

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
JANUARY 20, 1994**

The Legislature convened at 4:00 p.m. with a call to order by the Chairman, Arthur J. Shafer.

The Clerk, Richard R. Blythe, read the fire exit announcement and then called the Attendance roll: Present-18 (Mr. Pasquale arrived shortly after the roll call, prior to the consideration of the preferred agenda.) Absent-1 (Whalen).

<u>DISTRICT &amp; LEGISLATOR</u>	<u>DISTRICT &amp; LEGISLATOR</u>
1 Mark R. Whalen	10 Audrey Taylor
2 Margaret M. Coffey	11 Chris W. Burger
3 David L. Lindsey	12 Andrew Kavulich
4 Vincent A. Pasquale	13 Daniel A. Schofield
5 Merry Harris	14 Michael P. Pazzaglini
6 Kelly J. Wagstaff	15 Wanda Hudak
7 Arthur J. Shafer	16 Roger V. Brown
8 Wayne L. Howard	17 Louis P. Augostini
9 James Malley	18 Brian K. Mather
	19 George Harbachuk

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

Mrs. Wagstaff moved, seconded by Mrs. Coffey that the minutes of the December 29, 1993 Regular Session be approved as prepared and as presented by the Clerk. **Carried.** Ayes-17, Nays-2 (Pasquale, Whalen).

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

Letters from the County Executive, Timothy M. Grippen:

- 1.Nominating 16 persons to membership on the Environmental Management Council.
- 2.Nominating J. Ottman and I. Rossi to membership on the Consumer Services Advisory Board.
- 3.Nominating 5 persons to membership on the Planning and Economic Development Advisory Board.
- 4.Nominating 13 persons to membership on the Child Abuse Council.
- 5.Nominating 21 persons to membership on the Fire Advisory Board.
- 6.Declaration of State of Emergency due to snowstorm, January 4, 1994.

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

PETITIONS:

- 1.Petitions protesting one dollar surcharge on Arena and Forum tickets.

COMMUNICATIONS:

- 1.Minutes from:
  - a.Ambulance Advisory Board.
  - b.Environmental Management Council.
  - c.Willow Point Nursing Facility.
  - d.EMC Land Use and Natural Resources Committee.
  - e.EMC Ad Hoc Committee on Composting.
- 2.1994 Town Budgets: Conklin, Binghamton, Windsor, Vestal (Preliminary Budget).
- 3.Letter from Assemblyman Richard H. Miller regarding status of sales tax legislation for Broome County.
- 4.Resolutions from:
  - a.Village of Whitney Point (Agreeing to Participate in New Proposed Distribution of Sales Tax Revenues).

- b.Steuben County (Requesting that NYSAC and NYSSCLA Investigate Possibility of Amendment to State Constitution, Defining and Limiting use to which Property Taxes could be applied).
- c.Town of Vestal (Opposing County's Proposal to Cap Sales Tax Revenues at 1992 level).
- 5.Letter from Windsor Landfill Opposition Committee (Proposed Landfill Site at Dunbar and Thompson Roads).
- 6.Copy of letter from Town of Union Commissioner of Public Works to Director of Solid Waste Management regarding construction and demolition debris disposal (other haulers disposing of waste directly into landfill).
- 7.Letter from Martin Marietta Corporation concerning postponement of employee reductions.

REPORTS:

- 1.Fourth quarter expense report for Broome County Convention and Visitors Bureau (October, November, December 1993).
- 2.Department of Audit and Control: Audit (Broome County Coroner); Bank Transfer Testing (April through October 1993).
- 3.Monthly Report: Broome Community College (Above Minimum Hires, November and December 1993).
- 4.1993 Annual Report: Veterans Services Center.

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

Letters from the Chairman, Arthur J. Shafer:

- 1.Appointing Andrew Kavulich as voting representative for Mark R. Whalen, County Administration, Economic Development

and Planning Committee, January 13, 1994.

2.Appointing Andrew Kavulich/Merry Harris/Audrey Taylor as voting representative for Vincent A. Pasquale, Finance Committee, January 13, 1994.

RESOLUTIONS HELD OVER FROM PREVIOUS SESSIONS  
(DECEMBER 16 AND 29, 1993)

The following resolutions heldover from the previous session were again presented for consideration.

**RESOLUTION NO. 652 of 1993** by Finance Committee, (heldover by Mr. Augustini).

**BOND RESOLUTION DATED JANUARY 20, 1994.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$9,154,000 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY ALL OR PART OF THE COST OF VARIOUS CAPITAL PROJECTS.**

The Finance Committee:

**Removed project M-47**, Phase I of the design and permitting of a new landfill, being a specific object or purpose; five years; subdivision 62 (a), \$1,550,000

The project was **removed** upon polling of the committee.

Mr. Burger moved, seconded by Mrs. Taylor to:

**Table F-441**, Construction of an addition to the central foods facility, being a specific object or purpose; ten years; subdivision 12 (a) (3) \$ 1,200,000

The tabling **carried**. Ayes-18, Absent-1 (Whalen).

Mr. Lindsey moved, seconded by Mrs. Hudak to:

**Table M-43**, Acquisition of and improvements to material recovery facility, being a specific object or purpose; twenty-five years; subdivision 6

\$2,000,000

The tabling **carried**.

Ayes-12(Brown, Burger, Harris, Howard, Hudak, Lindsey, Mather, Pazzaglini, Schofield, Taylor, Wagstaff, Shafer),

Nays-6(Augostini, Coffey, Harbachuk, Kavulich, Malley, Pasquale),

Absent-1 (Whalen).

Resolution as amended **Carried**. Ayes-18, Absent-1 (Whalen).

(With adjustments made above, the new total of the Bond Resolution is \$4,464,000)

**THE AMENDED RESOLUTION READS AS FOLLOWS:**

**BOND RESOLUTION DATED JANUARY 20, 1994.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$4,464,000 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY ALL OR PART OF THE COST OF VARIOUS CAPITAL PROJECTS.**

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

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

<u>Project Code</u>	<u>Project Name/P.P.U./L.F.L. §11.00(a)</u>	<u>Maximum Estimated Cost</u>
C-243	Removal of existing aviation fuel	\$ 800,000

	tank farm and construction of new above-ground fuel tank farm, being a specific object or purpose; ten years; subdivision 14	
Z-341	Replacement of computer equipment, being a class of objects or purposes; five years; subdivision 32	600,000
Q-56	Replacement of transit coaches, being a class of objects or purposes; five years; subdivision 29	3,400,000
D-241	Reconstruction of Windsor Bridge piers, being a specific object or purpose; twenty years; subdivision 10	350,000
G-244	Reconstruction of highways, being a class of objects or purposes; ten years; subdivision 20 (b)	1,000,000
H-14	Acquisition of highway machinery and equipment, being a class of objects or purposes; ten years; subdivision 28	409,000
M-46	Planning/studies for future solid waste management facilities, being a specific object or purpose; twenty-five years; subdivision 62 (a)	625,000

Section 2. SEQR DETERMINATION: It is hereby declared to be the intent of this County Legislature that the projects listed above shall not commence until all steps have been taken under the New York State Environmental Quality Review Act ("SEQR") to ensure that said

proposed projects are in compliance with the provisions thereof and, to this end, it is hereby determined that, until such compliance has been accomplished, the only obligations which shall be issued pursuant to this resolution shall be to provide funds for engineering, architectural and legal fees, including studies, surveys and testing of the site thereof, which will, at least, assist in the SEQR compliance process. Notwithstanding the foregoing, it is hereby further determined that no further resolution of this County Legislature shall be required in order to permit the issuance of obligations pursuant to this resolution once these proposed projects have been determined to be in compliance with the provisions of SEQR.

Section 3. (a) The aggregate maximum estimated cost of the aforesaid classes of objects or purposes or specific objects or purposes is \$7,184,000, and the plan for the financing thereof is by the issuance of \$4,464,000 serial bonds of said County, hereby authorized to be issued therefore, and by the application of \$2,720,000 monies to be received from the Federal government and \$340,000 monies to be received from the State government to be allocated entirely toward Project Q-56.

(b) The amount of serial bonds herein authorized to be issued shall be reduced to the extent State and Federal grants-in-aid are received in connection with each of the projects herein described. The estimated amount of such revenues as well as the allocation of the serial bonds herein authorized is set forth below:

<u>Project Code</u>	<u>Project Name</u>	<u>Estimated Serial Bonds</u>	<u>Estimated State Money</u>	<u>Federal Money</u>
C-243	Removal of existing fuel tank farm and construction of new above-ground fuel tank farm	\$ 800,000	\$ 0	\$0

Z-341	Replacement of computer equipment	600,000	0	0
Q-56	Replacement of transit coaches	680,000	340,000	2,720,000
D-241	Reconstruction of Windsor Bridge piers	350,000	0	0
G-244	Reconstruction of high-ways	1,000,000	0	0
H-14	Acquisition of highway machinery and equipment	409,000	0	0
M-46	Planning/studies for Solid Waste Management Plan/Comprehensive Recycling Analysis	625,000	0	0

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

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the



Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

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

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

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

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect upon its approval by the County Executive, shall be published in full in The Press & Sun Bulletin, which is the only newspaper having a general circulation in the County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

**RESOLUTION NO. 674 of 1993** by County Administration, Economic Development & Planning and Finance Committees (heldover by Mr. Augostini).

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 19, 1993, ENTITLED: "INCREASING DOG ADOPTION AND REDEMPTION FEES."**

**Carried.** Ayes-18, Absent-1 (Whalen).

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

**RESOLUTION NO. 1**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING AGREEMENT WITH SOS SHELTER, INC., FOR PROVISION OF NON-RESIDENTIAL SERVICES TO VICTIMS OF DOMESTIC VIOLENCE FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1994.**

WHEREAS, this County Legislature, by Resolution 170 of 1993 authorized an agreement with SOS Shelter, Inc., for provision of non-residential services to victims of domestic violence for calendar year 1993, at a cost not to exceed \$61,000, and

WHEREAS, said agreement expires by its terms on December 31, 1993, and it is desired at this time to renew said agreement on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the

renewal of said agreement with SOS Shelter, Inc., PO Box 393, Endicott, NY, 13760, for the provision of non-residential services to victims of domestic violence, for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$61,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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, Absent-1 (Whalen).

## **RESOLUTION NO. 2**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

### **RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR HOMEMAKER AND PARENT AIDE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1994.**

WHEREAS, this County Legislature, by Resolution 62 of 1993, authorized an agreement with the Family and Children's Society of Broome, Inc. for homemaker and parent aide services for the Department of Social Services at a cost not to exceed \$289,895.00 for the period January 1, 1993 through December 31, 1993, and

WHEREAS, said agreement expired by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 on substantially similar terms and conditions, with a

decrease in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Family and Children's Society of Broome County, Inc., for homemaker and parent aide services for the Department of Social Services for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$220,330.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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, Absent-1 (Whalen).

**RESOLUTION NO. 3**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES FAMILY REUNIFICATION AND TREATMENT PROGRAM FOR 1994.**

WHEREAS, this County Legislature, by Resolution 61 of 1993, authorized an agreement with the Family and Children's Society of

Broome County, Inc., for prevention and treatment services in connection with the Department of Social Services Family Reunification and Treatment Program (formerly Child Abuse and Neglect Project) at a cost not to exceed \$275,306.00 for calendar year 1993, and

WHEREAS, said agreement expired by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Family and Children's Society, Inc, 257 Main Street, Binghamton, New York, 13905, for intensive counseling and parent aid services to high risk cases in connection with the Department of Social Services Family Reunification and Treatment Program for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$275,306.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4564.103000 (Child Abuse/Neglect Prevention), 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, Absent-1 (Whalen).

**RESOLUTION NO. 4**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE FAMILY AND CHILDREN'S SOCIETY OF BROOME COUNTY, INC. FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES SEXUAL ABUSE PROJECT FOR 1994.**

WHEREAS, this County Legislature, by Resolution 60 of 1993, authorized an agreement with the Family and Children's Society of Broome County, Inc., for services in connection with the Department of Social Services Sexual Abuse Project at a cost not to exceed \$302,268.00 for calendar year 1993, and

WHEREAS, said agreement expired by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Family and Children's Society, Inc, 257 Main Street, Binghamton, New York, 13905, for assessment and treatment, counseling services to families and children in connection with the Department of Social Services Sexual Abuse Project for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$302,268.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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, Absent-1 (Whalen).

