

---

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
THURSDAY, MAY 20, 1999**

The Legislature convened at 4:18pm with a call to order by the Chair, Daniel A. Schofield. The Clerk, Louis P. Augostini, read the fire exit announcement and called the Attendance Roll, Present-18, Absent-1 (Mather).

The Chair, Mr. Schofield, led the members of the Legislature in the Pledge of Allegiance to the Flag, followed by a prayer offered by Legislator Hudak.

Mr. Pasquale moved, seconded by Mr. Wike, that the minutes of the April 22, 1999 Regular Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Mather). Mr. Miller moved, seconded by Mr. Burger, that the minutes of the April 29, 1999 Special Session be approved as prepared and presented by the Clerk. **Carried**, Ayes-18, Nays-0, Absent-1 (Mather).

Mr. Schofield noted that the committee minutes for the period April 16 through May 13, 1999 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. Wike and seconded by Mr. Burger. **Carried**, Ayes-18, Nays-0, Absent-1 (Mather).

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE:**

Letters from the County Executive, Jeffrey P. Kraham:

1. Nominating T. Woodward and R. Groves to membership on Airport Advisory Board.
2. Nominating M. Shum to membership on Private Industry Council.
3. Appointing Susan Seibold-Simpson as Acting Director of Public Health, effective April 19, 1999.

**PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:**

A. Petitions: None

B. Communications:

1. Soil and Water Conservation District: Letter of resignation from Thomas Schofield.
2. Minutes from:
  - a. Soil and Water Conservation District
  - b. Fire Advisory Board
  - c. Association of Towns and Villages
  - d. Environmental Management Council
  - e. EMC Committee on Alternative Transportation and BMTS Bicycle and Pedestrian Plan Advisory Committee
  - f. Binghamton Regional Airport (Progress Meetings #6 and #7)
  - g. Cornell Cooperative Extension
3. Letter from Office of State Comptroller regarding Report of Examination on the Broome County Division of Solid Waste Management.
4. Resolutions from
  - a. Putnam County (Electing not to participate in elimination of permanent local sales tax on clothing and footwear; Supporting current system-State Aid for school districts for shared services through BOCES)
  - b. Town of Maine (Local Law Amending Zoning Ordinance-Building Permits, Notice of Public Hearing, May 11, 1999, 7:00 p.m. at Town Hall)
  - c. Town of Nanticoke (Local Law regulating the siting of Wireless Telecommunication Facilities, Notice of Public Hearing, July 8, 1999, 7:00 p.m. at Town Hall)

- 
5. Notice of request for the Department of Housing and Urban Development to release federal funds (Eastern Broome Senior Community Center)
  6. Broome Community College (1999-2000 Proposed Budget)
- C. Notices: None
- D. Reports:
1. 1998 Annual Reports:
    - a. Office of the Sheriff
    - b. PROBE
    - c. Office for Aging
  2. Department of Finance
    - a. First Quarterly Report of 1999 Sales Tax Collections
    - b. Semi-Annual Report (Mortgage Tax Receipts and Disbursements)
    - c. Unaudited Comprehensive Annual Financial Report
  3. Broome Community College:
    - a. Budget Transfers, March 1999
    - b. Annual Audited Financial Statements for Year Ending August 31, 1998
  4. Broome County Chamber of Commerce (Financial Statements for year ending December 31, 1998)
  5. Report from MRB Group and subconsultant Herrick-Saylor Engineers regarding masonry movement at the Public Safety Building

#### **WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE**

Letters from the Chair, Daniel A. Schofield:

1. Appointing the following Legislators as voting representatives for Brian K. Mather:
  - a. Chris W. Burger, Public Safety and Emergency Services, May 12, 1999.
  - b. Wanda A. Hudak, Finance Committee, May 13, 1999.
2. Appointing the following Legislators for Chris W. Burger:
  - a. William T. Wike as Chair and Patrick F. O'Day as voting representative, County Administration, Economic Development and Planning Committee, May 13, 1999.
  - b. Patrick F. O'Day as voting representative, Finance Committee, May 13, 1999.

Mr. Holley moved, seconded by Mr. Burger, to receive and file the above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1999 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair. **Carried**, Ayes-18, Nays-0, Absent-1 (Mather).

Mr. O'Day and Mr. Pasquale were designated as participants in the 'Short Roll Call.'

#### **RESOLUTION RECALLED FROM APRIL 22, 1999 REGULAR SESSION**

Mr. Burger moved to recall Resolution 99-195 for reconsideration, seconded by Mr. Hull. **Motion to recall carried**, Ayes-18, Nays-0, Absent-1 (Mather).

#### **RESOLUTION 195**

#### **RESOLUTION AUTHORIZING REVISION OF THE BROOME COUNTY OFFICE OF EMPLOYMENT AND TRAINING JOB TRAINING PARTNERSHIP ACT (JTPA) GRANTS FOR THE PERIOD JULY 1, 1997 THROUGH JUNE 30, 2000**

WHEREAS, this County Legislature, by Resolution 235 of 1997, authorized and approved renewal of various Job Training Partnership Act (JTPA) grants from New York State Department of Labor for the Office of Employment and Training for the Broome County Office of Employment & Training and adopted program budgets in connection therewith for the period July 1, 1997 through June 30, 2000, and

---

WHEREAS, it is necessary at this time to revise said grants to reflect a transfer of funds among various programs, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the revision of the Broome County Office of Employment and Training JTPA Program grants for the period July 1, 1997 through June 30, 2000, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budgets annexed as Exhibit "A", and be it

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative are hereby authorized (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

Mr. Burger moved to amend the resolution changing the date in the title and the RESOLVED paragraph from June 30, 2000 to June 30, 2001 and to replace Title IIC and Title IIB grant budgets. Mr. Hull seconded the motion. **Motion to amend carried, Ayes-18, Nays-0, Absent-1 (Mather). Resolution as amended carried, Ayes-18, Nays-0, Absent-1 (Mather).**

#### **RESOLUTIONS INTRODUCED AT THIS SESSION**

##### **RESOLUTION NO. 213**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LOURDES HOSPITAL FOR LABORATORY SERVICES FOR THE HEALTH DEPARTMENT SEXUALLY TRANSMITTED DISEASE CLINIC AND EMPLOYEE HEALTH SERVICES FOR THE PERIOD APRIL 1, 1999 THROUGH DECEMBER 31, 1999**

WHEREAS, this County Legislature, by Resolution 470 of 1997, as amended by Resolution 536 of 1998, authorized a renewal of the agreement with Lourdes Hospital for laboratory services for the Health Department Sexually Transmitted Disease Clinic and Employee Health Services for the period January 1, 1998 through March 31, 1999, at a cost not to exceed \$47,158, and

WHEREAS, said agreement expired by its terms on March 31, 1999, and it is desired at this time to renew said agreement on substantially similar terms and conditions for the period April 1, 1999 through December 31, 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York, 13905, for laboratory services, including a technician at the Health Department for the Health Department Sexually Transmitted Diseases Clinic and Employee Health Services for the period April 1, 1999 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a total cost not to exceed \$32,158 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480228.4703.101066 and 480228.4703.101055 (Lab 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 (Mather).

