

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

Legislative Note: This resolution also authorizes the vendor to represent the County in a companion claim by Rita Doolittle, pursuant to Section 207C of the General Municipal Law. R.R.B.

Carried.

Ayes-13 Augostini, Burger, Hudak, Hull, Lindsey, Mather, Miller, O'Day, Shafer, Sweet, Whalen, Wike & Schofield
Nays-0
Absent-6 Brunza, Coffey, Harbachuk, Howard, Kavulich, Pasquale

Mr. Augostini moved, seconded by Mr. Shafer to **adjourn** at 4:32 P.M.

The adjournment **carried** by voice vote.

**BROOME COUNTY LEGISLATURE
REGULAR SESSION
APRIL 17, 1997**

The Legislature convened at 4:00 P.M. with a call to order by the Chair, Daniel A. Schofield. The Clerk, Richard R. Blythe, read the fire exit announcement and called the Attendance Roll: Present-19

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

Mr. Miller moved, seconded by Mr. Wike, that the minutes of the Regular Session of March 20, 1997, be approved as prepared and presented by the Clerk.

Carried.

Mr. Schofield noted that the committee minutes from March 14, 1997 through April 10, 1997 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. The Clerk indicated that a quorum of all committees were present. Mr. Schofield asked for corrections to the committee minutes and receiving none, asked for approval. A motion to approve the committee minutes was made by Mr. Mather and seconded by Mr. Kavulich.

Carried.

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

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE

Letters from the County Executive, Jeffrey P. Kraham:

- 1.Appointing Thomas P. Hoke as Deputy County Executive for Human Services, effective April 1, 1997. (Note: **Withdrawn** prior to Session)
- 2.Appointing William M. Barber as Deputy County Executive for Physical Services, effective April 1, 1997. (Note: **Withdrawn** prior to Session)
- 3.Designating William M. Barber as Executive representative on

Broome County Board of Acquisition and Contracts.

- 4.Appointing William F. Shea as Commissioner of Aviation, effective April 21, 1997.
- 5.Nominating J. Marchuska and P. Cornell to membership on Arena Board of Directors.
- 6.Nominating D. Chamberlain and W. Atkin to membership on Airport Advisory Board.
- 7.Nominating F. Marsi to membership on Forest Practice Board.
- 8.Nominating J. Tait and J. Knebel to membership on Planning Advisory Board.
- 9.Nominating 8 persons to membership on Community Services Board.
- 10.Nominating 14 persons to membership on Youth Bureau Advisory Board.

10. PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS:

A. PETITIONS: NONE

B. COMMUNICATIONS:

- 1.Letter of resignation from Betsy Pietriyk (Private Industry Council).
- 2.Minutes from:
 - a.Soil and Water Conservation District
 - b.Public Library
 - c.Cornell Cooperative Extension
 - d.Binghamton Regional Airport
 - e.Safety and Security Committee
 - f.Environmental Management Council
 - g.EMC Solid Waste Committee
 - h.EMC's Natural Resources Committee
 - i.Nanticoke Landfill Citizens Advisory Committee
 - j.Industrial Development Agency (minutes and various materials)
 - k.EMC Ad Hoc Committee on Alternative Transportation and

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BMTS Bicycle and Pedestrian Plan Advisory Committee

3.Public Hearing: April 17, 1997 (10:00 a.m., County Office Building Auditorium; 4:30 p.m., Town Hall of Owego; 7:00 p.m., State Office Building, 1st Floor Community Room).

BMTS: (Proposed Transportation Improvement Program (TIP) is a five year capital program which includes highway, bridge and transit projects funded by federal funds).

4.Resolutions from:

- a.Putnam County (Requesting State to increase rate of reimbursement-Parole Violating Assigned Counsel)
- b.Dutchess County (Requesting State to reimburse 100 percent of actual costs-Parole Violation Assigned Counsel)
- c.Cattaraugus County (Requesting State and Federal Governments re-designate Route 17 as Interstate Highway 86)
- d.Broome County Organization of Vietnam Veterans (endorsing Outpatient Clinic at Garvin Building, Binghamton Psychiatric Center)
- e.Town of Union (Supporting repeal of state and county sales tax on clothing in Broome County)
- f.Hamilton County (Requesting the State Legislature to repeal the Gross Receipts Tax)

5.1997 NYSAC Legislative Resolutions.

6.Broome County and CSEA (Public Library) Contract.

7.Letter from Acting Library Director regarding surplus library materials (distribution March 27, 28, 31).

8.Letters from adult students in the Even Start Family Literacy program (Binghamton School District) regarding impact of potential increase in bus fare.

9.Letter from J. Taft objecting to project for Twist Run Road.

10.Letter from Broome County Association of Tax Receivers and Collectors regarding County collection of taxes for the Town of Union.

C. NOTICES: NONE

D. REPORTS:

1. Monthly Reports: Department of Social Services (Oct., Nov., & Dec. 1996)
2. Office of Risk Management: 1996 Statement of Changes in Fund Balance (Unemployment Insurance Reserve)
3. Department of Audit and Control: Audits of Mental Health Families First Program, Blank Check Inventory Control, Highway Division Motor Vehicle Repair Parts Inventory; Follow-up audit of Aramark Corporation.
4. Broome Community College: Audited Financial Statements (Year ending August 31, 1996)
5. 1996 Annual Reports:
 - a. Cornell Cooperative Extension
 - b. Vestal Public Library
 - c. Lisle Free Library
 - d. Broome County Clerk
 - e. Department of Social Services
 - f. Public Works (Engineering, Security, Facilities Management)
 - g. Southern Tier East Regional Planning Development Board
6. Office of New York State Comptroller (Report of Examination-Broome County Division of Solid Waste Management)

WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE

PRESENTATION: Dedication of 1997 County Officers Book and Recognition of D.A.R.E. Officers

Letters from the Chair, Daniel A. Schofield:

1. Appointing 8 persons to membership on Industrial Development Agency Board of Directors.

Mr. Brunza moved, seconded by Mr. Burger to receive and file the

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above referenced report(s) and to authorize and direct the Clerk to index said report(s) in the 1997 JOURNAL OF PROCEEDINGS and to publish pertinent portions of said reports as may be directed by the Chair.

Carried.

Several resolutions were taken out of order, however, for the sake of clarity, all resolutions are presented in numerical order.

Mr. Burger and Mr. Harbachuk were designated as participants in the 'Short Roll Call.'

Mrs. Sweet seconded the 'Preferred Agenda.'

RESOLUTIONS INTRODUCED AT THIS SESSION:

RESOLUTION NO. 139

by PUBLIC WORKS and FINANCE COMMITTEESSeconded by Mrs. Sweet

RESOLUTION AUTHORIZING AN AGREEMENT WITH C&S ENGINEERS, INC. FOR CONSTRUCTION REVIEW SERVICES AT THE NANTICOKE LANDFILL

WHEREAS, the Division of Solid Waste Management has requested proposals for construction review services associated with the partial closure of Section II at the Nanticoke Landfill, and

WHEREAS, the Division requests authorization to enter into an agreement with C&S Engineers, Inc. to perform said construction review services at a cost not to exceed \$84,413, now, therefore, be it

RESOLVED, that this County Legislature authorizes an agreement with C&S Engineers, Inc. 1099 Airport Road, North Syracuse, New York 13212 for construction review services associated with the partial closure of Section II of the Nanticoke Landfill, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$84,413 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized

shall be made from budget line 235044.4545.502266 (Contracted Services), and be it

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

Carried.

RESOLUTION NO. 140

by FINANCE COMMITTEE

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING THE SALE OF COUNTY-OWNED PROPERTY LOCATED IN THE TOWN OF KIRKWOOD TO DONALD BEAGELL, JR. AND BONITA L. BEAGELL.

WHEREAS, the County of Broome is currently the owner of real property known as Tax Map No. 5-4-S4 in the Town of Kirkwood which was acquired as part of the Resource Recovery Project, and

WHEREAS, the County has received an offer from Donald Beagell, Jr. and Bonita L. Beagell to purchase said property for \$10,650, and

WHEREAS, the County is willing to sell said property to Donald Beagell, Jr. and Bonita L. Beagell, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes an agreement with Donald Beagell, Jr. and Bonita L. Beagell, 216 Colesville Road, Binghamton, New York, 13904, for the sale of 20.40 acres of county-owned property located in the Town of Kirkwood on Stratmill Road, Tax Map No. 5-4-S4, with title to be conveyed by quit claim deed, and be it

FURTHER RESOLVED, that in consideration of said property, Donald Beagell, Jr. and Bonita L. Beagell shall pay the County \$10,650, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized

shall be credited to budget line 630004.0212.101000 (Sale of Real Property), and be it

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

Held over under the 'Rules' by Mr. Pasquale.

RESOLUTION NO. 141

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

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUESTS FOR LAW DEPARTMENT AND EXECUTIVE DEPARTMENT.