**RESOLUTION NO. 5**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CHILDREN'S HOME OF WYOMING CONFERENCE FOR NON-SECURE DETENTION FOR 1994.**

WHEREAS, this County Legislature, by Resolution 58 of 1993, authorized an agreement with the Children's Home of Wyoming Conference for non-secure detention at Haskins for court ordered persons in need of supervision and juvenile delinquents at a cost not to exceed \$327,768.00 for calendar year 1993, and

WHEREAS, said agreement expired by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York, 13901 for non-secure detention at Haskins for court ordered persons in need of supervision and juvenile delinquents for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$340,250.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670117.4581.103000 (Foster Care NS DET [Haskins]), 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 Dept. of Law, as may be necessary to implement the intent and purpose of this Resolution. **Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 6**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH THE CHILDREN'S HOME OF WYOMING CONFERENCE FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES THERAPEUTIC AFTER-SCHOOL PROGRAM FOR 1994.**

WHEREAS, this County Legislature, by Resolution 59 of 1993, authorized an agreement with the Children's Home of Wyoming Conference for counseling services in connection with the Department of Social Services Therapeutic After-School Program at a cost not to exceed \$329,169.00 for calendar year 1993, and

WHEREAS, said agreement expired by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Children's Home of Wyoming Conference, 1182 Chenango Street, Binghamton, New York, 13901 for intensive counseling services in connection with the Department of Social Services Therapeutic After-School Program for persons in need of supervision for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$335,752.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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, Absent-1 (Whalen).

**RESOLUTION NO. 7**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CATHOLIC SOCIAL SERVICES OF BROOME COUNTY, INC. FOR COUNSELING SERVICES IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES ADOLESCENT PREVENTIVE SERVICES FOR 1994.**

WHEREAS, this County Legislature, by Resolution 57 of 1993, authorized an agreement with Catholic Social Services of Broome County, Inc. for intensive counseling in connection with the Department of Social Services Adolescent Preventive Services at a cost not to exceed \$247,362.00 for calendar year 1993, and

WHEREAS, said agreement expires by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Catholic Social Services of Broome County, Inc., 232 Main Street, Binghamton, New York, 13905, for counseling services in connection with the Department of Social Services Adolescent Preventive Services for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$252,309.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4561.103000 (Purchase of 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, Absent-1 (Whalen).

**RESOLUTION NO. 8**

by Health & Human Services, Education, Culture & Recreation and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION FOR L.I.F.E. PROGRAM FOR THE DEPARTMENT OF SOCIAL SERVICES FOR 1994.**

WHEREAS, this County Legislature, by Resolution 56 of 1993, authorized an agreement with Cornell Cooperative Extension for a program which provides parent education and training to high needs families and focuses on teaching and building skills and includes child care and transportation for calendar year 1993 at a cost not to exceed \$18,367.00, and

WHEREAS, said agreement expired by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with Cornell Cooperative Extension, 840

Front Street, Binghamton, New York, 13905, for the L.I.F.E. Program for the Department of Social Services for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$18,367.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670067.4747.103000 (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, Absent-1 (Whalen).

**RESOLUTION NO. 9**

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

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING ACCEPTANCE OF CHILD ASSISTANCE PROGRAM GRANT FOR 1994 AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994.**

WHEREAS, the Commissioner of Social Services requests authorization to accept a Child Assistance Program Grant in the amount of \$340,620.00 for the period January 1, 1994 through December 31, 1994, and

WHEREAS, said grant program provides for funds to encourage ADC parents to seek and maintain employment through incentives that allow participants to keep a greater portion of their income, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and

approves acceptance of \$340,620.00 from New York State Department of Social Services for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$340,620 for the period January 1, 1994 through December 31, 1994, and be it

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

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

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

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 10**

by Health & Human Services, Personnel and Finance Committees  
Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING REVISION OF HOME ENERGY ASSISTANCE PROGRAM (HEAP) AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 482 of 1993,

authorized the continued participation by the Department of Social Services in the Home Energy Assistance Program (HEAP) and adopted a program budget in connection therewith in the total amount of \$1,858,479.00 for the period November 1, 1993 through November 15, 1994, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Home Energy Assistance Program (HEAP) for the period November 1, 1993 through November 15, 1994 in the total amount of \$2,208,674.00, 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 \$2,208,674.00 for the period November 1, 1993 through November 15, 1994, and be it

FURTHER RESOLVED, that Resolution 482 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 11**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING RENEWAL OF THE BROOME COUNTY DEPARTMENT OF SOCIAL SERVICES MARYWOOD MASTERS OF SOCIAL WORK GRANT PROJECT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993-1994.**

WHEREAS, this County Legislature, by Resolution 54 of 1993, authorized and approved the grant agreement with the New York State Department of Social Services for the Masters of Social Work Project whereby promising caseworkers were selected for enrollment in Marywood College of Social Work, Masters of Social Work Program, and adopted a program budget in the amount of \$83,021.00 in connection therewith for the period July 1, 1992 through June 30, 1993, and

WHEREAS, the program offers specialized training in children and youth services focusing on adoption, foster care and permanency planning, and

WHEREAS, it is desired to renew said program for the period July 1, 1993 through June 30, 1994, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves the continued operation of the Broome County Department of Social Services Marywood College Masters of Social Work Project for the period July 1, 1993 through June 30, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes receipt of grant funds attached herein as Exhibit "A" and approves and adopts a program budget in the amount of \$76,371.00, and be it

FURTHER RESOLVED, that the County Executive or his duly

authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, 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, Absent-1 (Whalen).

**RESOLUTION NO. 12**

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

Seconded by Ms. Harris

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH KIRKEY & ASSOCIATES, INC., FOR SOFTWARE MAINTENANCE/SUPPORT FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION FOR 1994.**

WHEREAS, this County Legislature, by Resolution 492 of 1992, authorized an agreement with Kirkey & Associates, Inc., for software maintenance/support for the Department of Public Transportation at a cost not to exceed \$3,750.00, and

WHEREAS, said agreement expires by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 on substantially similar terms and conditions, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the

renewal of the agreement with Kirkey & Associates, Inc., 2551 Lucien Way, Suite 220, Maitland, Florida, 32751, for software maintenance/support for the Department of Public Transportation for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$3,900.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370007.4513.101000 (Software Maintenance), and be it

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

**Carried.** Ayes-17, Nays-1 (Wagstaff) Absent-1 (Whalen).

### **RESOLUTION NO. 13**

by Public Safety & Emergency Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

#### **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 1994.**

WHEREAS, this County Legislature, by Resolution 676 of 1992, 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 not to exceed \$5,500.00 for calendar year 1993, and



WHEREAS, said agreement expires by its terms on December 31, 1993, and it is desired at this time to renew said agreement for calendar year 1994 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, PO Box 9, Albany, New York, 12201, for psychological services in connection with the Probation Department's PINS Program for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,500.00 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, Absent-1 (Whalen).

#### **RESOLUTION NO. 14**

by Public Safety & Emergency Services, County Administration, Economic Development & Planning, Personnel and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING REVISION OF NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR**

**THE AID TO PROSECUTION PROGRAM GRANT, THE OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 150 of 1993, authorized and approved the New York State Division of Criminal Justice services for the Aid to Prosecution Program Grant in the total amount of \$135,800.00 for the period April 1, 1993 through March 31, 1994, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the New York State Division of Criminal Justice Services for the Aid to Prosecution Program Grant for the period April 1, 1993 through March 31, 1994 in the total amount of \$135,829.00, 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 \$135,829.00 for the period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, that Resolution 150 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

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

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 15**

by Finance Committee                      Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION APPROVING TRANSFER OF 1989 IN REM FORECLOSURE PROPERTIES TO FORMER OWNER.**

WHEREAS, the County of Broome now owns the parcel of real property located in the Town of Sanford, Tax Map No. 1-1-25 by virtue of the completion of proceedings of foreclosure in rem for year 1989, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Services to transfer 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 property in the Town of Sanford, Tax Map No. 1-1-25 was taken in error in the 1989 in rem foreclosure proceedings, and the Director and your sponsoring committee recommend that such property be transferred back to the original owner, Arthur Schambach, based on the circumstances of this case as reviewed and approved by your sponsoring committee, now, therefore, be it

RESOLVED, that the transfer back to Arthur Schambach of the parcel of property located in the Town of Sanford at Tax Map No. 1-1-25 is hereby approved by this County Legislature based on the circumstances herein as determined by your sponsoring committee, 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, Absent-1 (Whalen).

**RESOLUTION NO. 16**

by Finance Committee

Seconded by Mrs. Hudak & Mr. Lindsey

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

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

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

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

<u>TOWN</u>	<u>PARCEL</u>	<u>PROPERTY</u>	<u>OWNER(S)</u>
	<u>REASON</u>		
Chenango	5-4-B-3AX Bankruptcy	Wilson Hill Road Binghamton, NY 13905	RUSSO, ANTHONY
Chenango	5-4-B-5A Bankruptcy	Wilson Hill Road Binghamton, NY 13905	RUSSO, ANTHONY & COLETTE

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 17**

by Health & Human Services, Personnel and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING RENEWAL OF THE MENTALLY ILL CHEMICAL ABUSER (MICA) INTENSIVE CASE MANAGEMENT GRANT FOR THE DEPARTMENT OF MENTAL HEALTH AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994.**

WHEREAS, this County Legislature, by Resolution 453 of 1992, authorized and approved the MICA Intensive Case Management Grant and adopted a program budget in the amount of \$217,773 for the period January 1, 1993 through December 31, 1993, and

WHEREAS, said grant program provides for the implementation of services for individuals who maintain a dual diagnosis of mental illness and substance abuse,

WHEREAS, it is desired to renew said grant program for 1994 in the amount of \$152,900.00, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$152,900.00 from New York State Office of Mental Health for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$152,900.00 for the period January 1, 1994 through December 31, 1994, and be it

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

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

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

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 18**

by Health & Human Services, Personnel and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING RENEWAL OF THE DEPARTMENT OF MENTAL HEALTH'S DAY TREATMENT CASE MANAGEMENT GRANT FOR 1994 AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994.**

WHEREAS, this County Legislature, by Resolution 673 of 1992, authorized and approved the Department of Mental Health's Day Treatment Case Management Grant and adopted a program budget in the amount of \$31,450.00 for 1993, and

WHEREAS, the Commissioner of the Department of Mental Health has requested authorization to accept a grant award in the amount of 28,000.00 from the New York State Office of Mental Health for a Case Manager in the Day Treatment Program for the Community Health Center for 1994, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$28,000.00 from New York State Office for Mental Health for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$28,000.00 for the period January 1, 1994

through December 31, 1994, and be it

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

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

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

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 19**

by Health & Human Services and Finance Committees

Seconded by Mr. Shafer

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH MULTIPLE PARKING SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH FOR 1993 THROUGH 1994.**

WHEREAS, this County Legislature, by Resolution 591 of 1991, authorized an agreement with Multiple Parking Services for provision of parking spaces for employees of the Mental Health Department for

calendar year 1992 at a cost of \$950.00 per month, and

WHEREAS, said agreement expired by its terms on December 31, 1992, 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 Multiple Parking Services for provision of parking spaces for Mental Health Department employees for the period January 1, 1993 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$950.00 per month for a total cost not to exceed \$22,800 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470013.4461.101000 (Mileage and Parking - Local), 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-16, Nays-2 (Hudak, Wagstaff) Absent-1 (Whalen).

**RESOLUTION NO. 20**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH UNITED HEALTH SERVICES TO PROVIDE URINALYSIS TESTING FOR DRUG AWARENESS CENTER CLIENTS ON AN AS NEEDED BASIS FOR 1993.**

WHEREAS, this County Legislature, by Resolution 93 of 1993, authorized an agreement with United Health Services for urinalysis testing for the Drug Awareness Center clients for 1993, at a cost not to exceed \$4,500.00, and

WHEREAS, it is necessary to authorize the amendment of said



agreement to increase the cost thereof, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with United Health Services for urinalysis testing for the Drug Awareness Center clients for the period January 1, 1993 through December 31, 1993, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$5,512.00, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 470021.4712.101000 (Physician Services), and be it

FURTHER RESOLVED, that Resolution 93 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-18, Absent-1 (Whalen).

