	440073	1000	102806	Salaries, Full-time	\$14,000
TO:	440073	4614	102806	Other chargebacks	\$14,000

Mr. Miller requested separate consideration of BT# 7246. Prior to consideration, BT# 7246 was **held over** under the 'Rules' by Mr. Burger. It will appear as Resolution # 95-165A on the next agenda.

Mrs. Hudak requested separate consideration of BT# 8428.  
 BT# 8428 **carried**. Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

The balance of the resolution **carried**.  
 Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 166**

by FINANCE COMMITTEE

Seconded by Mr. Mather

**RESOLUTION AMENDING RESOLUTION 94-492 REGARDING EMPLOYERS' LIABILITY EXCESS INSURANCE FOR THE BROOME COUNTY SELF-INSURED WORKERS' COMPENSATION PLAN.**

WHEREAS, this County Legislature pursuant to Resolution 94-492 duly adopted on October 25, 1994, authorized an Agreement with Sedgwick James of New York, Inc., for Employers' Liability (Type B) Excess Insurance for the Workers' Compensation Plan, and

WHEREAS, said coverage contained a \$25,000 retention which would require the employee's employer to pay the first \$10,000 of liability with the County's Workers' Compensation self insurance program to pay out of its annual budget any costs

connected with employer's liability above the first \$10,000.00 to a maximum of \$25,000, and

WHEREAS, the Risk Manager has recommended amending said Resolution to require the Workers' Compensation Self Insurance Plan pay the entire \$25,000.00 retention, now, therefore, be it

RESOLVED, that Resolution 94-492 is hereby amended to state that the employers' liability coverage shall contain a \$25,000.00 retention which will be paid by the Broome County Workers' Compensation Self Insurance program out of its annual budget, and be it

FURTHER RESOLVED, that Resolution 94-492 to the extent consistent herewith shall remain in full force and effect, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 167**

by TRANSPORTATION COMMITTEE                      Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENTS WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO HOUSE THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY (BMTS) CENTRAL STAFF.**

WHEREAS, this County Legislature authorized an Agreement in 1981 with the Southern Tier East Regional Planning Development Board (STERPDB) assigning and substituting STERPDB's duties, responsibilities, obligations, rights and privileges pertaining and related to Federal Highway Administration Contract P013-03-881 and Urban Mass Transportation Administrative Contract No. P008-03-804, and

WHEREAS, BMTS has been designated by the Governor as the Metropolitan Planning Organization (MPO) required by 23 USC §142, as amended, by the Intermodal Surface Transportation Efficiency Act of 1991 and 49 USC app §1607 as amended by the Federal Transit Act of 1991, and

WHEREAS, an MPO must be designated for Federal Highway Administration or Federal Transit Administration Funds to be spent on metropolitan area projects, and

WHEREAS, 23 USC §34 sets forth the required actions of MPO's including the development of metropolitan transportation plans and programs and the selection of projects for Federal funding, and

WHEREAS, there are two federal program which set aside funds for metropolitan

transportation planning activities which are allocated to the states and must be made available to MPO's, and

WHEREAS, MPO's cannot receive those funds directly from the state but must have an entity act on its behalf, and

WHEREAS, the BMTS policy committee has designated Broome County to act on its behalf, and

WHEREAS, Broome County has acted in this capacity since April 1, 1981, and

WHEREAS, the New York State Commissioner of Transportation has requested new contracts with the County of Broome to distribute these federal funds, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York State Commissioner of Transportation to continue to house the BMTS Central Staff at the County Office Building and to accept Federal funds for metropolitan transportation planning activities under the Federal Highway Administration PL Program and the FTA Section 8 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-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 168**

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENT WITH THE LOURDES HOSPITAL HOSPICE PROGRAM, FOR RESPITE CARE AND ROUTINE HOME CARE FOR TERMINALLY ILL PERSONS AT THE WILLOW POINT NURSING FACILITY.**

