

WHEREAS, a tentative agreement has been reached with the Amalgamated Transit Union for the period January 1, 1996 through December 31, 1998, and

WHEREAS, it is desired at this time to renew said labor agreement on the terms and conditions set forth in the Memorandum of Agreement on file with the Clerk of this Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Amalgamated Transit Union, setting forth the terms and conditions of employment for those employees represented by said union for the period January 1, 1996 through December 31, 1998, and be it

FURTHER RESOLVED, that the said agreement shall be upon substantially similar terms and conditions as the 1992 written labor agreement with the exception of those changes listed on Exhibit "A" attached hereto, and be it

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

Mr. Schofield moved, seconded by Mr. Augostini, to **call the question** on the resolution. The call of the question **carried** as follows: Ayes-16, Nays-1 (Whalen), Absent-2 (Lindsey & Shafer)

The resolution **carried**. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

Mr. Howard moved, seconded by Mr. Wike, to **adjourn** at 4:30 P.M. The adjournment **carried**. Ayes-17, Nays-0, Absent-2 (Lindsey & Shafer)

BROOME COUNTY LEGISLATURE

REGULAR SESSION OF FEBRUARY 15, 1996

**REGULAR SESSION
FEBRUARY 15, 1996**

The Legislature convened at 4:00 P.M. with a call to order by the Chair, Arthur J. Shafer. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll: Present-18, Absent-1 (Mrs. Coffey)

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

Mr. Miller moved, seconded by Mr. Pasquale that the minutes of the Regular Session of January 18, 1996, be approved as prepared and presented by the Clerk. **Carried.** Ayes-18, Nays-0, Absent-1 (Coffey)

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

Letters from the County Executive, Timothy M. Grippen:

- 1.Nominating M. Clark and S. Spivey to membership on Economic Development Advisory Council.
- 2.Nominating 10 persons to membership on the Environmental Management Council Board.
- 3.Nominating W. Brunner and E. Hulbert to membership on the Planning and Economic Development Advisory Board.
- 4.Nominating 5 persons to membership on the Willow Point Nursing Home Board.
- 5.Nominating L. Lacey and J. Leonard to membership on the Central Library Board of Trustees.
- 6.Nominating W. Miller and C. Burger to membership on Cornell Cooperative Extension Association.
- 7.Declaration of State of Emergency (Flooding Condition, January 19, 1996).

8. Declaration of Public Emergency (Department of Aviation, Water Storage Tank).

PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

PETITIONS: NONE

COMMUNICATIONS:

1. Resolutions:

- a. Town of Union (Urging Municipal Haulers to Pass Along Tipping Fee Savings)
- b. Environmental Management Council (Urging County Government to Refrain from Importing Municipal Solid Waste)

2. Minutes from:

- a. Association of Towns and Villages
- b. Cornell Cooperative Extension
- c. Soil and Water Conservation District
- d. Environmental Management Council
- e. EMC's Natural Resources Committee
- f. EMC's Ad Hoc Committee on Alternative Transportation
- g. Industrial Development Agency (minutes and various materials)

3. 1995-96 Adopted Broome Community College Budget.

4. Letter from Executive Administrator of Campground Owners of New York, Inc. objecting to seasonal camping at Upper Lisle Park and Greenwood Park.

5. Letter from John M. Kunzman, Pine Valley Campground, suggesting that County camping fees be increased.

6. Letter from Mary and Dick Roe of Catskill, NY commending the Harpursville Rescue Squad and Fire Department in responding to an accident of 12/11/95 which involved their daughter, Ricca Roe. (Note: At the request of Legislator Miller, this letter was read in its entirety to the Legislature by the Clerk)

NOTICES:Jeffery A. Prosser vs. Geno DeAngelo, the Broome County Sheriff's Department and the County of Broome

REPORTS:

- 1.Monthly Reports:
 - a.Department of Social Services (August, September and October 1995)
 - b.Broome Community College: Budget Transfers and Above the Minimum Hires (November and December 1995)
- 2.Department of Public Works: 1995 Annual Report; Quarterly Report.
- 3.Department of Audit and Control: Payroll Audit (Department of Social Services); Lessee Contract Compliance Audit (Department of Aviation); Bank Transfer Testing.
- 4.Fourth Quarterly Report of 1995 Sales Tax Collections.
- 5.Broome County Public Library (Feasibility Study Report).
- 6.Economic Development Alliance: 1995 Work Program Summary.

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

PRESENTATION:Recognition of Fritz Wallenberg as outstanding Library Volunteer and awarding Mr. Wallenberg the 'Seal of the County of Broome.'

Letters from the Chair, Arthur J. Shafer:

- 1.Appointing the following Legislators as voting representative for James L. Holley:
 - a.William H. Miller, Health Services Committee, February 6, 1996.
 - b.Chris W. Burger, Public Works Committee, February 6, 1996.
- 2.Appointing Louis P. Augostini as voting representative for William T. Wike, County Administration, Economic Development and Planning, February 7, 1996.

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

Carried. Ayes-18, Absent-1 (Coffey)

Several resolutions were taken out of order, however, for the sake of clarity, all resolutions are presented in numerical order. Mr. Pasquale and Mr. Schofield were designated by the Chair as participants in the 'short roll call' for the session. Mr. Pasquale seconded the preferred agenda.

RESOLUTIONS HELD OVER FROM THE PREVIOUS SESSION OF
JANUARY 18, 1996

RESOLUTION NO. 2 held over by Mrs. Sweet
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT
WITH MULTIPLE PARKING SERVICES FOR THE
DEPARTMENT OF MENTAL HEALTH FOR 1996.**

Mrs. Sweet moved, seconded by Mrs. Hudak to **table** the resolution to the March 21, 1996 Session of the Legislature.

The tabling **carried.** Ayes-16, Nays-2 (Pasquale & Whalen), Absent-1 (Coffey)

RESOLUTION NO. 7 held over by Mrs. Sweet
**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT
WITH WATER STREET ASSOCIATES FOR LEASE OF
OFFICE SPACE FOR THE DEPARTMENT OF MENTAL
HEALTH FOR 1996.**

Mrs. Sweet made several amendments to the resolution which were seconded by Mr. Pasquale. The amendments are as follows: Delete the third WHEREAS paragraph, Delete the first FURTHER RESOLVED

paragraph, decrease the number of parking spaces from 10 down to 4, change the dollar amount of the consideration to \$8,056 and indicate that it is the employees of the department who shall pay the cost of the parking without supplement from the department or the County.

The amendments **carried**. Ayes-18, Nays-0, Absent-1 (Coffey)

The resolution as amended **carried**. Ayes-18, Nays-0, Absent-1 (Coffey)

The amended version of the resolution follows:

Additions are underlined and bolded. Deletions are bracketed and crossed out.

RESOLUTION NO. 7 of 1996 as amended at the Regular Session of 2/15/1996

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Whalen

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH WATER STREET ASSOCIATES FOR LEASE OF OFFICE SPACE FOR THE DEPARTMENT OF MENTAL HEALTH FOR 1996.

WHEREAS, this County Legislature, by Resolution 31 of 1995, authorized an agreement with Water Street Associates for the lease of office space at 168 Water Street, Binghamton for calendar year 1995, at a cost not to exceed \$9,100, and

WHEREAS, said lease is necessary to provide office space for administration of the Mentally Ill Chemical Abuser-Intensive Case Management Grant Program of the Department of Mental Health, ~~and~~

~~WHEREAS, the Department of Mental Health requests that the renewal agreement contain a clause permitting the County to terminate said lease upon 30 days notice,]~~ now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the

renewal of the agreement with Water Street Associates, 168 Water Street, Binghamton, New York, 13901, for the lease of 1160 square feet of fourth floor office space at 168 Water Street, Binghamton, New York, for the period January 1, 1996 through December 31, 1996, and be it

~~[FURTHER RESOLVED, that the renewal agreement shall contain a clause permitting the County to terminate said lease upon 30 days notice, and be it]~~

FURTHER RESOLVED, that the Lessor shall also provide, at its cost, the use of ~~ten~~ **four** parking spaces at the All Right Parking Ramp on Water Street, Binghamton for the use of employees of the Department of Mental Health, **who shall pay the cost of the parking without supplement from the Department or the County**, and be it

FURTHER RESOLVED, that in consideration of said lease, the County shall pay the Lessor an amount not to exceed ~~[\$9,100]~~ **\$8,056** for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 470096.4422.104XXX and 47XXXX.4422.104XXX (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.

RESOLUTION NO. 9 held over by Mrs. Sweet

RESOLUTION AUTHORIZING A LABOR AGREEMENT WITH AFSCME LOCAL 1883 FOR JANUARY 1, 1996 THROUGH DECEMBER 31, 1998.

Mr. Pasquale moved, seconded by Mr. Mather to adjust the exhibit attached to the Resolution, to indicate that the Uniform Allowance for Parks and Highways was increased by \$25. (over the previous amount)

The amendment **carried**. Ayes-18, Nays-0, Absent-1 (Coffey)

The resolution as amended **carried.** Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 19 held over by Mr. Schofield
RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CLARK PATTERSON MOSSEIN FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT THROUGH 1997.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 32 held over by Mr. Schofield
RESOLUTION DESIGNATING A NEWSPAPER PUBLISHED WITHIN BROOME COUNTY AS THE OFFICIAL NEWSPAPER FOR THE PUBLICATION OF ALL LAWS, NOTICES, AND OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED.

Mr. Miller moved, seconded by Mr. Wike that the resolution be amended to include a consortium of Broome County weekly papers as a 'second paper' designated for the publication of those legal notices required to be published in two papers. The amendment **carried.** Ayes-18, Nays-0, Absent-1 (Coffey)

The resolution as amended **carried.** Ayes-18, Nays-0, Absent-1 (Coffey)

The amended version of the resolution follows:
Additions are underlined and bolded.

RESOLUTION NO. 32 as amended at the Regular Session of 2/15/1996

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Whalen

RESOLUTION DESIGNATING NEWSPAPERS PUBLISHED

WITHIN BROOME COUNTY AS THE OFFICIAL NEWSPAPERS FOR THE PUBLICATION OF ALL LAWS, NOTICES, AND OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED.