#### **RESOLUTION NO. 21**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

#### **RESOLUTION AUTHORIZING AMENDMENT OF VARIOUS AGREEMENTS FOR THE YOUTH BUREAU PROGRAMS FOR 1994.**

WHEREAS, this County Legislature, by Resolution 563 of 1993, authorized agreements with several local youth service agencies for programs under the Youth Development Delinquency Prevention (YDDP) Program, and

WHEREAS, it is necessary to authorize the amendment of various agreements as outlined on the attached Exhibit "A" to reflect an increase in appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes amendments to the agreements as outlined on Exhibit "A", and be it

FURTHER RESOLVED, that Resolution 563 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

EXHIBIT "A"		Previous Amount Additional		
County				
<u>Agency</u>	<u>Program</u>	<u>Approved</u>	<u>State Aid</u>	
<u>Dollars</u>				
1. YWCA	Crossroads	15,899	2,024*	-0-
2. Salvation Army	Open Door	24,193	2,025*	-0-
	Shelter			
3. YMCA	Fam. Resource	1,047	713*	
-0-	Center			

Numbers 1,2, and 3 are increasing Youth Bureau appropriations for current contracts.

\* State will reimburse 50% of program expenditures (amount appropriated is 50% of anticipated expenditures).

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 22**

by Education, Culture & Recreation, Personnel and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING ACCEPTANCE OF THE NATURAL HERITAGE TRUST GRANT AND ADOPTING A**

**PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1994.**

WHEREAS, this County Legislature, by Resolution 27 of 1993, authorized the Department of Parks and Recreation to accept a Natural Heritage Trust Grant in the amount of \$11,407.00 for the period January 1, 1993 through December 31, 1993, and

WHEREAS, said grant program provides for the Naturalist position in the Nature Interpretation Program at Finch Hollow Nature Center, and

WHEREAS, it is desired to accept a Natural Heritage Grant in the amount of \$11,407.00 for the period January 1, 1994 through December 31, 1994, now, therefore be it

RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$11,407.00 for the period January 1, 1994 through December 31, 1994, and be it

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

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

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

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 23**

by Environment and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE GRANT-IN-AID FOR LOCAL RESOURCE REUSE AND RECOVERY PROGRAM AND AUTHORIZING THE SIGNING OF A STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF THE STATE OF NEW YORK.**

WHEREAS, Chapter 615 of the Laws of 1987 and Chapter 70 of the Laws of 1988 of the State of New York provides financial aid for local resource reuse and recovery programs, and

WHEREAS, Broome County has examined and duly considered Chapter 615 of the Laws of 1987 and Chapter 70 of the Laws of 1988 of the State of New York and deems it to be in the public interest and benefit to file an application under these laws, and

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

RESOLVED, that this County Legislature hereby authorizes the filing of an application in the form required by the State of New York and in conformity with Chapter 615 of the Laws 1987 and Chapter 70 of the Laws of 1988 of the State of New York and is further authorized to include all understandings and assurances contained in said application, and be it

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

approved by the State, and be it

FURTHER RESOLVED, that Broome County further agrees that it will fund its portion of the cost of said local resource reuse and recovery program, and be it

FURTHER RESOLVED, that Broome County shall set forth its respective responsibilities by a Resolution relative to the Broome County Solid Waste Management Plan, and be it

FURTHER RESOLVED, that five certified copies of this Resolution should be prepared and sent to the Director, Division of Solid Waste, New York State Department of Environmental Conservation, Albany, NY, 12233-4015, together with the complete application.

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 24**

by Environment, Education, Recreation & Culture and Finance Committees

Seconded by Mrs. Taylor

**RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR SOLID WASTE EDUCATION TECHNICAL ASSISTANCE AND SUPPORT FOR THE DIVISION OF SOLID WASTE MANAGEMENT RECYCLING OPERATIONS FOR 1994.**

WHEREAS, this County Legislature, by Resolution 31 of 1993, authorized an agreement between the Division of Solid Waste Management and the Cornell Cooperative Extension of Broome

County for solid waste education technical assistance and support in connection with recycling operations for the period January 1, 1993 through December 31, 1993, at a cost not to exceed \$42,000.00, and

WHEREAS, the total cost of operations has increased to \$87,070.00 and Cornell Cooperative Extension has agreed to assume \$15,060.00 of said cost, and

WHEREAS, said agreement expires by its terms on December 31, 1993, and it is desired to renew said agreement with an increase in the scope of services provided to the County, with an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Cornell Cooperative Extension of Broome County, 840 Front Street, Binghamton, New York, 13905, for solid waste education technical assistance and support in connection with recycling operations and waste reduction through the Division of Solid Waste Management, for the period January 1, 1994 through December 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$71,450.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230078.4545.206000 (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-17, Nays-1 (Wagstaff), Absent-1 (Whalen).

## **RESOLUTION NO. 25**

by Environment and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING AGREEMENT WITH STEARNS & WHEELER FOR LEACHATE FEASIBILITY STUDY FOR NANTICOKE SANITARY LANDFILL FOR 1994.**

WHEREAS, the Director of the Division of Solid Waste Management requests authorization for an agreement with Stearns & Wheeler for a leachate feasibility study for Nanticoke Sanitary Landfill for calendar year 1994, at a cost not to exceed \$24,000.00, and

WHEREAS, said services are necessary to explore possibilities of leachate treatment and pre-treatment on site versus hauling and treating at an alternate site, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Stearns & Wheeler, 1 Remington Park Drive, Cazenovia, New York, 13035, for leachate feasibility study for Nanticoke Sanitary Landfill for calendar year 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$24,000.00 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 230086.4545.206000 (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, Absent-1 (Whalen).

**RESOLUTION NO. 26**

by Public Safety & Emergency Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A**

**TRUST ACCOUNT FOR FUNDS DONATED TO THE BROOME COUNTY ANIMAL SHELTER.**

WHEREAS, several inquiries by private individuals have been made regarding donations to the Broome County Animal Shelter to fund its continued operation, and

WHEREAS, the Commissioner of Public works requests that a trust fund be established to collect funds donated to the Animal Shelter and that said funds be allocated to the animal shelter's appropriations for the subsequent year, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the establishment of a trust account for donations to the Broome County Animal Shelter for its operations, and be it

FURTHER RESOLVED, that the Commissioner of Public Works is hereby authorized to expend said funds in accordance with the provisions of state and local laws and that use of these funds shall be solely restricted to Broome County Animal Shelter operations, and be it

FURTHER RESOLVED, that the Commissioner of Finance, Director of Budget, County Comptroller and the Commissioner of Public Works are hereby authorized and directed to take any and all necessary steps required to effectuate the intent and purpose of this resolution. **Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 27**

by County Administration, Economic Development & Planning, Public Safety & Emergency Services and Finance Committees  
Seconded by Mrs. Wagstaff

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 1, 1994, ENTITLED: "BOARDING AND DISPOSITION OF SEIZED DOGS."**

RESOLVED, that Local Law Intro. No. 1, 1994, entitled: "Boarding and disposition of seized dogs," be and the same hereby is adopted and approved in accordance with the Broome County Charter



and all the applicable statutes and laws pertaining thereto.

**LOCAL LAW INTRO. NO. 1, 1994**

**BOARDING AND DISPOSITION OF SEIZED DOGS**

**Article I**

**§115-1.**

C.The owner or harbinger of an impounded animal must pay impoundment, boarding, vaccination and other costs due, even if they do not redeem the animal.

D.Failure to pay any Shelter fee is a violation of this Article.

E.Any collection made by the Broome County Security Division for past-due balances shall incur a finance charge of twenty dollars (20.00) in addition to the outstanding balance.

Underlined material to be added

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 28**

by Public Safety & Emergency Services, Public Works, Environment and Finance Committees      Seconded by Mr. Burger

**RESOLUTION ADOPTING DRAFT SCOPE OF ISSUES WITH RESPECT TO THE GEORGE HARVEY JUSTICE BUILDING RENOVATION PROJECT.**

WHEREAS, this County Legislature, by Resolution 510 of 1992 determined and declared that the proposed George Harvey Justice Building renovation project may have a significant impact on the environment, and further directed that an environmental impact statement be prepared for the project, and

WHEREAS, the Department of Public Works, pursuant to the authority conferred upon it by this Legislature's Resolution 466 of 1993, conducted a public "Scoping" meeting on November 23, 1993 to determine the appropriate scope of the environmental impact statement for the project, and

WHEREAS, a transcript of such meeting has been filed with the clerk of this Legislature, and written comments have been received and

filed, and

WHEREAS, it is appropriate at this time to render findings with respect to the products of the scoping process, now, therefore, be it

RESOLVED, that this County Legislature hereby determines and declares that the outline for the draft environmental impact statement annexed hereto as Exhibit "A" contemplates a document with a scope informing content for the proposed action, and be it

FURTHER RESOLVED, that this County Legislature directs that a copy of this resolution and attachment be sent to all involved and interested agencies, and be it

FURTHER RESOLVED, that in accordance with Resolution 259 of 1993 the County's consultant MRB Group, P.C., shall prepare a draft environmental impact statement which utilizes the outline annexed hereto as Exhibit "A", and be it

FURTHER RESOLVED, that to the extent that other issues not heretofore considered or revealed in the course of the preparation of the draft environmental impact statement, MRB Group, P.C. shall incorporate a discussion of such issues into the draft environmental impact statement.

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, Absent-1 (Whalen).

**RESOLUTION NO. 29**

by Public Works, Environment and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH MRB GROUP, P.C. FOR DEPARTMENT OF PUBLIC WORKS FOR PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES FOR THE**

**RENOVATION OF THE GEORGE HARVEY JUSTICE BUILDING.**

WHEREAS, this County Legislature, by Resolution 259 of 1993, authorized an agreement with MRB Group, P.C. for professional architectural engineering services for renovation of the George Harvey Justice Building, at a cost of \$547,607.00 and \$1,052,393.00, and

WHEREAS, it is necessary to authorize the amendment of said agreement to fund this project through a different budget line as the project originally designated has been deleted, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with MRB Group, P.C. for professional architectural engineering services for renovation, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 035121.4746.501223, 035121.4746.501214 and 035121.4746.501279 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 259 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 30**

by Finance and Public Works Committees

Seconded by Mr. Harbachuk

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

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

**FROM:**

		Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>
<u>County</u>				
G-24	Highway Reconstruction/ \$1,900,000 Rehabilitation	\$1,900,000	\$0	\$0

		How Financed:			
<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>	
	1991	15	\$1,810,000	\$90,000	

**TO:**

		Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>New York</u>
<u>County</u>				
		<u>Telephone</u>		
G-24	Highway Reconstruction/ \$1,900,000 Rehabilitation	\$1,937,120	\$0	\$37,120

		How Financed:			
<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>	
	1991	15	\$1,810,000	\$90,000	

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 31**

by Education, Culture & Recreation, Environment and Public Works Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION DESIGNATING THE BROOME COUNTY LEGISLATURE AS LEAD AGENCY WITH RESPECT TO NATHANIEL COLE PARK, GREENWOOD PARK AND GRIPPEN PARK PETROLEUM TANK REMOVAL AND REPLACEMENT PROJECT, RENDERING A "NEGATIVE DECLARATION" WITH RESPECT THERETO AND ADOPTING THE FULL ENVIRONMENTAL ASSESSMENT FORM.**

WHEREAS, it is necessary to undertake the Nathaniel Cole Park, Greenwood Park and Grippen Park petroleum tank removal and replacement project in order to install fire suppression systems, and

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

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

WHEREAS, this County Legislature is the only involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Nathaniel Cole Park, Greenwood Park and Grippen Park petroleum tank removal and replacement project, and

WHEREAS, the initiation of the Nathaniel Cole Park, Greenwood Park and Grippen Park petroleum tank removal and replacement 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 Nathaniel Cole Park, Greenwood Park and Grippen Park petroleum tank removal and replacement project, and be it

FURTHER RESOLVED, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares

that the Nathaniel Cole Park, Greenwood Park and Grippen Park petroleum tank removal and replacement project will not have a significant effect on the environment, and be it

FURTHER RESOLVED, that this County Legislature hereby adopts the "Negative Declaration" and Full Environmental Assessment Form annexed hereto as Exhibits "A" and "B".