WHEREAS, the Administrator of Willow Point Nursing Facility requests authorization for an agreement with Lourdes Hospital Hospice Program for provision of respite care and routine home care for terminally ill persons mutually accepted by the parties to this agreement commencing March 1, 1995 for an indefinite period, at no cost to the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Lourdes Hospital Hospice Program, 169 Riverside Drive, Binghamton, New York 13905, for respite care and routine home care for terminally ill persons mutually accepted by Lourdes Hospital Hospice Program and the Willow Point Nursing Facility,

said services to commence March 1, 1995, and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 169**

by PERSONNEL COMMITTEE

Seconded by Mr. Mather

**RESOLUTION ADOPTING THE REVISED DRUG AND ALCOHOL TESTING POLICY OF THE DEPARTMENT OF PERSONNEL.**

WHEREAS, this County Legislature by Resolution 691 of 1994, approved and adopted the Drug and Alcohol Testing Policy of the Department of Personnel in order to comply with Federal Regulations, and

WHEREAS, the Department of Personnel, pursuant to discussions with labor organizations representing affected employees, proposes to change such Drug and Alcohol Testing Policy to incorporate certain changes suggested by such organizations, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and adopts the revised Drug and Alcohol Testing Policy of the Department of Personnel, dated January 1, 1995, a copy of which is annexed hereto and marked as "Exhibit "A", and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 170**

by FINANCE COMMITTEE

Seconded by Mr. Pasquale

**BOND RESOLUTION DATED: \_\_\_\_\_ / A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,550,000 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY THE COST OF CERTAIN SOLID WASTE PROJECTS IN AND FOR SAID COUNTY.**

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

Section 1. The objects or purposes to be financed by the County of Broome, N.Y.

pursuant to this resolution and their maximum estimated costs, are as follows:

<u>Project Code</u>	<u>Project Name</u>	<u>Maximum Est. Cost</u>
M-43	Acquisition of and improvement to a materials recovery facility	\$2,000,000
M-47	Phase I of the design and construction of a new landfill	\$1,550,000

Section 2. The total maximum estimated cost of the aforesaid objects or purposes is \$3,550,000 which shall be financed by the issuance of \$3,550,000 serial bonds of said County, hereby authorized to be issued therefore pursuant to the Local Finance Law.

Section 3. SEQR DETERMINATION: It is hereby declared to be the intent of this County Legislature that the projects listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act ("SEQR") to ensure that said proposed projects are in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process. Notwithstanding the foregoing, it is hereby further determined that no further resolution of this County Legislature shall be required in order to permit the issuance of obligations pursuant to this resolution once these proposed projects have been determined to be in compliance with the provisions of SEQR.

Section 4. It is hereby determined that the period of probably usefulness of the aforesaid specific objects or purposes described in Section 1 of this resolution is twenty-five years pursuant to subdivision 6 of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized including renewals of such notes is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents and shall be sold in such manner as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same,

including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining debt service, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 7. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest of such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150.2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in the Press & Sun Bulletin, which is the only newspaper having circulation in said County for such purpose, together with a notice of the Clerk of the Legislature is substantially the form provided in Section 81.00 of the Local Finance Law.

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

**RESOLUTION NO. 171**

by PUBLIC WORKS COMMITTEE

Seconded by Mr. Mather

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**RESOLUTION AUTHORIZING ABANDONMENT BY BROOME COUNTY OF CASTLE GARDENS ROAD IN THE TOWN OF VESTAL.**

WHEREAS, pursuant to Section 115-b of the Highway Law, the Commissioner of Public Works has recommended the removal of Castle Gardens Road from the County road system, because said road does not fall within the criteria established for inclusion in the County road system, and

WHEREAS, this County Legislature by Resolution 52 of 1995 authorized an agreement with the Town of Vestal regarding such abandonment, and the Town of Vestal, by agreement dated March 6, 1995, a copy of which is attached hereto as Exhibit "A", has agreed to the abandonment of Castle Gardens Road by the County, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes removal of Castle Gardens Road in the Town of Vestal from the County road system, said abandoned road being described as follows: CASTLE GARDENS ROAD, C.R. NO. 36