WHEREAS, County Law Section 214, Subsection 2, requires the annual designation of at least two newspapers published within the County as official newspapers for the publications of all local laws, notices, and other matters required by law to be published, and

WHEREAS, County Law Section 214, Subsection 2, further states that "if there be but one newspaper having circulation in the County, that newspaper shall be designated", and

WHEREAS, this County Legislature desires to designate the Press & Sun-Bulletin as the official newspaper for the publication of all local laws, notices, and other matters required by law to be published, **and to designate a consortium of Broome County Weekly Papers consisting of THE DEPOSIT COURIER, THE WINDSOR STANDARD, THE COUNTRY COURIER, THE VESTAL TOWN CRIER, and THE VALLEY NEWS as official newspapers for the placement of all Broome County Legal Notices requiring publication in a second paper** now, therefore, be it

RESOLVED, that the Press & Sun-Bulletin is hereby designated pursuant to County Law Section 214, as the official newspaper for the publication of all local laws, notices, and other matters required by law to be published **and a consortium of Broome County Weekly Papers consisting of THE DEPOSIT COURIER, THE WINDSOR STANDARD, THE COUNTRY COURIER, THE VESTAL TOWN CRIER and THE VALLEY NEWS as official newspapers for the placement of all Broome County Legal Notices requiring publication in a second paper, and be it**

FURTHER RESOLVED, that the billing from the consortium and payments to the consortium shall reflect established rates for NYS Newspapers with authenticated circulation between 7,500 and 10,000.

RESOLUTIONS INTRODUCED AT THIS SESSION

RESOLUTION NO. 35

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH BUSINESS TELECOMMUNICATIONS SYSTEMS, INC., FOR INMATE CALLING SERVICES FOR THE BROOME COUNTY PUBLIC SAFETY FACILITY FOR 1996 THROUGH 2000.

WHEREAS, the Broome County Sheriff requests authorization for an agreement with Business Telecommunications Systems, Inc., for inmate calling services at the Broome County Public Safety Facility for the period January 1, 1996 through December 31, 2000, with all associated revenue directed to the Inmate Commissary Fund, and

WHEREAS, said services will provide outgoing telephone service by inmates at the Broome County Public Safety Facility, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Business Telecommunications Systems, Inc., 347 Lang Boulevard Grand Island, New York, 14072, for inmate calling services at the Broome County Public Safety Facility for the period January 1, 1996 through December 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said agreement, Business Telecommunications Systems, Inc., will pay, to the Inmate Commissary Fund pursuant to New York State Law, twenty-five percent (25%) of the monthly net revenue realized from said 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.

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

Ayes-17, Nays-1 (Whalen), Absent-1 (Coffey)

The resolution **carried**.

Ayes-13 Augostini, Burger, Holley, Howard, Hull, Lindsey, Mather, Miller, O'Day, Schofield, Sweet, Wike & Shafer

Nays-5 Cahill, Hudak, Kavulich, Pasquale & Whalen

Absent-1 Coffey

RESOLUTION NO. 36

by PUBLIC WORKS, TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT OF THE DEPARTMENT OF AVIATION FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT (PROJECT 3-36-0008-12-90) FOR PHASE IV RUNWAY EXTENSION AT THE BINGHAMTON REGIONAL AIRPORT.

WHEREAS, this County Legislature, by Resolution 144 of 1990, authorized the Department of Aviation Federal Aviation Administration Airport Improvement Program grant agreement (Project No. 3-36-008-12-90), Phase IV Runway Extension at the Binghamton Regional Airport in the amount of \$5,626,790.00, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment of the Department of Aviation's Federal Aviation Administration Airport Improvement Program grant agreement (Project No. 8-36-008-12-90), for Phase IV Runway Extension at the

Binghamton Regional Airport in the total amount of \$5,976,897.13, and be it

FURTHER RESOLVED, that Resolution 90-144 adopted March 27, 1990, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 37

by TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF BINGHAMTON METROPOLITAN TRANSPORTATION STUDY GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 110 of 1995, authorized and approved the renewal of the Binghamton Metropolitan Transportation Study Grant and adopted a program budget in the amount of \$251,550.00 for the period April 1, 1995 through March 31, 1996, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$244,314.00,

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 \$191,432.00 and a federal Transit Administration Section 8 grant in the amount of \$52,882.00, said grants totaling an amount of \$244,314.00 for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$244,314.00 for the period April 1, 1996 through March 31, 1997, and be it

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

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 38

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF THE ONGOING CHILD ABUSE PREVENTION AND EDUCATION GRANT

PROGRAM AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH.

WHEREAS, this County Legislature, by Resolution 105 of 1989, as amended by Resolutions 240 and 504 of 1990, 202 of 1991, 39 and 308 of 1992, 172 and 483 of 1993, 114 and 493 of 1994, and 195, 283 and 458 of 1995, authorized the continued participation in the Ongoing Child Abuse Prevention and Education Grant Program and adopted a program budget in connection therewith in the total amount of \$81,624.88, and

WHEREAS, it is necessary at this time to revise said program to include recent gifts/donations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Ongoing Child Abuse Prevention and Education Grant program in the total amount of \$83,257.38, 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 \$83,257.38, and be it

FURTHER RESOLVED, that Resolution 105 of 1989, as amended by Resolutions 240 and 504 of 1990, 202 of 1991, 39 and 308 of 1992, 172 and 483 of 1993, 114 and 493 of 1994, and 195, 283 and 458 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 39

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

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH O'BRIEN-KREITZBERG, INC., FOR CONSTRUCTION MANAGER SERVICES FOR THE PUBLIC SAFETY FACILITY FOR 1995.

WHEREAS, this County Legislature, by Resolution 545 of 1994, authorized an amendment of an agreement with O'Brien-Kreitzberg & Associates, Inc., for Construction Manager Services at the Public Safety Facility, at an increased cost of \$1,859,412.00 for a period ending on December 31, 1995, and

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

WHEREAS, the Commissioner of Public Works 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 O'Brien-Kreitzberg, Inc., 1515 Broadway, New York, New York, 10036, to increase the fee by \$74,484.00, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$1,933.896.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized

shall be made from budget line 035121.4746.501234 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 545 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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 40

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH THE AMERICAN CANCER SOCIETY FOR THE HEALTH DEPARTMENT BREAST AND CERVICAL CANCER DETECTION EDUCATION PROGRAM FOR 1995 AND 1996.

WHEREAS, this County Legislature, by Resolution 435 of 1995, authorized an agreement with the American Cancer Society for breast and cervical screening and data collection services for the Health Department Breast and Cervical Cancer Detection Education Program for the period September 1, 1995 through June 30, 1996, at a cost of \$9,240.00, and

WHEREAS, it is necessary to authorize an amendment of said agreement to include costs for FICA and Workers' Compensation, and

WHEREAS, the Commissioner of the Health Department has requested authorization for said amendment as approved to form by the

Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the American Cancer Society, 57 Front Street, Binghamton, New York, 13905, for breast and cervical screening and data collection services for the Health Department Breast and Cervical Cancer Detection Education Program, for the period September 1, 1995 through June 30, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$10,164.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480251.4458.102935 (Other Program Expenses), and be it

FURTHER RESOLVED, that Resolution 435 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 41

by HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENTS WITH MARY JEAN PALMITER AND PATRICIA BLAZEY FOR EVALUATIONS AND THERAPY FOR THE HEALTH DEPARTMENT DIVISION OF CHILD DEVELOPMENT EARLY INTERVENTION PROGRAM FOR 1996.

WHEREAS, the Health Department Division of Child Development Early Intervention Program requests authorization for agreements with Mary Jean Palmiter and Patricia Blazey for home-base services (cognitive and/or behavior evaluations and therapy) for March

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1, 1996 through December 31, 1996, at a total cost not to exceed budgeted rates, and

WHEREAS, said services are desired to provide additional home-based and/or natural setting services for patients of the Health Department Division of Child Development Early Intervention Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Mary Jean Palmiter, 3633 Leonard Drive, Endicott, New York, 13760, and Patricia Blazey, 265 Russell Road, Newark Valley, New York, 13811, for cognitive and/or behavior evaluations and therapy in home-based and/or natural settings, for the Health Department Division of Child Development Early Intervention Program, for the period March 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Mary Jean Palmiter and Patricia Blazey state mandated rates, total amounts not to exceed the budgetary amount for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480202.4701.101000 (Medical and Physical Exams) and 480202.4716.101000 (Home-based 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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 42

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO OLD NEWARK VALLEY ROAD BRIDGE REPLACEMENT PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake the Old Newark Valley Road Bridge Replacement Project (BIN 3349540, Project No. BR95-04), in the Town of Maine to replace the existing bridge with a low profile box culvert, and

WHEREAS, it has 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 project, and

WHEREAS, the aforementioned 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 the proposed Old Newark Valley Road Bridge Replacement Project (BIN 3349540, Project No. BR95-04), 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 Old Newark Valley Road Bridge Replacement Project (BIN 3349540, Project No. BR95-04), will not

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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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 43

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION DECLARING OLD NEWARK VALLEY ROAD BRIDGE REPLACEMENT PROJECT, TOWN OF MAINE, 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 Old Newark Valley Road Bridge Replacement Project (BIN 3349540, Project No. BR95-04), of the Department of Highways in the Town of Maine, has been identified as an unlisted action under the New York State Environmental Quality Review Act because it involves plans having no substantial effect on the environment in that it involves only replacement with a low profile box culvert in the same location, and

WHEREAS, the Department of Highways 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 excavation, pavement structure and guide rail, having no substantial effect on the environment, and that only two perpetual easements from two property owners will be required for the project, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Old Newark Valley Road Bridge Replacement Project (BIN 3349540, Project No. BR95-04), Town of Maine, 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 project in accordance with the design and specifications for said project.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 44

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO MAIN STREET CULVERT REPLACEMENT PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake the Main Street Culvert

Replacement Project (Project No. HW95-01), in the Town of Kirkwood to replace the existing culvert, and

WHEREAS, it has 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 project, and

WHEREAS, the aforementioned 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 the proposed Main Street Culvert Replacement Project (Project No. HW95-01), 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 Main Street Culvert Replacement Project (Project No. HW95-01), 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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 45

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION DECLARING MAIN STREET CULVERT

REPLACEMENT PROJECT, TOWN OF KIRKWOOD, 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 Main Street Culvert Replacement Project (Project No. HW95-01), of the Department of Highways in the Town of Kirkwood, has been identified as an unlisted action under the New York State Environmental Quality Review Act because it involves plans having no substantial effect on the environment in that it involves only replacement of the existing culvert, and

WHEREAS, the Department of Highways 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 installation of a low profile box culvert, pavement structure and guide rail, having no substantial effect on the environment, and that only two fees from two property owners will be required for the project, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the Main Street Culvert Replacement Project (Project No. HW95-01), Town of Kirkwood, 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 project in accordance with the design and specifications for said project.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 46