#### **RESOLUTION NO. 214**

By Education, Culture & Recreation and Finance Committees                      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING AGREEMENT WITH EASTERN COPY PRODUCTS, INC. FOR LEASE OF A DIGITAL COPIER FOR LIBRARY ADMINISTRATION OFFICE FOR THE PERIOD MARCH 1, 1999 THROUGH MAY 31, 2004**

WHEREAS, the Director of the Library requests authorization for an agreement with Eastern Copy Products, Inc. for a digital copier lease for the library administration office for the period March 1, 1999 through May 31, 2004 at a cost not to exceed \$232 per month, and

WHEREAS, said lease is necessary to perform various tasks in the library administration office, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Eastern Copy Products, Inc., 89 Fox Street, Owego, New York 13827 for lease of a digital copier for the library administration office for the period March 1, 1999 through May 31, 2004, and be it

FURTHER RESOLVED, that in consideration of said lease, the County shall pay the Contractor an amount not to exceed \$232 per month for the term of this agreement, said payments to commence on June 1, 1999, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 841007.4419.304000 (General Office Expense), and be it

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

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

#### **RESOLUTION NO. 215**

By Public Safety & Emergency Services and Finance Committees                      Seconded by Mr. Kolba  
**RESOLUTION AUTHORIZING AGREEMENTS WITH VARIOUS MUNICIPALITIES AND EMERGENCY SERVICES ORGANIZATIONS FOR THE PURCHASE OF COMMUNICATIONS EQUIPMENT FROM 911 FUNDS**

WHEREAS, the County is authorized by New York State law to purchase communications equipment from 911 revenues for municipalities, and

WHEREAS, the Director of Emergency Services recommends the authorization of agreements with municipalities or emergency services organizations concerning such purchases, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes agreements with various municipalities and emergency services organizations located within Broome County for the purchase of communications equipment from 911 revenues, provided that such agreements shall include the following:

1. The equipment provided would remain the property of Broome County.
2. The County shall make no warranty, express or implied, as to said equipment, including warranties of merchantability or fitness.
3. The maintenance of the equipment shall be the responsibility of the agency receiving the equipment.
4. All purchases of equipment shall be based on available funding.
5. Equipment purchase requests shall be submitted in accordance with a schedule approved by the Director of Emergency Services.

and be it

---

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

Ms. Hudak moved, seconded by Mr. Burger, to amend Item #5 to read "...Emergency Services, and pursuant to New York State Law Article 6 Sections 300-308 of the County Law." **Amendment carried**, Ayes-18, Nays-0, Absent-1 (Mather).

Mr. Whalen moved, seconded by Mr. Pasquale, to amend the resolution inserting Item #6 which would read "Proposed equipment purchases shall be submitted to the Public Safety and Emergency Services Committee for review."

The resolution and amendment were **held over under the 'rules'** by Mr. Kolba.

### RESOLUTION NO. 216

By Finance and Public Works Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH STEARNS & WHELER, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF SOLID WASTE MANAGEMENT FOR THE PERIOD APRIL 20, 1999 THROUGH APRIL 19, 2000**

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with Stearns & Wheeler, LLC for professional engineering services for the period April 20, 1999 through April 19, 2000, at a cost not to exceed \$75,000, and

WHEREAS, said services are necessary with regard to the investigation/clean-up of the Old Hoskins Road illegal dump site, per a Consent Order from the New York State Department of Environmental Conservation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns & Wheeler, LLC, 1 Remington Park Dr., Cazenovia, New York 13035 for professional engineering services for the Division of Solid Waste Management for the period April 20, 1999 through April 19, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$75,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the following transfer of funds be processed to fund the investigation/clean-up:

From: 900084.4752.101000 (Contingency Fund) \$75,000

To: 900043.4756.101000 (Tax Acquired Property Expense) \$75,000

and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 900043.4756.101000 (Tax Acquired Property Expense), and be it

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

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

### RESOLUTION NO. 217

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

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH HALBERSTADT & COMPANY, INC., FOR PURCHASE OF SOFTWARE FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION**

WHEREAS, the Department of Public Transportation requests authorization for an agreement with Halberstadt & Company, Inc. for the purchase of inventory and vehicle maintenance software at a cost not to exceed \$8,000, and

---

WHEREAS, said services are necessary to upgrade the current software, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Halberstadt & Company, Inc., One Woodlawn Green, 200 East Woodlawn Road, Charlotte, North Carolina, 28217-2205 for purchase of inventory and vehicle maintenance software for the Department of Public Transportation, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$8,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 225086.2851.502241 (Computer Software), 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 (Mather).

### **RESOLUTION NO. 218**

By Public Works, County Administration, Economic Development & Planning and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH NORTHEAST SCALE CO, INC. FOR PURCHASE OF COMPUTER SOFTWARE FOR THE DIVISION OF SOLID WASTE MANAGEMENT**

WHEREAS, the Division of Solid Waste Management requests authorization for an agreement with Northeast Scale Co, Inc. for purchase of computer software at a cost not to exceed \$7,185, and

WHEREAS, said services are necessary to purchase Y2K upgrade for Broome Recycling scale software and for the Landfill scale software, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Northeast Scale Co., Inc., 88 Priscilla Lane, Unit 3, Auburn, New Hampshire 03032 for purchase of computer software for the Division of Solid Waste Management, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$7,185 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230078.4359.206000 (Computer Software and Supplies), 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 (Mather).

### **RESOLUTION NO. 219**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENTS WITH VARIOUS VENDORS TO PROVIDE SERVICES FOR THE HEALTH DEPARTMENT'S DIVISION OF CHILD DEVELOPMENT PRESCHOOL EDUCATION PROGRAM FOR THE PERIOD JULY 1, 1999 THROUGH JUNE 30, 2000 AND TO ESTABLISH NEW AGREEMENTS WITH VARIOUS VENDORS FOR RELATED SERVICES FOR THE ABOVE PROGRAM**

WHEREAS, this County Legislature, by Resolution 469 of 1998, authorized renewal of agreements with various vendors for services for the Health Department's Division of Child Development Preschool Education Program for the period January 1, 1999 through June 30, 1999, and

WHEREAS, said services are necessary to provide various services, including itinerant speech, occupational, and physical therapies, special education, medical services (including

---

psychological evaluations, social history, physical examinations and non-physician evaluation), classroom and personal care aides, service coordination, interpreters, nursing services, counseling and transportation, and

WHEREAS, the Health Department at this time requests authorization for renewal of said agreements with the various providers as listed on the attached Exhibit "A" for services for the Preschool Education program for the period July 1, 1999 through June 30, 2000 as per the rate sheet attached hereto as Exhibit "B", and

WHEREAS, it is desired at this time to establish new agreements for related services for the Preschool Education Program with the various vendors listed on Exhibit "C" as per the rate sheet attached hereto as Exhibit "D", now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes renewal of agreements with various vendors for services as listed on the attached Exhibit "A" for the Health Department's Preschool Education Program for the period July 1, 1999 through June 30, 2000, and be it

FURTHER RESOLVED, that the Contractors shall be paid at the rates set by the New York State Department of Education as per the attached Exhibit "B", and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes agreements with the various vendors listed on the attached Exhibit "C" for related services for the Preschool Education Program for the period July 1, 1999 through June 30, 2000, and be it

FURTHER RESOLVED, that the Contractors shall be paid at the rates set by the New York State Department of Education as per the attached Exhibit "D", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480293.various.101081, total amount not to exceed budget appropriations, 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 (Mather).