From State Route 17 R.O.W. (near Westview Drive); thence easterly and southerly a distance of 3,643± feet to its intersection with NYS Route 434, including the 250± feet of previous County Road 302, which borders the south property line of Broome County T.M.P. #3-1 (Freihofer's Bakery Co.) and be it

FURTHER RESOLVED, that the Broome County Official Highway Map shall be amended accordingly.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 172**

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

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE OFFICE OF EMPLOYMENT & TRAINING AND THE NEW YORK ASSOCIATION TRAINING AND EMPLOYMENT PROFESSIONALS, INC., FOR A 2 DAY JOB DEVELOPMENT/JOB SEARCH WORKSHOP.**

WHEREAS, the Office of Employment and Training requests authorization for an agreement with the New York Association Training and Employment Professionals, Inc. for a 2 day job development/job search workshop for the Office of Employment and Training for February 23-24, 1995, at a cost not to exceed \$4,500.00, and

WHEREAS, said services are necessary to train the personnel of the Office of Employment & Training, Department of Social Services, Office for Aging and the New York State Department of Labor in Job Development/Job Search Strategies to better provide placement services to mutual clients, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the New York Association Training and Employment Professionals, Inc., for a 2 day job development/job search workshop for the Office of Employment and Training, for the period February 23-24, 1995, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$4,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 720730.4542.308043 (Contracted Training), and be it

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

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 173**

by COMMUNITY AND SOCIAL SERVICES COMMITTEE                      Seconded by  
Mr. Pasquale

**RESOLUTION URGING THE NEW YORK STATE LEGISLATURE TO ENACT A "MEGAN'S LAW" FOR PROTECTING CHILDREN FROM SEXUAL ABUSE BY CONVICTED SEX OFFENDERS.**

WHEREAS, this County Legislature recognizes the urgency of protecting the children (age 17 and less) of this community from sexual abuse by persons who have been convicted of sex offenses, and

WHEREAS, this County Legislature considers it necessary to enact necessary laws to provide such protection, now, therefore, be it

RESOLVED, that this County Legislature hereby urges the New York State Legislature to enact a law known as "Megan's Law" which would require the following:

1. Mandatory registration of first time sex offenders for fifteen years so that convicted sex offenders would be required to register with local law enforcement authorities each time they change their place of residence.
2. Registration of low risk offenders (i.e., flashers) with law enforcement authorities.
3. Registration of medium risk offenders (i.e., inappropriate touching) with law enforcement authorities with the requirement that the authorities then notify local schools, churches, and youth organizations.
4. Registration of high risk offenders (i.e., a rape) with law enforcement authorities with the requirement that the authorities then notify local schools, churches, youth organizations, news media, and immediate neighbors of the convicted offender.

5. Mandatory minimum sentences for all convicted sex offenders with no possibility of parole.

6. Life parole for all incarcerated child sex offenders.

7. Life sentence with no possibility for parole for repeat sex offenders.

8. Civil commitment for all convicted child sex offenders.

and be it

FURTHER RESOLVED, that the Clerk of the County Legislature is hereby directed to send a certified copy of this Resolution to the Majority Leader of the New York State Senate, the Speaker of the N.Y. State Assembly, Senator Thomas W. Libous, and Members of the Assembly, Robert J. Warner and Jay J. Dinga and to all other Counties in New York State.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 174**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING  
and FINANCE COMMITTEES

Seconded by Mr. Mather

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH  
CHERNIN & GOLD TO REPRESENT BROOME COUNTY IN A  
NEGLIGENCE ACTION.**

WHEREAS, this County Legislature, by Resolution 154 of 1993, authorized an agreement with Chernin & Gold to represent the County of Broome in a negligence action commenced by Mary Johnson at a cost not to exceed \$5,000.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the amount thereof and to provide for payment for the services of paralegals, and law clerks, and usual and necessary disbursements, and

WHEREAS, the Department of Law has requested authorization for said amendments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Chernin & Gold to represent the County in a negligence action commenced by Mary Johnson, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor not to exceed \$40.00 per hour for paralegals, \$50.00 per hour for law clerks, and \$95.00 per hour for attorneys, in addition to reimbursement for usual and necessary disbursements, the total compensation not to exceed \$8,000.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 390005.4736.101000 (Legal Charges), and be it

FURTHER RESOLVED, that Resolution 154 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 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.