RESOLVED, that in accordance with a request from the County Attorney of the Law Department, as contained in PCR# 97-180, this County Legislature hereby authorizes the creation of a Full-Time Assistant County Attorney II position, at budget line 390005.1000.101000, minimum salary \$36,807, grade 25, and to abolish one (1) Full-Time Senior Assistant County Attorney position, currently vacant, at budget line 390005.1000.101000, minimum salary \$45,102, grade 29, effective April 1, 1997, and be it

FURTHER RESOLVED, that in accordance with a request from the County Executive of Broome County, as contained in PCR# 97-178, this County Legislature hereby authorizes the creation of a Deputy County Executive for Human Services position, at budget line 230037.1000.101000, minimum salary \$59,714, grade M (40 hours) effective April 1, 1997, and be it

FURTHER RESOLVED, that in accordance with a request from the County Executive of Broome County, as contained in PCR# 97-179, this County Legislature hereby authorizes the creation of a Deputy County

Executive for Physical Services position, at budget line 230037.1000.101000, minimum salary \$59,714, grade M (40 hours), effective April 1, 1997, and be it

FURTHER RESOLVED, that in accordance with a request from the County Executive of Broome County, as contained in PCR #97-181, this County Legislature hereby authorizes the increase to 40 hours for the Deputy County Executive at budget line 230037.1000.101000, minimum salary \$59,714, grade M (40 hours), effective January 1, 1997.

This resolution was **withdrawn** per separate requests from the County Attorney and the County Executive, with the concurrence of the prime sponsoring committee.

RESOLUTION NO. 142

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

RESOLUTION AUTHORIZING DEPARTMENT OF LAW TO HIRE AN ASSISTANT COUNTY ATTORNEY II AT A SALARY ABOVE THE MINIMUM LEVEL.

WHEREAS, the Law Department has a vacancy for an Assistant County Attorney II, and

WHEREAS, the needs of the Law Department require hiring an experienced attorney, and

WHEREAS, the County Attorney wishes to hire an attorney with municipal law experience however, the said attorney will not accept the position at the minimum salary, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Law Department to hire an Assistant County Attorney II (Administrative Grade 25) at step 2, salary of \$39,015, at budget line 390005.1000.101000, effective April 1, 1997.

This resolution was **withdrawn** per a request from the County Attorney, with the concurrence of the prime sponsoring committee.

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RESOLUTION NO. 143

by Hon. Daniel A. Schofield

Seconded by Mr. Burger

**RESOLUTION OF THE BROOME COUNTY LEGISLATURE,
REQUESTING THAT BUDGET BILL A2883A, AN
AMENDMENT TO THE NYS CONSTITUTION BE
SUBMITTED TO THE VOTERS OF THE STATE OF NEW
YORK FOR RATIFICATION**

WHEREAS, the Constitution of the State of New York vests the ultimate responsibility to pass a timely NYS Budget with the elected NYS Representatives in the NYS Senate and the NYS Assembly, and

WHEREAS, the annual NYS Budget has not been adopted on time since 1983, and

WHEREAS, the financial implications of a late NYS Budget are severe and affect all areas of local government including counties and school districts, and

WHEREAS, the late NYS Budget may adversely affect the bond ratings of local governments as well as the bond rating of the State of New York as well as disrupt agencies, programs and projects which are dependent upon an April 1st. commencement of the State Fiscal Year, and

WHEREAS, the NYS Legislature has demonstrated a chronic inability or unwillingness to pass a timely budget, and

WHEREAS, NYS Assemblyman, Jay J. Dinga has introduced Assembly Bill # A2883A, designed to end late State Budgets, and

WHEREAS, this legislation mandates precise dates, prior to April 1st., of each year, by which the NYS Legislature must take budgetary action, now, therefore be it

RESOLVED, that the County Legislature of the County of Broome does hereby endorse 1997 Assembly Bill A2883A and requests the NYS Legislature to expeditiously pass an amendment to the NYS Constitution that requires a timely passage of a NYS Budget, each year, and be it

FURTHER RESOLVED, that the Clerk of this County Legislature be authorized and directed to transmit a certified copy of this resolution

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to the Governor of the State of New York, the Speaker of the NYS Assembly and the Majority Leader of the NYS Senate, and to the members of the NYS Legislature who represent Broome County, and be it

FURTHER RESOLVED, that this resolution shall be effective immediately upon adoption.

Mr. Schofield noted that Assemblyman Dinga had modified his original bill with regards to a ceiling (A maximum of a 4% increase from the prior year's budget) on an interim NYS Budget should the Assembly and Senate fail to agree on a budget. Mr. Schofield moved, seconded by Mr. Burger to amend the resolution, changing the Assembly Bill number from A2883A to A2883B.

Mr. Augostini moved, seconded by Mr. Mather to **call the question** on the amendment and the main question.

The call of the question **carried**.

The amendment **carried**.

The resolution as amended **lost**.

Ayes-4Augostini, Howard, Shafer & Schofield

Nays-15Brunza, Burger, Coffey, Harbachuk, Hudak, Hull Kavulich,
Lindsey, Mather, Miller, O'Day, Pasquale, Sweet, Whalen &
Wike

RESOLUTION NO. 144

by PUBLIC SAFETY & EMERGENCY SERVICES, PERSONNEL
and FINANCE COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION AUTHORIZING RENEWAL OF NEW YORK
STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR
THE AID TO PROSECUTION PROGRAM GRANT FOR THE
OFFICE OF THE DISTRICT ATTORNEY AND ADOPTING A
PROGRAM BUDGET IN CONNECTION THEREWITH FOR
1997 THROUGH 1998.**

WHEREAS, this County Legislature, by Resolution 155 of 1996, authorized and approved the New York State Division of Criminal Justice Services for the Aid to Prosecution Program Grant and adopted a program budget in the amount of \$141,382 for the period April 1, 1996 through March 31, 1997, and

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

WHEREAS, it is desired to renew said grant program for the period April 1, 1997 through March 31, 1998, in the amount of \$135,829, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$135,829 from the New York State Division of Criminal Justice Services for the period April 1, 1997 through March 31, 1998, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$135,829 for the period April 1, 1997 through March 31, 1998, and be it

FURTHER RESOLVED, that the County Executive or his duly

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

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

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

Carried.

RESOLUTION NO. 145

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING REVISION OF NEW YORK STATE PRIMARY CARE INITIATIVE GRANT FOR THE HEALTH DEPARTMENT CLINICS AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 616 of 1996, authorized the New York State Primary Care Initiative Grant for the Health Department Clinics for the period September 1, 1996 through August 31, 1998, and adopted a program budget in connection therewith in the total amount of \$77,718, and

WHEREAS, it is necessary at this time to revise said program to reflect the addition of a part-time position, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the New York State Primary Care Initiative Grant for the

period September 1, 1996 through August 31, 1998, in the total amount of \$77,718, 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 \$77,718 for the period September 1, 1996 through August 31, 1998, and be it

FURTHER RESOLVED, that Resolution 616 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 146

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING REVISION OF THE HEALTH DEPARTMENT IMMUNIZATION ACTION PLAN CONSORTIUM V GRANT FOR CHILDHOOD IMMUNIZATION AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1996 THROUGH 1997.

WHEREAS, this County Legislature, by Resolution 449 of 1996,

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authorized the Health Department Immunization Action Plan Consortium V Grant for the period November 1, 1996 through October 31, 1997 and adopted a program budget in connection therewith in the total amount of \$25,300, and

WHEREAS, it is necessary at this time to revise said program to reflect a change in personnel to better meet needs in the community and to adopt a revised program budget, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Department Immunization Action Plan Consortium V Grant for the period November 1, 1996 through October 31, 1997, in the total amount of \$25,300, 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 \$25,300 for the period November 1, 1996 through October 31, 1997, and be it

FURTHER RESOLVED, that Resolution 449 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 147

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING REVISION OF HEALTH DEPARTMENT CLINICS HIV/STD/TB PREVENTION PROGRAM GRANT AND ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997.

WHEREAS, this County Legislature, by Resolution 487 of 1996, authorized and approved the Health Department HIV/STD/TB Prevention Program Grant for the period January 1, 1997 through December 31, 1997, and adopted a program budget in connection therewith in the total amount of \$52,900, and

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

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Department HIV/STD/TB Prevention Program Grant for the period January 1, 1997 through December 31, 1997, in the total amount of \$51,200, 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 \$51,200 for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that Resolution 487 of 1996, 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

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

Carried.

RESOLUTION NO. 148

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING A PARTICIPATION PROVIDER AGREEMENT WITH UNITED COMMUNITY HEALTH PLAN FOR THE HEALTH DEPARTMENT CLINICS DIVISION AND HOME HEALTH SERVICES FOR 1997.

WHEREAS, the Health Department requests authorization for a Participation Provider Agreement with United Community Health Plan for calendar year 1997 at no cost to Broome County, and

WHEREAS, said agreement is necessary for managed medicaid services, now, therefore, be it

RESOLVED, that the County Legislature hereby authorizes an agreement with United Community Health Plan, 1 CHA Plaza, Latham, New York, 12110-1012, for managed medicaid services for calendar year 1997 at no cost to Broome County, and be it

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

Carried.

RESOLUTION NO. 149

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING AGREEMENT WITH LYNN L. SPERLING, MSW, FOR SOCIAL WORK SERVICES FOR THE

HEALTH DEPARTMENT HOME HEALTH SERVICES DIVISION PATIENTS FOR 1997.

WHEREAS, the Health Department Home Health Services Division requests authorization for an agreement with Lynn L. Sperling, MSW, for social work services for the period April 1, 1997 through December 31, 1997, at a cost of \$55.00 per visit, \$25.00 per hour for case conferences, total amount not to exceed the budgeted amounts, and

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

RESOLVED, this County Legislature hereby authorizes an agreement with Lynn L. Sperling, MSW, 6167 Route 79, Chenango Forks, New York, 13746, for social work services for the Health Department Home Health Services Division patients for the period April 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services the County shall pay the contractor an amount not to exceed \$55.00 per visit and \$25.00 per hour for case conferences, total amount not to exceed the budgeted amounts for the term of this agreement, and be it

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

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

Carried.