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO OLD VESTAL ROAD RECONSTRUCTION PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake the Old Vestal Road Reconstruction Project (No. HW95-02), in the Town of Vestal to improve the condition of the pavement, the work to include curb replacement, in-place recycling of pavement and asphalt concrete overlay, and

WHEREAS, it has 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 project, and

WHEREAS, the aforementioned 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 the proposed Old Vestal Road Reconstruction Project (No. HW95-02), 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 Old Vestal Road Reconstruction Project (No. HW95-02), 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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 47

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO KENYON ROAD BRIDGE PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake the Kenyon Road Bridge Project (No. BR96-01, BIN 3349590), in the Town of Nanticoke to perform minor rehabilitation, including steel and concrete replacement and painting, and

WHEREAS, it has 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 project, and

WHEREAS, the aforementioned 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 the proposed Kenyon Road Bridge Project (No. BR96-01, BIN 3349590), 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 Kenyon Road Bridge Project (No. BR96-01, BIN 3349590), 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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 48

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO KATTELVILLE ROAD BRIDGE PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake the Kattelville Road Bridge Project (No. BR96-02, BIN 3349140), in the Town of Chenango to perform minor rehabilitation, including abutments, wingwalls, and prestressed box beams, and

WHEREAS, it has 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 project, and

WHEREAS, the aforementioned 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 the proposed Kattelville Road Bridge Project (No. BR96-02, BIN 3349140), 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 Kattelville Road Bridge Project (No. BR96-02, BIN 3349140), 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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 49

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO

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GROVE STREET BRIDGE PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake the Grove Street Bridge Project (No. BR96-03, BIN 3349950), in the Town of Windsor to perform repairs to the steel and concrete and painting of the superstructure, and

WHEREAS, it has 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 project, and

WHEREAS, the aforementioned 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 the proposed Grove Street Bridge Project (No. BR96-03, BIN 3349950), 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 Grove Street Bridge Project (No. BR96-03, BIN 3349950), 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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 50

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO NORTH STREET CULVERT REPLACEMENT PROJECT AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to undertake the North Street Culvert Replacement Project (No. HW94-06), in the Town of Triangle to replace the existing culvert, including excavation, culvert placement, pavement structure and guide rail, and

WHEREAS, it has 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 project, and

WHEREAS, the aforementioned 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 the proposed North Street Culvert Replacement Project (No. HW94-06), 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 North Street Culvert Replacement

Project (No. HW94-06), 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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 51

by PUBLIC WORKS and ENVIRONMENT COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION DECLARING NORTH STREET CULVERT REPLACEMENT PROJECT, TOWN OF TRIANGLE, 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 North Street Culvert Replacement Project (No. HW94-06), of the Department of Highways in the Town of Triangle, has been identified as an unlisted action under the New York State Environmental Quality Review Act because it involves plans having no substantial effect on the environment in that it involves only replacement of the existing culvert, and

WHEREAS, the Department of Highways 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 excavation, culvert placement, pavement structure and guide rail, having no substantial effect on the environment, and that only fee from property owner will be required for the project, now, therefore, be it

RESOLVED, that this County Legislature hereby finds the North Street Culvert Replacement Project (No. HW94-06), Town of Triangle, 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 project in accordance with the design and specifications for said project.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 52

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH BROOME-DELAWARE-TIOGA BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES), FOR INTERNET ACCESS AND RELATED SERVICES FOR THE DIVISION OF INFORMATION SERVICES FOR 1996.

WHEREAS, the Director of Information Services requests authorization for an agreement with Broome-Delaware-Tioga Board of Cooperative Educational Services (BOCES) for internet access and

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related services for the period February 1, 1996 through December 31, 1996, at a cost not to exceed \$8,500.00, and

WHEREAS, said services are necessary to provide access to the Internet for County departments, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome-Delaware-Tioga Board of Cooperative Educational Services (BOCES), for internet access and related services, for the period February 1, 1996 through December 31, 1996, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$8,500.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 841007.4373.304000 (Subscriptions) and 370007.4726.101000 (Contracted Data Processing 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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 53

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

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH FAIRVIEW HALFWAY HOUSE, FOR INSTALLATION OF A LOCAL AREA NETWORK AND CONSULTING SERVICES BY THE DIVISION OF INFORMATION SERVICES FOR 1996.

WHEREAS, the Director of Information Services requests authorization for an agreement with Fairview Halfway House for

installation of a Local Area Network and of consulting services by the Division of Information Services for compensation of an estimated amount of \$4,200.00 for the period February 1, 1996 through December 31, 1999, and

WHEREAS, the providing of these services will facilitate the implementation of a managed care system for providers of mental health services including the Broome County Department of Mental Health, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Fairview Halfway House, 110 Fairview Avenue, Binghamton, New York, 13904, for the Division of Information Services to install a Local Area Network and provide consulting services, for the period February 1, 1996 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall be compensated in an estimated amount of \$4,200.00, and be it

FURTHER RESOLVED, that the amounts hereinabove authorized shall be credited to budget line 370007.0027.101000 (Misc. Revenue), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 54

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

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR

AGING COMMUNITY SERVICES FOR THE ELDERLY GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.

WHEREAS, this County Legislature, by Resolution 130 of 1995, authorized the continued participation by the Office for Aging in the Community Services for the Elderly Grant Program for the period April 1, 1995 through March 31, 1996, and adopted a program budget in connection therewith in the total amount of \$322,945.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Community Services for the Elderly Grant for the period April 1, 1995 through March 31, 1996, in the total amount of \$323,230.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$323,230.00 for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that Resolution 130 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 55

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Pasquale

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

WHEREAS, this County Legislature, by Resolution 131 of 1995, authorized the continued participation by the Office for Aging in the Expanded In-Home Services for the Elderly Program (EISEP) for the period April 1, 1995 through March 31, 1996, and adopted a program budget in connection therewith in the total amount of \$460,189.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Expanded In-Home Services for the Elderly Program (EISEP) for the period April 1, 1995 through March 31, 1996, in the total amount of \$505,193.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$505,193.00 for the period April 1, 1995 through March 31, 1996, and be it

FURTHER RESOLVED, that Resolution 131 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 56

by PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING LABOR AGREEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION (CSEA) FOR JANUARY 1, 1996 THROUGH DECEMBER 31, 1998.

WHEREAS, the County of Broome, under the provisions of the Civil Service Law (Taylor Law), has heretofore recognized CSEA as an employee organization for those certain Broome County employees represented by said Union, and

WHEREAS, this County Legislation, by Resolution No. 64 of 1994, authorized a written agreement with the CSEA setting forth the terms and conditions of employment for those employees represented by said Union for the period January 1, 1993 through December 31, 1995, and

WHEREAS, a tentative agreement has been reached with CSEA for the period January 1, 1996 through December 31, 1998, and

WHEREAS, it is desired at this time to renew said labor agreement on the terms and conditions set forth in the Memo of Agreement on file with the Clerk of this Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with CSEA, setting forth the terms and conditions of employment for those employees represented by said Union, for the period January 1, 1996, through December 31, 1998, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 1994 written labor agreement with the exception of those changes listed on Exhibit "A" attached hereto, 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.

EXHIBIT A:

Relating to the tentative agreement which has been reached with CSEA. A summary of the agreement follows:

Compensation 1/1/96 2% general wage increase (this was budgeted)

 1/1/97 3% general wage increase

1/1/98 3.5% general wage increase

Overtime Language changes so that overtime rate of time and one half will be paid only over 40 hours per week instead of 37.5.

Also, changes in overtime calculations so that paid vacation and compensatory time will no longer be counted as hours worked.

Holidays Effective 1/1/97 all floating holidays (Martin Luther King Day, Lincoln's Birthday, Election Day and Columbus Day) become holidays. Allows offices to close which reduces cost of opening, heating, etc. of buildings.

Sick Leave Clarify use of sick time as it relates to the Family & Medical

Leave Act. Change when employer may require proof of illness. Purpose of change is to still give employer ability to seek verification and address misuse of time but also makes it harder to use this to harass employees.

Disability Employee must use all accumulated sick time or 20 days whichever is less before they can collect disability benefit.

Donation of Sick Time Allows employees to donate sick time to co-worker who has exhausted sick time and disability benefits due to extended illness. Such donation is limited to one (1) day donated per instance and is subject to Personnel Officer's approval.

Travel Change when travel is reimbursed so that County is able to maximize use of employees. Primarily a Health Department issue.

Labor Management Committee Add requirement to have departmental committees where County or CSEA see the need.

Public Benefit Corp Provide protection to employees in the event Public Benefit Corporations are established.

In the event that any County function normally performed by members of the bargaining unit is transferred to a Public Benefit Corporation created by or at the request of the County, the County agrees that those affected employees shall continue to be represented by CSEA and shall continue to be covered by

all of the provisions of this agreement until such time as a successor agreement may be negotiated with the Public Benefit Corporation.

Several compensation items in the 1993-1995 labor agreement have resulted in problems administering the salary plans, budgeting and increased the chance of errors. We have agreed to return to the practice of publishing salary schedules with all increments identified. Currently only minimum and maximums are published. In addition, by the end of this agreement all employees will be "on step" once again. To accomplish this some salaries will be adjusted upward effective January 1, 1996. This is because we believe some individuals are currently below where we think they should be. This adjustment will cost approximately \$7,000. Other individuals who we believe are over the step they should be on will receive a smaller increment in 1996. This will result in a savings over what was budgeted for those individuals.

Another area of concern is with promotions. We have agreed to return to the pre-1993 way of calculating promotions. This makes calculations and budgeting easier and reduces the risk of error.

Several other items were changed to provide clarification or corrections.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 57

by FINANCE, TRANSPORTATION, PUBLIC SAFETY & EMERGENCY SERVICES, HEALTH SERVICES, PUBLIC WORKS, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and ENVIRONMENT COMMITTEES

Seconded by Mr. Burger

RESOLUTION AUTHORIZING 1995 TRANSFER OF FUNDS

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FOR THE DEPARTMENTS OF AVIATION, EMERGENCY SERVICES, HEALTH, HIGHWAY, LAW, MENTAL HEALTH, SHERIFF, SOLID WASTE MANAGEMENT, AND WILLOW POINT NURSING HOME.