**Held over** under the 'Rules' by Mrs. Coffey.

**RESOLUTION NO. 175**

by EDUCATION, CULTURE & RECREATION COMMITTEE

Seconded by Mr. Mather

**RESOLUTION APPOINTING THE HONORABLE PATRICK F. O'DAY TO MEMBERSHIP ON THE BOARD OF DIRECTORS OF THE BROOME CO. VETERANS MEMORIAL ARENA**

WHEREAS, by Resolution 364 of 1972, this County Legislature approved the by-laws of the Broome County Veterans Memorial Arena and authorized the Chairman of the Community Affairs Committee of this County Legislature or a members of said committee designated by the Chairman, to be a member of the Arena Board of Directors, and

WHEREAS, pursuant to the Rules of Order approved by this County Legislature on January 5, 1995, the successor committee with respect to the affairs at the Broome Co. Veterans Memorial Arena is the Education, Culture and Recreation Committee, and

WHEREAS, it is necessary and appropriate to appoint the new Chair of the Education, Culture and Recreation Committee of this County Legislature to a term on the Broome Co. Veterans Memorial Arena Board of Directors, now, therefore, be it

RESOLVED, that this County Legislature hereby appoints the Hon. Patrick F. O'Day, by reason of his Chairmanship of the Education, Culture and Recreation Committee of the Broome County Legislature, to serve as a member of the Board of Directors of the Broome County Veterans Memorial Arena for a term expiring December 31, 1996 or upon the termination of his chairmanship of the Education, Culture and Recreation Committee, whichever occurs first.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 176**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

Seconded by Mr. Mather

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME-TIOGA-TOMPKINS PRIVATE INDUSTRY COUNCIL.**

REGULAR SESSION OF MARCH 16, 1995

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 337, adopted September 13, 1983, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome-Tioga-Tompkins Private Industry Council for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Thomas Hoke 835 Front Street Binghamton, NY 13905 Public Assistance Agency	Reappointment  Term expires 12/31/98
Brian Ingraham 526 Hawleyton Road Binghamton, NY 13903 Public Rehabilitation Agency	Reappointment  Term expires 12/31/97
Dr. Lawrence Kiley 827 Placek Drive Johnson City, NY 13790 Education Agency	Reappointment  Term expires 12/31/96
Wanda Kucera 203 Patio Drive Endwell, NY 13760 Public Employment Service	Reappointment  Term expires 12/31/98
Ronald Reagan 38 Clark Street Binghamton, NY 13905 Organized Labor	Reappointment  Term expires 12/31/97
Will Vermilya 8 Amber Hill Drive Conklin, NY 13748 Organized Labor	New appointment  Term expires 12/31/96

Mark Turner 717 Echo Road Vestal, NY 13850 Economic Development	Reappointment  Term expires 12/31/98
Thomas Behan 7 Sumner Avenue Binghamton, NY 13905 Small Business	New appointment  Term expires 12/31/98
David DeSantis 734 Glenwood Road Binghamton, NY 13905 Large Business	New appointment  Term expires 12/31/97
Mary Hughes 1269 Main Street Vestal, NY 13850 Large Business	New appointment  Term expires 12/31/96
Rigoberto Maximo 240 Bear Swamp Road Chenango Forks, NY 13946 Small/Minority Owned Business	New appointment  Term expires 12/31/98
Lynn Minella 3149 Briarcliff Avenue Vestal, NY 13850 Large Business	New appointment  Term expires 12/31/97
Betsy Pietriyk 304 Riverside Drive Binghamton, NY 13905 Small Business	Reappointment  Term expires 12/31/96
Deborah Quackenbush 125 Jensen Road Vestal, NY 13850	New appointment  Term expires 12/31/98

Small Business

Sharon Salimi	Reappointment
47 Rugby Road	
Binghamton, NY 13905	Term expires 12/31/96
Small/Women Owned Business	