#### **RESOLUTION NO. 220**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH COLLEEN GRIFFITH TO PROVIDE PHYSICAL THERAPY SERVICES FOR THE HEALTH DEPARTMENT'S DIVISION OF CHILD DEVELOPMENT EARLY INTERVENTION PROGRAM FOR THE PERIOD JULY 1, 1999 THROUGH DECEMBER 31, 1999**

WHEREAS, the Acting Public Health Director requests authorization for an agreement with Colleen Griffith for physical therapy services for the Health Department's Division of Child Development, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Colleen Griffith, 905 Rosewood Terrace, Endwell, New York 13760 for physical therapy services for the Health Department's Early Intervention Program for the period July 1, 1999 through December 31, 1999, and be it

FURTHER RESOLVED, that the Contractor shall be paid at the rates set by the New York State Department of Education as per the attached Exhibit "A", and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 480293.various.101082, total amount not to exceed budgeted appropriations, 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 (Mather).

---

**RESOLUTION NO. 221**

By Public Works and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING A PERMANENT EASEMENT AGREEMENT WITH NEW YORK STATE ELECTRIC & GAS CORPORATION FOR AN EASEMENT LOCATED IN THE TOWN OF BARKER**

WHEREAS, the Department of Public Works has requested in behalf of New York State Electric & Gas Corporation an easement through land owned by Broome County on Dunham Hill Road in the Town of Barker to construct and maintain an electric line, and

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

RESOLVED, that this County Legislature hereby grants New York State Electric & Gas Corporation, P. O. Box 3607, Binghamton, New York 13902 a permanent easement running through land owned by Broome County in the Town of Barker, as more fully shown and described on Exhibit "A" annexed hereto, and be it

FURTHER RESOLVED, that said easement shall be granted, without consideration, 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 (Mather).

**RESOLUTION NO. 222**

By Public Works Committee

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING THE INCLUSION OF THE PUBLIC SAFETY FACILITY ACCESS ROAD IN THE BROOME COUNTY HIGHWAY SYSTEM MAP AND DESIGNATING IT AS COUNTY ROUTE 70**

WHEREAS, the Commissioner of Public Works requests that the recently constructed Public Safety Facility Access Road be included in the Broome County Highway System Map pursuant to Highway Law, Section 115, and that it be designated as County Route 70, and

WHEREAS, said road extends in a westerly direction from Upper Front Street to the Broome County Public Safety Facility parking lot a distance of approximately 0.45 miles and includes a connecting road extending from a point approximately 0.1 miles west of Upper Front Street in a northerly direction to the South Entrance Road of Broome Community College, a distance of approximately 0.04 miles, and

WHEREAS, the inclusion of this road in the Broome County Highway System Map as proposed will allow for County maintenance thereof in accordance with Highway Law, Section 115, and

WHEREAS, it is necessary that this County Legislature approve the proposed amendment to the County Highway System pursuant to Highway Law, Section 115, now, therefore, be it

RESOLVED, that the Commissioner of Public Works be, and he hereby is, directed to make the necessary changes to the map detailing the County Highway System so that the Public Safety Facility Access Road described above be included in the County Highway System, and be it

FURTHER RESOLVED, that said road shall be designated as County Route 70, and be it

FURTHER RESOLVED, that the Commissioner of Public Works be, and he hereby is, directed to file the amended version of the County Highway System Map with the County Clerk and his own office.

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

---

### RESOLUTION NO. 223

By Transportation and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH RA MAINTENANCE FOR LEASE OF SPACE IN THE AIRPORT FREIGHT BUILDING**

WHEREAS, the Department of Aviation requests authorization for an agreement with RA Maintenance for lease of space in the freight building on a month to month basis beginning April 1, 1999 with revenue to the County of \$225 per month, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with RA Maintenance, 7680 NY Route 79, Whitney Point, NY 13862 for lease of space in the airport freight building on a month to month basis beginning April 1, 1999, and be it

FURTHER RESOLVED, that in consideration of said lease, the Contractor shall pay the County an amount not to exceed \$225 per month for the term of this agreement, and be it

FURTHER RESOLVED, that the revenue shall be credited to budget line 210112.0120.207000 (Facility Rental), and be it

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

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

### RESOLUTION NO. 224

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH LOURDES HOSPITAL FOR BUILDING AND LAND RENT FOR THE HEALTH DEPARTMENT WOMEN'S, INFANTS' AND CHILDREN'S (WIC) NUTRITION PROGRAM FOR THE PERIOD JUNE 1, 1999 THROUGH MAY 31, 2000**

WHEREAS, this County Legislature, by Resolution 348 of 1998, authorized renewal of an agreement with Lourdes Hospital for building and land rental at the Lourdes Center for Family Health, 303 Main Street, Binghamton, New York for the Health Department Women's, Infants' and Children's (WIC) Nutrition Program for the period June 1, 1998 through May 31, 1999 at a cost of \$9,604 and

WHEREAS, said agreement expires by its terms on May 31, 1999, and it is desired at this time to renew said agreement on substantially similar terms and conditions for the period June 1, 1999 through May 31, 2000, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Lourdes Hospital, 169 Riverside Drive, Binghamton, New York, 13905, for building and land rental at the Lourdes Center for Family Health, 303 Main Street, Binghamton, New York for the Health Department Women's, Infants' and Children's (WIC) Nutrition Program for the period June 1, 1999 through May 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$9,893 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480301.4422.104241 (Building and Land Rental), and be it

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

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



---

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor a monthly maintenance cost of \$8,750 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 460097.4412.101000 (Telephone), and be it

FURTHER RESOLVED, that Resolution 99-105, 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 (Mather).

### RESOLUTION NO. 227

By Finance Committee

Seconded by Mr. Brunza

#### RESOLUTION AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS PURSUANT TO SECTION 261 OF THE NEW YORK STATE TAX LAW

WHEREAS, the County Clerk and the Commissioner of Finance have presented their report concerning mortgage tax receipts for the period October 1998 through March 1999, pursuant to Section 261 of the New York State Tax Law, and the same has been apportioned to the various municipalities thereto, now, therefore, be it

RESOLVED, that the Commissioner of Finance be and hereby is authorized to pay the Treasurer of the City of Binghamton and to respective supervisors of the 23 towns and villages of Broome County, those accounts listed on Exhibit 'A' attached hereto.

#### SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION October 1998 through March 1999

Dickinson	Village of Port Dickinson	4,704.85
	Outside	24,688.73
Lisle	Village of Lisle	436.41
	Outside	8,093.47
Sanford	Village of Deposit	1,225.57
	Outside	14,390.36
Triangle	Village of Whitney Point	2,157.91
	Outside	10,192.49
Union	Village of Johnson City	27,009.86
	Village of Endicott	27,895.65
	Outside	169,400.44
Windsor	Village of Windsor	2,062.10
	Outside	33,006.89
Barker		11,996.25
Binghamton (Town)		40,950.22
Chenango		89,126.70
Colesville		21,045.59
Conklin		31,790.25
Fenton		27,050.11
Kirkwood		29,727.94
Maine		22,118.20
Nanticoke		6,587.62
Vestal		216,960.67
City of Binghamton		139,194.75
	<b>TOTAL</b>	<b>\$916,813.03</b>

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

---

**RESOLUTION NO. 228**

By Public Works and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AGREEMENT WITH SHUMAKER CONSULTING ENGINEERING & LAND SURVEYING, PC FOR ENGINEERING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS FOR THE PERIOD MAY 20, 1999 THROUGH DECEMBER 31, 1999**

WHEREAS, the Department of Public Works requests authorization for an agreement with Shumaker Consulting Engineering & Land Surveying, PC for engineering services for the period May 20, 1999 through December 31, 1999, at a cost not to exceed \$100,118, and

WHEREAS, said agreement is necessary for design services for Phase I of the rehabilitation of Pennsylvania Avenue, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Shumaker Consulting Engineering & Land Surveying, PC, 320 North Jensen Road, Vestal, New York 13850 for engineering services for the period May 20, 1999 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$100,118 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035014.4746.501343 (Architectural and Engineering 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 (Mather).

**RESOLUTION NO. 229**

By Health Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING RENEWAL OF SOUTHERN TIER AIDS PROJECT HIV/AIDS EDUCATION AND TESTING GRANT FOR THE PERIOD JULY 1, 1999 THROUGH JUNE 30, 2000**

WHEREAS, this County Legislature, by Resolution 195 of 1998, authorized and approved the Southern Tier Aids Project (STAP) Grant for the Health Department HIV/AIDS education and testing in Broome and Otsego Counties and adopted a program budget in the amount of \$19,500 for the period July 1, 1998 through June 30, 1999, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1999 through June 30, 2000, in the amount of \$19,500, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$19,500 from the Southern Tier Aids Program (STAP), 122 Baldwin Street, Johnson City, New York 13790 for HIV/AIDS education and testing in Broome and Otsego Counties for the period July 1, 1999 through June 30, 2000, 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 \$19,500 for the period July 1, 1999 through June 30, 2000, 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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 230**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH RECIPIENT AFFAIRS OFFICE FOR THE PERIOD JULY 1, 1999 THROUGH DECEMBER 31, 1999**

WHEREAS, this County Legislature, by Resolution 587 of 1998, authorized and approved the Mental Health Empowerment Project Program Grant for funding the Mental Health Empowerment Project and adopted a program budget in the amount of \$52,800 for calendar year 1999, and

WHEREAS, said grant program provides advocacy, referrals for self-help groups and training for people with mental illness, and

WHEREAS, it is desired to at this time to enter into an agreement with the Recipient Affairs Office for these services for the period July 1, 1999 through December 31, 1999, as they have met all IRS requirements as per the above resolution, now, therefore, be it

RESOLVED, that this County Legislature authorizes an agreement with the Recipient Affairs Office, 305 Clinton Street, Binghamton, New York 13905 for the period July 1, 1999 through December 31, 1999 for the provision of advocacy, self-help group referrals and training for people with mental illness, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$52,800 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470039.4545.101000 (Contracted Expenses), and be it

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

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

### **RESOLUTION NO. 231**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE RESEARCH FOUNDATION, BINGHAMTON UNIVERSITY, STATE UNIVERSITY OF NEW YORK FOR THE DEPARTMENT OF MENTAL HEALTH FOR CALENDAR YEAR 1999**

WHEREAS, this County Legislature, by Resolution 566 of 1997, authorized renewal of an agreement with The Research Foundation, Binghamton University, State University of New York for continuation of a graduate training program at a cost not to exceed \$23,500 for calendar year 1998, and

WHEREAS, said agreement is sponsored by Broome County to provide graduate psychology students with clinical training in the Broome County community, and

WHEREAS, said agreement expired by its terms on December 31, 1998, and it is desired at this time to renew said agreement on substantially similar terms and conditions for the calendar year 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with The Research Foundation, Binghamton University, State University of New York, Office of Research and Sponsored Programs, P.O. Box 6000, Binghamton, New York, 13902 for the Department of Mental Health for calendar year 1999, and be it

---

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

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

### **RESOLUTION NO. 232**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH CENTRAL NEW YORK BEHAVIORAL HEALTH CONSORTIUM FOR CONSULTANT SERVICES FOR CALENDAR YEAR 1999**

WHEREAS, the Department of Mental Health requests authorization for an agreement with Central New York Behavioral Health Consortium for consultant services for the calendar year 1999, at a cost not to exceed \$32,940, and

WHEREAS, said services are necessary for special research to study special needs plan details and Medicaid data analysis, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Central New York Behavioral Health Consortium, 421 Montgomery Street, Syracuse, New York 13202 for consultant services for the Department of Mental Health for calendar year 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$32,940 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

**Held over under the 'rules'** by Ms. Sweet.

### **RESOLUTION NO. 233**

By Health Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE RESEARCH FOUNDATION, BINGHAMTON UNIVERSITY, STATE UNIVERSITY OF NEW YORK FOR THE DEPARTMENT OF MENTAL HEALTH FOR CALENDAR YEAR 1999**

WHEREAS, this County Legislature, by Resolution 566 of 1997, authorized renewal of an agreement with The Research Foundation, Binghamton University, State University of New York for continuation of a graduate training program at a cost not to exceed \$23,500 for calendar year 1998, and

WHEREAS, said agreement is sponsored by Broome County to provide graduate psychology students with clinical training in the Broome County community, and

WHEREAS, said agreement expired by its terms on December 31, 1998, and it is desired at this time to renew said agreement on substantially similar terms and conditions for the calendar year 1999, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with The Research Foundation, Binghamton University, State University of New York, Office of Research and Sponsored Programs, P.O. Box 6000, Binghamton, New York, 13902 for the Department of Mental Health for calendar year 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$23,500 for the term of this agreement, and be it

---

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4747.101000 (Other Fees for Services), and be it

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

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

#### **RESOLUTION NO. 234**

By Finance and Personnel Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH PCS HEALTH SYSTEMS, INC., FOR ADMINISTRATION OF BROOME COUNTY'S HEALTH BENEFITS PRESCRIPTION DRUG PROGRAM FOR THE PERIOD JUNE 1, 1999 THROUGH MAY 31, 2000**

WHEREAS, this County Legislature, by Resolution 251 of 1998, authorized renewal of an agreement with PCS Health Systems, Inc., for the administration of Broome County's Health Benefits Program prescription drug plan at the rate of \$.50 per paid claim for regular County employees, retirees, survivors, and COBRA members for the period June 1, 1998 through May 31, 1999, and

WHEREAS, said agreement expires by its terms on May 31, 1999, 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 PCS Health Systems, Inc., 465 Columbus Avenue, Valhalla, New York 10595 for the administration of Broome County's Health Benefits prescription drug plan for the period June 1, 1999 through May 31, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$.50 per paid claim for regular County employees, retirees, survivors, and COBRA members for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 050005.4743.252000 (Claims Administration), 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 (Mather).**

#### **RESOLUTION NO. 235**

By Transportation and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH KIEHL HENDRICKSON GROUP FOR PROFESSIONAL SERVICES FOR THE BINGHAMTON REGIONAL AIRPORT FOR THE PERIOD MAY 20, 1999 THROUGH MAY 19, 2000**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with Kiehl Hendrickson Group for professional services for the period May 20, 1999 through May 19, 2000, at a cost not to exceed \$17,500, and

WHEREAS, said services are necessary to provide the airport with marketing information which will ensure that the airport can retain its passengers and to expand its current usage, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Kiehl Hendrickson Group, Two Appletree Square, Suite 438, Minneapolis, Minnesota 55425 for professional services for the period May 20, 1999 through May 19, 2000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$17,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 210195.4448.207000 (Advertising and Promotions), 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 (Mather).