RESOLUTION NO. 150

by HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mrs. Sweet

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RESOLUTION AUTHORIZING AGREEMENT WITH STAFKINGS HEALTHCARE SYSTEMS FOR CLASSROOM AIDE SERVICES FOR THE HEALTH DEPARTMENT DIVISION OF CHILD DEVELOPMENT EDUCATIONALLY HANDICAPPED CHILDRENS PROGRAM FOR 1997 THROUGH 1998.

WHEREAS, the Health Department Division of Child Development Educationally Handicapped Childrens Program requests authorization for an agreement with Stafkings Healthcare Systems for classroom aide services for the period April 1, 1997 through December 31, 1998, at a cost not to exceed \$13,575, and

WHEREAS, said agreement is necessary to provide classroom aide services to children being mainstreamed in Broome County school districts, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes an agreement with Stafkings Healthcare Systems, 66 Hawley Street, Binghamton, New York, 13901, for classroom aide services for the Health Department Division of Child Development Educationally Handicapped Childrens Program for the period April 1, 1997 through December 31, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor \$9.05 per hour, total amount not to exceed \$13,575 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 480285.4749.101000 (Classroom Aides), and be it

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

Carried.

RESOLUTION NO. 151

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

Seconded by Mrs. Sweet

**RESOLUTION AUTHORIZING REVISION OF HEALTH
DEPARTMENT BREAST AND CERVICAL CANCER
EDUCATION AND DETECTION GRANT AND ADOPTING A
REVISED PROGRAM BUDGET IN CONNECTION
THEREWITH FOR 1996 THROUGH 1997.**

WHEREAS, this County Legislature, by Resolutions 195 and 447 of 1996, authorized the Health Department Breast and Cervical Cancer Education and Detection Grant Program for the period July 1, 1996 through June 30, 1997, and adopted a program budget in connection therewith in the total amount of \$206,629, and

WHEREAS, it is necessary at this time to revise said program to provide for various personnel changes, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Health Department Breast and Cervical Cancer Education and Detection Grant Program for the period July 1, 1996 through June 30, 1997, in the total amount of \$206,629, 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 \$206,629 for the period July 1, 1996 through June 30, 1997, and be it

FURTHER RESOLVED, that Resolutions 195 and 447 of 1996, to

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

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

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

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

Carried.

RESOLUTION NO. 152

by HEALTH SERVICES, PERSONNEL and FINANCE COMMITTEES Seconded by Mr. Harbachuk

RESOLUTION AUTHORIZING RENEWAL OF HEALTH DEPARTMENT BREAST AND CERVICAL CANCER EDUCATION AND DETECTION GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997 THROUGH 1998.

WHEREAS, this County Legislature, by Resolutions 195 and 447 of 1996, and by companion resolution, authorized and approved the Health Department Breast and Cervical Cancer Education and Detection Grant and adopted a program budget in the amount of \$206,629 for the period July 1, 1996 through June 30, 1997, and

WHEREAS, said grant program provides breast and cervical screening, diagnostic and treatment services for financially eligible women, and

WHEREAS, it is desired to renew said grant program for the period July 1, 1997 through June 30, 1998, in the amount of \$206,629, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$116,449 from the New York State Department of Health and \$90,180 from the Center for Disease Control, for a total amount of \$206,629, for the period July 1, 1997 through June 30, 1998, 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 \$206,629 for the period July 1, 1997 through June 30, 1998, and be it

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

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

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

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

RESOLUTION NO. 153

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT &

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PLANNING, HEALTH SERVICES and FINANCE COMMITTEES Seconded by Mrs. Sweet
**RESOLUTION AUTHORIZING AMENDMENT OF
AGREEMENT WITH Q.S., INC., FOR THE HEALTH
DEPARTMENT CLINICS DIVISION FOR 1996 THROUGH
1997.**

WHEREAS, this County Legislature, by Resolution 250 of 1996, authorized an agreement with Q.S., Inc., for the purchase of customized AS/400 software for the Clinics Division of the Health Department, including maintenance for the period July 1, 1996 through December 31, 1997, at a cost of \$82,000, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect an increase in contract amount to provide for necessary enhancements and revisions to the custom software programs, and

WHEREAS, the Director of Information Technology has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Q.S., Inc., Nations Bank Plaza, Suite 1106, P.O. Box 847, Greenville, South Carolina, 29602, for the purchase of software and maintenance for the period July 1, 1996 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$5,225, for a total amount not to exceed \$87,225, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 370031.4359.501303 (Software & Supplies), and be it

FURTHER RESOLVED, that Resolution 250 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

Carried.

RESOLUTION NO. 154

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING REVISION OF OFFICE FOR AGING TITLE VII ELDER ABUSE GRANT PROGRAM, ADOPTING A REVISED PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997, AND AUTHORIZING AMENDMENT OF AN AGREEMENT WITH ACTION FOR OLDER PERSONS, INC.

WHEREAS, this County Legislature, by Resolution 532 of 1996, authorized the continued participation by the Office for Aging in the Elder Abuse Grant Program for the period January 1, 1997 through December 31, 1997, and adopted a program budget in connection therewith in the total amount of \$3,500, and authorized an agreement with Action for Older Persons, Inc., for administration of same, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in grant appropriations and to amend the agreement with Action for Older Persons, Inc., now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Office for Aging Title VII Elder Abuse Grant Program for the period January 1, 1997 through December 31, 1997, in the total amount of \$5,400, 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 \$5,400 for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby approves the amendment of the agreement with Action for Older

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Persons, Inc., 30 West State Street, Binghamton, New York, 13901, for administration of the above-mentioned program in the amount of \$5,400 for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760827.4457.104094 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 532 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

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

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

Carried.

RESOLUTION NO. 155

by COMMUNITY & SOCIAL SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH CATHOLIC CHARITIES FOR OFFICE FOR AGING CONGREGATE NUTRITION PROGRAM FOR 1997.

WHEREAS, this County Legislature, by Resolution 543 of 1996, authorized an agreement with Catholic Charities of Broome County for

the operation of a senior center in connection with the Office for Aging Congregate Nutrition Program for the elderly for the period January 1, 1997 through December 31, 1997, at a cost of \$15,738, and

WHEREAS, it is necessary to authorize the amendment of said agreement to reflect in increase in cost, and

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

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Catholic Charities of Broome County, 232 Main Street, Binghamton, New York, 13905, for provision of a congregate senior center in connection with the Broome County Office for Aging for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$16,338, for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 760736.4457.104088 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 543 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 156

by EDUCATION, CULTURE & RECREATION, and FINANCE COMMITTEES

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Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING RENEWAL OF THE NATURAL HERITAGE TRUST GRANT AND ADOPTING A PROGRAM BUDGET IN CONNECTION THEREWITH FOR 1997.

WHEREAS, this County Legislature, by Resolution 274 of 1996, authorized and approved the Natural Heritage Trust Grant and adopted a program budget in the amount of \$9,344 for the period January 1, 1996 through December 31, 1996, 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 renew said grant program for the Natural Heritage Trust Grant in the amount of \$9,344, now therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$9,344 for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$9,344 for the period January 1, 1997 through December 31, 1997, and be it

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

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

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

Carried.

RESOLUTION NO. 157

by PUBLIC WORKS and FINANCE COMMITTEES Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC., FOR ENVIRONMENTAL ENGINEERING SERVICES IN CONNECTION WITH DEMOLITION OF THE JAIL BARRACKS FOR 1996 AND 1997.

WHEREAS, this County Legislature, by Resolution 320 of 1996, authorized an agreement with O'Brien & Gere Engineers, Inc., for environmental engineering services in connection with the demolition of the Broome County Jail Barracks at a cost of \$64,123, and

WHEREAS, it is necessary to authorize the amendment of said agreement because of additional costs associated with remediation of contamination discovered upon removal of underground storage tanks for unleaded gasoline, and

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

RESOLVED, this County Legislature authorizes amendment of an agreement with O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York, 13850, for environmental engineering services in connection with the demolition of the Broome County Jail Barracks for the period September 3, 1996 through August 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$49,030, the total amount not to exceed \$113,153, and be it

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FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 035121.4746.501234 (Architectural and Engineering Services), and be it

FURTHER RESOLVED, that Resolution 320 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 158

by PUBLIC WORKS, HEALTH SERVICES and FINANCE COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH O'BRIEN & GERE ENGINEERS, INC., FOR CONSULTANT ENGINEERING SERVICES FOR WILLOW POINT NURSING FACILITY ASBESTOS REMOVAL FOR 1995 THROUGH 1998.