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 32**

by Personnel, Finance and Environment Committees

Seconded by Mr. Brown

**RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR THE DEPARTMENTS OF SOLID WASTE MANAGEMENT AND MENTAL HEALTH.**

RESOLVED, that in accordance with a request from the Director of the Department of Solid Waste Management, as contained in PCR# 94-59, this County Legislature hereby authorizes the upgrade of one full-time Director of Solid Waste Administration position at budget line SC230060.1000, minimum salary \$23,678.00, Grade 18, Union Code 09, to Grade 20, Union Code 09, minimum salary \$26,252.00, effective January 1, 1994, and be it

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	230078	1000	206000	Salaries-FT	\$2,300
	230078	8030		Social Sec.	\$ 180
TO:	230060	1000	206000	Salaries-FT	\$2,300
	230078	8030	206000	Social Sec.	\$ 180

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Mental Health, as contained in PCR# 94-61, this County Legislature hereby authorizes the creation of two part-time Custodial Worker positions, at budget line A470013.1500, at Grade 6,

Union Code 08, minimum salary \$13,098.00 effective January 20, 1994, and be it

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	470013	4429	101000	BLDG & GRDS EXP	\$12,780
	470013	4427	101000	Electric Current	\$ 2,707
TO:	470013	1500	101000	Salaries-PT	\$12,194
	470013	2240	101000	BLDG Maint. Equip.	\$ 1,100
	470013	4329	101000	BLDG & GRDS Supp.	\$ 837
	470013	8010	101000	Retirement	\$ 244
	470013	8030	101000	Soc. Security	\$ 933
	470013	8050	101000	Life Insurance	\$ 22
	470013	8063	100100	Disability INS	\$ 157

FURTHER RESOLVED, that in accordance with a request from the Director of the Division of Solid Waste Management, as contained in PCR# 81-94, this County Legislature hereby authorizes the abolishment of two Motor Equipment Operator III positions at budget line SC230086.1000, Grade N/A, Union Code 12, minimum salary \$25,044, and this County Legislature hereby authorizes the creation of 2 Motor Equipment Operator II positions, at budget line SC230086.1000, Grade N/A, Union Code 10, minimum salary \$22,901.00, effective January 20, 1994.

A separate vote was taken for PCR 94-59.

PCR # 94-59 **carried**.

Ayes-13,(Burger, Harbachuk, Harris, Howard, Hudak, Kavulich, Lindsey, Malley, Mather, Pasquale, Pazzaglini, Schofield and Taylor)

Nays-5 (Augostini, Brown, Coffey, Wagstaff, Shafer),

Absent-1 (Whalen).

The balance of the resolution **carried**. Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 33**

by Public Safety & Emergency Services Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION SUPPORTING CHANGES IN NEW YORK PENAL AND CRIMINAL PROCEDURE LAWS.**

WHEREAS, this County Legislature agrees that murders and violent crimes against children are ever increasing in New York State and across our nation, and

WHEREAS, these violent acts are the most heinous of crimes in our society, and

WHEREAS, the residents of Broome County agree that harsher punishment must be given to persons who commit these violent acts against our children, and

WHEREAS, we believe the lawmakers of New York State must take a leading role in changing the laws that govern New York State in regard to violent acts against our children, be it

RESOLVED, that this Broome County Legislature urges the following changes in the New York State Penal and Criminal Procedure law,

1)In regard to the murder of a child, the age defined as a child be 18 years or younger

2)No plea bargaining will be allowed to reduce the sentence of a child killer

and be it

FURTHER RESOLVED, that the following changes be made in regard to the perpetrators,

1)A convicted child killer will be sentenced to his natural life in prison and will not be allowed parole with the first offense

2)In any violent acts committed against children, including non-parental abduction and all sexual violations, the perpetrator be sentenced to the maximum time allowed using NYS Law and must serve this sentence without parole



and be it

FURTHER RESOLVED, that this Legislature directs the Legislative Clerk to send a copy of this resolution to all our State representatives who represent any or all parts of Broome County, and be it

FURTHER RESOLVED, that this Legislature directs the Legislative Clerk to send a copy of this resolution to every county in New York State asking for their support to adopt this resolution.

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 34**

by Finance and Public Works Committees

Seconded by Mr. Burger

**RESOLUTION AMENDING THE 1990 CAPITAL IMPROVEMENT PROGRAM.**

RESOLVED, that the 1990 Capital Improvement Program is hereby amended as follows:

**FROM:**

		Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>
<u>County</u>				
F-25	Reconstruct Plaza Deck	\$2,100,000	\$	\$
		\$2,100,000		

		How Financed:		
<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1990	10	\$1,953,000	\$147,000

**TO:**

Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>	<u>County</u>
F-25	Reconstruct Plaza Deck	*\$3,265,000	\$	\$	
		\$3,265,000			

How Financed:

<u>Revenue</u>	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
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1990 10 \$3,118,000 \$147,000

\* COUNTY PORTION ONLY, STATE AND FEDERAL HAVE EQUAL SHARE

**Carried.** Ayes-14, Nays-4 (Harris, Lindsey, Taylor, Wagstaff), Absent-1 (Whalen).

**RESOLUTION NO. 35**

by Finance, Education, Culture & Recreation, and Public Works Committees

Seconded by Mr. Harbachuk

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

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

**FROM:**

Estimated Construction Cost:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u>
A-322	Arena Ice Rink	\$190,000	\$70,000	\$0
		\$120,000		

Renovation

<u>Revenue</u>	How Financed:			
	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
	1992	5	0	\$190,000

Description: Increase length of ice rink from 185 to 200 feet (NHL/AHL league suggested standards) during 1992 with slight reduction in seating.

**TO:**

<u>Code</u>	<u>Project Name</u>	Estimated Construction Cost:		
		<u>Total</u>	<u>State</u>	<u>Federal</u>
<u>County</u>				
A-322	Arena Ice Rink	\$385,000	\$70,000	\$0
	\$315,000			

<u>Revenue</u>	How Financed:			
	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
\$190,000	1992	5	\$195,000	

Description: Increase length of ice rink from 185 to 200 feet (NHL/AHL league suggested standards) during 1992/1993 with slight reduction in seating and renovate existing rink.

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 36**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION ESTABLISHING FEE SCHEDULE FOR THE HEALTH DEPARTMENT FOR CHILDREN WITH SPECIAL NEEDS PROGRAM (FORMERLY EDUCATIONALLY HANDICAPPED CHILDREN'S PROGRAM) FOR 1993 THROUGH 1994.**

RESOLVED, that the following fee schedules are hereby authorized and adopted for the Department of Health Children With Special Needs Program (formerly Educationally Handicapped Children's Program) for the period July 1, 1993 through June 30, 1994.

**BROOME COUNTY HEALTH DEPARTMENT  
CHILDREN WITH SPECIAL NEEDS**

PSYCHOLOGICAL EVALUATION	\$230.00
SOCIAL HISTORY	\$135.00
PHYSICIAN EVALUATION	\$170.00

(The physician evaluation rate must be used for the following types of evaluations: physical examination, audiological, psychiatric, neurological, psychiatric, orthopedic, optometric and any similar evaluation requiring the services of a licensed medical professional as required by the Committee on Preschool Special Education.)

NON-PHYSICIAN EVALUATION	\$155.00
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(The non-physician evaluation rate must be used for the following types of evaluations: speech and language, physical therapy, occupational therapy, educational evaluation or any other similar non-medical evaluation required by the Committee on Preschool Special Education.)

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 37**

by Education, Culture & Recreation, Public Works and Finance Committees

Seconded by Mr. Harbachuk

**RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH GENT ENGINEERING FOR DESIGN AND ARCHITECTURAL SERVICES FOR THE ARENA ICE RINK EXPANSION FOR THE DEPARTMENT OF PARKS AND RECREATION FOR 1993 AND 1994.**

WHEREAS, this County Legislature, by Resolution 28 of 1993, authorized an agreement with Gent Engineering for design and architectural services in conjunction with the Arena Ice Rink Expansion for 1993, at a cost not to exceed \$25,230, and

WHEREAS, it is necessary to authorize the amendment of said agreement as the scope of services of said project has changed in that in lieu of adding to each end of the existing piping and surface area, a new concrete slab and new piping will be installed with the removal of existing piping, and

WHEREAS, the Department of Public Works recommends that an amendment be made with Gent Engineering to increase the amount of the contract by \$8,000 for a total of \$33,230, and to extend said contract to reflect the new scope of services from October 1, 1993 until October 31, 1994, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Gent Engineering, One Endicott Avenue, Johnson City, New York, 13790, for design and architectural services for the Arena Ice Rink Expansion, extending the initial contract expiration of October 1, 1993 to October 31, 1994, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount not to exceed \$8,000 for a total amount not to exceed \$33,230 for said services, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 655035.4443.502206

(Engineering Design Expense), and be it

FURTHER RESOLVED, that Resolution 28 of 1993, to the extent consistent herewith, shall remain in full force and effect, and be it

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

**Heldover** by Mrs. Taylor

**RESOLUTION NO. 38**

by Finance Committee

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING THE USE OF BROOME COUNTY'S LIABILITY AND CASUALTY RESERVE TO COVER UNANTICIPATED CLAIMS BY INCREASING THE 1993 COUNTY BUDGET**

WHEREAS, pursuant to Article 2, Section 6-n of General Municipal Law, the County Legislature may authorize the use of liability and casualty reserves to cover unanticipated claims, and

WHEREAS, the Manager of Risk and Insurance recommends the recognition of claims that were not previously anticipated, and

WHEREAS, the Manager of Risk and Insurance states that the amount of said claims total \$ 225,000, and

WHEREAS, it is appropriate to recognize said claims in the budget year in which the claims accrue, and

WHEREAS, the Manager of Risk and Insurance recommends the use of reserves now currently available in Broome County's Liability and Casualty Reserve to cover said unanticipated claims, which accrued in 1993, now, therefore, be it

RESOLVED, that to provide it for said unanticipated claims, this County Legislature hereby authorizes the use of Broome County's Liability and Casualty Reserve, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the recognition of unanticipated claims totaling \$ 225,000, and be it

FURTHER RESOLVED, that the Commissioner of Finance is authorized to increase Appropriated Reserves and Appropriations by \$ 225,000, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the increase of appropriations and revenue in the 1993 County Budget for the Insurance Reserve by \$ 225,000, and be it

FURTHER RESOLVED, that the Manager of Risk and Insurance, the Director of Budget & Research, and the Commissioner of Finance are hereby authorized to prepare and to execute the necessary budgetary and accounting entries required to carry out the intent and purposes of this resolution.

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 39**

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

Seconded by Mr. Brown

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE LAW DEPARTMENT, THE LEGISLATURE AND THE DRUG AWARENESS CENTER.**

RESOLVED, that in accordance with a request from the Law Department, in order to provide funds for part time salaries, as funding needed for temporary help was over estimated, as requested by BT# 6851, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM: 390005	1600	101000	Salaries-Temporary	615

TO : 390005 1500 101000 Salaries-Part time 615

and be it

FURTHER RESOLVED, that in accordance with a request from the Legislature, in order to provide funds for health insurance for legislators, as requested by BT# 6403, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM: 240010	1000	101000	Salaries-Full time	2,500
900084	4752	101000	Contingent Account	29,750
TO : 240010	8060	101000	Health Insurance	32,250

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Drug Awareness, in order to provide funds for Temporary Help, as requested by BT# 5959, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM: 470021	1500	101000	Salaries-Part time	200
TO : 470021	1600	101000	Salaries-Temporary	200

and be it

FURTHER RESOLVED, that in accordance with a request from



the Department of Law, in order to provide funds for Life and Health Insurance for Coroners, as requested by BT# 6852, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

<u>Index Code</u>	<u>Subsubject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>	
FROM: 250001	4707	101000	Medical Services	2,147	
TO :	250001	8050	101000	Life Insurance	17
	250001	8060	101000	Health Insurance	2,130

A separate vote was requested on each budget transfer:

BT# 6851 **Carried.** Ayes-17, Nays-1 (Hudak), Absent-1 (Whalen).