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 337, adopted September 13, 1983, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 337, adopted September 13, 1983, does hereby confirm the appointments of the above-named individuals to membership on the Broome-Tioga-Tompkins Private Industry Council in accordance with their appointment by the County Executive.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 177**

by FINANCE, EDUCATION, CULTURE, RECREATION AND PUBLIC WORKS COMMITTEES

Seconded by Mr. O'Day

**RESOLUTION AMENDING THE 1995 CAPITAL IMPROVEMENT PROGRAM.**

WHEREAS, by Resolution 454 of 1994, the Broome County Legislature approved the 1995 capital project A-351 Arena Seating Systems contingent upon the State authorizing matching funds, and

WHEREAS, by Resolution 160 of 1994, the Broome County Legislature authorized an application for a Sports Facility Assistance Program from the New York State Urban Development Corporation to provide partial funding for Arena renovations including A-351 Arena Seating Systems, and

WHEREAS, the New York State Budget does not currently provide funding for the Sports Facility Assistance Program including the funding for Broome County projects previously approved by the New York State Urban Development Corporation, and

WHEREAS, the Department of Parks and Recreation has requested an amendment to A-351 Arena Seating Systems to allow the portion the project needed to address the safety concerns with regard to the Arena riser systems, now, therefore, be it

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

**FROM:**

Distribution of Costs:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Federal</u>	<u>State</u>	<u>County</u>
A-351	Arena Seating Systems	\$255,300	\$ 0	\$127,650	\$127,650

Project Number

501304

How Financed:

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Transfer</u>
1995	5		5

\$255,300 \$ 0

Description: Construct press boxes on another level to provide an additional 60-80 spectator seats, replace in final phase riser seating system, including the deferred portion of the 1994 Riser System Replacement, Phase II, A-11B, to address safety concerns; and purchase and install retractable west-end seating.

Complete within fiscal year and with improved revenue generation. Approval contingent upon state authorizing matching funds.

**TO:**

Distribution of Costs:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Federal</u>	<u>State</u>	<u>County</u>
A-351	Arena Seating Systems	\$127,650	\$ 0	\$ 0	\$127,650

How Financed:

<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Transfer</u>
1995	5	\$127,650	\$ 0

Description: Replace in final phase riser seating system, including the deferred portion of the 1994 A-11B Riser System Replacement, Phase II, to address safety concerns. Construct press boxes on another level to provide an additional 60-80 spectator seats. Complete by fourth quarter of 1996 with improved revenue generation. Will continue to seek state funding.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)

**RESOLUTION NO. 178**

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mrs. Coffey

**RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH PROBE FOR CONTRACT AGENCY SUPPORT BY BROOME COUNTY FOR 1995**

WHEREAS, the County has contributed financial support to numerous agencies and organizations, including PROBE, involved in various fields of endeavor which benefit, aid or assist with the many needs of the broad spectrum of the Broome County

community, and

WHEREAS, it is the desire of the Legislature to give approval for the execution of a contract with PROBE, said contract to be in the general form heretofore used, subject to and conditioned upon the financial allocations made and accounting procedures prescribed by the County Law Department of PROBE in the 1995 Broome County Budget, now, therefore be it

RESOLVED, that this County Legislature hereby authorizes the County Executive or his duly authorized representative to execute such agreements, approved as to form by the Department of Law, with PROBE in accordance with financial provisions and contributions that have been authorized by this County Legislature in the 1995 County Budget, and be it

FURTHER RESOLVED, that all the terms and conditions of Resolution 661 of 1994, relating to the other contract agencies shall apply to the contract with PROBE, 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.

**Legislative Note:** Amount Budgeted for 1995 -

PROBE DIVERSION: \$ 18,467

ALTERNATE SENTENCING: \$ 20,157

**Held over** under the 'Rules' by Mrs. Coffey.

Mr. Howard moved, seconded by Mr. Lindsey to **adjourn** at 6:13 P.M.

**Carried.** Ayes-17, Nays-0, Absent-2 (Kavulich & Shafer)