RESOLVED, that in accordance with a request from the Department of Aviation, in order to provide funds for weather associated overtime and stand-by pay; temporary salaries for the parking lot, and increase for shift differential costs. The additional equipment repair cost was due to an unexpected engine replacement on a snow plow, as requested by BT# 9519 , 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	210203	1000	207000	Salaries, Full-Time	
					\$ 3,000
	210203	1500	207000	Salaries, Part-Time	
					\$ 1,000
	210203	1902	207000	Disability, 207C	
					\$30,000
TO :	210203	1600	207000	Salaries, Temporary	
					\$ 3,250
	210203	1700	207000	Salaries, Overtime	
					\$10,100
	210203	1900	207000	Salaries, Shift Differential	\$
					300
	210203	1930	207000	Stand-by Pay	\$
					3,350
	210088	4441	207000	Motor Equipment Repair	
					\$17,000
					and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Emergency Services, in order to provide funds for under budgeted salaries for 1995, as requested by BT# 010015 , 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	670141	4586	103000	Home Relief	
					\$30,543
	460006	8010	101000	Retirement	\$
					2,778
TO :	460006	1000	101000	Salaries, Full-Time	
					\$ 6,571
	460006	1600	101000	Salaries, Temporary	
					\$16,292
	460006	1700	101000	Salaries, Overtime	
					\$ 7,680
	460006	8030	101000	Social Security	\$
					2,778
					and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health, in order to provide funds for incurred and projected expenses, as requested by BT# 9651 , 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>

FROM: 480251 4610 102904 Personal Svces., Chargeback
\$ 950

TO : 480251 4617 102904 Duplicat./Print, Chargeback
\$ 550

480251 8060 102904 Health Insurance \$
400
and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Health , in order to provide funds for incurred and projected expenses, as requested by BT# 9650, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	480251	8060	102902	Health Insurance	\$

30

TO : 480251 8063 102902 Disability Insurance \$
30
and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Highways, in order to provide funds for excessive year end snow removal, as requested by BT# 8373, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>

FROM: 030122 1600 301000 Salaries, Temporary
 \$ 8,290
 030122 1000 301000 Salaries, Full-Time
 \$ 4,000

TO : 030122 1700 301000 Salaries, Overtime
 \$11,120
 030122 1910 301000 Salaries, Out of Title \$
1,170
and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Highways , in order to provide funds for increased costs of liquid asphalt per contract, as requested by BT# 9901, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Amount</u>
<u>Code</u>	<u>object</u>	<u>Code</u> <u>Title</u>	
FROM: 030122	1000	301000 Salaries, Full-Time	\$27,600
TO : 030122	4300	301000 Materials & Support Surface Treatment	\$27,600

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Law , in order to provide funds for extraordinary legal charges, as requested by BT# 10016, 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:	670141	4586	103000	Home Relief	\$
					6,900
TO :	390005	4738	101000	Legal Charges	
					\$ 6,900

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Mental Health, in order to provide funds for termination payout to employee who has resigned after being on long-term disability and leave of absence, as requested by BT# 9283, 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:	470112	1600	102906	Salaries, Temporary	
					\$ 290
TO :	470112	1000	102906	Salaries, Full-Time	
					\$ 290

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff, in order to provide funds for overtime and other compensation costs, as requested by BT#s 10018, 10019, and 10035, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	450023	4619	101000	Bldg Service CB	
					\$104,933
	450049	1000	101000	Salaries, Full-Time	
					\$12,087
	450049	8010	101000	State Retirement	\$
					8,000
	450056	1000	101000	Salaries, Full-Time	
					\$ 6,000
	450056	1700	101000	Salaries, Overtime	
					\$ 6,354
	450056	1940	101000	Other Personal Services	
					\$ 1,415

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	450072	8060	101000	Health Insurance	\$
					3,960
	450007	2480	101000	Law Enforcement Equipment	
					\$ 3,100
	450023	1000	101000	Salaries, Full-Time	
					\$150,500
	450023	8060	101000	Health Insurance	
					\$50,000
	450023	8010	101000	State Retirement	
					\$10,748
TO :	450015	1902	101000	Disability 207C	
					\$23,799

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6,775	450015 8030	101000	Social Security	\$
5,849	450015 8060	101000	Health Insurance	\$
\$16,657	450049 1700	101000	Salaries, Overtime	
\$ 3,430	450049 8040	101000	Workers Compensation	
\$ 3,760	450064 1700	101000	Salaries, Overtime	
\$ 200	450064 1940	101000	Other Personal Services	
\$ 2,227	450072 1700	101000	Salaries, Overtime	
\$ 1,317	450007 1000	101000	Salaries, Full-Time	
\$ 906	450007 1600	101000	Salaries, Temporary	
\$16,544	450007 1700	101000	Salaries, Overtime	
1,248	450007 8030	101000	Social Security	\$
\$256,862	450023 1700	101000	Salaries, Overtime	
2,061	450023 1930	101000	Stand By Pay	\$
\$ 1,600	450023 1940	101000	Other Personal Services	
8,477	450023 8030	101000	Social Security	\$
\$ 5,385	450023 8040	101000	Workers Compensation	

and be it

FURTHER RESOLVED, that in accordance with a request from the Department of Solid Waste Management, in order to provide funds for salaries and fringes in the appropriate administrative units, as requested by BT#s 9550 and 9551, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	230086	1600	206000	Salaries, Temporary	
					\$ 1,500
	230086	1700	206000	Salaries, Overtime	
					\$ 1,500
	230086	1000	206000	Salaries, Full-Time	
					\$ 3,000
	230078	1000	206000	Salaries, Full-Time	
					\$13,221
	230078	1600	206000	Salaries, Temporary	
					\$ 5,000
TO :	230086	1910	206000	Out of Title Pay	\$
					3,116
	230086	8040	206000	Workers Compensation	
					\$ 3,213
	230086	8060	206000	Health Insurance	\$
					1,394
	230086	8063	206000	Disability Insurance	\$
					53
	230060	1000	206000	Salaries, Full-time	
					\$15,000
	230060	1600	206000	Salaries, Temporary	
					\$ 445

230060 8030 206000 Social Security \$
 1,000
 and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for overexpended line, as requested by BT# 9883, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160200	4365	204000	Prescription Drugs	
	\$ 710				
TO :	160077	8040	204000	Workers Compensation	
	\$ 10				
	160127	1930	204000	Stand By Pay	\$
290					
	160143	1700	204000	Salaries, Overtime	
	\$ 300				
	160150	1700	204000	Salaries, Overtime	
	\$ 50				
	160176	8040	204000	Workers Compensation	
	\$ 60				

and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for overexpended lines, as requested by BT# 9810, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160028	1000	204000	Salaries, Full-Time	
	\$ 4,500				
	160077	4319	204000	Office Supplies	\$
25					
TO :	160028	1500	204000	Salaries, Part-Time	
	\$ 500				
	160028	1600	204000	Salaries, Temporary	
	\$ 4,000				
	160077	8040	204000	Workers Compensation	
	\$ 25				

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 58

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH RESEARCH FOUNDATION OF STATE UNIVERSITY OF NEW YORK FOR PSYCHOLOGICAL SERVICES IN CONNECTION WITH THE PROBATION DEPARTMENT'S PERSONS IN NEED OF SUPERVISION (PINS) PROGRAM FOR 1996.

WHEREAS, this County Legislature, by Resolution 685 of 1994, authorized an agreement with Research Foundation of State University of New York for psychological services in connection with the Probation Department's PINS Program at a cost of \$9,000.00 for calendar year

1995, and

WHEREAS, said agreement expires by its terms on December 31, 1995, and it is desired at this time to renew said agreement for the period of January 1, 1996 through May 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 Research Foundation of State University of New York, P.O. Box 9, Albany, New York, 12201-0009, for psychological services in connection with the Probation Department's PINS Program for the period January 1, 1996 through May 31, 1996, 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 280024.4715.101000 (Other Health and Medical Services), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 59

by FINANCE COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON TAX ROLLS FOR 1996.

WHEREAS, applications for correction of errors on tax rolls for 1996 have been duly filed with the Director of Real Property Tax Service for the County of Broome, and

WHEREAS, the Director of Real Property Tax Service has filed a report pursuant to Section 554 of the Real Property Tax Law and certain claimed errors have been determined to exist which should be corrected, now, therefore, be it

RESOLVED, that this County Legislature hereby approves the applications for correction and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bills in accordance with the list attached hereto as Exhibit "A" pursuant to Section 554 of the Real Property Tax Law, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is hereby directed to transmit a copy of this resolution and a copy of the approved applications to each tax officer having jurisdiction of the respective tax rolls.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 60

by PERSONNEL, PUBLIC SAFETY & EMERGENCY SERVICES,
HEALTH AND FINANCE COMMITTEES

Seconded by Mr. Augostini

**RESOLUTION AUTHORIZING PERSONNEL CHANGE
REQUESTS FOR THE DEPARTMENTS RISK AND
INSURANCE, DISTRICT ATTORNEY AND THE WILLOW
POINT NURSING HOME.**

RESOLVED, that in accordance with a request from the Department of Risk and Insurance, as contained in PCR# 96-263, this County Legislature hereby authorizes the **change** of one (1) Safety/Wellness Specialist position at budget line S050062.1000, minimum salary \$23,960, Grade 17, Union Code 09 (Admin) to one (1) Workers' Compensation Analyst/Trainee position at budget line S050062.1000, minimum salary \$22,811/\$20,695, Grade 16/14, Union Code 09 (Admin), effective February 26, 1996, and be it

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FURTHER RESOLVED, that in accordance with a request from the District Attorney, as contained in PCR# 96-80, this County Legislature hereby authorizes the **upgrade** of two (2) Investigator - District Attorney positions at budget line A330001.1000, minimum salary \$28,646, Grade 21, Union Code 09 (Admin) to two (2) Investigator-District Attorney positions at budget line A330001.1000, minimum salary \$30,119, Grade 22, Union Code 09 (Admin) effective January 1, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-269, this County Legislature hereby authorizes the **creation** of six (6) part-time CNA/NAT (HT) positions at budget line WC160085.1500, minimum salary \$6.69/hr (\$14,016/Annual), Grade 06, Union Code 04 (CSEA) and the **deletion** of three(3) full-time CNA/NAT positions at budget line WC160085.1000, minimum salary \$14,016, Grade 06, Union Code 04 (CSEA), effective January 29, 1996, and be it

FURTHER RESOLVED, that to provide funding for PCR# 96-269, the Commissioner of Finance his hereby authorized to make the following transfer of funds:

<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM: 160085	1000	204000	Salaries, Full-Time	\$42,522
TO :	160085	1500	204000	Salaries, Part-Time
				\$42,522

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 61

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

Seconded by Mr. Miller

RESOLUTION AUTHORIZING 1996 TRANSFER OF FUNDS FOR THE DEPARTMENTS OF HIGHWAYS AND SHERIFF.