### **RESOLUTION NO. 236**

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING REFUNDS TO AUCTION BIDDERS**

WHEREAS, the County conducts an annual auction of properties foreclosed on for property taxes, and

WHEREAS, the Real Property Tax Director recommends the refund of two bid deposits due to the unique circumstances and undue hardship regarding these two bids, and

WHEREAS, the two auction bidders are due refunds for reasons stated below, now, therefore, be it

RESOLVED, that refunds be given to the following auction bidders:

1. Thomas Lee, amount to be refunded \$1,325.00, zoning was changed to residential but was stated otherwise at time of auction
2. Kellen Tillers, amount to be refunded \$650.00, Mr. Tillers developed cancer and only recently recovered

and be it

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

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

### **RESOLUTION NO. 237**

By Community & Social Services and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING REVISION OF ADMINISTRATION BUDGET FOR OFFICE FOR AGING EMPLOYMENT PROGRAMS GRANT FOR THE PERIOD FOR JULY 1, 1998 THROUGH JUNE 30, 1999**

WHEREAS, this County Legislature, by Resolution 242 of 1998, authorized and approved renewal of the Office for Aging Senior Community Service Employment Programs (SCSEP) Administration Grant and adopted a program budget in the amount of \$98,269 for the period July 1, 1998 through June 30, 1999, and

WHEREAS, said grant program provides for charge-backs and payments of all Office for Aging employment program staff for administration expenses involved in all Office for Aging Grants, 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 and approves a revision of the Administration Budget Office for Aging Employment Programs Grant in the amount of \$3,011 for the period July 1, 1998 through June 30, 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$101,280 for the period July 1, 1998 through June 30, 1999, and be it

FURTHER RESOLVED, that Resolution 242 of 1998, 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 empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 238**

By Community & Social Services, Personnel and Finance Committees      Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING NATIONAL COUNCIL ON AGING SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (NCOA) GRANT FOR THE PERIOD JULY 1, 1998 THROUGH JUNE 30, 1999**

WHEREAS, this County Legislature, by Resolution 241 of 1998, authorized and approved the continued participation by the Office for Aging National Council on Aging in the Senior Community Service Employment Program (NCOA) Grant and adopted a program budget in the amount of \$217,700 for the period July 1, 1998 through June 30, 1999, and

WHEREAS, said grant program provides a subsidized employment and training program for low income eligible persons aged fifty-five and older, including part-time jobs for applicants in not-for-profit agencies, classroom training, on-the-job training and efforts to increase the labor market participation of older persons, 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 and approves a revision of the Office for Aging National Council on Aging Senior Community Service Employment Program (NCOA) Grant in the amount of \$17,700 for the period July 1, 1998 through June 30, 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$235,400 for the period July 1, 1998 through June 30, 1999, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes a variable wage rate of \$5.15 to \$15.00 per hour for all senior aide trainees employed by the program, and be it

FURTHER RESOLVED, that Resolution 241 of 1998, 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 empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

---

**RESOLUTION NO. 239**

By Community & Social Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH VARIOUS PROVIDERS FOR PERSONAL CARE/HOMEMAKER SERVICES IN CONNECTION WITH THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM FOR THE OFFICE FOR AGING FOR THE PERIOD APRIL 1, 1999 THROUGH MARCH 31, 2000**

WHEREAS, this County Legislature, by Resolution 150 of 1999, authorized renewal of agreements with various contractors for the provision of in-home personal care/homemaker services in connection with the Expanded In-Home Services for the Elderly Program (EISEP) for the Office for Aging for the period April 1, 1999 through March 31, 2000, at varying costs, and

WHEREAS, it is necessary to authorize the amendment of said agreements to reflect a flat hourly rate of \$12.75, and

WHEREAS, the Office for Aging has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stafkings Healthcare Systems, P.O. Box 1015, Binghamton, New York, 13902; Interim Healthcare Systems, 38 Front Street, Binghamton, New York, 13905; Olsten Health Services, 41 Chenango St., Binghamton, New York, 13901; Family & Children's Society of Broome County, 257 Main Street, Binghamton, New York, 13905; and Homemakers of Broome County, Inc., d/b/a Caregivers, P. O. Box 2071, Binghamton, New York, 13902 for provision of in-home personal care/homemaker services in connection with the Expanded In-Home Services for the Elderly Program (EISEP) for the period April 1, 1999 through March 31, 2000, to decrease the rate to a flat hourly rate of \$12.75, and be it

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

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760942.4457.104296 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 150 of 1999, 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 (Mather).

**RESOLUTION NO. 240**

By County Administration, Economic Development & Planning Committee

Seconded by Mr. Brunza

**RESOLUTION OF SUPPORT FOR THE ELIMINATION OF THE SUNSET PROVISION OF THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF)**

WHEREAS, the Local Government Records Management Improvement Fund was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York's more than 4300 local governments, and

WHEREAS, a sunset date for the LGRMIF was established in the original legislation to permit its operation as a five-year experiment, and

WHEREAS, the LGRMIF operated successfully and supported essential advisement and grants projects signally to improve the management of records and information in local governments, and

WHEREAS, the New York State Legislature in 1995 extended the sunset date to December 31, 2000, and

---

WHEREAS, the LGRMIF and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at no cost to the taxpayers, and

WHEREAS, Broome County has benefited from technical assistance, training, publications and 5 grants totaling \$230,349 supported by the LGRMIF, and

WHEREAS, the LGRMIF continues to be critically important in the fulfillment of the many records and information related responsibilities of Broome County, now, therefore, be it

RESOLVED, that Broome County supports the elimination of said sunset provision of December 31, 2000 in order to make the LGRMIF permanent.