BT# 6403 **Carried.** Ayes-15, Nays-3 (Brown, Hudak, Lindsey), Absent-1 (Whalen).

BT# 5959 **Carried.** Ayes-18, Absent-1 (Whalen).

BT# 6852 **Carried.** Ayes-17, Nays-1 (Hudak), Absent-1 (Whalen).

**RESOLUTION NO. 40**

by County Administration, Economic Development and Planning and Finance Committees

Seconded by Mr. Harbachuk

**RESOLUTION WITH RESPECT TO THE AMENDMENT OF THE TAX LAW AUTHORIZING THE IMPOSITION OF THE SALES AND COMPENSATING USE TAX AT AN ADDITIONAL RATE IN BROOME COUNTY.**

BE IT RESOLVED, that Broome County requests the New York

State Legislature adopt an amendment to the Tax Law authorizing and empowering the County of Broome to impose an additional one percent sales and compensating use tax, substantially as follows:

AN ACT to amend the Tax Law, in relation to authorizing and empowering the County of Broome to impose an additional sales tax rate of one percent.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§1. The opening paragraph of Section twelve hundred ten of the Tax Law is amended to read as follows:

Notwithstanding any other provisions of law to the contrary, but subject to the limitations and exemptions in part II of this article, any city in this state or county in this state, except a county wholly within a city, acting through its local legislative body, is hereby authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing in any such city or county the following taxes, at the rate of one-half, one, one and one-half, two, two and one-half or three percent, provided, however, that for the period beginning June first, nineteen hundred seventy-four and ending June thirtieth, nineteen hundred seventy-five, any such city having a population of one million or more is hereby authorized and empowered to adopt and amend local laws imposing such taxes in any such city, at the rate of four percent and, provided further, however, that the county of Nassau is hereby further authorized and empowered to adopt and amend local laws imposing such taxes: (i) at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, nineteen hundred eighty-three and ending December thirty-first, nineteen hundred eighty-five; and (ii) at a rate which is three quarters percent additional to the three percent rate authorized above in this paragraph for

such county for the period beginning January first, nineteen hundred eighty-six and ending December thirty-first, nineteen hundred ninety-five subject to the limitation set forth in section twelve hundred sixty-two-e of this chapter, and provided further, however, that the county of Nassau is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one-half percent additional to the three percent rate authorized above in this paragraph and which is additional to the three-quarters percent rate also authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-one and ending December thirty-first, nineteen hundred ninety-five, and provided further, however, that the county of Erie is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for (i) the period beginning March first, nineteen hundred eighty-five and ending December thirty-first, nineteen hundred eighty-seven; and (ii) the period beginning January tenth, nineteen hundred eighty-eight and ending February twenty-eighth, nineteen hundred ninety-four and provided further, however, that the county of Cattaraugus is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, nineteen hundred eighty-six and ending November thirtieth, nineteen hundred ninety-five, and provided further, however, that the county of Wyoming is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized

above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-five and provided further, however, that the county of Ulster is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is three-quarters of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred ninety-three and ending February twenty-ninth, nineteen hundred ninety-six (The maximum rate referred to in section twelve hundred twenty-four of this article shall be calculated without reference to such three-quarters percent additional rate authorized for the county of Ulster.), and provided further, however, that the county of Allegany is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred eighty-six and ending November thirtieth, nineteen hundred ninety-five, and provided further, however, that the county of Cayuga is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-five, and, provided further, however, that the County of Broome is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period

beginning March 1, 1994 and ending February 29, 1996, and provided further, however, that the county of Albany is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending May thirty-first, nineteen hundred ninety-five, and provided further, however, that the county of Tompkins is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one-half or one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-five, and provided further, however, that the county of Cortland is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-five, and provided further, however, that the county of Oneida is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending August thirty-first, nineteen hundred ninety-four, and provided further, however, that the county of Suffolk is hereby further authorized and empowered to adopt and amend local laws, or resolutions imposing such taxes at a rate which

is one-half percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-one and ending December thirty-first, nineteen hundred ninety-five, and provided further, however, that, for the period beginning September first, nineteen hundred ninety-two and ending December thirty-first, nineteen hundred ninety-five, the county of Suffolk is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one-half percent additional to such three percent rate authorized above in this paragraph and which is additional to the one-half percent rate also authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-one and ending December thirty-first, nineteen hundred ninety-five, and provided further, however, that the county of Greene is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning March first, nineteen hundred ninety-three, and ending August thirty-first, nineteen hundred ninety-five, and provided further however, that the county of Orleans is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning June first, nineteen hundred ninety-three and ending August thirty-first, nineteen hundred ninety-five, and provided further, however, that the county of Tioga is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes at a rate which is one-half of one percent additional to the three percent rate

authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-three, and ending August thirty-first, nineteen hundred ninety-five, and provided further, however, that the county of Monroe is hereby further authorized and empowered to adopt and amend local laws or resolutions imposing such taxes: (i) at a rate which is one-half of one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning September first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-three; (ii) at a rate which is one-half of one percent additional to the three percent rate authorized above in this paragraph and which is additional to the one-half of one percent rate also authorized above in this paragraph for such county for the period beginning March first, nineteen hundred ninety-three and ending November thirtieth, nineteen hundred ninety-three; and (iii) at a rate which is one percent additional to the three percent rate authorized above in this paragraph for the period beginning December first, nineteen hundred ninety-three and ending November thirtieth, nineteen hundred ninety-five, and provided further, however, that the county of Steuben is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, nineteen hundred ninety-two and ending November thirtieth, nineteen hundred ninety-five, and provided further, however, that the city of Yonkers is hereby further authorized and empowered to adopt and amend local laws imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such city (The maximum rate referred to in section twelve hundred

twenty-four shall be calculated without reference to such one percent additional rate authorized for Yonkers and the counties of Erie, Cattaraugus, Oneida, Steuben, Greene, Orleans, Allegany and Cayuga, and Broome, and Albany, and Tompkins.), and provided further, however, that the city of Mount Vernon is hereby further authorized and empowered to adopt and amend local laws imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such city (The maximum rate referred to in section twelve hundred twenty-four shall be calculated without reference to such one percent additional rate authorized for Mount Vernon.), and provided further, however, that the city of White Plains is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate which is one-half of one percent additional to the three percent rate authorized above in this paragraph for such city for the period beginning September first, nineteen hundred ninety-three and ending August thirty-first, nineteen hundred ninety-five (The maximum rate referred to in section twelve hundred twenty-four shall be calculated without reference to such one-half of one percent additional rate authorized for White Plains.), and provided further, however, that the city of New Rochelle is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one percent additional to the three percent rate authorized above in this paragraph for such city for the period beginning September first, nineteen hundred ninety-three and ending December thirty-first, nineteen hundred ninety-five. (The maximum rate referred to in section twelve hundred twenty-four shall be calculated without reference to such one percent additional rate authorized for New Rochelle.), and provided further,



however, that the city of Rome is hereby further authorized and empowered to adopt and amend local laws, ordinances, or resolutions imposing such taxes at a rate which is one-quarter percent additional to the three percent rate authorized above in this paragraph for such city for the period beginning September first, nineteen hundred ninety and ending August thirty-first, two thousand (The maximum rate referred to in section twelve hundred twenty-four shall be calculated without reference to such one-quarter of one percent additional rate authorized for Rome.), and provided further, however, that if the county of Dutchess, the county of Orange or the county of Rockland withdraws from the metropolitan commuter transportation district pursuant to section twelve hundred seventy-nine-b of the public authorities law, such county is hereby authorized and empowered in the alternative, to adopt and amend local laws, ordinances or resolutions imposing such taxes at the rate of one-half, three-quarters, one, one and one-quarter, one and one-half, one and three-quarters, two, two and one-quarter, two and one-half, two and three-quarters, three or three and one-quarter percent if the revenues from a one-quarter percent rate of such tax are required by such local laws, ordinances or resolutions to be set aside for mass transportation purposes, such taxes to be administered, collected and distributed by the commissioner of taxation and finance as provided in subpart B of part III and in part IV of this article:

§2. Section twelve hundred twenty-three of the Tax Law is amended to read as follows:

No transaction taxable under sections twelve hundred two through twelve hundred four shall be taxed pursuant to this article by any county or by any city located therein or by both at an aggregate rate in excess of the highest rate set forth in the applicable subdivision of section twelve hundred one of this article or, in the

case of any taxes imposed pursuant to the authority of section twelve hundred ten or twelve hundred eleven (other than taxes imposed by a city having a population of one million or more for the limited period provided in section twelve hundred ten or pursuant to subdivision (h) of section twelve hundred ten or by the counties of Nassau, Erie, Steuben, Cattaraugus, Allegany, or Broome), at a rate in excess of three percent, except that, in the city of Yonkers and in the city of Mount Vernon, the rate may not be in excess of four percent and in the city of Rome, the rate may not be in excess of three and one-quarter percent and except that in the City of Poughkeepsie in the county of Dutchess, if such county withdraws from the metropolitan commuter transportation district pursuant to section twelve hundred seventy-nine-b of the public authorities law and if the revenues from a one-quarter percent rate of such tax imposed by such county, pursuant to the authority of section twelve hundred ten of this article, are required by local laws, ordinances or resolutions to be set aside for mass transportation purposes, the rate may not be in excess of three and one-quarter percent. If a transaction is taxes by both a county and a city, the rate of tax on such transaction imposed by the county or city, not having prior right thereto pursuant to section twelve hundred twenty-four, shall be deemed to be reduced (or the entire tax eliminated, if necessary) to the extent necessary to comply with the foregoing requirement. A tax imposed by a county upon any transaction to the extent that it would require a reduction in any tax rate imposed thereon by a city, shall not become effective in respect to any transaction taxed by such city (or in respect of other similar transactions outside of the city which, if occurring in such city, would be subject to such city tax) before the commencement of the city's next succeeding fiscal year and then only if the county shall have given notice to such city of its imposition of a tax on such transaction at least six months prior to the commencement of such fiscal year, provided however that the

local legislative body of such city may waive the requirement of such notice and the postponement of the effective date of such tax.

A city tax upon any transaction, to the extent that it would require a reduction in any tax rate imposed by a county thereon, shall not become effective in respect of any transaction taxed by such county before the commencement of the county's next succeeding fiscal year and then only if the city shall have given notice to such county of its imposition of a tax on such transaction at least six months prior to the commencement of such fiscal year, provided, however, that the local legislative body of such county may waive the requirement of such notice and postponement of the effective date of such tax. However, whether or not the six months' notice requirement provided in this section has been waived, a tax imposed pursuant to the authority of section twelve hundred ten or twelve hundred eleven shall still be subject to the requirements provided for in the first three sentences of subdivision (d) of such sections and in subdivision (e) of such sections.

§3. Section twelve hundred twenty-four of the Tax Law is amended by addition a new section (p) to read as follows:

(p) The county of Broome shall have the sole right to impose the additional one percent rate of tax which such county is authorized to impose pursuant to the authority of section twelve hundred ten of this article, such additional rate of tax shall be in addition to any other tax which such county may impose or may be imposing pursuant to this article or any other law and such additional rate of tax shall not be subject to preemption. The maximum three percent rate referred to in this section shall be calculated without reference to the additional one percent rate of tax which the county of Broome is authorized and empowered to adopt pursuant to section twelve hundred ten of this article.