RESOLVED, that in accordance with a request from the Department of Highways, in order to provide funds to cover snow contract with towns in 1996, as requested by BT# 8375, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Amount</u>
<u>Code</u>	<u>object</u>	<u>Code</u> <u>Title</u>	
FROM: 080028	1600	301000 Salaries, Temporary	\$103,837
	080028 1700	301000 Salaries, Overtime	\$44,800
	080028 2490	301000 Other Operating Equipment	\$12,000
	080028 4341	301000 Motor Equipment Supplies	\$70,000
	080028 4305	301000 Social Security	\$11,371
	080028 4305	301000 Snow Removal - Materials	\$56,828
TO :	080028 4572	301000 Outside Rental-Machines	\$298,836

and be it

FURTHER RESOLVED, that in accordance with a request from the Sheriff , in order to provide funds for expenses related to travel for prospective candidates for Administrator for the Public Safety Facility, as requested by BT# 10014, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index</u>	<u>Sub-</u>	<u>Project</u>	<u>Amount</u>
<u>Code</u>	<u>object</u>	<u>Code</u> <u>Title</u>	
FROM: 450023	1000	101000 Salaries, Full-Time	\$ 1,500
TO : 450023	4465	101000 Non-Employee Travel	\$ 1,500

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 62

by COMMUNITY & SOCIAL SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF CHILD ASSISTANCE PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 125 of 1995, authorized and approved the Department of Social Services Child Assistance Program Grant and adopted a program budget in the amount of \$453,185.00 for April 1, 1995 through March 31, 1996, and

WHEREAS, it is desired to renew said grant program for the period April 1, 1996 through March 31, 1997, in the amount of \$470,178.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$470,178.00 from the New York State Department of Social Services for the Child Assistance Program Grant for the period April 1, 1996 through March 31, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$470,178.00 for the period April 1, 1996 through March 31, 1997, and be it

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

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 63

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

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF THE FOOD STAMP EMPLOYMENT AND TRAINING GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1995 THROUGH 1996.

WHEREAS, this County Legislature, by Resolution 403 of 1995, authorized the continued participation by the Department of Social Services in the Food Stamp Employment and Training Grant Program for the period October 1, 1995 through September 30, 1996, and adopted a program budget in connection therewith in the total amount of \$63,000.00, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Department of Social Services Food Stamp Employment and Training Grant for the period October 1, 1995 through September 30, 1996, in the total amount of \$70,845.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$70,845.00 for the period October 1, 1995 through September 30, 1996, and be it

FURTHER RESOLVED, that Resolution 403 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 64

by ENVIRONMENT and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AN AGREEMENT WITH HAWK ENGINEERING, FOR PROFESSIONAL ENGINEERING SERVICES IN RELATION TO THE PARTIAL CLOSURE OF SECTION II OF THE NANTICOKE SANITARY LANDFILL.

WHEREAS, the Division of Solid Waste Management has

requested proposals from professional engineering firms to provide professional engineering services associated with the partial closure of Section II of the Nanticoke Sanitary Landfill, and

WHEREAS, said professional engineering services shall include the development of a Closure Investigation Report and Closure Design, and

WHEREAS, the Division of Solid Waste Management has recommended Hawk Engineering as the firm to be retained to perform the professional engineering services required, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Hawk Engineering, for professional engineering services associated with the partial closure of Section II of the Nanticoke Sanitary Landfill, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$50,647 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4545.502266 (Contracted 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-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 65

by FINANCE COMMITTEE

Seconded by Mr. Cahill

AMENDATORY BOND RESOLUTION DATED FEBRUARY 15, 1996.

A RESOLUTION AMENDING A BOND RESOLUTION DATED JANUARY 20, 1994, HERETOFORE ADOPTED BY THE

COUNTY LEGISLATURE OF THE COUNTY OF BROOME, NEW YORK, ON SUCH DATE, WITH RESPECT TO THE MAXIMUM ESTIMATED COST AUTHORIZED AND THE PLAN OF FINANCING THEREFOR.

WHEREAS, the bond resolution adopted by the County Legislature on January 20, 1994, (Resolution No. 93-652) set forth a maximum estimated cost for the replacement of transit coaches (Project Code Q-56) at \$3,400,000; and

WHEREAS, the costs necessary in connection with the replacement of such transit coaches are now estimated to be \$3,910,000; and

WHEREAS, it is the intent of this County Legislature to revise the maximum estimated cost for this project, as well as the plan of financing therefor, in light thereof, now, therefore, be it,

RESOLVED, by the County Legislature of the County of Broome as follows:

Section 1.Section 1 of the bond resolution referenced in the preambles hereto is hereby amended, in part, so that the following description of Project Code Q-56 shall read as follows:

<u>Project Code</u>	<u>Project Name/P.P.U./L.F.L. §11.00(a)</u>	<u>Maximum Estimated Cost</u>
Q-56	Replacement of transit coaches; being a class of objects or purposes; five years, subdivision 29	\$3,910,000

Section 2.Section 3 of said bond resolution is also hereby amended so that the aggregate maximum estimated cost as set forth therein as increased by \$510,000, and with the amount of serial bonds to be issued increased by \$102,000 and the plan of financing set forth therein amended as follows:

Project	Project	Estimated Serial	Estimated State	Estimated Federal
---------	---------	------------------	-----------------	-------------------

<u>Code</u>	<u>Name</u>	<u>Bonds</u>	<u>Money</u>	<u>Money</u>
Q-56	Replacement of transit coaches		\$782,000	\$391,000

The amount of serial bonds authorized to be issued shall be reduced from the \$391,000 anticipated to be received from the State.

Section 3. This resolution, to the extent inconsistent with Resolution 652 of 1993, supersedes and amends said prior bond resolution.

Section 4. 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 as of 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 publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 5. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press and Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 66

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Kavulich

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 4, 1996, ENTITLED: "A LOCAL LAW AMENDING LOCAL LAW NO. 5 OF 1991, ENTITLED: "A LOCAL LAW ESTABLISHING COUNTY HISTORIAN FEES."

RESOLVED, that Local Law Intro. No. 4, 1996, entitled: "A Local Law Amending Local Law No. 5 of 1991, entitled: "A Local Law Establishing County Historian Fees," be and the same hereby is adopted and approved in accordance with the Broome County Charter, the Municipal Home Rule Law, and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 4, 1996
A LOCAL LAW AMENDING LOCAL LAW NO. 5 OF 1991,
ENTITLED: "A LOCAL LAW ESTABLISHING COUNTY
HISTORIAN FEES."**

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

Section 1.Section 2 of Local Law No. 5 of 1991 is hereby amended to read as follows:

Section 2 Schedule of Fees

- (a)The following fees are established for the Office of the County Historian
- 1.Photocopy charges, the charge shall be [~~\$.15~~] \$.20 per copy.
 - 2.Research fees for out-of-state inquiries requiring searching records and files, the charge shall be [~~\$5.00~~] \$10.00 per search.

Section 2.This Local Law shall take effect immediately upon its filing with the Secretary of State following a public hearing

before and approval by the County Executive in a manner provided by Law.

Note: Material underlined is added. Material in [brackets] is deleted.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 67

by PERSONNEL COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING REVISION OF HOURLY RATE SCHEDULE FOR NON-UNION, TEMPORARY AND SEASONAL EMPLOYEES EFFECTIVE FOR 1996.

WHEREAS, this County Legislature, by Resolutions 424, 580 and 605 of 1991, as amended by Resolutions 362 of 1992, 74 and 646 of 1993, 507 and 664 of 1994, and 575 of 1995, authorized hourly rates for various non-union, temporary and seasonal employees, and

WHEREAS, it is desired at this time to amend the hourly rate schedule for 1996, now, therefore, be it

RESOLVED, that this County Legislature hereby amends the hourly rate schedule for non-union, temporary, seasonal and miscellaneous employees for 1996, and be it

FURTHER RESOLVED, that the effective date of said amendments shall be January 1, 1996.

SALARY SCHEDULE CHANGES

**NON-UNION HOURLY, TEMPORARY, SEASONAL,
& MISCELLANEOUS EMPLOYEES**

The provisions of the Fair Labor Standards Act will apply to the positions listed on the schedule. All rates are effective January 1, 1996.

	Current	Proposed
	Hourly	Hourly
<u>Department/Title</u>	<u>Rate</u>	<u>Rate</u>

Project

Total	Distribution of Costs: County Sources:				
<u>Cost</u>	<u>NYSEG</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$132,500	\$39,451	\$0	\$93,049	\$0	\$93,049

Description: In cooperation with NYSEG replace transmitter tower at Tuscarora Mt. site (class B structure) increasing radio coverage for eastern Broome and allowing addition of an ambulance/hospital link. Includes purchase of modular transmitter building, emergency generator and other equipment as required by NYSEG.

Complete within the fiscal period and with reduction in operating costs.

TO:

Project	Project	Year	Period
	Probable		
<u>Code</u>	<u>Title</u>	<u>FAMIS Code</u>	<u>Start</u> <u>Use</u>
Z-23	Tuscarora Mt. - Transmitter	502247	1995
10	Replacement		

TO:

Total	Distribution of Costs: County Sources:				
<u>Cost</u>	<u>NYSEG</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$110,000	\$39,451	\$0	\$70,549	\$0	\$70,549

Description: In cooperation with NYSEG replace transmitter tower at Tuscarora Mt. site (class B structure) increasing radio coverage for eastern Broome and allowing addition of an ambulance/hospital link. Includes other equipment as required by NYSEG. Complete within the fiscal period and with reduction in operating costs, and be it,

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

FROM:

Project	Project		Year	Period
<u>Code</u>	<u>Title</u>	<u>FAMIS Code</u>	<u>Start</u>	<u>Use</u>
Z-60	Taft Ave. - Transmit Tower		502248	1995
10	Replacement			

Project

Total	Distribution of Costs: County Sources:				
<u>Cost</u>	<u>NYSEG</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>
\$83,000	\$0	\$0	\$83,000	\$0	\$83,000

Description: Replace use of transmitter tower at Taft Avenue site increasing radio coverage for Western Broome and eliminating dead-end spur. Complete within the fiscal period and with no stated impact upon operating budget.