WHEREAS, this County Legislature, by Resolution 156 of 1996, authorized an amendment of an agreement with O'Brien & Gere Engineers, Inc., for consultant engineering services for Willow Point Nursing Facility's Asbestos Removal at a total cost not to exceed \$377,473 for the term ending January 31, 1997, and

WHEREAS, it is necessary to authorize the amendment of said agreement to cover professional engineering services associated with the abatement of asbestos-containing window and door caulk, including design, project monitoring, air monitoring, and project management services, and to extend the term of the agreement, and

WHEREAS, the cost of such additional services is \$134,220, of which \$15,000 will be paid from unexpended funds previously authorized for this project, and

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

RESOLVED, this County Legislature authorizes amendment of an agreement with O'Brien & Gere Engineers, Inc., 441 Commerce Road, Vestal, New York, 13850, for engineering consulting services in connection Willow Point Nursing Facility Asbestos Removal, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$119,220, total compensation not to exceed \$496,693, and be it

FURTHER RESOLVED, the time of completion of said agreement shall be revised from January 31, 1997, to December 31, 1998, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 160267.4746.501329 (Engineering and Architectural Services), and be it

FURTHER RESOLVED, that Resolution 156 of 1996, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Held over under the 'Rules' by Mr. Miller.

RESOLUTION NO. 159

by FINANCE COMMITTEE

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING AGREEMENT WITH NEW YORK STATE ELECTRIC & GAS CORPORATION FOR REMOTE ACCESS REAL PROPERTY INFORMATION SYSTEM COMMENCING 1997.

WHEREAS, the Director of Real Property Tax Services requests authorization for an agreement with New York State Electric & Gas

Corporation for remote access via telephone lines of the Broome County Real Property Tax Services Real Property Information System commencing 1997 with revenue to the County of Broome of \$75.00 per month, and

WHEREAS, said agreement is desired to bring revenue into the County and allow New York State Electric & Gas Corporation to verify current ownership of tax parcels, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes an agreement with New York State Electric & Gas Corporation, 4425 Old Vestal Road, P.O. Box 3607, Binghamton, New York, 13902-3607, for remote access to the Real Property Tax Services Real Property Information System commencing 1997, and be it

FURTHER RESOLVED, that in consideration of said agreement the County of Broome shall receive from New York State Electric & Gas Corporation \$75.00 per month, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be credited to budget line 630004.0175.101000 (Data Processing Tax Service), and be it

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

Carried.

RESOLUTION NO. 160

by FINANCE COMMITTEE

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING REMOVAL OF CERTAIN PARCELS FROM THE 1993 IN REM FORECLOSURE.

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

WHEREAS, it is necessary to authorize the removal of this parcel

from the 1993 in rem foreclosure in that the property taxes were paid in accordance with New York State Real Property Law, now, therefore, be it

RESOLVED, that the below listed parcels are hereby authorized to be removed from the 1993 in rem foreclosure:

<u>CITY</u>	<u>PARCEL</u>	<u>PROPERTY</u>	<u>OWNER</u>
Binghamton Kneebis	3-1-A-69	Robert L.	and H.F.

Carried.

RESOLUTION NO. 161

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING RENEWAL OF AGREEMENT WITH TRANSCOR AMERICA, INCORPORATED, FOR INTERSTATE TRANSPORTATION OF PRISONERS FOR THE SHERIFF'S DEPARTMENT FOR 1997.

WHEREAS, this County Legislature, by Resolution 20 of 1996, authorized an agreement with Transcor America, Incorporated, for interstate transportation of prisoners for calendar year 1996 at a cost not to exceed \$30,000, and

WHEREAS, said services are necessary to transport fugitives from justice back to Broome County, and

WHEREAS, said agreement expired by its terms on December 31, 1996, and it is desired at this time to renew said agreement for the period January 1, 1997 through December 31, 1997, on substantially similar terms and conditions, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the

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renewal of the agreement with Transcor America, Incorporated, 1510 Ft. Negley Boulevard, Nashville, Tennessee, 37203, for interstate transportation of prisoners for the period January 1, 1997 through December 31, 1997, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$30,000 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 450023.4465.101000 (Non-employee Travel, Hotel and Meals), and be it

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

Carried.

RESOLUTION NO. 162

by PUBLIC WORKS and FINANCE COMMITTEES Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH GERAGHTY AND MILLER FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE COLESVILLE LANDFILL REMEDIATION.

WHEREAS, this County Legislature, by Resolutions 308 of 1995, and 131 and 295 of 1996, authorized an agreement with Geraghty and Miller for professional engineering services associated with the Colesville Landfill Remediation, at a cost of \$343,976, and

WHEREAS, it is necessary to authorize the amendment of said agreement to extend the term of the agreement for an additional twelve (12) months and to reflect an increase in cost, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Geraghty and Miller, 125 East Bethpage Road, Plainview, New York, 11803, for professional engineering services associated with the Colesville Landfill Remediation, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an additional amount of \$58,602.50, (total additional amount not to exceed \$117,205), with GAF Corporation paying an equal share, for a total contract amount of \$461,171, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 235036.4746.501262 (Contracted Services), and be it

FURTHER RESOLVED, that Resolutions 308 of 1995, and 131 and 295 of 1996, 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.

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Carried.

RESOLUTION NO. 163

by PUBLIC WORKS and FINANCE COMMITTEES Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING AMENDMENT OF AGREEMENT WITH STEARNS & WHELER ENVIRONMENTAL ENGINEERS AND SCIENTISTS FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE CONSTRUCTION OF A LEACHATE TREATMENT FACILITY AT THE NANTICOKE LANDFILL.

WHEREAS, this County Legislature, by Resolutions 361 of 1994 and 209 of 1995, authorized an agreement with Stearns & Wheler Environmental Engineers and Scientists for professional engineering services associated with the construction of a leachate treatment facility at the Nanticoke Landfill at a cost not to exceed \$750,000, and

WHEREAS, it is necessary to authorize the amendment of said agreement for construction review services necessary for the two-month extension of the construction of the leachate treatment facility at the Nanticoke Landfill, and

WHEREAS, the Acting Director of Solid Waste Management has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Stearns & Wheler Environmental Engineers and Scientists, One Remington Park Drive, Cazenovia, New York, 13035, for construction review services associated with the construction of a leachate treatment facility at the Nanticoke Landfill and to extend the contract term an additional 75 days, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay Stearns & Wheler Environmental Engineers and Scientists, an additional amount of \$22,872, for a total amount not to exceed \$772,872, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be funded by withholding a portion (\$22,872) of the construction retainage of the General Contractor on this project, and be it

FURTHER RESOLVED, that Resolutions 361 of 1994 and 209 of 1995, to the extent consistent herewith, shall remain in full force and effect, and be it

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

Carried.

RESOLUTION NO. 164

by EDUCATION, CULTURE & RECREATION and FINANCE COMMITTEES

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING AGREEMENT WITH MCFARLAND-JOHNSON, INC. FOR ENGINEERING SERVICES FOR THE DEPARTMENT OF PARKS AND RECREATION FOR THE VETERAN'S MEMORIAL ARENA IMPROVEMENTS.

WHEREAS, the Commissioner of Parks and Recreation requests authorization for an agreement with McFarland-Johnson, Inc. for professional engineering services for the Broome County Veteran's Memorial Arena for the period April 21, 1997 through April 30, 1998, at a cost not to exceed \$45,600, and

WHEREAS, said improvements will consist of the addition of sky

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box lounges and relocation of the press box area, and

WHEREAS, said services will include design study, construction documents, bidding, and construction administration, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with McFarland-Johnson, Inc., for professional engineering services for the Broome County Veteran's Memorial Arena for the period April 21, 1997 through April 30, 1998, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$45,600 for the term of this agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget lines 655035.4443.501304 (Engineering Expenses) and 655035.4443.501326 (Engineering Expenses), and be it

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

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

RESOLUTION NO. 165

by COMMUNITY & SOCIAL SERVICES COMMITTEESeconded by Mrs. Sweet

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON BROOME COUNTY YOUTH BUREAU ADVISORY BOARD.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolutions 163 of 1971 and 133 of 1976, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Youth Bureau Advisory Board for the terms indicated:

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
William Hodel 537 North Road Binghamton, New York 13904	12/31/99
Robert Houser 42 Forest Hills Boulevard Binghamton, New York 13905	12/31/97
Joseph Holly 34 Matthews Street Binghamton, New York 13905	12/31/97
Melissa L. Burish 98 Adams Avenue Johnson City, New York 13790	12/31/97
Linda Fellows 100 Old State Road Binghamton, New York 13901	12/31/98
Roseanne Norris 457 Morgan Road Binghamton, New York 13903	12/31/98
Daniel R. Price 68 White Birch Lake Road Windsor, New York 13865	12/31/99
Frederick K. Abdallah 2 Lois Street Binghamton, New York 13901	12/31/99

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David R. Bolton, Sr. 12/31/99
260 Main Street
Kirkwood, New York 13795

Anthony DeBellis 12/31/99
18 Montague Street
Binghamton, New York 13901

Robert Holbert 12/31/99
129 Academy Street
Johnson City, New York 13790

Holly Holcomb (Youth) 12/31/99
147 New York Route 7
Port Crane, New York 13833

Andrea R. Lamb 12/31/99
Ex-Officio
712 Irving Avenue
Endicott, New York 13760

Geraldine DeAngelo 12/31/99
Ex-Officio
50 Second Street
Binghamton, New York 13903

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolutions 163 of 1971 and 133 of 1976, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolutions 163 of 1971 and 133 of 1976, does hereby confirm the appointments of the above-named individuals to membership on the Broome County Youth Advisory Board in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 166

by FINANCE, TRANSPORTATION AND PUBLIC WORKS COMMITTEES

Seconded by Mr. Shafer

RESOLUTION AMENDING THE 1997 CAPITAL IMPROVEMENT PROGRAM.