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

#### **RESOLUTION NO. 241**

By Health Services and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AGREEMENT WITH PROFESSIONAL HOME CARE, INC. FOR OXYGEN THERAPY SERVICES FOR WILLOW POINT NURSING HOME FOR THE PERIOD MAY 1, 1999 THROUGH DECEMBER 31, 1999**

WHEREAS, Willow Point Nursing Home requests authorization for an agreement with Professional Home Care, Inc. for oxygen therapy services for the period May 1, 1999 through December 31, 1999, at a cost not to exceed \$16,500, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Professional Home Care, Inc., 4401 Vestal Parkway East, Vestal, New York 13850 for oxygen therapy services for Willow Point Nursing Home for the period May 1, 1999 through December 31, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$16,500 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 160101.4363.204000 (Medical, Lab and Clinic Supplies) and 160101.4707.204000 (Medical and Hospital), 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 (Mather).**

#### **RESOLUTION NO. 242**

By Public Works and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AGREEMENT WITH JENNINGS ENVIRONMENTAL MANAGEMENT, INC. FOR AIR QUALITY MONITORING AND ANALYSIS FOR THE EDWIN L. CRAWFORD COUNTY OFFICE BUILDING ROOF REPLACEMENT PROJECT FOR THE PERIOD MAY 20, 1999 THROUGH NOVEMBER 20, 1999**

WHEREAS, the Department of Public Works requests authorization for an agreement with Jennings Environmental Management, Inc. for air quality monitoring and analysis for the Edwin L. Crawford County Office Building Roof Replacement Project for the period May 20, 1999 through November 20, 1999, at a cost not to exceed \$14,160, and

WHEREAS, said services are necessary because asbestos was discovered in the existing roofing materials and such services cannot be performed by the Department of Public Works, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Jennings Environmental Management, Inc., Box 1009, Dundaff Village, Carbondale, Pennsylvania 18407 for air quality monitoring and analysis for the Edwin L. Crawford County Office Building Roof Replacement Project for the period May 20, 1999 through November 20, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$14,160 for the term of this agreement, and be it

---

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035113.4746.502298 (Professional Architectural and Engineering 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 (Mather).**

#### **RESOLUTION NO. 243**

By Public Works and Finance Committees

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC. FOR ASBESTOS ABATEMENT DESIGN SERVICES FOR THE EDWIN L. CRAWFORD COUNTY OFFICE BUILDING ROOF REPLACEMENT PROJECT FOR THE PERIOD MAY 20, 1999 THROUGH NOVEMBER 20, 1999**

WHEREAS, the Department of Public Works requests authorization for an agreement with O'Brien & Gere Engineers, Inc. for asbestos abatement design services for the Edwin L. Crawford County Office Building Roof Replacement Project for the period May 20, 1999 through November 20, 1999, at a cost not to exceed \$11,937, and

WHEREAS, said services are necessary because asbestos was discovered in the existing roofing materials and such services cannot be performed by the Department of Public Works, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York 13850 for asbestos abatement design services for the Edwin L. Crawford County Office Building Roof Replacement Project for the period May 20, 1999 through November 20, 1999, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$11,937 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035113.4746.502298 (Professional Architectural and Engineering 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 (Mather).**

#### **RESOLUTION NO. 244**

By Health Services Committee

Seconded by Mr. Brunza

**RESOLUTION AUTHORIZING THE BROOME COUNTY HEALTH DEPARTMENT TO SEEK HOME CARE LICENSURE**

WHEREAS, the Broome County Health Department intends to abandon its valid certificate of approval to provide home care services pursuant to Article 36 of the Public Health Law in the near future, and

WHEREAS, Section 3605 of the Public Health Law mandates the licensure of home care services agencies that provide nursing services, and

WHEREAS, the licensure approval process helps assure the quality and appropriateness of all the health and health-related services provided, and

WHEREAS, a licensed home care services agency may provide services which can be reimbursed through the provision of Article 36 of the Public Health Law except under the provisions of titles XVIII and XIX of the federal Social Security Act, and

---

WHEREAS, the granting of licensure under Article 36 of the Public Health Law will allow the Broome County Health Department to bill third party payers on behalf of Broome County, and

WHEREAS, public applicants for Article 36 licensure should attach a resolution from their local legislature authorizing the application process, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Broome County Health Department to seek licensure under Article 36 of the Public Health Law, 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 (Mather).

### RESOLUTION NO. 245

By Public Works Committee

Seconded by Mr. Howard

**RESOLUTION ACCEPTING AS COMPLETE THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED DEVELOPMENT OF A NEW LANDFILL, SOLID WASTE COMPOSTING PROGRAM AND WATER AND SEWER LINES PROJECT**

WHEREAS, the Broome County Legislature pursuant to Resolution 96-298, has heretofore designated itself to act as lead agency for the proposed development of a new landfill and solid waste composting program, and

WHEREAS, pursuant to Resolution 97-208, this Legislature has adopted a scope of issues with respect to the proposed development of a new landfill and solid waste composting program, and

WHEREAS, in the course of developing those actions, the provision of water and sewer services to the existing and proposed landfill were identified as mitigation actions that should also be assessed in the environmental review process, and

WHEREAS, the Broome County Division of Solid Waste Management has submitted a proposed draft environmental impact statement, and this Legislature has reviewed said document for its adherence to the scope of issues set forth in Resolution 97-208, and its compliance with the requirements of SEQRA and 6 NYCRR Section 617.14, and

WHEREAS, this Legislature has determined that said document is complete in scope and content, fulfills the requirements of the aforesaid statute and regulation, and is adequate for public review, circulation, and comment, and

WHEREAS, a public hearing could aid this Legislature's decision making process by providing a forum for, and an efficient mechanism for the collection of public comment, and

WHEREAS, it is desired at this time to initiate the public comment phase of the SEQRA process, to establish a time table for certain events in connection therewith, and to assign various tasks and duties in connection therewith, now, therefore, be it

RESOLVED, that this Legislature hereby determines that the proposed draft environmental impact statement for the proposed new landfill, solid waste composting system and water and sewer lines project is complete in scope and content and adequate for public review, and directs the same be filed and circulated for public review and comment as provided in 6 NYCRR Part 617, and be it

FURTHER RESOLVED, that this Legislature hereby fixes the public comment period on this draft environmental impact statement to commence with the filing and circulation of the notice of completion and to conclude on July 19, 1999, and be it

FURTHER RESOLVED, that all written comments on the draft environmental impact statement shall be filed with the clerk of the Broome County Legislature, 6th floor, Edwin L. Crawford County Office Building, Government Plaza, Box 1766, Binghamton, New York 13902 and the clerk of the Legislature shall maintain a file of all such comments and transmit them to this Legislature, and be it

FURTHER RESOLVED, that this Legislature determines that based on the aforesaid factors and those set forth in 6 NYCRR Section 617.9(a), a public hearing on the draft environmental impact statement should be held, and be it

---

FURTHER RESOLVED, that the public hearing shall be held in two sessions, one commencing at 4:00 p.m. and the other commencing at 7:00 p.m., both to be held on \_\_\_\_\_, and be it

FURTHER RESOLVED, that the afternoon session will be held in the legislative chambers, 6<sup>th</sup> floor, Edwin L. Crawford County Office Building, Government Plaza, Binghamton, New York, and the evening session shall be held at the Binghamton Regional Airport, Airport Road, Binghamton, New York, and be it

FURTHER RESOLVED, that the chairman of the Legislature shall preside over the public hearing and shall make all necessary arrangements for said hearing, including having transcripts thereof, prepared and transmitted to this Legislature, and be it

FURTHER RESOLVED, that the chairman of the Legislature, in cooperation with the Department of Law, and the Division of Solid Waste Management; is hereby directed to prepare and file a "Notice of Completion and Hearing," to publish notice of the hearing, and to file and make available copies of the draft environmental impact statement, as provided in 6 NYCRR Section 617.12, and be it

FURTHER RESOLVED, that following the conclusion of the comment period, the Division of Solid Waste Management shall coordinate the preparation of the final environmental impact statement (FEIS), and in connection therewith shall together with the Department of Law prepare a proposed statement of SEQRA findings and decision for this Legislatures consideration.