TO:

Project	Project		Year	Period
<u>Code</u>	<u>Title</u>	<u>FAMIS Code</u>	<u>Start</u>	<u>Use</u>
Z-60	Taft Avenue-Transmit Tower		502248	1995
10	Replacement			

Project

Total	Distribution of Costs: County Sources:				
<u>Cost</u>	<u>NYSEG</u>	<u>State</u>	<u>County</u>	<u>Bond</u>	<u>Transfer</u>

\$105,500 \$0 \$0 \$105,500 \$0 \$105,500

Description: Replace use of transmitter tower at Taft Avenue site increasing radio coverage for Western Broome and eliminating dead-end spur. Includes purchase of modular transmitter building and emergency generator. Complete within the fiscal period and with no stated impact upon operating budget.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 69

by TRANSPORTATION and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AMENDMENT OF THE NEW YORK STATE GRANT AGREEMENT FOR PIN NO. 9910-22 AT THE BINGHAMTON REGIONAL AIRPORT FOR RUNWAY EXTENSION PROJECT PHASE IV.

WHEREAS, the County Legislature, by Resolution 438 of 1991, authorized the participation by the Broome County Department of Aviation in the New York State Department of Transportation Grant agreement concerning the Airport Improvement Program (NYSDOT PIN No. 9910.22), Phase IV of the Runway Extension Project in the amount of \$2,339,620.00, and

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

RESOLVED, that this County Legislature hereby authorizes an

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amendment of the Department of Aviation's New York State Department of Transportation Grant Agreement concerning the Airport Improvement Program (NYSDOT PIN No. 9910.22), Phase IV of the Runway Extension Project in the total amount of \$2,505,897.00, and be it

FURTHER RESOLVED, that Resolution 438 of 1991, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 70

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH BROOME LEGAL ASSISTANCE CORPORATION FOR THE PARTIAL HANDLING OF ASSIGNED COUNSEL CASES UNDER THE NEW YORK STATE FAMILY COURT ACT.

WHEREAS, this County Legislature, by Resolution 44 of 1994, as amended by Resolution 255 of 1995, authorized an agreement with Broome Legal Assistance Corporation to provide for partial handling of assigned counsel cases in Broome County Family Court for residents of Broome County who are indigent and cannot afford their own attorney, at a cost of \$110,000.00, and

WHEREAS, said services are necessary to provide attorneys in Broome County Family Court for residents of Broome County who are indigent and cannot afford their own attorney, and

WHEREAS, said agreement expires by its terms on February 29, 1996, 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 Broome Legal Assistance Corporation for partial handling of assigned counsel cases in Broome County Family Court for the period March 1, 1996 through February 28, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor, an amount not to exceed \$75,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 900274.4738.101000 (Assigned Counsel), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 71

by PUBLIC SAFETY & EMERGENCY SERVICES COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION OPPOSING THE ELIMINATION OF STATE REIMBURSEMENT FOR HAVING D AND E AND CERTAIN CLASS C DRUG FELONS IN COUNTY JAILS.

WHEREAS, the State of New York reimburses County jails for having D and E and certain Class C drug felons in County jails, and

WHEREAS, the Sheriff's Department has budgeted \$181,050.00 in the 1996 budget for said reimbursement, and

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WHEREAS, the New York State Sheriff's Association has advised that the possibility exists that this State funding will be eliminated in the 1996-97 State budget, and

WHEREAS, the elimination of this funding would create another unfunded mandate resulting in a budget deficit in the Sheriff's Department budget, now, therefore, be it

RESOLVED, that this County Legislature opposes the elimination of State reimbursement for housing Class D and E and certain Class C drug felons in County jails, and be it

FURTHER RESOLVED, the Clerk is directed to forward copies of this Resolution to Governor George E. Pataki, Hon. Joseph L. Bruno, Senate Majority Leader; Hon. Sheldon Silver, Speaker of the Assembly; Senator Thomas W. Libous; Member of the Assembly Jay J. Dinga; and Member of the Assembly Robert J. Warner.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 72

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY ECONOMIC DEVELOPMENT ADVISORY COUNCIL.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution 155 of 1994, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Economic Development Advisory Council for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
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Mary Clark	12/31/96
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c/o Citizen Action

30 State Street

Binghamton, New York 13901

Sedessia Spivey 12/31/96
c/o S & W Innovative Solutions
349 Chenango Street
Binghamton, New York 13901
and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 155 of 1994, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 155 of 1994, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Economic Development Advisory Council in accordance with their appointment by the County Executive.

Carried. Ayes-17, Nays-1 Hudak, Absent-1 (Coffey)

RESOLUTION NO. 73

by EDUCATION, CULTURE & RECREATION COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE CENTRAL LIBRARY BOARD OF TRUSTEES.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution 221 of 1984, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Central Library Board of Trustees for the terms indicated:

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
Lynne Lacey 9 Oak Street Binghamton, New York 13905	12/31/2000

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James Leonard
1310 North Street
Endicott, New York 13760
and

12/31/2000

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 221 of 1984, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 221 of 1984, does hereby confirm the appointments of the above-named individuals to membership on the Central Library Board of Trustees in accordance with their appointment by the County Executive.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 74

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mr. O'Day

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE PLANNING AND ECONOMIC DEVELOPMENT ADVISORY BOARD.

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

<u>NAME</u>	<u>TERM EXPIRING</u>
William Brunner 1018 S. Pines Drive Endwell, New York 13760	12/31/99

Eugene Hulbert
59 Travis Avenue
Binghamton, New York 13904
and

12/31/99

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XV of the Broome County Charter, does hereby confirm the appointments of the above-named individuals to membership on the Planning and Economic Development Advisory Board in accordance with their appointment by the County Executive.

Carried. Ayes-17, Nays-1 (Hudak), Absent-1 (Coffey)

RESOLUTION NO. 75

by ENVIRONMENT COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE ENVIRONMENTAL MANAGEMENT COUNCIL BOARD OF DIRECTORS.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976, and Resolution 341 of 1980, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Environmental Management Council Board of Directors for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
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Nancy A. Burnett 152 Upper Stella Ireland Road	12/31/97
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Binghamton, New York 13905

Kurt Nelson 12/31/97
224 Bevier Street
Binghamton, New York 13904

Paul Smith 12/31/97
8 Murray Street
Binghamton, New York 13905

Cynthia Westerman 12/31/97
116 Carol Avenue
Vestal, New York 13850

Kevin Mathers 12/31/97
840 Front Street
Binghamton, New York 13905
(Rep. Cornell Co-op Ext.)

Frank Cism 12/31/97
2856 Route 79
Harpursville, New York 13787
(Rep. Town of Colesville CAC)

Virginia Oggins 12/31/97
412 Pierce Hill Road
Vestal, New York 13850
(Rep. Town of Vestal CAC)

Jim Hylind 12/31/97
1 Sturges Street
Binghamton, New York 13901

Ruth Levin
517 Harvard Street
Vestal, New York 13850

12/31/97

Patricia Sblendorio
CIW #06473
P.O. Box 6006
Binghamton, New York 13902
and

8/31/96

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976, and Resolution 341 of 1980, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution 277 of 1971, Resolution 64 of 1973, Resolution 366 of 1976, and Resolution 341 of 1980, does hereby confirm the appointments of the above-named individuals to membership on the Environmental Management Council Board of Directors in accordance with their appointment by the County Executive.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 76

by HEALTH SERVICES COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE WILLOW POINT NURSING FACILITY BOARD OF DIRECTORS.

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Article XIV of the Broome County Charter and Administrative Code, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Willow Point Nursing Facility Board of Directors for the terms indicated:

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<u>NAME</u>	<u>TERM EXPIRING</u>
Shirley Tamulis 38 West End Avenue Binghamton, New York 13905	12/31/98
Joseph Sanfilippo 44 Crestmont Road Binghamton, New York 13905	12/31/98
Norma McAvoy 38 Belden Street Binghamton, New York 13903	12/31/98
Mary Lynn Deus 46 Rugby Road Binghamton, New York 13905	12/31/98
Ruth Davis 628 Rano Boulevard Vestal, New York 13850 and	12/31/98

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XIV of the Broome County Charter and Administrative Code, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article XIV of the Broome County Charter and Administrative Code, does hereby confirm the appointments of the above-named individuals to membership on the Willow Point Nursing Facility Board of Directors in accordance with their appointment by the County Executive.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 77

by EDUCATION, CULTURE & RECREATION COMMITTEE

Seconded by Mr. Pasquale

**RESOLUTION CONFIRMING APPOINTMENTS TO
MEMBERSHIP ON THE CORNELL COOPERATIVE
EXTENSION ASSOCIATION.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Section 2405 of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Cornell Cooperative Extension Association for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
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William H. Miller 178 Main Street Windsor, New York 13865	12/31/96
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Chris W. Burger 110 Walters Road Whitney Point, NY 13862 and	12/31/96
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WHEREAS, it is desired at this point in time, in accordance with the provisions of Section 2405 of the Broome County Charter, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Section 2405 of the Broome County Charter, does hereby confirm the appointments of the above-named individuals to membership on the Cornell Cooperative Extension Association in

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accordance with their appointment by the County Executive.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 78

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by All Members

RESOLUTION OF CONDOLENCE ON THE DEATH OF RUSSELL D. WHITMAN

WHEREAS, former Broome County Legislator from the 14th. Legislative District, Russell D. Whitman passed away on the 24th. day of January, 1996, and

WHEREAS, the late Russell D. Whitman served the citizens of Broome County in many capacities during his life, including service in the Endicott Police Department retiring as Assistant Chief of Police, member of St. Ambrose Church, past president and secretary of the Endicott Lions Club, member of the Endicott Elks Lodge and member of the Broome County Legislature from 1981 through 1988, and

WHEREAS, during the course of his public service as a member of the Broome County Legislature, Russell D. Whitman served on many committees including:

Chairman of the Public Safety & Justice Committee

Chairman of the Health Committee

Member of the County Employees Committee

Member of the Parks & Natural Resources Committee

Member of the Transportation Committee

Member of the Mental Health Committee

and

WHEREAS, Russ, as he was affectionately known by his friends and colleagues also served with distinction and enthusiasm on many community boards including:

Fish & Wildlife Management Board
Fire Advisory Board
Volunteer Ambulance Advisory Board
Soil & Water Conservation District for 10 years

and

WHEREAS, Russell D. Whitman will long be remembered for his gentle nature, his friendliness, his willingness to serve the community and for his integrity of character and clear judgement in the conduct of the affairs of this County, and