RESOLVED, that the 1997 Capital Improvement Program is hereby amended to create a new project as follows:

		Estimated Construction Cost:		
<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>State</u>	<u>Federal</u> <u>County</u>
502293	Transit System	\$170,000	\$170,000

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Improvements

How Financed:

	<u>Year Start</u>	<u>YPU</u>	<u>Bond</u>	<u>Current</u>
<u>Revenue</u>	1997	NA	\$170,000

Description: Replacement of HVAC System, refurbishment of transit facility including repair or replacement of bus wash and bus lifts and replacement of coin sorting/counting machine, and be it

FURTHER RESOLVED, that in accordance with a request from the Acting Director of Public Transportation, in order to provide funds to create a capital project for Transit System Improvements, this County Legislature hereby authorizes the Budget Office, comptroller and Commissioner of Finance to make the following transfer of funds:

FROM:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
900084	4752	101000	Contingency	\$170,000

TO:

<u>Index Code</u>	<u>Subobject</u>	<u>Project Code</u>	<u>Title</u>	<u>Amount</u>
930024	9004	101000	Transfer to	\$170,000

Capital

and be it,

FURTHER RESOLVED, that the Budget Office, Comptroller and Commissioner of Finance are authorized to process any transfer of funds necessary to carry out the intent and purpose of this Resolution.

Carried.

RESOLUTION NO. 167

by TRANSPORTATION and FINANCE COMMITTEES Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING ACCEPTANCE OF A STATE DEDICATED FUND GRANT FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION.

WHEREAS, the Acting Commissioner of Public Transportation requests authorization to accept a State Dedicated Fund Grant in the amount of \$170,000, and

WHEREAS, it is intended to use said grant to fund a capital project for replacement of the Transit Facility HVAC system, refurbishment of the Transit Facility, and replacement of a coin sorting/counting machine (see companion resolution), now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes acceptance of \$170,000 from New York State Department of Transportation, and be it

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

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

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

Carried.

RESOLUTION NO. 168

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by TRANSPORTATION and FINANCE COMMITTEES seconded by Mrs. Sweet
**RESOLUTION AUTHORIZING THE ACCEPTANCE OF A
GRANT AWARD FROM THE FEDERAL DEPARTMENT OF
TRANSPORTATION FOR GRANT FUNDS FOR THE
DEPARTMENT OF PUBLIC TRANSPORTATION FOR 1997.**

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

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

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

WHEREAS, it is the goal of the applicant that minority business enterprises be utilized to the fullest extent possible in connection with this project and that definite procedures shall be established and administered to insure that minority businesses shall have the maximum opportunity to participate in

construction contracts, supplies, equipment contracts or consultant and other services, and

WHEREAS, this County Legislature, by Resolution 226 of 1996, authorized the acceptance of a grant award from the Federal Transit Administration for 1996 Grant Funds, and

WHEREAS, it is desired at this time to accept similar grant funds for 1997, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$1,194,868 from the United States Department of Transportation Federal Transit Administration, and be it

FURTHER RESOLVED, that the funds are to be used as follows: operating assistance for Broome County, January 1, 1997 through December 31, 1997, \$717,019; capital assistance for Broome County, \$440,905; operating assistance for Tioga County, January 1, 1997 through December 31, 1997, \$36,944, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits provided that said budget transfers do not affect a personnel line, and be it

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

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

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

Carried.

RESOLUTION NO. 169

by TRANSPORTATION and FINANCE COMMITTEES Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE FEDERAL DEPARTMENT OF TRANSPORTATION FOR GRANT FUNDS FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION FOR 1997.

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

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

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

WHEREAS, it is the goal of the applicant that minority business enterprises be utilized to the fullest extent possible in connection with this project and that definite procedures shall be established and administered to insure that minority businesses shall have the maximum

opportunity to participate in construction contracts, supplies, equipment contracts or consultant and other services, and

WHEREAS, this County Legislature, by Resolution 226 of 1996, authorized the acceptance of a grant award from the Federal Transit Administration for 1996 Grant Funds, and

WHEREAS, it is desired at this time to accept similar grant funds for 1997, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$992,500 from the United States Department of Transportation Federal Transit Administration, and be it

FURTHER RESOLVED, that the funds are to be used for the purchase of transit buses, and be it

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

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

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby authorized to execute any budget transfers within the budgetary limits provided that said budget transfers do not affect a personnel line, and be it

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

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

projects and budget procurement needs, and be it

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

Carried.

RESOLUTION NO. 170

by TRANSPORTATION COMMITTEE Seconded by Mrs. Sweet
**RESOLUTION AUTHORIZING THE BROOME COUNTY
DEPARTMENT OF PUBLIC TRANSPORTATION TO
CONDUCT A "BUS ROADEO" AT NYSEG'S KIRKWOOD
FACILITY.**

WHEREAS, the drivers for the Broome County Transit system, along with bus drivers from other counties throughout the state, participate in driving competitions from time to time to sharpen their driving skills and boost employee morale, and

WHEREAS, the acting Commissioner of Public Transportation has requested that this County Legislature sponsor such a competition known as a "bus roadeo" on June 8, 1997 to be held at NYSEG's Kirkwood Facility and authorize an agreement with NYSEG for the use of their facility at no cost to the County with the County to provide NYSEG with a certificate of insurance covering the event, and

WHEREAS, this County Legislature has determined that such a "Bus Roadeo" would serve the public interest by promoting driving skills and safety, now, therefore, be it

RESOLVED, that this County Legislature hereby sponsors the 1997 "Bus Roadeo" to be held in Broome County at the NYSEG Kirkwood Facility on June 8, 1997, and be it

FURTHER RESOLVED, that the Acting Commissioner of Public Transportation is authorized to make such arrangements for the event as may be necessary at no cost to the County, and be it

FURTHER RESOLVED, that the County Executive or his duly authorized representative is hereby empowered to execute any such agreements with NYSEG for the use of their facility as may be necessary including providing NYSEG with a certificate of insurance, so long as there is no other cost to the county, approved as to form by the Department of Law.

Carried.

RESOLUTION NO. 171

by PUBLIC SAFETY & EMERGENCY SERVICES and FINANCE COMMITTEES

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING AN INCREASE OF PETTY CASH FUND FOR THE BROOME COUNTY DIVISION OF SECURITY.

WHEREAS, the Division of Security currently has a petty cash fund in the amount of \$195 which is inadequate for its current needs, and

WHEREAS, the division has requested an increase of \$205 of said petty cash fund in order to have funds sufficient to meet its daily needs, and

WHEREAS, the Commissioner of Finance has determined that the petty cash fund should be increased by \$205, now, therefore, be it

RESOLVED, that this County Legislature hereby approves and increases the petty cash fund for the Division of Security by \$205 to the total amount of \$400, and further authorizes the Commissioner of Finance to transfer \$205 to the petty cash fund previously established, and be it

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

Carried.

RESOLUTION NO. 172

by FINANCE COMMITTEE

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING THE ADVERTISING FOR SALE OF 1993 IN REM FORECLOSURE PROPERTIES OWNED BY BROOME COUNTY.

WHEREAS, the County of Broome owns certain parcels of property acquired by the 1993 in rem proceedings, and

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

WHEREAS, the Director of Real Property Tax Service and the Finance Committee of this County Legislature have reviewed said 1993 in rem properties and said Committee has established upset prices for the sale of said parcels in accordance with procedures established by this County Legislature, and

WHEREAS, the Director of Real Property Tax Service and your sponsoring Committee request authorization of this County Legislature to proceed with the advertisement and sale of the 1993 in rem properties, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the Director of Real Property Tax Service to advertise for the sale of and to sell the in rem properties acquired by this County for the year 1993, said advertising and sale to be subject to the pertinent laws and procedures concerning the sale of County owned real property established by this County Legislature and in accordance with the terms of other appropriate laws concerning the sale of real property.

Carried.

RESOLUTION NO. 173

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING AN AGREEMENT WITH BINGHAMTON UNIVERSITY OFFICE OF RESEARCH AND SPONSORED PROGRAMS FOR A STAGE 2 ARCHEOLOGICAL EXAMINATION OF THE "GARDEN PLOTS".

WHEREAS, a Stage 1 Archaeological Survey of the County-owned property commonly known as the "Garden Plots" was conducted in 1989, and

WHEREAS, a Stage 2 site examination is proposed to collect sufficient information to determine the site's potential National Registry eligibility, and

WHEREAS, the Binghamton University Public Archeological Facility has provided a proposal to conduct the Stage 2 site examination which complies with Federal and State Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an

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agreement with the SUNY Binghamton Office of Research and Sponsored Programs, P.O. Box 6000, Binghamton, New York, 13902-6000, to conduct a Stage 2 Archeological Examination of the Front Street "Garden Plots", and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the contractor an amount not to exceed \$13,861, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 440016.4747.101000 (Other Fees for Services), and be it

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

Carried.

RESOLUTION NO. 174

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mrs. Sweet

RESOLUTION URGING NEW YORK STATE TO RESTORE FUNDS RELATING TO COUNTY-RUN DEPARTMENT OF MOTOR VEHICLES FOR FISCAL YEAR 1997.