Mr. Shafer moved, seconded by Mr. Howard, to amend the resolution to include June 14, 1999 in the fourth FURTHER RESOLVED as the date of the Public Hearing. **Motion to amend carried**, Ayes-18, Nays-0, Absent-1 (Mather). Mr. Brunza then made a motion to table the resolution for 30 days, seconded by Mr. Whalen. **Motion to table failed**, Ayes-5 (Brunza, Burger, Kavulich, Sweet, Whalen), Nays-13 (Holley, Howard, Hudak, Hull, Kolba, Lupardo, Miller, Nannery, O'Day, Pasquale, Shafer, Wike, Schofield), Absent-1 (Mather). A motion to call the question was made by Mr. Hull, seconded by Mr. Kolba. **Motion to call the question carried**, Ayes-14, Nays-4 (Brunza, Burger, Kavulich, Whalen), Absent-1 (Mather).

**Resolution as amended carried**, Ayes-13 (Holley, Howard, Hudak, Hull, Kavulich, Kolba, Lupardo, Miller, Nannery, Shafer, Sweet, Wike, Schofield), Nays-4 (Brunza, Burger, O'Day, Whalen), Absent-2 (Mather, Pasquale).

#### RESOLUTION NO. 246

By Finance Committee

Seconded by Mr. Brunza

#### RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON TAX ROLLS FOR 1999

WHEREAS, applications for Correction of Errors on Tax Rolls for 1999 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 application for correction and orders that the tax officer having jurisdiction of the tax rolls correct said tax rolls and the tax bill in accordance with the following list, pursuant to Section 554 of the Real Property Tax Law,

209.04-1-29		\$212.70	\$170.16
Manning	Fire	29.78	29.78
Vet Disability Exemption	Town	10.51	8.41
Of 20% not applied	Hwy.	<u>27.19</u>	<u>21.76</u>
		\$280.18	\$230.11

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 (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or 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 (including the Budget Director, Comptroller and/or Commissioner of Finance) are hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

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

### **RESOLUTION NO. 250**

By Finance and County Administration, Economic Development & Planning Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AGREEMENT WITH ENDICOTT PERFORMING ARTS CENTER, INC.**

WHEREAS, this County Legislature in the 1999 budget has appropriated \$25,000 for a one time "seed money grant" to the Endicott Performing Arts Center, Inc. for the purpose of providing funding for the construction of a stage at the Endicott Performing Arts Center, and

WHEREAS, it is necessary to have a contract with the Endicott Performing Arts Center, Inc. in order to disburse the appropriation, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Endicott Performing Arts Center, Inc. whereby the Center agrees to accept said \$25,000 one time "seed money grant" and use it to construct a stage at the Performing Arts Center located at 102 Washington Avenue, Endicott, New York 13760; to comply with all state and federal requirements; and to submit and file with the clerk of this Legislature and the County Executive a written report upon the completion of the construction of the stage detailing the Center's use of the funds received from the County, and be it

FURTHER RESOLVED, that the payment hereinabove authorized shall be made from budget line 910167.4545,101000 (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 (Mather).**

### **RESOLUTION NO. 251**

By Education, Culture & Recreation and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH B.C. ICEMEN, LLC.**

WHEREAS, this County Legislature, by Resolution 299 of 1997, authorized an agreement with the B.C. Icemen, LLC for the period July 2, 1997 through February 28, 2001 which provided for, among other items, the rental by Broome County to the B.C. Icemen of the Veterans Memorial Arena, payment by the Icemen to the County of advertising revenue, and payment by the County to the Icemen of a portion of concession revenue generated at hockey games provided the contract between the County and Aramark, Inc. had been terminated, and

WHEREAS, on or about July 2, 1997, pursuant to said Resolution 299 of 1997, the County and the B.C. Icemen, LLC entered into an agreement incorporating the terms of said resolution, and

---

WHEREAS, although the County in good faith anticipated that concession revenue would be available to the Icemen, the contract for concession services between the County and Aramark, Inc. remains in full force and effect, and

WHEREAS, the B.C. Icemen have requested an amendment to the July 2, 1997 agreement providing that the County will make available to the Icemen 20% percent of gross concession revenue generated during hockey games during the 1999-2000 season and that the Icemen be able to defer until the 2000-2001 season the \$15,000 advertising payment the Icemen would owe the County for the 1999-2000 season, and

WHEREAS, said requested amendments to the July 2, 1997 agreement will provide additional cash flow to the Icemen allowing the hockey club to meet its projected expenses for the 1999-2000 season, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the July 2, 1997 agreement with the B.C. Icemen, LLC providing that for the 1999-2000 season Broome County will pay the B.C. Icemen 20% of gross concession revenue generated during hockey games and that the Icemen may defer the \$15,000 advertising payment due the County for the 1999-2000 season until the 2000-2001 season, and be it

FURTHER RESOLVED, that Resolution 299 of 1997, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Held over under the 'rules'** by Mr. Whalen.

#### **RESOLUTION NO. 252**

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION APPROVING SALE OF IN REM FORECLOSURE PROPERTIES TO FORMER OWNERS**

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of the completion of proceedings of foreclosure in rem, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Services to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Services advises that the former owners and residents of certain properties have requested to have their property sold back to them, and the Director and your sponsoring committee recommend that such request be granted based on the unusual circumstances of each such case as reviewed and approved by your sponsoring committee, now, therefore, be it

RESOLVED, that the sale back to the former owners of the parcels listed on Exhibit "A" as attached hereto for the amounts as stated is hereby approved by this County Legislature based on the unusual circumstances of each such case, as determined by your sponsoring committee as well as the undue hardship to the former owners that the failure to approve such sales would cause, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quick claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the former owners in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

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

**RESOLUTION NO. 253**

By Finance and Health Services Committees Seconded by Mr. Brunza  
**RESOLUTION AUTHORIZING THE BUDGET TRANSFER FOR THE HEALTH DEPARTMENT**

RESOLVED, that in accordance with a request from the Acting Director of Health in order to transfer funds to revise appropriations in the Healthy Living Partnership Grant as requested in BF#0001483 this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index code</u>	<u>Subobject</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
FROM:	480301	1000	104225	Salaries, Full Time	750
	480301	1500	104225	Salaries, Part Time	4,665
	480301	4319	104225	Office Supplies	350
	480301	4346	104225	Training & Education Supplies	885
	480301	4359	104225	Computer Supplies	350
	480301	4411	104225	Postage and Freight	300
	480301	4419	104225	General Office Exp.	72
	480301	4448	104225	Advertising and Promos	700
	480301	4458	104225	Other Program Expenses	389
	480301	4461	104225	Mileage and Parking	400
	480301	4462	104225	Travel, Hotel, Meals	500
	480301	4463	104225	Education & Training	113
	480301	4465	104225	Non-employee Travel	450
	480301	4466	104225	Advisory Board	15
	480301	4606	104225	Telephone Billing	290
	480301	4609	104225	Data Proc. Chargeback	500
	480301	4614	104225	Other Chargeback Expenses	500
	480301	4618	104225	Office Supp. Chargeback	30
	480301	4627	104225	Single Audit Chargeback	87
	480301	8010	104225	State Retirement	1,590
	480301	8030	104225	Social Security	654
	480301	8040	104225	Workers' Comp.	100
	480301	8050	104225	Life Insurance	7
	480301	8060	104225	Health Insurance	1,174
	480301	8063	104225	Disability Insurance	33
TO:	480301	4707	104225	Medical/Hosp. Svcs	14,904