WHEREAS, the Broome County Legislature, acting for the citizens of the Broome County Community, wishes to record its condolences in the official proceedings of this body, now therefore be it

RESOLVED, that the members of this County Legislature hereby recognize the loss of Russell D. Whitman and extend its sincere sympathy to his family, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature is hereby authorized and directed to place this resolution in the minutes of the Regular Session of the County Legislature held on February 15, 1996 and to transmit a copy of this resolution to the family of the late Russell D. Whitman.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 79

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT &
PLANNING COMMITTEE

Seconded by Mr. Burger

RESOLUTION COMMENDING THE PUBLIC SERVICE OF

REGULAR SESSION OF FEBRUARY 15, 1996

THE HON. KENNARD W. BROWN, JR., RETIRING SUPERVISOR OF THE TOWN OF TRIANGLE

WHEREAS, Kennard W. Brown, Jr., has announced his retirement as Supervisor of the Town of Triangle, effective February 29, 1996, and

WHEREAS, Mr. Brown was elected as the Supervisor of the Town of Triangle in 1966 and joined the former twenty-nine member Broome County Board of Supervisors in January of 1967, and he is the last member of that Board, who continues to serve the community today, and

WHEREAS, Kennard W. Brown, Jr., in addition to his public service has served the citizens of the Town of Triangle and Broome County in many capacities during his life, including service as a member of the United States Army during the Korean conflict, member of the Upper Lisle Masonic Lodge, member of the Whitney Point Methodist Church and as a representative of the Prudential Insurance Company, and

WHEREAS, Mr. Brown served with distinction on several committees of the Broome County Board of Supervisors, including the County Clerk & Elections Committee and the Education Committee, and he was a strong supporter of the County Parks program during the early years of development, including:

Extension of the Dorchester Park Lease into the 1990's

Construction of the first Maintenance Building at Dorchester Park

Approval of designs and plans for Greenwood Park

Approval of applications for funding for:

Lisle Park, Greenwood Park, Nathaniel Cole Park and Hawkins Pond Park

and

WHEREAS, Mr. Brown will long be remembered for his integrity of character and clear judgement in the conduct of the affairs of his Town and Broome County as well as his dedicated service to the citizens of Broome County and for his desire to contribute in a meaningful way to the life of our community, and

WHEREAS, the Broome County Legislature, acting for the citizens of Broome County, wishes to record its commendation in the official proceedings of this body, now therefore be it

RESOLVED, that the members of this County Legislature extends its commendation to Mr. Brown on the eve of his retirement, and be it

FURTHER RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to prepare a copy of this resolution for presentation to Mr. Brown, at a dinner honoring his accomplishments and years of service, to be held on Wednesday, February 21, 1996.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 80

by PERSONNEL AND FINANCE COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING LABOR AGREEMENT WITH BROOME ADMINISTRATIVE AND PROFESSIONAL ASSOCIATION (BAPA) FOR JANUARY 1, 1996 THROUGH DECEMBER 31, 1998.

WHEREAS, the County of Broome, under the provisions of the Civil Service Law (Taylor Law), has heretofore recognized Broome Administrative and Professional Association (BAPA), as an employee organization for those certain Broome County employees represented by said Union, and

WHEREAS, this County Legislation, by Resolution No. 91 of 1994, authorized a written agreement with the Broome Administrative and Professional Association (BAPA) setting forth the terms and conditions of employment for those employees represented by said Union for the period January 1, 1993 through December 31, 1995, and

WHEREAS, a tentative agreement has been reached with Broome Administrative and Professional Association (BAPA), for the period January 1, 1996 through December 31, 1998, and

WHEREAS, it is desired at this time to renew said labor agreement on the terms and conditions set forth in the Memorandum of Agreement

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on file with the Clerk of this Legislature, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Broome Administrative and Professional Association (BAPA), setting forth the terms and conditions of employment for those employees represented by said Union, for the period January 1, 1996, through December 31, 1998, and be it

FURTHER RESOLVED, that said agreement shall be upon substantially similar terms and conditions as the 1993 written labor agreement with the exception of those changes listed on Exhibit "A" attached hereto, 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.

EXHIBIT A:

Relating to the tentative agreement which was reached with BAPA on January 3, 1996. A summary of the agreement follows:

Compensation 1/1/96 2% general wage increase (this was budgeted)

1/1/97 3% general wage increase

1/1/98 3.5% general wage increase

Performance Increments Add language providing performance increments to part-time employees working at least 50% of the work week. Increments to paid at 50% of the amount paid to full-time employees.

Severance Compensation Add language providing the payment of accumulated vacation time when a person is laid off. **There is already a vacation payoff whenever an employee leaves.** Add language

which provides the restoration of accumulated sick time if a laid off employee returns to work within six months of a lay off.

Parking Fees Parking fee to increase to \$20/month when the new parking plan goes into affect. **(Increase of \$5/month)**

On-Call Better define what is meant by "on-call"

Holidays **Effective January 1, 1997 convert all floating holidays to holidays. (Allows County to close offices and save money opening, heating, etc. of buildings)**

Vacation Remove limitation of number of days person can be paid for upon leaving County employment.

Sick Leave Clarify use of sick time as it pertains to the Family Medical Leave Act.

Pensions Provide for the payment of accumulated sick time in excess of that which may be credited to years of service for retirement purposes. **(Currently 165 sick days are credited)**

Education Leave Allow BAPA to arrange for training for BAPA employees and use up to \$500 from the education fund to pay for this training. **(This fund is already funded each year and costs no additional money.)**

Uniforms Those employees required to wear uniforms will have uniforms provided or will receive \$125/year uniform allowance. **(Currently this is done in all but one department. The result will be a cost of an additional \$250/year)**

There are some other changes to wording which have no impact on money.

The new deputy union is still operating under the old Local 2012

agreement which expired 12/31/93. The union officials have indicated they will be requesting to meet to negotiate soon.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 81

by FINANCE COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING AGREEMENT WITH SMALL BUSINESS ADMINISTRATION OF THE UNITED STATES OF AMERICA FOR LEASE OF THE FORMER HIGHWAY PATROL HEADQUARTERS FOR 1996.

WHEREAS, the Director of Facilities Management requests authorization for an agreement with Small Business Administration of the United States of America for the lease of the former Highway Patrol Headquarters on Upper Front Street, Town of Dickinson, for the period January 27, 1996 through April 15, 1996, and

WHEREAS, said agreement is necessary to facilitate the making of loans to businesses and property owners in Broome County and other counties who suffered damage in recent severe flooding, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Small Business Administration of the United States of America, for the lease of the former Highway Patrol Headquarters on Upper Front Street, Town of Dickinson, including the building and adjacent parking area, for the period January 27, 1996 through April 19, 1996, and be it

FURTHER RESOLVED, that in consideration of said lease, the Contractor shall reimburse the County for all utility costs and services such as custodial and waste disposal, and be it

FURTHER RESOLVED, that the amounts received for said lease shall be credited to budget line 060004.0028.101000 (Building Service Chargeback), and be it

FURTHER RESOLVED, that the County Executive or his duly

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 82

by FINANCE and TRANSPORTATION COMMITTEES

Seconded by Mr. Pasquale

RESOLUTION AUTHORIZING 1995 TRANSFER OF FUNDS FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION (TRANSIT).

RESOLVED, that in accordance with a request from the Department of Public Transportation (Transit), in order to provide funds for salaries and fringes resulting from the early retirement of five bus drivers and workers' compensation shortfall resulting from formula change after budget adoption, as requested by BT# 9128, 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>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	220004	1000	203000	Salaries, Full-Time	
					\$31,120
	220004	8041	203000	Worker's Comp/Long Term	
		Index	Sub-	Project	
		<u>object</u>	<u>Code</u>	<u>Title</u>	<u>Amount</u>
	\$ 4,099				
TO :	220004	1500	203000	Salaries, Part-Time	
					\$20,925
	220004	1700	203000	Salaries, Overtime	
					\$10,205
	220004	8000	203000	Fringe Benefits	\$
66					
	220004	8040	203000	Workers' Compensation	

\$ 4,000

220004 8050 203000 Life Insurance

\$ 33

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 83

by COMMUNITY & SOCIAL SERVICES and FINANCE
COMMITTEES

Seconded by Mr. Sweet

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

WHEREAS, this County Legislature, by Resolution 448 of 1995, authorized the continued participation by the Department of Social Services in the Home Energy Assistance Program (HEAP) for the period November 1, 1995 through November 15, 1996, and adopted a program budget in connection therewith in the total amount of \$133,470.00, and

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

RESOLVED, this County Legislature hereby authorizes a revision of the Home Energy Assistance Program (HEAP) for the period November 15, 1995 through November 15, 1996, in the total amount of \$580,432.00, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts and approves the revised program budget annexed hereto as Exhibit "A" in the total amount of \$580,432.00, and be it

FURTHER RESOLVED, that Resolution 448 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any such agreements, documents or papers, approved as to form by the

Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to accept any additional funds that may become available during this program year for benefits provided to clients under the Public Assistance, Non-Public Assistance or Emergency Components of the Home Energy Assistance Program, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative will immediately submit an amended budget to the Chairperson of the Legislature, the Chairperson of the Finance Committee, and the Comptroller reflecting the additional Home Energy Assistance Program funds allocated to Broome County.

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

Mr. Shafer stepped down from the Chair at 5:25 P.M. in order to participate in legislative debate. Mr. Augostini presided through the adjournment of the Legislature at 5:55 P.M.

RESOLUTION NO. 84

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

Seconded by Mr. Miller

RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 5, 1996,

ENTITLED: "A LOCAL LAW AMENDING CHAPTER 179 OF THE BROOME COUNTY CHARTER AND CODE REGARDING SOLID WASTE TIPPING FEES."

WHEREAS, flooding during January of 1996 caused personal and property damage to property and business owners throughout Broome County, and

WHEREAS, such flooding has resulted in estimated private and business property damage of \$4.5 million in Broome County, and

WHEREAS, as a result of area flood waters the Governor of the State of New York announced that Broome County has been declared a "disaster area" and thereby eligible for federal emergency aid, and

WHEREAS, the cleanup of storm related debris and storm damaged goods continues by both public and private sector efforts with most of said debris slated to be deposited at the Broome County landfill, and

WHEREAS, this legislative body finds that requiring a tipping fee for disposal of flood related debris for those individuals and businesses adversely affected by the recent January flooding is inappropriate and that waiver of tipping fees charged would be right and proper, now, therefore, be it

RESOLVED, that Local Law Intro. No. 5, 1996, 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, the Municipal Home Rule Law and all the applicable statutes and laws pertaining thereto, 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.