WHEREAS, Vehicle and Traffic Law denotes the County Clerk in 51 counties as the agent for the Commissioner of Motor Vehicles and this partnership has endured for 42 years, and

WHEREAS, since 1935 the local county run Department of Motor Vehicles has issued drivers' licenses, permits and registrations for millions of New York State citizens, and

WHEREAS, County Clerks have always been proud of their Motor Vehicle offices, the quality of service and the efficient operations of their

offices, and

WHEREAS, Motor Vehicle operations produce for New York State \$236 million in gross revenue and county clerks retain for their operation \$16 million, netting a revenue of \$220 million for the State, and

WHEREAS, over the last 5 years during the Department of Motor Vehicle's Reinvention Initiative county clerks and their Department of Motor Vehicle offices have taken on enforcement transactions, official registrations, and financial security transactions; work which was formerly reserved for State District Offices, and

WHEREAS, regardless of what has been asked of County Clerks and their Motor Vehicle offices, the clerks have cooperated in order to provide better service to New York State residents even with the promise of no extra money, and

WHEREAS, in the recent Executive Budget, County Clerks' Department of Motor Vehicle offices are targeted to lose mail-in registrations and mail-in licenses revenue which comprise between 25%-40% of their revenue, and

WHEREAS, the longer lines, the closing of satellite offices, branch offices, and mobile units, the laying off of employees, and the refusing of services due to computer "shut out" would be the end product due to the loss of revenue, and

WHEREAS, the very purpose of the county run Department of Motor Vehicle office is service, service which will no longer be possible; now, therefore, be it

RESOLVED, that the County Legislature of the County of Broome strongly opposes the concept of removing the mail-in registration and mail-in licensing responsibilities from local Department of Motor Vehicle offices, and be it

FURTHER RESOLVED, that this County Legislature which opposes unfunded State mandates, firmly believes that the county-run Department of Motor Vehicles has now become an unfunded State mandate which does not take into consideration the needs of local counties and their residents and renews its opposition to unfunded

mandates, and be it

FURTHER RESOLVED, that this County Legislature, realizing the importance of the local Department of Motor Vehicles and the service they provide, stands on the good record of our two Motor Vehicle offices and request that the Governor reconsider his initiative on removing the mail-in registration and mail-in licensing responsibilities which would result in decreasing Department of Motor Vehicle revenue, and hence, seriously crippling local Department of Motor Vehicle services in our county, and be it

FURTHER RESOLVED, that a copy of this resolution be sent to the Hon. George Pataki, Governor; Hon. Joseph Bruno, Majority Leader of the Senate; Hon. Sheldon Silver, Speaker of the Assembly; Hon. Thomas Libous, State Senator; Hon. Robert Warner, Member of the Assembly; Hon. Jay Dinga, Member of the Assembly; and Patricia W. Woodworth, New York State Director of Budget.

Carried.

RESOLUTION NO. 175

by FINANCE, INTER-GOVERNMENTAL RELATIONS AND PERSONNEL COMMITTEES

Seconded by Mr. Augustini

RESOLUTION AUTHORIZING THE BROOME COUNTY DEPARTMENT OF FINANCE TO ASSUME ALL TOWN TAX COLLECTION DUTIES OF THE TOWN OF UNION AND AUTHORIZING A PERSONNEL CHANGE REQUEST AND TRANSFER OF FUNDS NECESSARY TO IMPLEMENT THE CONSOLIDATION PLAN

WHEREAS, the Town of Union has eliminated the post of Receiver of Taxes, effective January 1, 1999, and

WHEREAS, the incumbent Receiver of Taxes working with the Town Board of the Town of Union, the Chair of the County Legislature, the County Executive, the Commissioner of Finance and the Director of Real Property Tax Service, has formulated a plan for the transition and

consolidation with Broome County, for the collection of the Town of Union and Broome County real property taxes, and

WHEREAS, the consolidation of services of the Town of Union Receiver of Taxes and the Broome County Finance Department for the collection of Town and County real property taxes will benefit both parties and will promote efficiency and cost effectiveness of operation, and

WHEREAS, this consolidation proposal recognizes not only the large volume of payments received by mail but the significant 'walk-in' traffic of local taxpayers each January, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Union, whereby all town tax collection functions, formerly handled by the Town Receiver of Taxes, will become the full responsibility of the County of Broome, effective June 1, 1997, and be it

FURTHER RESOLVED, that said agreement shall contain language indicating that the County will offer on site collection services in the Town of Union during January of each year at certain town locations, and be it

FURTHER RESOLVED, that said agreement shall contain language accepting equipment from the Town of Union in support of the consolidated collection service, at no cost to the County, and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Finance, as contained in PCR # 97-194 and BT# 010032, in order to provide staff and funding for the implementation of this agreement during Fiscal Year 1997, this County Legislature hereby authorizes the creation of one Full-Time County Receiver of Taxes position, at budget line 340000.1000.101000, minimum salary \$28,557, grade 19 (BAPA), effective June 1, 1997, and further authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>INDEX</u>	<u>SUB-</u>	<u>PROJECT</u>	
	<u>CODE</u>	<u>OBJECT</u>	<u>CODE</u>	<u>TITLE</u>
				<u>AMOUNT</u>
FROM:	900084	4752	101000	CONTINGENT FUND

\$32,183
TO: 340000 1000 101000 SALARIES, FULL-TIME
\$16,625
340000 2110 101000 OFFICE MACHINES \$
400
340000 2850 101000 COMPUTER EQUIPMENT
\$10,000
340000 4462 101000 TRAVEL, HOTEL & MEALS
\$ 600
340000 8010 101000 STATE RETIREMENT
\$ 582
340000 8030 101000 SOCIAL SECURITY \$
1,272
340000 8050 101000 LIFE INSURANCE
\$ 12
340000 8060 101000 HEALTH INSURANCE
\$ 2,692

and be it,

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

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

Ayes-11 Augustini, Howard, Hudak, Hull, Lindsey, Mather, Miller, O'Day, Shafer, Wike & Schofield

Nays-8Brunza, Burger, Coffey, Harbachuk, Kavulich, Pasquale, Sweet & Whalen

The resolution **carried.** Ayes-15, Nays-4 (Coffey, Harbachuk, Sweet & Whalen)

RESOLUTION NO. 176

by FINANCE, PUBLIC SAFETY & EMERGENCY SERVICES, and COMMUNITY & SOCIAL SERVICES COMMITTEESecoded by Mrs. Hudak

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FOR THE DEPARTMENTS OF SHERIFF, SOCIAL SERVICES, AND EMERGENCY SERVICES.

RESOLVED, that in accordance with a request from the Sheriff, in order to provide funds for additional overtime by using savings in full and temporary salary lines, as requested by BT# 010269, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>	
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u> _____ <u>Amount</u>
FROM:	450023	1000	101000	Salaries, Full-Time
				\$77,128
	450023	1600	101000	Salaries, Temporary
				\$12,160
TO :	450023	1700	101000	Overtime
				\$89,288

and be it

FURTHER RESOLVED, that in accordance with a request from the Commissioner of Department of Social Services, in order to provide funds for a temporary Maintenance Worker while full-time Maintenance Worker is on medical leave of absence, as requested by BT# 000217, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>		<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	
FROM:	670018	1000	103000	Salaries, Full-Time	\$
					6,228
TO :	670018	1600	103000	Salaries, Temporary	\$
					6,228

and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Emergency Services in order to provide funds for an upgrade of two (2) Senior Emergency SVS Dispatchers, as requested by BT# 000591, this County Legislature hereby authorized the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u>	<u>Sub-</u>	<u>Project</u>		<u>Amount</u>
	<u>Code</u>	<u>object</u>	<u>Code</u>	<u>Title</u>	
FROM:	900084	4752	101000	Contingency	\$ 4,067
TO :	460006	1000	101000	Salaries, Full-Time	\$
					3,655
	460006	8010	101000	State Retirement	\$ 132
	460006	8030	101000	Social Security	\$ 280

Separate votes were taken on each BT as follows:

BT# 010269 **carried.** Ayes-16, Nays-3 (Coffey, Hudak & Wike)

BT# 000217 **carried.**

BT# 000591 **carried.**

RESOLUTION NO. 177

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

Seconded by Mr. Miller

**RESOLUTION AUTHORIZING PERSONNEL CHANGE
REQUESTS FOR THE DEPARTMENT OF EMERGENCY
SERVICES AND THE SECURITY DIVISION.**

RESOLVED, that in accordance with a request from the Director of Emergency Services as contained in PCR# 97-185, this County Legislature hereby authorizes the upgrade of two (2) Senior Emergency SVS Dispatcher positions, at budget line 460006.1000.101000, minimum salary \$30,876, grade 18, from grade 16, minimum salary \$27,743, and be it

RESOLVED, that in accordance with a request from the Director of Security, as contained in PCR # 97-195, this County Legislature hereby authorizes the creation of Account Clerk Typist position, at budget line 030080.1500.101000, minimum salary \$14,519, grade 07, and be it

RESOLVED, that in accordance with a request from the Director of Security, as contained in PCR# 97-196, this County Legislature hereby authorizes the upgrade of Admin. Manager of Security Services position, at budget line 030080.1000.101000, minimum salary \$35,465, grade 23, from grade 20, minimum salary \$30,498, and be it

RESOLVED, that in accordance with a request from the Director of Security, as contained in PCR# 97-197, this County Legislature hereby authorizes the upgrade of Assist. Director of Security position, at budget line 030080.1000.101000, minimum salary \$35,465, grade 23, from grade 20, minimum salary \$30,498.