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

**RESOLUTION NO. 254**

By Finance, Public Works and Transportation Committees Seconded by Mr. Shafer  
**RESOLUTION AMENDING THE 1998 CAPITAL IMPROVEMENT PROGRAM**

RESOLVED, that the 1998 Capital Improvement Program is hereby amended as follows:

FROM: (adopted 1998)

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	
501340	Passenger Terminal Refurbishment	\$12,700,000	\$6,100,000	\$2,300,000	\$4,300,000

  

<u>How Financed:</u>			
<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current Revenue</u>
1998	10	\$10,400,000	\$0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>		<u>County</u>
			<u>State</u>	<u>Federal/Other</u>	
501340	Passenger Terminal Refurbishment	\$12,700,000	\$6,295,407	\$5,904,593	\$500,000

<u>Year Start</u>	<u>YPU</u>	<u>How Financed:</u>	
		<u>Bond</u>	<u>Current Revenue</u>
1998	10	\$6,795,407	\$0

Note: County upfronts state share through sale of bonds (because of delays in state reimbursement). Bonds are later repaid from state aid reimbursement.

**Carried**, Ayes-17, Nays-0, Absent-2 (Mather, Pasquale).

### RESOLUTION NO. 255

By Public Works Committee

Seconded by Mr. Brunza

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO THE EASTERN BROOME SENIOR CITIZENS CENTER (Town of Colesville), RENDERING A NEGATIVE DECLARATION, AND AUTHORIZING THE COUNTY EXECUTIVE TO REQUEST HUD TO RELEASE THE GRANT FUNDS IN CONNECTION WITH THE PROJECT**

WHEREAS, in 1996 Broome County was the recipient of a Small Cities Community Development Block Grant (HUD Project Number B-96-DH-36-0216) to be used to construct a senior citizens center in the Town of Colesville, (hereinafter the "Project"), and

WHEREAS, it has been determined that such Project is subject to the requirements of the State Environmental Quality Review Act (hereinafter SEQR), and the National Environmental Policy Act of 1969 (hereinafter NEPA), and it is necessary to initiate procedures pursuant to SEQR and NEPA, 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, the United States Department of Housing and Urban Development, and the Town of Colesville are the only involved agencies, as defined in SEQR, reviewing this project, and

WHEREAS, said 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 Project pursuant to SEQR and NEPA, 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 pursuant to SEQR and NEPA the Project located in the Town of Colesville, Broome County, New York 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", and directs the Broome County Commissioner of Planning to file, on behalf of this County Legislature, the notices required by Article 8 of the Environmental Conservation Law of the State of New York, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the recommendations set forth in the "Environmental Review Record" annexed hereto as Exhibit "B" and, pursuant to NEPA makes a finding that the Project will have no significant impact, and be it

---

FURTHER RESOLVED, that, based on the adoption of the recommendations of the Environmental Review Record, the finding of no significant impact and the negative declaration, the County Executive is hereby authorized to sign the Request for Release of Funds, including the certification(s) set forth therein, in connection with the Project and transmit same to the United States Department of Housing and Urban Development.

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

### RESOLUTION NO. 256

By Finance Committee

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTIES OF THE 1999 TAX SALE AUCTION (1995 IN REM FORECLOSURE)**

WHEREAS, the County of Broome now owns certain parcels of real property as a result of the 1995 in rem foreclosure action, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Service advises that a tax sale auction for 1999 was held and tabulation of all bids submitted was undertaken by the Director of Real Property Tax Service, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes the conveyance of certain real property to the successful bidders in the 1999 Broome County tax sale as indicated on the attached Exhibit "A", and be it

FURTHER RESOLVED, that this County Legislature hereby rejects the following bids:

<u>TOWN</u>	<u>TAX MAP NO.</u>	<u>REJECTED BIDDER</u>	<u>BID AMOUNT</u>
Union	141.18-6-11	William Fenson	\$ 8,000
Union	157.10-3-37	William Fenson	\$ 5,500
Union	108.17-1-2	John Margetanski	\$ 150
Union	143.33-2-24	Mohammed Battla	\$ 800
Union	128.01-1-2	Richard Chrysler	\$ 200

and be it,

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the successful bidders in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

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

### RESOLUTION NO. 257

By Public Works and Finance Committees

Seconded by Mr. Brunza

#### **RESOLUTION AUTHORIZING AMENDMENT OF ENERGY PERFORMANCE AGREEMENT WITH JOHNSON CONTROLS, INC.**

WHEREAS, this County Legislature, by Resolution 340 of 1989, authorized an energy performance agreement with Johnson Controls, Inc., and

WHEREAS, said agreement provided for the installation of energy saving equipment and controls in County facilities in consideration of payment to Johnson Controls, Inc. of a percentage of the County's savings on energy costs during a ten-year period, which ends on December 31, 2001, and

WHEREAS, the Commissioner of Public Works recommends authorization of an amendment to said agreement to provide for installation of further energy saving equipment and controls to produce further energy savings during the balance of the term of said agreement, now, therefore, be it

---

RESOLVED, that this County Legislature hereby authorizes an amendment of the agreement with Johnson Controls, Inc., 24 Corporate Circle, Albany, NY 12203, to provide for

1. Installation of outdoor air and return damper and exhaust fan in the north air handling unit.
2. Chiller upgrade for existing centrifugal chiller to a new high efficiency Series R CentraVac Rotary chiller.
3. VAV Pneumatic to Direct Digital Control upgrade.

and be it

FURTHER RESOLVED, that the payments to Johnson Controls, Inc. during the final three years of the term of the agreement shall be increased from 25% to 80% of energy savings, and be it

FURTHER RESOLVED, that Johnson Controls, Inc. shall guarantee energy savings to Broome County of not less than \$20,000 per year, and be it

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

**Held over under the 'rules'** by Mr. Wike.

A motion was made by Mr. Howard and seconded by Mr. Hull to Suspend the Rules in order to act on Intro. Resolution Intro. #49 RESOLUTION AUTHORIZING LEASE OF SPACE IN THE METROCENTER FOR USE BY THE OFFICE OF EMPLOYMENT AND TRAINING AND THE DEPARTMENT OF SOCIAL SERVICES. **Motion to suspend the rules failed** due to the lack of two-thirds majority vote.

Resolution Intro. #12 RESOLUTION AMENDING THE 1999 CAPITAL IMPROVEMENT PROGRAM was not acted upon as it was deferred in committee.

Resolution Intro. #19 RESOLUTION AUTHORIZING AGREEMENT WITH \_\_\_\_\_ FOR LEASE OF A NEW SITE FOR A BRANCH LIBRARY ON THE EAST SIDE OF BINGHAMTON was not acted upon as it was deferred in committee.

Mr. Shafer moved to adjourn, seconded by Mr. Whalen. **Motion to adjourn carried**, Ayes-17, Nays-0, Absent-2 (Mather, Pasquale). Meeting adjourned at 5:08pm.