LOCAL LAW INTRO. NO. 5, 1996

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

follows:

Section 1. Section 179-9 shall be amended to add a new subsection 6 to read as follows:

(6) Commencing January 29, 1996, and expiring on May 28, 1996, the charges set forth in Section 179-9 shall be waived for disposal of debris related to flood damage occurring during January of 1996.

(a) Eligibility for this program shall be limited to the property owners suffering flood damage.

(b) The person requesting a fee waiver shall file an application with the Division of Solid Waste Management, on forms provided by the Division.

(c) The application shall contain a certification from an appropriate code enforcement or emergency services official that the applicant qualifies for the fee waiver based on records of January, 1996 flood damage.

(d) The total cost of this fee waiver program shall not exceed \$15,000.00.

(e) The amount of the fee waiver for any applicants shall be limited to the tipping fee for disposal of debris which is not covered by any insurance or local, state or federal emergency assistance.

(f) The Division of Solid Waste Management shall prepare appropriate regulations to implement the intent of this Local Law, which regulations shall be filed with the Clerk of the Legislature.

Section 2. That this Local Law shall take effect immediately upon filing

with the Secretary of State.

Mr. Pasquale moved, seconded by Mr. Whalen to amend the resolution by inserting the following FURTHER RESOLVED paragraph:

FURTHER RESOLVED, that in order to provide funds for the waived tipping fee, this County Legislature hereby authorizes the use of funds from 900084.4752.101000 (Contingent Fund) in an amount not to exceed \$15,000, and be it

Mr. Schofield moved, seconded by Mr. Pasquale to **call the question** on the amendment. The call of the question **carried**. Ayes-18, Nays-0, Absent-1 (Coffey)

The amendment **lost**.

Ayes-3 (Kavulich, Pasquale & Whalen), Nays-15, Absent-1 (Coffey)

Mr. Shafer moved, seconded by Mr. Pasquale to **call the question** on the resolution. The call of the question **carried**. Ayes-18, Nays-0, Absent-1 (Coffey)

The resolution **carried**. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 85

by ENVIRONMENT COMMITTEE

Seconded by Mr. Pasquale

RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE ENACTMENT OF LOCAL LAW INTRO. NO. 5, 1996, AND RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO.

WHEREAS, it is necessary to enact Local Law Intro. No. 5, 1996,

waiving tipping fees for flood damage occurring in January of 1996, and

WHEREAS, it has been determined that the waiver of tipping fees for flood damage in January of 1996, 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 (SEQRA), reviewing the aforementioned tipping fee waiver, and

WHEREAS, the waiver of tipping fees for January, 1996 flood damage may have an impact on the environment, now, therefore, be it

RESOLVED, this County Legislature hereby declares its intention to seek "Lead Agency" status with respect to the environmental review of a proposed waiver of tipping fees for January, 1996 flood damage, 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 waiver of tipping fees for storm damage 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 "A".

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 86

by FINANCE COMMITTEE

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AGREEMENT WITH JOSEPH AND CAROLE BELARDINELLI FOR LEASE OF 312 MAPLE STREET, ENDICOTT, FOR 1996 THROUGH 2001.

WHEREAS, as a result of tax foreclosure proceeding, Broome

County owns real property located at 312 Maple Street, Endicott, New York, which property is not needed for County purposes, and

WHEREAS, Joseph and Carole Belardinelli, owners of Belco Custom Cabinets, desire to relocate their business to the Maple Street property, and desire to lease for a period not to exceed five years, revenue to Broome County of \$300.00 per month, with the Belardinellis to pay all utilities, now, therefore, be it

RESOLVED, that this County Legislature hereby authorize an agreement with Joseph and Carole Belardinelli for real property located at 312 Maple Street, Endicott, with revenue to Broome County of \$300.00 per month, for the period 1996 through 2001, and be it

FURTHER RESOLVED, that the revenue realized pursuant to this agreement shall be credited to budget line 630004.0187.101000 (Rental of Real Property, Individuals), and be it

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

Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 87

by PERSONNEL and FINANCE COMMITTEES Seconded by Mr. Lindsey

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR WILLOW POINT NURSING HOME.

RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-282, this County Legislature hereby authorizes the **upgrade** of one (1) full-time Director of Physical Therapy position at budget line WC160226.1000, minimum salary \$34,156, Grade 22, Union Code 07 (BAPA) to one (1) full-time Director of Rehabilitation Services position at budget line WC160226.1000, minimum salary \$36,035, Grade 23, Union Code 07

(BAPA) effective March 21, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PDR# 216C this County Legislature hereby authorizes the **salary** of one (1) full-time Director of Rehabilitation Services, Grade 23, Union Code 07 (BAPA), at an annual salary of \$52,400 which is 45% (\$16,365) above the minimum salary of \$36,035, at budget line WC160226.1000, effective March 21, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, as contained in PCR# 96-273, this County Legislature hereby authorizes the **creation** of one (1) part-time Occupational Therapist position at budget line WC160234.1500, salary \$30/hr, Grade NA, Union Code 01 (Misc), effective February 1, 1996, and be it

FURTHER RESOLVED, that in accordance with a request from the Willow Point Nursing Home, in order to provide funds for the above personnel change requests, as requested by BT# 9630, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Sub-object</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	160234	4706	204000	Rehabilitation Therapy Srvs	\$35,930
TO :	160234	1500	204000	Salaries, Part-Time	\$25,530
	160226	1000	204000	Salaries, Full-Time	\$10,400

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Carried. Ayes-18, Nays-0, Absent-1 (Coffey)

RESOLUTION NO. 88

by PERSONNEL and FINANCE COMMITTEES

Seconded by Mr. Cahill

**RESOLUTION AUTHORIZING PERSONNEL CHANGE
REQUEST FOR THE SHERIFF'S DEPARTMENT.**

RESOLVED, that in accordance with a request from the Broome County Sheriff, as contained in PDR# 221N, this County Legislature hereby authorizes the hiring above the minimum salary of one (1) full-time Correctional Facilities Director, Grade K, Union Code 09 (Admin.), at an annual salary of \$53,000, which is 5% (\$2,958) above the minimum salary of \$50,042, at budget line A450023.1000, effective February 15, 1996, and be it

FURTHER RESOLVED, that in accordance with the request from the Broome County Sheriff, the Correctional Facilities Director shall be provided with a County car, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the reimbursement of moving expenses not to exceed in the amount not to exceed \$6,500 in accordance with Chapter 31 of the Broome County Charter and Code.

Mr. Miller moved, seconded by Mr. Howard to **call the question** on the resolution. The call of the question **carried.** Ayes-18, Nays-0, Absent-1 (Coffey)

The resolution **carried.**

Ayes-15, Nays-3 (Burger, Schofield & Whalen), Absent-1 (Coffey)

RESOLUTION NO. 89

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

Seconded by Mr. Holley

RESOLUTION AUTHORIZING LEASE OF LAND AT BINGHAMTON REGIONAL AIRPORT TO BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

WHEREAS, the Broome County Economic Development Alliance has requested that the County lease to the Broome County Industrial Development Agency a parcel of land owned by the County at the Binghamton Regional Airport in order to facilitate the growth of new commercial ventures, and

WHEREAS, this County Legislature desires to assist the development of private employers in Broome County to stimulate the local economy and broaden the County tax base, and

WHEREAS, the County Legislature recognizes the need to offer assistance to prospective private employers on terms and conditions that are competitive with the terms and conditions offered by municipal and governmental entities in other localities that are also seeking to attract such companies, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the lease of undeveloped property owned by the County at the Binghamton Regional Airport, consisting of not more than 16 acres, such property being shown on Exhibit "A" attached hereto and made a part hereof, to the Broome County Industrial Development Agency upon the following terms and conditions:

1. The term of the lease shall be forty (40) years;

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2. The Industrial Development Agency shall be authorized to develop the leased premises for economic development purposes at the cost and expense of the Industrial Development Agency, and any structures or other improvements constructed by the Industrial Development Agency, or its assigns, shall be owned by the Industrial Development Agency or its assigns;
3. The terms of the lease shall be in accordance with the requirements of the Federal Aviation Administration;
4. The Industrial Development Agency shall be authorized to sublet the leased premises or assign the lease thereof to one or more private companies;
5. Such subletting of the premises or assignment of the lease by the Industrial Development Agency to such company or companies shall not be subject to approval by the County Executive or County Legislature, but it shall be subject to approval by the Binghamton Regional Airport in accordance with requirements of the Federal Aviation Administration;

FURTHER RESOLVED, that this County Legislature hereby authorizes an agreement with the Industrial Development Agency and any company occupying the leased premises relating to payments in lieu of taxes which provides that for a period of up to five (5) years such payments shall be dedicated to the Industrial Development Agency for use in servicing its debt obligations undertaken to pay its expenses in developing the site and assisting in establishment of such company, and thereafter shall be dedicated to the use of the Binghamton Regional Airport, and be it

FURTHER RESOLVED, that the authorization granted by this resolution is contingent on the execution and delivery of an agreement between the Industrial Development Agency and a private company within ninety (90) days of the adoption of this resolution, and be it

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

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

Mr. Hull moved, seconded by Mrs. Hudak to remove the following FURTHER RESOLVED paragraph from the resolution:

FURTHER RESOLVED, that the authorization granted by this resolution is contingent on the execution and delivery of an agreement between the Industrial Development Agency and a private company within ninety (90) days of the adoption of this resolution, and be it

Mr. Howard moved, seconded by Mr. Mather, to **call the question** on the amendment. The call of the question **carried**. Ayes-18, Nays-0, Absent-1 (Coffey)

The amendment **lost**.

Ayes-3 (Hudak, Hull & Pasquale), Nays-15, Absent-1 (Coffey)

Mr. Howard moved, seconded by Mr. Pasquale to **call the question** on the resolution. The call of the question **carried**. Ayes-18, Nays-0, Absent-1 (Coffey)

The resolution **carried**. Ayes-18, Nays-0, Absent-1 (Coffey)

Mr. Shafer moved, seconded by Mr. Lindsey to adjourn at 5:55 P.M.
Carried. Ayes-18, Nays-0, Absent-1 (Coffey)