Separate votes were taken on each PCR as follows:

PCR# 97-185 **carried.**

PCR# 97-195 **carried.**

PCR# 97-196 **carried.** Ayes-17, Nays-2 (O'Day & Wike)

PCR# 97-197 **carried.** Ayes-17, Nays-2 (O'Day & Wike)

RESOLUTION NO. 178

by PERSONNEL COMMITTEE

Seconded by

RESOLUTION CONFIRMING APPOINTMENT OF THOMAS P. HOKE AS DEPUTY COUNTY EXECUTIVE FOR HUMAN SERVICES.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article III, Section 304 of the Broome County Charter, has duly designated and appointed, pending confirmation by this County Legislature, Thomas P. Hoke, as Deputy County Executive for Human Services, in addition to his present duties as Commissioner of Social Services, effective April 1, 1997, and

WHEREAS, it is desired at this time, in accordance with the provision of said Charter, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article III, Section 304 of the Broome County Charter, does hereby confirm Thomas P. Hoke as Deputy County Executive for Human Services, in addition to his present duties as Commissioner of Social Services, in accordance with his appointment by the County Executive, at his present annual salary of \$73,401 (having been adjusted to 40 hours per week).

This resolution was **withdrawn** at the request of the County Executive, with the concurrence of the sponsoring committee.

RESOLUTION NO. 179

by PERSONNEL COMMITTEE

Seconded by

RESOLUTION CONFIRMING APPOINTMENT OF WILLIAM M. BARBER AS DEPUTY COUNTY EXECUTIVE FOR PHYSICAL SERVICES.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article III, Section 304 of the Broome County Charter, has duly designated and appointed, pending confirmation by this County Legislature, William M. Barber, as Deputy County Executive for Physical Services, effective April 1, 1997, and

WHEREAS, it is desired at this time, in accordance with the provision of said Charter, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Article III, Section 304 of the Broome County Charter, does hereby confirm William M. Barber as Deputy County Executive for Physical Services in accordance with his appointment by the County Executive, at a promotional salary of \$61,531 (having been adjusted to 40 hours per week).

This resolution was **withdrawn** at the request of the County Executive, with the concurrence of the sponsoring committee.

RESOLUTION NO. 180

by HEALTH SERVICES COMMITTEE Seconded by Mrs. Sweet
**RESOLUTION CONFIRMING APPOINTMENTS TO
MEMBERSHIP ON THE BROOME COUNTY COMMUNITY
SERVICES BOARD.**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article VIII of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Community Services Board for the terms indicated:

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
Michelle Manzione 22 Nanticoke Avenue Apt. 4	12/31/00

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Endicott, New York 13760

Robert F. Melville, Ph.D. 12/31/00
3264 Dogwood Drive
Binghamton, New York 13903

Judy Peckham 12/31/00
12 Campbell Road
Binghamton, New York 13905

Kathleen Wood 12/31/00
20 Sunrise Drive
Binghamton, New York 13905

Anna Gorski 12/31/00
500 Mountain View Drive
Endicott, New York 13760

Karel Kurst-Swanger 12/31/00
21½ Delavan Avenue
Binghamton, New York 13903

Judy Kessler 12/31/00
17 Elizabeth Street
Binghamton, New York 13901

Jane R. Sweet 12/31/00
Chair, Health Services Committee
(As Designated Representative of Legislature's Chair)

and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article VIII of the Broome County Charter, does hereby confirm the appointments of the above-named individuals to membership on the Community Services Board in accordance with their appointment by the County Executive.

Prior to the Session, the County Executive nominated one additional person as follows: Ms. Elizabeth Hickey, 207 S. Washington St., Binghamton, NY 13903

Mrs. Sweet moved, seconded by Mr. Howard that the resolution be amended to add Ms. Hickey as an appointee of the County Executive and that she is to be considered for confirmation with the other appointments.

The amendment **carried**.

The resolution as amended **carried**.

RESOLUTION NO. 181

by COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

Seconded by Mrs. Sweet

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

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

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
Jeffrey Tait 3641 Leonard Drive Endicott, New York 13760	12/31/00
Jerome Knebel Commissioner of Finance	Reappointment Ex-Officio Non-Voting

and

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

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

Carried.

RESOLUTION NO. 182

by EDUCATION CULTURE AND RECREATION COMMITTEESeconded by Mrs. Sweet

RESOLUTION CONFIRMING AN APPOINTMENT TO MEMBERSHIP ON THE BROOME COUNTY FOREST PRACTICE BOARD.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Section 9-0705 of the Environmental Conservation Law, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Forest Practice Board for the terms indicated:

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
Frederick S. Marsi Box 1B, Powderhouse Road Vestal, New York 13850	12/31/99

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Section 9-0705 of the Environmental Conservation Law, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Section 9-0705 of the Broome County Charter, does hereby confirm the appointments of the above-named individuals to membership on the Forest Practice Board in accordance with their appointment by the County Executive.

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Carried.

RESOLUTION NO. 183

by TRANSPORTATION COMMITTEE Seconded by Mrs. Sweet
**RESOLUTION CONFIRMING APPOINTMENTS TO
MEMBERSHIP ON THE BROOME COUNTY AIRPORT
ADVISORY BOARD.**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Resolution Number 195, dated April 21, 1987, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Airport Advisory Board for the terms indicated:

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
Douglas Chamberlain 164 Prospect Avenue Binghamton, New York 13901	12/31/99

William Atkin 24 Cedar Court Endwell, New York 13760	12/31/99
------------------------------------------------------------	----------

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution Number 195, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution Number 195, does hereby confirm the appointments of the above-named individuals to membership on the Airport Advisory Board in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 184

by EDUCATION CULTURE AND RECREATION COMMITTEESeconded by Mrs. Sweet

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY ARENA BOARD OF DIRECTORS.

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article XXIV of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Arena Board of Directors for the terms indicated:

<u>NAME & ADDRESS</u>	<u>TERM EXPIRING</u>
Justin Marchuska 2500 Saddlebrook Drive Vestal, New York 13850	12/31/99

Paul Cornell 4 Wynne Road Binghamton, New York 13901	12/31/99
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and

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

RESOLVED, that this County Legislature, pursuant to the provisions of Article XXIV of the Broome County Charter, does hereby confirm the appointments of the above-named individuals to membership on the Arena Board of Directors in accordance with their appointment by the County Executive.

Carried.

RESOLUTION NO. 185

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by PERSONNEL, FINANCE and TRANSPORTATION
COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION CONFIRMING APPOINTMENT OF WILLIAM
F.SHEA AS COMMISSIONER OF AVIATION AT A SALARY
ABOVE THE MINIMUM GRADE AND AUTHORIZING THE
PAYMENT OF RELOCATION EXPENSES AND RENTAL OF
COUNTY HOUSE.**

WHEREAS, Jeffrey P. Kraham, Broome County Executive, pursuant to the powers vested in him by Article X-A, Section 1001-A of the Broome County Charter, has duly designated and appointed, pending confirmation by this Legislature, William F. Shea, 1315 Avenue A, Seaside, Oregon 97138 as Commissioner of Aviation at an annual salary of \$53,900, as referenced by PDR# 97-345N, which is above the minimum, effective April 21, 1997, and

WHEREAS, in the past William Shea has served as Broome County as Commissioner of Aviation and has extensive experience in airport administration, and

WHEREAS, it is desired at this time, pursuant to the provisions of Article X-A, Section 1001-A of the Broome County Charter, to confirm said appointment, now, therefore, be it

RESOLVED, that this County Legislature hereby confirms the appointment of William F. Shea, as Commissioner of Aviation, in accordance with his appointment by the County Executive, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the payment of up to \$2,500 for relocation expenses for Mr. Shea's move from Seaside Oregon to Broome County, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the charging of \$325.00 per month for rent, utilities included, for the use of a county-owned house, said monthly rent to be payable by Mr. Shea to the Commissioner of Finance.

Carried.

RESOLUTION NO. 186

by PERSONNEL, COUNTY ADMINISTRATION, ECONOMIC DEVELOPMENT & PLANNING and FINANCE COMMITTEES Seconded by Mr. Hull

RESOLUTION AUTHORIZING PERSONNEL CHANGE REQUEST FOR THE COMMISSIONER OF FINANCE AND DIRECTOR OF BUDGET AND RESEARCH.

WHEREAS, this County Legislature commencing with the 1997 budget changed the hours of work for the Comptroller from 37.5 hours per week to 40 hours per week, and

WHEREAS, the Commissioner of Finance and Director of Budget & Research are currently at a 37.5 hour per week status, and

WHEREAS, the positions of Commissioner of Finance and Director of Budget & Research are comparable in responsibility to the position of Comptroller, and

WHEREAS, to maintain parity among these finance position the County Executive has recommended that the Commissioner of Finance and Director of Budget & Research be changed to a 40 hour per week status, now, therefore, be it

RESOLVED, that in accordance with a request from the County Executive as contained in PCR #97-177, this County Legislature hereby

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authorizes a change in the position of Commissioner of Finance at budget line 0000.1000.A.101000 from Grade L, minimum salary \$52,955 to Grade L(40) minimum salary 56,485 effective January 1, 1997, and be it

FURTHER RESOLVED, that in accordance with a request from the County Executive as contained in PCR #97-176, the County Legislature hereby authorizes a change in the position of Director of Budget & Research at budget line 0037.1000.A.101000 from Grade L, minimum salary 52,955 to Grade L(40) minimum salary \$56,485 effective January 6, 1997.