§4. Subdivision c of Section twelve hundred sixty-two of the Tax Law shall be amended to read as follows:

(c) Amounts not set aside for county purposes or educational purposes

shall, except as otherwise provided in this section, be allocated quarterly to the cities and the area in the county outside the cities in proportion to their respective populations, determined in accordance with the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the county, or in such other proportion as may be agreed upon by the elective governing body of the county and of each of the cities in the county with the approval of the state comptroller, provided however, that where a county does not contain a city, such amounts shall be allocated to the entire area of the county. Any such agreement or approval thereof may be for a limited period. The amount so allocated to the area outside the cities, or to the entire area of the county where the county does not contain a city, shall be applied first to reduce county taxes levied upon real property in the several towns in such area. Any balance remaining shall then be applied to reduce general town taxes levied upon real property in such area. In a county having a city wholly contained therein having more than four hundred thousand inhabitants according to the latest federal or special population census referred to above, if any town, by local law, ordinance, or resolution shall so provide, all or part of such amount shall be paid directly to such town and shall be applied first to reduce general town taxes levied upon real property in the town. Any balance remaining shall then be used to reduce county taxes levied upon real property in the town. Any town, other than a town within a county having a population of one million or more containing not more than three towns, or other than a town within a county having a population of not less than seven hundred thousand or more than eight hundred thousand, by local law, ordinance or resolution, however, may provide that all or any specified part of the amounts which would

be so applied to reduce the county taxes and general town taxes levied upon real property in such town shall be paid directly to such town to be used for any town purpose. If any village, other than a village within a county having a population of one million or more and containing not more than three towns, by local law, ordinance or resolution shall so provide, the amounts which would be so applied to reduce the county and general town taxes levied upon real property in such village shall be paid directly to such village in lieu of such tax reduction. Where any village has elected to be paid directly as provided in this subdivision, the amount to be paid to such village shall be determined by the ratio that the full valuation of real property in the village or a portion thereof within the town in which such village is located bears to the full valuation of real property in the entire town. If a village wholly or partially within a town has so elected to be paid directly, but the town in which such village is located has not so elected, the amount allocated to the town in which such village is wholly or partially situated shall be applied to reduce county taxes and general town taxes in the area of the town outside such village. If the amount allocated to a town exceeds the amount of the county taxes and general town taxes levied upon real property in the town, the excess shall be apportioned between the town and each village, if any, wholly or partially situated therein, in the ratios that the full valuation of real property in each such village or portion thereof within the town, and the full valuation of real property in the portion of the town outside of such village or villages, respectively, bear to the aggregate full valuation of the entire town. The share of each such village shall be paid directly to such village. The share of the town shall be applied, first, to reduce taxes levied for part-town activities, and any balance remaining shall be paid directly to the town, to be used only for part-town activities. If a town and all the villages therein shall have elected to be paid directly as provided in this subdivision, the

share of such town shall be applied to reduce taxes levied for part-town activities, and any balance remaining or portion thereof, in the discretion of the town board, may be applied to reduce general town taxes, county taxes levied in the area of the town outside of such villages or may be used for part-town activities, or any combination thereof. If a town containing more than one village shall have elected to be paid directly and one or more but not all of the villages shall have also elected to be paid directly, the share of the town shall be applied to reduce general town taxes levied in the area of the town outside of the village or villages that have so elected, and any balance remaining or portion thereof, in the discretion of the town board, may be applied to reduce county taxes levied in the area of the town outside of such village or villages. The amount to be applied in reduction of county taxes and general town taxes in each town may be determined on the basis of the ratio which the full valuation of real property in each town bears to the aggregate full valuation of real property in all of the towns in such county. The amount allocated to each city shall be similarly applied to reduce the county tax levied upon real property in such city, except that if any such city, except a city within a single county having a population of one million or more and containing not more than three towns, by local law, ordinance or resolution shall so provide, the amount which would be so applied to reduce the county tax levied upon real property in such city shall be paid directly to the city in lieu of such tax reduction. If the amount allocated to a city exceeds the amount of the county tax levied upon real property in such city, such excess shall be paid to such city.

In the alternative, the amount to be applied in reduction of county taxes and general town taxes in each town may be determined on the basis of the respective populations of the several towns in such county, determined in accordance with the latest federal census or special population census taken pursuant to section twenty of the

general municipal law, completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the county.

Any local law, ordinance or resolution enacted by a city, town or village pursuant to this subdivision shall only be effective for the calendar year or years subsequent to its enactment and, further, shall only be effective if it is mailed by registered or certified mail to the chief fiscal officer of the county in which the city, town or village is located before the first day of September preceding the calendar year for which the election is made by such local law, ordinance or resolution. Such local law, ordinance or resolution shall remain in effect for subsequent calendar years until rescinded by local law, ordinance or resolution, but the enactment shall rescind the election only if it is mailed, in the same manner already provided for in this subdivision, to the chief fiscal officer of the county in which the city, town or village is located before the first day of September preceding the calendar year for which the rescission is to apply. The foregoing provisions of this paragraph notwithstanding, where a county imposes a sales and use tax to be effective on a date after the adoption of its budget but within the fiscal year for which such budget has been adopted, and the estimated revenues from such tax include an amount not set aside for county purposes or educational purposes, and such amount has not been included in budget revenues for such fiscal year for allocation in reduction of taxes on real property as provided in this subdivision, a local law, ordinance or resolution enacted by a city, town or village pursuant to this subdivision shall be effective as of the effective date of such tax if mailed by registered or certified mail to the chief fiscal officer of the county in which the city, town or village is located within thirty days after the enactment by the county of the local law, ordinance or resolution imposing such tax.

The foregoing provisions of this subdivision notwithstanding, in

the county of Saratoga an amount not to exceed three percent of the net collections which are in excess of the initial twenty million dollars distributed and paid to the county annually by the state comptroller pursuant to section twelve hundred sixty-one of this chapter may be allocated quarterly to the town of Milton by resolution of the elective governing body of such county. Provided, further, the amount distributed to the town of Milton pursuant to this paragraph shall not exceed sixty thousand dollars in any calendar year.

The foregoing provision of this subdivision notwithstanding, in the county of Orange where any village within such county has elected to be paid directly as provided in this subdivision, the amount to be paid to such village shall be determined by the ratio that the population of such village or portion thereof within the town in which such village is located bears to the total population of the entire town, except that this provision shall not apply to the village of Highland Falls for which the amount to be paid shall be determined by the foregoing provisions of this subdivision. The population shall be determined in accordance with the latest federal census or special population census taken pursuant to section twenty of the general municipal law, completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of such county.

The foregoing provisions of this subdivision notwithstanding, the additional one percent sales and compensating use taxes which may be levied by Broome County pursuant to Section twelve hundred ten of the Tax Law, shall be distributed to the County solely for County purposes and shall not be subject to any revenue distribution established pursuant to this subdivision.

§5. Notwithstanding the provisions of subdivision (d) of section 1210 of the tax law or any other provision of law, local law, rule or regulation to the contrary, any local law, ordinance or resolution



enacted or amended pursuant to section 1210 of the tax law as amended by section one of this act imposing any additional tax in the county of Broome shall become effective in accordance with the provisions of subdivision (d) of section 1210 of the tax law, except that the certified copy of such local law, ordinance or resolution which must be mailed by registered mail to the commissioner of taxation and finance at his or her office in Albany must be so mailed at least thirty days prior to the date such local law, ordinance or resolution is to become effective.

§6. This act shall take effect immediately.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward a certified copy of this resolution to the New York State Legislature.

**Carried.**

Ayes-12(Augostini, Burger, Coffey, Harbachuk, Harris, Howard, Kavulich, Lindsey, Malley, Mather, Pasquale, Taylor)  
Nays-6 (Brown, Hudak, Pazzaglini, Schofield, Wagstaff, Shafer)  
Absent-1 (Whalen).

**RESOLUTION NO. 41**

by Health & Human Services and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING ACCEPTANCE OF PUBLIC HEALTH WORK STATE AID FOR 1993.**

WHEREAS, pursuant to Section 606 of the Public Health Law, Broome County submitted an application for State Aid for 1993, and

WHEREAS, said application was approved by the New York State Department of Health, as per the attached Exhibit "A", and

WHEREAS, it is requested by the Public Health Director that said state aid be accepted as authorized by New York State, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and

approves acceptance of the public health work state aid outlined in Exhibit "A" authorized by New York State, 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, Absent-1 (Whalen).

**RESOLUTION NO. 42**

by County Administration, Economic Development & Planning, Education, Culture & Recreation and Finance Committees

Seconded by Mr. Harbachuk

**RESOLUTION ADOPTING LOCAL LAW INTRO. NO. 2, 1994, ENTITLED: "A LOCAL LAW AMENDING CHAPTER 158 OF THE BROOME COUNTY LOCAL LAWS: PARKS AND RECREATION AREAS."**

RESOLVED, that Local Law Intro. No. 2, of 1994, entitled: "A Local Law amending Chapter 158 of the Broome County Local Laws: Parks and Recreation Areas," 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. 2, 1994**

A LOCAL LAW AMENDING CHAPTER 158 OF BROOME COUNTY LOCAL LAWS;

PARKS AND RECREATION AREAS

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

SECTION 1. Chapter 158 of Broome County Local Laws

is hereby amended to read as follows:

158-4 Fees and Charges

R. Special events in Broome County Parks excepting the Spiedi Festival and including but not limited to Irish Festival, Kopernik Festival, Crappie Derby, etc. shall be fifty cents (\$.50) per person, twelve years old and older, per day;

[However, the Spiedi Fest/Balloon Rally shall charge \$2.00 per person twelve and older as Broome County's component of the entrance fee.]

SECTION 2. Except as hereinabove amended, Chapter 158 of Broome County Local Laws shall remain in full force and effect.

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

**NOTE: Material in [brackets] is deleted. Material underlined is added.**

**Carried.** Ayes-17, Nays-1 (Wagstaff), Absent-1 (Whalen).

**RESOLUTION NO. 43**

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

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING AGREEMENTS WITH GANNETT NEWS SERVICE, CATHOLIC CHARITIES OF BROOME COUNTY, ROGERS TRUCKING, INC., AMERICAN CANCER SOCIETY, ETC. FOR THE CONTINUATION OF THE SPIEDIE FEST BALLOON RALLY AT OTSININGO PARK IN 1994.**

WHEREAS, the County of Broome has acted as a sponsor in the annual spiedie fest balloon rally on an annual basis which is deemed by this government to be a valuable community asset, resource and recreational opportunity for the people and businesses of the County of Broome, and

WHEREAS, it is becoming increasingly more difficult for the County of Broome to continue to provide the financial support that it

has provided to this event over the past years, and

WHEREAS, all the sponsors have agreed to a different formula to share the expenses associated with the event now, therefore, be it

RESOLVED, that Broome County will continue to be a sponsor of the annual Spiedie Fest Balloon Rally for 1994 and does approve that said event shall be held at Otsiningo Park, and be it

FURTHER RESOLVED, that Broome County will provide administrative assistance, direction and support for the planning of said event throughout the course of the year at no charge, and be it

FURTHER RESOLVED, that the County shall provide security, bus service and parks department employees for said event up to a maximum value of \$34,000 and the costs of these services shall be reimbursed to the County of Broome by the above-referenced co-sponsors, and be it

FURTHER RESOLVED, that the County will continue to apply its self insurance coverage for its own liability as a co-sponsor of this event, 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, Absent-1 (Whalen).

**RESOLUTION NO. 44**

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

Seconded by Mr. Harbachuk

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

WHEREAS, under the New York State Family Court Act Family

Court Judges have the authority to assign attorneys to represent litigants in Family Court who are unable to pay for legal counsel, and

WHEREAS, this is state mandated program and the County of Broome is required under state law to pay for the cost of this service and

WHEREAS, in 1988 this County spent approximately \$170,000 to compensate lawyers participating in the assigned counsel program and

WHEREAS, it is estimated that in 1993 Broome County will expend more than \$450,000 for this particular purpose and

WHEREAS, Broome Legal Assistance Corporation has offered to enter into an agreement with the County of Broome whereby, for a certain amount, Broome Legal Assistance will provide this assigned counsel service essentially on cases where the Department of Social Services is a party in Broome County Family Court and

WHEREAS, in the opinion of the County Attorney, this proposal will save the County tax dollars and at the same time afford a more systematized process for handling of assigned counsel cases in Broome County Family Court and promote other efficiencies on matters where the Department of Social Services is a party and

WHEREAS, the Broome County Attorney has recommended that the County of Broome enter into an agreement substantially in compliance with Exhibit A, which is attached hereto and made a part hereof, now, therefore herein be it

RESOLVED, that the County of Broome is authorized to enter and agreement with Broome Legal Assistance Corporation for the representation of indigent litigants of Broome County Family Court from the period of one year at a total cost not to exceed \$110,000 with said year not to commence until all agreements are executed by all parties and placed on file with the Clerk of the Legislature, Finance Commissioner and Comptroller's Office,

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. Augostini moved, seconded by Mr. Pasquale to amend the RESOLVED paragraph to read ... \$110,000, "to be paid from budget line 390005.4736.101000 (Legal Charges)"... The amendment **Carried.** Ayes-18, Absent-1 (Whalen).

The resolution as amended **carried.**

Ayes-16, Nays-2 (Brown, Hudak), Absent-1 (Whalen).

**RESOLUTION NO. 45**

by Public Safety & Emergency Services Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY FIRE ADVISORY BOARD.**

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

<u>NAME</u>	<u>TERM EXPIRING</u>
George Seltzer 32 N Parsons Whitney Point, NY 13862	Reappointment  Term Expires 12/31/94
Elwyn Eaton PO Box 68 Castle Creek, NY 13744	Reappointment  Term Expires 12/31/94
Clarence Rogers 32 Main Street Harpurville, NY 13787	Reappointment  Term Expires 12/31/94

Robert Spicer PO Box 101 Killawog, NY 13794	New Appointment  Term Expires 12/31/94
Patrick Sculley PO Box 7117 Endicott, NY 13760	Reappointment  Term Expires 12/31/94
Fred Caniff 18 Sandy Brooks Lane Castle Creek, NY 13744	Reappointment  Term Expires 12/31/94
David Rickard 24 Riverview Road Kirkwood, NY 13795	Reappointment  Term Expires 12/31/94
Brett Chellis 3636 Leonard Dr. Endwell, NY 13760	Reappointment  Term Expires 12/31/94
James Mitrowitz 217 Dorman Rd. Binghamton, NY 13901	Reappointment  Term Expires 12/31/94
Robert Brady 3114 Andover Rd. Endwell, NY 13760	Reappointment  Term Expires 12/31/94
George Ruck 2728 Country Club Rd. Endwell, NY 13760	Reappointment  Term Expires 12/31/94

Pete Scarantino 3370 Jackson Rd. Binghamton, NY 13903	Reappointment  Term Expires 12/31/94
Wes Tyler 2127 NY Rt 26 Endicott, NY 13760	Reappointment  Term Expires 12/31/94
Jerry Moat PO Box 325 Kirkwood, NY 13795	Reappointment  Term Expires 12/31/94
Robert Kocan 457 Bevier St. Binghamton, NY 13904	Reappointment  Term Expires 12/31/94
Edwin Mulligan 613 River Rd. Binghamton, NY 13901	Reappointment  Term Expires 12/31/94
Joan Bennett PO Box 1131 Binghamton, NY 13902	Reappointment  Term Expires 12/31/94
Ellwyn VanVorce 839 Park Ave. Binghamton, NY 13903	Reappointment  Term Expires 12/31/94
Wayne Howard Old Rt. 7, Box 9 Port Crane, NY 13833	Reappointment  Term Expires 12/31/94



Andrew Kavulich                      Reappointment  
261 N. Baldwin St.  
Johnson City, NY 13790              Term Expires 12/31/94

David L. Lindsey                      New Appointment  
12 Mulberry St.  
Binghamton, NY 13901              Term Expires 12/31/94

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XIX of the Broome County Charter, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Fire Advisory Board in accordance with their appointment by the Broome County Executive, Timothy M. Grippen.

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 46**

by County Administration, Economic Development and Planning Committee

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE CONSUMER SERVICES ADVISORY BOARD.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 340, adopted October 22, 1980, (Temporary Board created Resolution No. 58, adopted February 21, 1979), has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Consumer Services Advisory Board for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Janet Ottman c/o Your Home Library Main Street Johnson City, NY 13790	New Appointment  Term Expires 12/31/96
Isabell Rossi c/o Stafkings Personnel Service 66 Hawley Street Binghamton, NY 13901	New Appointment  Term Expires 12/31/96

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 340, adopted October 22, 1980, (Temporary Board created Resolution No. 58, adopted February 21, 1979), to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 340, adopted October 22, 1980, (Temporary Board created Resolution No. 58, adopted February 21, 1979), does hereby confirm the appointments of the above-named individuals to membership on the Consumer Services Advisory Board in accordance with their appointment by the Broome County Executive, Timothy M. Grippen. **Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 47**

by County Administration, Economic Development and Planning Committee

Seconded by Mrs. Hudak & Mr. Lindsey

**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, February 25, 1969 and Local Law Intro. No. 5, 1986, 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>
Francis Grubham 205 Main St. Kirkwood, NY 13795	Reappointment  Term Expires 12/31/97
Mark Turner Broome County I.D.A. 109 Main St. Johnson City, NY 13790	Reappointment  Term Expires 12/31/97
Edward Farrell 3646 George F. Highway Endwell, NY 13760	Reappointment  Term Expires 12/31/97
Michael McGowan 1404 River Rd. Binghamton, NY 13901	Reappointment  Term Expires 12/31/97
Chris W. Burger 110 Water Rd. Whitney Point, NY 13862 (Legislative Rep)	Reappointment  Term Expires 12/31/94

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Article XV of the Broome County Charter, February 25, 1969 and Local Law Intro. No. 5, 1986, 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, February 25, 1969 and Local Law Intro. No. 5, 1986, 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 Broome County Executive, Timothy M. Grippen.

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 48**

by Environment Committee

Seconded by Mrs. Hudak & Mr. Lindsey

**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 No. 277, adopted September 21, 1971 and the provisions of Resolution No. 64, 1973, Resolution No. 366, adopted December 21, 1976 and Resolution No. 341, adopted October 1, 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>
Paul Smith 8 Murray Street Binghamton, NY 13905 Member at Large	New Appointment  Term Expires 12/31/95
Nancy Burnett 152 Upper Stella Ireland Rd. Binghamton, NY 13905 Member at Large	New Appointment  Term Expires 12/31/95

Bob Steele                      New Appointment  
2003 NY Route 11  
Kirkwood, NY 13795              Term Expires 12/31/94  
Member at Large

Kurt Nelson                      New Appointment  
224 Bevier St.  
Binghamton, NY 13904              Term Expires 12/31/95  
Member at Large

Jim Hyland                      Reappointment  
1 Sturges St.  
Binghamton, NY 13901              Term Expires 12/31/95  
Member at Large

Chip McElwee                      Reappointment  
23 Laurel Ave.  
Binghamton, NY 13905              Term Expires 12/31/95  
Member at Large

Alan Pope                      Reappointment  
PO Box 1964  
Binghamton, NY 13902              Term Expires 12/31/95  
Member at Large

Tim Singler                      Reappointment  
48 Davis St.  
Binghamton, NY 13905              Term Expires 12/31/95  
Member at Large

Anna Schecter                      High School Student Rep  
88 Aldrich Ave.                      New Appointment

Binghamton, NY 13903	Term Expires 8/31/94
Laurie Beattie 136 Chapin St. Apt 122 Binghamton, NY 13905	New Appointment Term Expires 8/31/94
Binghamton University Rep	
Chris Norton 3637 Lorne Drive Endwell, NY 13760	Reappointment Term Expires 8/31/94
BCC Rep	
Steve Bowie HC 78, Box 607 Castle Creek, NY 13744	Reappointment Term Expires 12/31/95
Chenango CAC	
Frank Cism 2856 Route 79 Harpurville, NY 13787	Reappointment Term Expires 12/31/95
Colesville CAC	
Lou McKeage 3259 Maxian Rd. Binghamton, NY 13903	Reappointment Term Expires 12/31/95
Town of Binghamton CAC	
Virginia Oggins 412 Pierce Hill Rd. Vestal, NY 13850	Reappointment Term Expires 12/31/95
Vestal CAC	
Kevin Mathers	Reappointment

Cornell Cooperative Extension  
of Broome County  
840 Front St.  
Binghamton, NY 13905      Term Expires 12/31/95  
Special Rep

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 277, adopted September 21, 1971 and the provisions of Resolution No. 64, 1973, Resolution No. 366, adopted December 21, 1976 and Resolution No. 341, adopted October 1, 1980, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 277, adopted September 21, 1971 and the provisions of Resolution No. 64, 1973, Resolution No. 366, adopted December 21, 1976 and Resolution No. 341, adopted October 1, 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 Broome County Executive, Timothy M. Grippen.      **Carried.**      Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 49**

by Health & Human Services Committee  
Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION CONFIRMING APPOINTMENTS TO  
MEMBERSHIP ON THE BROOME COUNTY CHILD ABUSE  
COUNCIL.**

WHEREAS, Timothy M. Grippen, Broome County Executive, pursuant to the powers vested in him by Resolution No. 477, adopted December 3, 1985, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Child Abuse Council for the terms indicated:

<u>NAME</u>	<u>TERM EXPIRING</u>
Rebecca Allerton P. O. Box 7322 Endicott, NY 13760	Reappointment  Term Expires 12/31/96
Robert Ford 108 Highland Ave. Binghamton, NY 13905	Reappointment  Term Expires 12/31/96
Mary Haust 71 Kendall Ave. Binghamton, NY 13903	Reappointment  Term Expires 12/31/96
Robert Houser 42 Forest Hills Blvd. Binghamton, NY 13905	Reappointment  Term Expires 12/31/96
Lawrence Kiley 827 Placek Dr. Johnson City, NY 13790	Reappointment  Term Expires 12/31/96
Gerald Mollen 3 Sears Rd. Binghamton, NY 13905	Reappointment  Term Expires 12/31/96
Janice Hunt Chambers 317 Vandervort Ave. Vestal, NY 13850	Reappointment  Term Expires 12/31/96
Kate Stacey RR 1, Box 96 Harbor Rd. Greene, NY 13778	New Appointment  Term Expires 12/31/96



David Wertman                      New Appointment  
74 N. Sunset Dr.  
Kirkwood, NY 13795                      Term Expires 12/31/94  
(to fill an unexpired term)

Diane Albrecht                      New Appointment  
405 S. Loder Ave.  
Endicott, NY 13760                      Term Expires 12/31/95  
(to fill an unexpired term)

Gary Leskow                      New Appointment  
2713 Columbia Dr.  
Endwell, NY 13760                      Term Expires 12/31/94  
(to fill an unexpired term)

Melanie Giordani                      New Appointment  
1368 E. Maine Rd.  
Johnson City, NY 13790                      Term Expires 12/31/94  
(to fill an unexpired term)

Dr. Richard H.K. Wu                      New Appointment  
340 Front St.  
Owego, NY 13827                      Term Expires 12/31/96

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 477, adopted December 3, 1985, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 477, adopted December 3, 1985, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Child Abuse Council in accordance with their appointment by the Broome County Executive,

Timothy M. Grippen.