Separate votes were taken on each PCR as follows:

PCR #97-177 relating to the Commissioner of Finance **carried** as follows:

Ayes-11 Brunza, Burger, Harbachuk, Howard, Hull, Mather, Miller, Pasquale, Shafer, Sweet & Schofield

Nays-8 Augustini, Coffey, Hudak, Kavulich, Lindsey, O'Day, Whalen & Wike

PCR #97-176 relating to the Director of Budget & Research **carried** as follows:

Ayes-15 Augustini, Brunza, Burger, Coffey, Harbachuk, Howard, Hull, Lindsey, Mather, Miller, O'Day, Pasquale, Shafer, Sweet & Schofield

Nays-4 Hudak, Kavulich, Whalen & Wike

RESOLUTION NO. 187

by PERSONNEL, TRANSPORTATION and FINANCE
COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION AUTHORIZING PERSONNEL CHANGE
REQUEST FOR THE DEPARTMENT OF AVIATION.**

WHEREAS, that in accordance with a request from the County Executive, as contained in PCR# 97-198, this County Legislature hereby authorizes the upgrade of Commissioner of Aviation position, at budget line 210203.1000.207000, minimum salary \$51,411, grade K(40) from grade K, minimum salary \$48,322, as referenced by PDR# 97-345N.

Carried.

RESOLUTION NO. 188

by FINANCE AND INTERGOVERNMENTAL RELATIONS
COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION SUPPORTING THE ENACTMENT OF NEW
YORK STATE SENATE BILL S-662 AND ASSEMBLY BILL A-
1808 ADJUSTING WORKERS COMPENSATION BENEFITS
FOR PERMANENTLY INJURED VOLUNTEER FIREMEN AND
AMBULANCE WORKERS.**

WHEREAS volunteer ambulance services and volunteer firemen provide invaluable services to the people of Broome County and the entire state, which services would be extremely costly to provide were it not for the work of these public spirited volunteers, and

WHEREAS these volunteers are provided benefits under the workers compensation law in the event they are injured and disabled while performing their duties but such benefits are based on the date of injury which could be many years ago, and

WHEREAS weekly compensation benefits based on an injury sustained many years ago have failed to keep pace with inflation, and

WHEREAS the Senate and assembly have bills pending before them to increase benefit levels for these volunteers who have been injured and disabled in years past to the present benefit level, now therefore be it

RESOLVED that this County Legislature hereby goes on record in support of Senate Bill S-662 and Assembly Bill A-1808 increasing the benefit for disabled volunteer firemen and ambulance workers to the current level regardless of date of injury, and

BE IT FURTHER RESOLVED that the Clerk of the Legislature is hereby directed to send a copy of this resolution to the legislative bodies of the counties of this state, Assemblyman Dinga, Assemblyman Warner, Senator Libous and the Senate and Assembly leadership.

Carried.

RESOLUTION NO. 189

by COUNTY ADMINISTRATION, PLANNING & ECONOMIC DEVELOPMENT COMMITTEE

Seconded by Mrs. Sweet

RESOLUTION CONFIRMING APPOINTMENTS TO MEMBERSHIP ON THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

WHEREAS, Daniel A. Schofield, Chairman of the Broome County Legislature, pursuant to the powers vested in him by Resolution No. 78, adopted March 4, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, has duly designated and appointed, pending confirmation by this Legislature, the following named individuals to membership on the Broome County Industrial Development Agency Board of Directors for the terms indicated:

NAME	TERM	NAME
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TERM

<u>& ADDRESS</u>	<u>EXPIRING</u>	<u>&</u>	<u>ADDRESS</u>
<u>EXPIRING</u> George Akel, Jr. 12/31/98 2165 E. Hamton Road Binghamton, NY 13903 (Reappointment)	12/31/98	Charles N. Griffiths, Jr.	3786 Cobblestone Ct. Binghamton, NY 13903 (New Appointment)
Douglas M. McMaster 12/31/98 27 Rudd Road Windsor, NY 13865 (Reappointment)	12/31/98	Susan A. Inneo	22 Grand Boulevard Binghamton, NY 13905 (New Appointment)
Gary VanNostrand 12/31/98 38 Laurel Avenue Binghamton, NY 13905 (Reappointment)	12/31/98	John A. Robilotto	17 Edgecomb Rd. Binghamton, BY 13905 (New Appointment)
Peter N. Hankin 12/31/98 174 Brown Road Vestal, NY 13850 (Reappointment)	12/31/98	James L. Hackett	3715 Maplehurst Drive Endwell, NY 13760 (New Appointment)

and

WHEREAS, it is desired at this point in time, in accordance with the provisions of Resolution No. 78, adopted March 24, 1970, Resolution No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, to confirm said appointments, now, therefore, be it

RESOLVED, that this County Legislature, pursuant to the provisions of Resolution No. 78, adopted March 24, 1970, Resolution

No. 46, adopted February 6, 1979, Resolution No. 223, adopted April 21, 1987 and Article 18-A of the New York State General Municipal Law, does hereby confirm the appointments of the above-mentioned individuals to membership on the Broome County Industrial Development Agency Board of Directors in accordance with their appointments by the Legislative Chairman.

Carried.

RESOLUTION NO. 190

by FINANCE COMMITTEE

Seconded by Mrs. Sweet

RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST AND A TRANSFER OF FUNDS FOR THE DEPARTMENT OF EMERGENCY SERVICES.

RESOLVED, that in accordance with a request from the Director of Emergency Services, as contained in PCR# 97-205, this County Legislature hereby authorizes the creation of a "911 Consolidation Co-Ordinator" position in the Department of Emergency Services at budget line 460006.1000.101000, minimum salary \$34,424, grade E, effective April 21, 1997, and be it

FURTHER RESOLVED, that in accordance with a request from the Director of Emergency Services, in order to provide funds for a "911 Consolidation Co-Ordinator," as requested by BT# 9237, this County Legislature hereby authorizes the Commissioner of Finance to make the following transfer of funds:

	<u>Index</u> <u>Code</u>	<u>Sub-</u> <u>object</u>	<u>Project</u> <u>Code</u> <u>Title</u>	<u>Amount</u>
FROM:	900084	4752	101000 Contingency	\$32,518
TO :	460006	1000	101000 Salaries, Full-Time	\$25,818
	460006	8010	101000 Retirement	\$ 1,265
	460006	8030	101000 Social Security	\$ 1,975
	460006	8060	101000 Health Insurance	\$ 3,460

This resolution was removed from the 'Preferred Agenda' at the request of Legislator Coffey, who indicated that it was her intent to hold the resolution over. This was the last item on the 'Preferred Agenda' and it followed several resolutions that had been removed for separate consideration. Following the reading of the resolution title, the Chair recognized Mr. Miller who moved, seconded by Mr. Wike to **call the question** on the resolution.

The call of the question **lost** as follows:

Ayes-5 Augustini, Miller, O'Day, Wike & Schofield

Nays-13 Brunza, Burger, Coffey, Harbachuk, Howard, Hudak, Hull,
Kavulich, Lindsey, Mather, Pasquale, Sweet & Whalen

Absent-1 Shafer

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

RESOLUTION NO. 191

by COMMUNITY & SOCIAL SERVICES and FINANCE
COMMITTEES

Seconded by Mrs. Sweet

**RESOLUTION AUTHORIZING MODIFICATION OF LEASE
AGREEMENT WITH KADRO REALTY CORPORATION FOR
RENTAL OF SPACE FOR THE DEPARTMENT OF SOCIAL
SERVICES FOR 1997 THROUGH 2007.**

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WHEREAS, this County Legislature, by Resolution 284 of 1996 authorized a lease renewal with Kadro Realty Corporation for rental of substantially renovated and newly constructed office space at 36-38 and 40-42 Main Street, Binghamton, New York, for the Broome County Department of Social Services for a ten-year period from January 1, 1997 through December 31, 2006, with an option for two additional five-year renewal periods, at a rate of \$6.39 per square foot effective January 1, 1997, with a two percent (2%) yearly rent escalation clause, and

WHEREAS, in accordance with Resolution 284 of 1996, the ten-year lease agreement for the Department of Social Services building with Kadro Realty Corporation was duly executed on December 4, 1996, and

WHEREAS, to secure necessary financing Kadro Realty Corporation claims it requires an additional one-year period added to the ten-year lease term, now, therefore, be it

RESOLVED, this County Legislature hereby authorizes a modification of the lease agreement between Kadro Realty Corporation, 84 Court Street, Binghamton, New York, 13901, and Broome County Department of Social Services authorized by Resolution 284 of 1996, to provide for a one-year extension of the original ten-year period for a term (as modified herein) of eleven years commencing January 1, 1997 and ending December 31, 2007, with an option for two additional five-year renewal periods, and be it

FURTHER RESOLVED, that in consideration of this lease modification, the County shall pay Kadro Realty Corporation at the rate of \$6.39 per square foot for the period January 1, 1997 through December 31, 1998, with a two percent (2%) yearly rental escalation becoming effective January 1, 1999, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 670018.4422.103000 (Building and Grounds Rental), 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.

Carried.

Mr. Wike moved, seconded by Mr. Whalen to **adjourn** at 5:19 P.M.

The adjournment **carried** by voice vote.