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 50**

by Education, Culture & Recreation and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION EXPRESSING THE COUNTY'S INTENT TO STUDY THE SALE OF AQUA TERRA AND DIRECTING THE DIRECTOR OF REAL PROPERTY TAX SERVICES TO REQUEST PROPOSALS FOR APPRAISAL SERVICES IN CONJUNCTION THEREWITH.**

WHEREAS, the County is interested in studying the sale of the County owned land commonly known as Aqua Terra, and

WHEREAS, as part of that study the facility should be appraised, and

WHEREAS, a Request for Proposals should be advertised to solicit interest from qualified firms for an appraisal of the Aqua Terra property, now, therefore, be it

RESOLVED, that this County is interested in studying the sale of the Aqua Terra property, and be it

FURTHER RESOLVED, that the Director of Real Property Tax Services is directed to request proposals from qualified appraisal firms to provide an appraisal of Aqua Terra, and be it

FURTHER RESOLVED, that upon receipt of the Requests for Proposals the Director of Real Property Tax Services is directed to take the steps necessary to retain a qualified appraisal firm, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 51**

by Finance Committee

Seconded by Mr. Lindsey

**BOND RESOLUTION DATED JANUARY 20, 1994.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$9,860,000 SERIAL BONDS OF THE COUNTY OF BROOME, NEW YORK, TO PAY PART OF THE COST OF VARIOUS CAPITAL PROJECTS.**

WHEREAS, all applicable prerequisites for the approval of financing for the projects referred to herein, including specifically, satisfaction of the requirements of the State Environmental Quality Review Act, having been satisfied, NOW, THEREFORE, BE IT

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

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

<u>Project Code</u>	<u>Project Name/P.P.U./L.F.L §11.00(a)</u>	<u>Maximum Estimated Cost</u>
F-25	Reconstruction of Government Plaza Deck, being a specific object or purpose; ten years; subdivision 12(a)(1)	\$9,795,000
A-322	Renovations to the Arena Ice Rink, being a specific object or purpose; five years; subdivision 35	385,000
E-85	Construction of the Decker Health Sciences Center, being a specific object or purpose; 20 years; subdivision 11	10,000,000

Section 2. (a) The aggregate maximum estimated cost of the aforesaid specific objects or purposes is \$20,180,000, and the plan for the financing thereof is (i) by the issuance of \$9,860,000 serial bonds of said County, hereby authorized to be issued therefore, (ii) by the application of \$1,953,000 serial bonds previously authorized for Project F-25, (iii) by the appropriation and expenditure of \$147,000 and \$120,000 available funds to be allocated toward Projects F-25 and A-322, respectively, (iv) by the application of \$4,765,000 Federal/other monies to be allocated \$1,500,000 to Project E-85 and \$3,265,000 to Project F-25, and (v) by the application of \$3,435,000 State monies to be allocated \$3,265,000 to Project F-25 and \$170,000 to Project A-322.

(b) The amount of serial bonds herein authorized to be issued shall be reduced to the extent additional State and Federal grants-in-aid are received in connection with each of the projects herein described. The estimated amount of such revenues as well as the allocation of the serial bonds herein authorized is set forth below:

<u>Project Code</u>	<u>Project Name</u>	<u>Serial Bonds</u>	<u>Estimated State</u>	<u>Estimated Federal/other Money</u>
F-25	Renovation of the Government Plaza Deck	\$1,165,000	\$-0-	\$-0-
A-322	Renovations to Arena ice rink	195,000	-0-	-0-
E-85	Construction of Health Sciences Center	8,500,000	5,000,000	-0-

Section 3. Subject to the provisions of the Local Finance Law, the

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

Section 4. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the Commissioner of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Broome, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

Separate votes were taken on:

**F-25**Reconstruction of Government Plaza Deck, being a specific object or purpose; ten years; subdivision 12 (a) (1)  
\$9,795,000

**Carried.** Ayes-14, Nays-4 (Harris, Lindsey, Taylor, Wagstaff), Absent-1 (Whalen).

**A-322** Renovations to the Arena Ice Rink, being a specific object or purpose; five years; subdivision 35      \$385,000

**Carried.** Ayes-16, Nays-2 (Mather, Taylor), Absent-1 (Whalen).

**E-85** Construction of the Decker Health Sciences Center, being specific object or purpose; 20 years; subdivision 11  
\$10,000,000

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 52**

by Environment, Education, Culture & Recreation, and Finance Committees

Seconded by Mrs. Hudak & Mr. Lindsey

**A RESOLUTION RENDERING A NEGATIVE DECLARATION WITH RESPECT TO DECKER HEALTH SCIENCE CENTER PROJECT.**

WHEREAS, it is proposed to construct a new facility at Broome Community College to house health science programs, and

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

WHEREAS, the Dormitory Authority of the State of New York has declared itself lead agency with respect to the Decker Health Sciences Center Project at Broome Community College, conducted a coordinated review of the environmental impacts of said project, and rendered a negative declaration with respect thereto, and

WHEREAS, this County Legislature is another involved agency, as defined in the State Environmental Quality Review Act, reviewing the aforementioned Decker Health Science Center, and

WHEREAS, initiation of the Decker Health Science Center project may have an impact on the environment, now, therefore, be it

RESOLVED, that this County Legislature, based on the environmental assessment form annexed hereto as Exhibit "A" hereby determines and declares that the Decker Health Science Center project at Broome Community College 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, Absent-1 (Whalen).

**RESOLUTION NO. 53**

by Finance, Health & Human Services and Public Works Committees  
 Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR DEPARTMENTS OF MENTAL HEALTH AND PUBLIC WORKS.**

RESOLVED, that in accordance with a request from the Commissioner of Mental Health, in order to provide funds for court ordered medical and hospital services, as requested by BT# 6861, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000	Contingent Account	\$10,162
TO :	470013	4707	101000	Medical and Hospital	\$10,162

Services  
 and be it

FURTHER RESOLVED, that in accordance with a request from the Department of the County Executive, in order to provide funds for Retirees Health Insurance for DPW-Fleet and Elections Departments as requested by BT# 6404, this County Legislature hereby authorizes



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

	<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
FROM:	030007	4341	250000	Motor Equipment	\$2,000
				Supplies	
	410001	4318	101000	Duplicating Room	\$2,000
				Supplies	
TO :	030007	8060	250000	Health Insurance	\$2,000
	410001	8060	101000	Health Insurance	\$2,000

**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 54**

by County Administration, Economic Development and Planning Committee

Seconded by Mrs. Hudak & Mr. Lindsey

**RESOLUTION AUTHORIZING ACCEPTANCE OF 1994 DESK DIRECTORIES FOR BROOME COUNTY FROM ELECTRICAL WORKERS, IBEW LOCAL # 325 AND PLUMBERS & PIPEFITTERS LOCAL # 112**

WHEREAS, the Legislative Clerk requests authorization for acceptance of between 300 and 400 desk directories valued at between \$300 and \$400 from the Electrical Workers, IBEW Local No. 325, 24 Emma Street, Binghamton, NY and the Plumbers & Pipefitters Local # 112, 11 Griswold St., Binghamton, NY 13905 to be used for the specific purpose of providing reference material to the various departments of Broome County Government and interested citizens, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of a gift of between 300 and 400 Desk Directories valued at

between \$300 and \$400 for the purpose of providing a reference guide to the various departments of Broome County Government and interested citizens through the Office of the Clerk of the Legislature, 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, Absent-1 (Whalen).

**RESOLUTION NO. 55**

by Finance Committee                      Seconded by Mr. Malley

**RESOLUTION AUTHORIZING CORRECTION OF ERRORS ON TAX ROLLS FOR 1994**

WHEREAS, an application for Correction of Errors on Tax Rolls for 1994 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 556-b 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 556-b of the Real Property Tax Law, and be it

FURTHER RESOLVED, that their shall be refunded to the appropriate tax payers any excess taxes paid with respect to said corrections, and be it

FURTHER RESOLVED, that the Clerk of the 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 and the State Department of Audit and Control.  
**Carried.** Ayes-18, Absent-1 (Whalen).

**RESOLUTION NO. 56**

by County Administration, Economic Development & Planning  
Committee  
Seconded by Mr. Malley

**RESOLUTION AUTHORIZING HOME RULE REQUEST TO  
AUTHORIZE THE COUNTY OF BROOME TO IMPOSE AN  
ADDITIONAL ONE PERCENT SALES AND COMPENSATING  
USE TAX**

WHEREAS, by Resolution No. 373 of 1993, this Legislature requested the New York State Legislature to enact State Legislation authorizing the County of Broome to impose an additional one percent of sales and compensating use taxes, and

WHEREAS, Assembly Bill A 9231 and Senate Bill S6490 have been introduced into the New York State Assembly and Senate respectively to amend the tax law, in relation to authorizing the County of Broome to impose an additional one percent of sales and compensating use taxes, and

WHEREAS, pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for the passage of said legislation, now, therefore, be it

RESOLVED, that this County Legislature hereby urges and approves the adoption and passage of said Assembly Bill A 9231 and Senate Bill S6490 entitled "An Act to Amend the Tax Law in Relation to Authorizing the County of Broome to Impose an Additional One Percent of Sales and Compensating Use Taxes", and hereby declares that a necessity exists for the passage of such bill and that the local legislative body of the County of Broome does not have the power to

enact such legislation by local law, and be it

FURTHER RESOLVED, that a Home Rule Request be submitted to the Senate and Assembly of the New York State Legislature indicating that the necessity exists for the enactment of said legislation.

**Carried.**

Ayes-12(Augostini, Burger, Coffey, Harbachuk, Harris, Howard, Kavulich, Lindsey, Malley, Mather, Pasquale & Taylor)  
Nays-6 (Brown, Hudak, Pazzaglini, Schofield, Wagstaff, Shafer)  
Absent-1 (Whalen)

**RESOLUTION NO. 57**

by County Administration, Economic Development and Planning Committees

Seconded by All Members of the Legislature

**RESOLUTION OF SUPPORT ENCOURAGING IBM CORPORATION TO RELOCATE ITS CORPORATE HEADQUARTERS TO BROOME COUNTY, NEW YORK**

WHEREAS, Broome County, New York is the birth place of IBM Corporation and

WHEREAS, recent news reports have indicated that IBM Corporation will be vacating its world headquarters in Sommers, New York and

WHEREAS, the IBM facility located in Glendale is in Broome County and is deemed to have ample space to accommodate IBM's world headquarters and

WHEREAS, IBM already owns this facility and the government of the County of Broome is desirous of encouraging IBM to consider using this facility as a world headquarters and

WHEREAS, this County Legislature wishes to send a message to

IBM's world headquarters as well as its regional facilities that it is seriously interested in finding a way to accommodate IBM Corporation in making a decision to locate its world headquarters in Broome County, New York, now, therefore, be it

RESOLVED, that this Legislature expresses formally as a body its desire to enter into discussions with officials from the IBM Corporation for purposes of accommodating, providing enhancements and otherwise supporting the relocation of IBM's world headquarters in Sommers, New York to one of the existing IBM facilities in Broome County, New York, and be it

FURTHER RESOLVED, that the Clerk of this Legislature is directed to forward copies of this resolution to the Chief Executive Officer of IBM and its Board of Directors as well as to the CEO of IBM's facilities in Endicott and in Glendale

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

**Carried.** Ayes-17, Abstained-1 (Schofield), Absent-1 (Whalen).

Mr. Lindsey moved, seconded by Mr. Howard & Mrs. Taylor, to suspend the rules for the purpose of allowing **Resolution No. 94-58 to be presented and Resolution No. 443 of 1993 to be recalled.**

The suspension of the rules **carried.** Ayes-18, Absent-1 (Whalen).

### **RESOLUTION NO. 58**

by Education, Culture & Recreation and Finance Committees

Seconded by Mr. Howard

### **RESOLUTION REPEALING RESOLUTION 449 OF 1993**

WHEREAS, Resolution 449 of 1993 established a one dollar surcharge on tickets to Arena and Forum events, and

WHEREAS, it has been determined to be appropriate to repeal

said surcharges, now, therefore, be it

RESOLVED, that Resolution 449 of 1993 shall be and hereby is repealed.

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

The resolution as amended **carried**. Ayes-15, Nays-3 (Coffey, Pazzaglini, Taylor), Absent-1 (Whalen).

**RESOLUTION NO. 443 of 1993**

by Transportation and Finance Committees

Seconded by Mr. Whalen

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

Mrs. Taylor moved, seconded by Mrs. Hudak to make an amendment to Exhibit B marked with an \*.

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

Base Fare	1.50
*(Elderly & Handicapped Base Fare @ .75)	
<u>Zone Charges</u>	
Rural To Rural	.50
*(Elderly & Handicapped Base Fare @ .25)	
Rural to Urban	.75
*(Elderly & Handicapped Base Fare @ .35)	
Urban to Rural	.75
*(Elderly & Handicapped Base Fare @ .35)	
Children (under 5)	No Charge

Maximum Fare 2.75  
\*=Amendment of 1/20/94

The amendment **carried.** Ayes-18, Absent-1 (Whalen).  
The resolution as amended **carried.** Ayes-18, Absent-1 (Whalen).

Mr. Pasquale moved, seconded by Mr. Augustini to adjourn @  
approximately 5:35 P.M. **Carried.**